

# Pre- Genocide

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Editors: Anders Jerichow and Cecilie Felicia Stokholm Banke  
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Humanity In Action (Denmark)  
Dronningensgade 14  
1420 Copenhagen K  
Phone +45 3542 0051

Anders Jerichow  
and Cecilie Felicia Stokholm Banke (ed.)

# Pre-Genocide Warnings and Readiness to Protect

Humanity In Action (Denmark)

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# Preparing ourselves for the future

Judith Goldstein

Jules Verne opined that “the *future* is but the *present* a little further on.” One could add that the future is but the present that has been shaped or formed by the past-connections that have been and remain the concern of many great minds. When one mixes in the critical concept of pre-genocide, the complexities multiply in frightening proportions. Does the term pre-genocide thrust us into the future in the effort of audacious anticipation?

This compendium of essays identifies and examines conditions that lead to genocides in the recent past as well as current conditions that could lead to future genocidal catastrophes. The themes are necessarily infused with alarms and warnings based upon past histories. Furthermore, these studies come at a critical time of global instability and combustible circumstances and events: wars and preparations for wars; environmental havoc that leads to massive displacement; unprecedented numbers of refugees; growing fears about national and ethnic identities.

Are we possibly entering the foreboding realm of pre-genocide, pushing towards authoritarian rule, when the President of the United States asserts that he has complete authority to “terminate” any inquiry into the actions of his office and to pardon anyone who might be tried for any act which the Justice Department and a grand jury determines to be illegal?

As Rebecca Rolphie has written: “If the chief executive arrogates control over prosecutorial decisions, there are at least three potential consequences. First, an innocent person might go to jail and lose his liberty, not because he committed a crime but because it was politically expedient to send him there. Second, top White House officials and others could avoid consequences for their actions simply because they have power. Third, the law could be used to threaten, weaken, or dismantle political opposition, which would undermine the entire democratic process.”<sup>1</sup>

Meeting the many urgencies of the moment is the work of Humanity in Action. Asking this specific question about pre-genocide is one of many, and not just of those based in America, that is at the heart of Humanity in Action. The organi-

zation came into existence over 20 years ago to promote a set of and educational objectives: support liberal democracies, support pluralistic societies, support resistance to those who work against authoritarian regimes that pit group against group. The historic references, as the European programs began, were the Holocaust, the Second World War, and the post war development of human rights laws and democratic states in Europe and elsewhere. Over the years, Humanity in Action's subjects have grown in geographical scope to include trans-Atlantic studies of slavery, colonialism, racial oppression and nationalism.

From the beginning, the pedagogy existed to connect the past to the present in order to prepare our Fellows for the future. Little did we expect that these carefully honed linkages would change so much over the past few years. In our present volatile times when liberal democracies are being tested, especially through challenging the value of pluralistic societies, we remain more committed than ever to that educational pedagogy – the obligation to engage an international cadre of university students and young professionals. We exist to help them serve as guardians of the past, to meet the challenges of the present and to become architects of a stable and equitable future—a future unmarked by incremental steps that lead to the tragedies of genocide.

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Note:

<sup>1</sup> Roiphe, Rebecca. "Can the Rule of Law Survive Trump?" *The New York Review of Books*, The New York Review of Books, 1 June 2018

# Genocide: Never Again?

Anders Jerichow

Are we lying to ourselves? Or did we not manage to learn from our own experiences?

After the Holocaust, the governments of the world promised the survivors and themselves that there should be an end to systematic attempts at eradicating specific ethnic or religious group of people: “Never Again” became an international slogan, repeated – in earnest, not just ritually – in the UN, on the anniversary of the Russian liberation of Auschwitz on January 27, 1945, and any other suitable opportunity. Therefore, the world also received its “Convention on the Prevention and Punishment of Genocide.”<sup>1</sup>

But the world did not keep its promise. The mere names of Cambodia, Kurdistan, Rwanda, and Bosnia produce unbearable memories of the systematic eradication of peoples, even after World War II – and not in war or in spontaneous arbitrary rage, but after careful preparation, dehumanization of the victims, and rulers’ legitimization of the serial murder of their compatriots.

The Holocaust has gained “recognition” as the ultimate slaughter of a people – “Genocide” – after the Nazi Third Reich’s murder of six million Jews and many others. The word itself was created by the Polish-Jewish lawyer Raphael Lemkin<sup>2</sup> in the middle of World War II by linking *genos* (people, race – from Greek) with *cide* (killing – from Latin) in his book about the Nazi occupying forces in European society. Lemkin later became author of the UN Convention on the Prevention and Punishment of the Crime of Genocide, defined as “actions committed with the intention to destroy, in whole or in part, a national, ethnic, racial or religious group.”

Other powers had previously carried out bloody attempts at wiping out entire groups of people. One of them – the genocide of Armenians during the then Ottoman Empire – still produces strong political and diplomatic disputes about responsibility. But the claim that over one million Armenians were killed in the later days of the Empire – with the intention of removing their group and after political planning – is widely recognized. “The Armenians, who are among the oldest nations living on Anatolian soil, after having lived for centuries surrounded by several different Muslim states and people, were subjected to genocide during the period of 1915-18. Sixty percent of the Armenian population within Ottoman



borders, estimated to be close to two million in 1914, was annihilated,” historian Raner Acram recounts in this anthology. “This represented nothing less than the wiping out of a major civilization.”

And regardless of the post-World War II vow of “Never Again” – and regardless of the UN’s Convention on the Prevention and Punishment of the Crime of Genocide – genocide is not reduced to a historical phenomenon we have put behind us. Most people have a sense of the numerical character of the Holocaust and other genocides, its horrific practice, and its symbols, which stand chiseled within the memory and all political awareness. The six million. Transport of human beings to destination Death. Mass graves. On the gates of Auschwitz, *Arbeit macht frei*. Gas chambers.

Never Again?

Thirty years later, the Khmer Rouge carried out the terrifying displacement of Cambodians from their homes and cities, the use of torture prison S-21, and the incalculable, unconscionable killing of the unwanted – without international preparedness, and without an international will to protect the chosen victims. And more memories are chiseled into historical consciousness from our own time: the poison-gas murders in the Kurdish city of Halabja; the mere name of Srebrenica and the “Valley of Death” in Bosnia; and “Rwanda” – in itself a memory-inducing appellation for the slaughter of hundreds of thousands of people.

What brought society to this murderous madness remains a subject for interpretation. Neither the crimes against the Armenians, the Holocaust, nor later genocides came sneaking up in the night. They had preludes, warning signs, in many instances reports from civil defenses and desperate pleas for help.

The victims of the past received no help and were not spared from the evils that became their fate.

Today, it is possible to identify the run-ups, the political, judicial and media-related slippages, as well as warning signs and failing civil defenses. And it is not just a matter of historical interest. Our own time, at this very moment – currently in Myanmar – reveals assaults and ethnic displacement which cause international observers to speak of genocide.

In both the Holocaust and later genocides there were epicenters of the tragedy, communities that were dragged down and societies on the edge. My own country, Denmark, occupied by Nazi Germany from the period of April 1940 to May 1945, cannot be said to have had any decisive role or place in relation to the Holocaust.

But Danish Jews became incorporated in the decision made in Berlin to murder Europe's Jews.

Neither the Danish government, the small Jewish community, nor Danish society in general had been in doubt in the 1930s about the developments occurring in the mighty neighboring land to the south. Like all other states, Denmark witnessed the violation of democracy in Germany, the new racial laws, the first detention and concentration camps, *Kristallnacht*, the Night of Broken Glass in November 1938, etc. – each one reflected in the daily press as well as diplomatic reports from Berlin. Denmark, too, had been challenged by the desperate pleas of refugees at the door of the border. And, like other European states, Denmark had to a significant extent preferred to keep its borders closed to protect the anxiety-filled relationship with Berlin.

In retrospect, these years in Denmark before World War II and the Holocaust are neither a proud nor an honorable story, since they do not testify to due diligence in countering what could have undoubtedly been feared as forthcoming. To claim that Denmark could not have known what was being launched would be factually wrong. To use a popular contemporary term, it would be “fake news.” If Denmark could have taken an independent stand or, in conjunction with others, thwarted Nazism or its imminent expansion is another question. But there was ample access to factual knowledge about Nazism's philosophy, its beliefs about race, and its intentions. What one would see, one could see.

The occupation of Denmark on April 9, 1940 was a formality for the Nazi troops. Greater opposition met the Nazi choice – and preparation – to arrest and deport the Danish Jews overnight between October 1 and 2, 1943. Seen with history's hindsight, it is a proud memory for Denmark because it ended with the rescue of the vast majority of Danish Jews. The sequence of events and heroic actions are, however, worth keeping in mind.

For several generations of Danish Jews, there was initially the traumatic and routine tragedy that Jews were singled out for deportation to an uncertain and frightening fate in Central Europe. Six thousand Danish Jews, from one day to the next, could no longer go home and sleep in their own beds. On the contrary, they had to seek protection with all available haste – often with countrymen and women whom they did not know and who did not know them – while seeking the next possibility for crossing over the Øresund strait to a country that – with a limited cooperation policy – had avoided Nazi occupation.

Later historians have attempted to argue that the escape occurred without great statistical or material risk. That would, however, mean nothing to the 500 Danish

Jews who were actually detained and deported to the Theresienstadt concentration camp, from which 52 did not return home. And neither does it make much sense for the other 6,000 Jews who had to flee from their homes, nor to the thousands of other Danes who, notwithstanding the perceived risk, offered homes for fellow citizen refugees, hospitals that admitted Jewish “patients” under false names and equally false diagnoses, and fishermen who decided to risk their vessels, their livelihood, and their freedom to sail threatened countrymen and women over the Sound.

No accolades have been greater in Denmark than Yad Vashem’s honoring of the Danish people – as such – for assistance to Jewish compatriots.<sup>4</sup> And in view of the rejection of Jewish refugees in the 1930s by the European states – including Denmark – Sweden’s willingness to receive any Danish-Jewish refugee in October 1943 also belongs among the most honorable of acts.

In Denmark, aid from holiday-home owners, hospitals, fishermen and the thousands of other helpers did not spring from a governmental decision – but rather from personal, individual accountability. To find the courage for such broad-spectrum solidarity in citizenship in contemporary Europe, one would literally have to search long and hard. And it is not wrong to assert that this assistance, which time and again came to the majority of Danish Jews in October 1943 to immeasurable benefit, has, both within and beyond Denmark, become a hallmark of Danish identity.

However, before the Jewish tragedy – the flight – and the Danish moment in the spotlight with the rescue came several years of willingness to turn backs toward the Nazi use of force leading up to the Holocaust.

Anti-Semitism in Germany was “a type of *passe-partout*, an explanation for almost all the contradictions of modern life, especially in a Germany that was shaken by defeat, revolts and uprisings,” writes historian Ulrich Herbert. It did not happen without debate. “Throughout the Weimar years there were genuine waves of anger directed against anti-Semitism, expressed in all the newspapers by members of the reputable right-wing and left-wing alike.” Nevertheless, according to Herbert, it had been undeviatingly clear to the German voters who voted for the National Socialist Party, NSDAP, that they thereby supported the most anti-Jewish movement in Germany ever seen. And what followed could not escape either the German or the international public. Already “in the first weeks and months after the Nazis seized power there was a torrent of discriminatory regulations and special laws concerning the Jewish population,” which, at the beginning of the

war, included more than 1,400 separate rules. The goal was unambiguous: to get Jews to leave Germany, as did a quarter of the Jewish population in Germany four years later, in 1937.

And, as Ulrich Herbert writes, “The persecution of the Jews was very closely observed in the major newspapers in the USA, in Great Britain and France” and undoubtedly in other nations’ media. The degradation of German civil society and removal of legal protection for Jewish citizens took place in broad daylight and with full international awareness. Europe was heading for war, and the neighbors of the Third Realm had heard when Göring, after *Kristallnacht* in November 1938, stated that “If the German Reich enters into a foreign-political conflict in some foreseeable future, then it goes without saying that we in Germany will also think first of all about carrying out a major reckoning with the Jews.”

Already then, Jewish Germans were denied their civil rights, to a large extent deprived of their economic livelihoods, and had good grounds to fear, both for their future – and that the will of the outside world would show timely concern.

It was no different in Poland, which would lay the groundwork for the Nazi extermination camps. “Most of civil society ... supported growing, and eventually total, separation from Jews, effectively dividing the country along ethnic lines. Language grew more brutal, with routine comparisons of Jews to vermin, especially of the blood-sucking kind, parasites, germs and rats, which need to be expelled. The government, in fact was intensely involved in promoting Jewish emigration, voluntary or otherwise...” writes Konstanty Gebert. When the war eventually became a reality and Poland was occupied, hospital director Zygmunt Klukowski noted in his diary that “Peasants, fearing repression, catch Jews throughout the villages and bring them to town or often just kill them on the spot. In general, a strange bestiality towards Jews had set in. Some kind of psychosis has taken hold of people, who following the example of the Germans often do not see in the Jew a human being, but consider him some kind of noxious animal, which must be exterminated by any means, like rabid dogs, rats etc.” According to Gebert, it was not a new, but an age-old psychosis in the Polish society. Only knowledge about its consequences can protect a society against psychosis, he believes. “To resist that knowledge is to feed the disease.”

Both in Germany and Poland, demonization of Jews and the separation of Jewish communities from their surroundings were part of the prelude to the Holocaust. Italy knew something about that, writes Michele Sarfatti: “in 1938 Europe saw a

steady increase of rules and laws against Jews. Not only was German legislation becoming increasingly drastic, the early months of that year saw the enactment of anti-Jewish laws in Romania and Hungary, while Germany's anti-Jewish laws were extended to Austria, now annexed to the Third Reich. Also, in March Poland approved a law restricting the citizenship of expatriates, and that summer Switzerland passed strict measures against the arrival of new refugees. In this broader European context, the laws passed in September-November 1938 in Fascist Italy contained some provisions which – at the time when they were promulgated and for a few weeks duration – were even more persecutory than those in force in Nazi Germany, such as the expulsion of foreigners and the banning of schoolchildren and students.”

In Holland, “No one in the years before the Second World War could predict that under the German occupation more than three-quarters of the Dutch Jews would be deported to German camps in Poland and murdered there – more than anywhere else in Western Europe. The Netherlands were too civilized for such inhumanity,” concludes Selma Leydesdorff. It happened anyway, and the Dutch still seek an explanation.

“In the collective memory of the Netherlands, almost every non-Jew had hated the occupier, and even those who felt it was safe to continue living as they had before the war – although Jews were people one did not really ‘know’ – imagined that there would also be safety for those considered an accepted minority. This image is a construction of changing memories. I want to argue that in the dominant historical view of the past, Jews have become more accepted than they actually were.”

In the Netherlands, she writes, “the policy to exterminate the Jews came from the Germans, but the occupation forces were helped by a smoothly running administration and by a majority of the Dutch policemen who were charged with arresting the Jews, and also by the Dutch railway personnel who transported them to the transit camp from where German trains departed to the death camps. All this was facilitated by the smooth Dutch administration.”

It calls for a reassessment of the classic distinction between perpetrators, victims and bystanders. The great murderous machine of the Holocaust demanded in many countries a hand from people who did not attribute to their own train whistles, their consignments to the occupying power, or their routine management of apparently everyday pursuits any role in or responsibility for the great crime. When the Dutch Jews were finally arrested with a view to

deportation to death camps in Poland, other Poles often stood in the streets and looked on.

A few decades after the end of the Holocaust, World War II, and the adoption of the UN Convention on the Prevention of Genocide, a genocide unfolded in Cambodia. But why Khmers killed other Khmers, according to anthropologist Alexander Hinton, is a question that is still being asked. In 1975, after seven years of civil war, the “Khmer Rouge” initiated a dramatic revolution that would radically transform and collectivize their country. No free market, no private property, no currency, everyone should be the same – at least officially, because all of us should be equal, although, as in Orwell’s novel, some were more equal than others. “Cambodians were expected to ‘forge’ their minds and ‘build’ the country through hard labor,” he writes. Even marriages were ruled by the class-based revolution. “Religion was banned; Buddhist monks forcibly disrobed. Pagodas, a center of village life, were defaced, destroyed, and used as storage facilities, hospitals, prisons, or even torture centers. Freedom of speech, travel, and assembly were dramatically curtailed.” From there, it was but a short leap to the deaths of more than two million inhabitants, or a quarter of the population. “The violence that ensued did not follow in a straight line from the Party to the killing fields, but the potential was there in its Manichean vision, moralism, and homogenizing impulse to create a singular society comprising only pure revolutionaries. An initial phase of violence took place immediately after the revolution as the entire urban population was sent into the countryside...”

Hinton: “In one of the regime’s clearest statements of genocidal intent, Pol Pot told the nation, ‘We do not consider these traitors, these counterrevolutionary elements, to be part of the people. They are enemies.’” While it might be possible to “separate, educate and win over” some of these enemies, others had to be “neutralized” or “isolated and eradicated.”

Were there warnings? Hinton answers: “The question, again, is a directive, often answered with a list: upheaval, past histories of violence, intergroup cleavages, dehumanization, ideologies of hate. The list goes on, often quantitatively weighted, suggestions of a predictive yes.”

But he writes, “Genocide, as I have stated, is a process that takes different shape and form. Politics, organization, and consciousness, while coming in many forms, are almost always all involved – as is a related vision of a moral order with inclusions and exclusions – though to different extents. But never take your eye off the sparks, the events and upheavals that fan (or exhaust in cases of de-esca-

lation) the flames, make exclusion and dehumanization more possible, legitimate violence, and even turn hate into a virtue.”

A decade later, it became the Iraqi Kurds’ turn. This took place at the end of eight years of the Iraqi war with neighboring Iran. The then Iraqi dictator, Saddam Hussein, had many motives for his genocide: in part an urge to take revenge against Kurdish militia who had occupied or meant to occupy Iran, and in part an ongoing attempt to “Arabize” traditional Kurdish areas in northern Iraq.

“To accomplish its task, the Iraqi military used a tactic as simple in its effectiveness as it was ghastly in its conception: on the first day of every stage covering a given area, it would deploy poison gas to flush a terrified population out of their village homes, gathering them up as they reached the paved road, transporting them to transit camps for sorting, then dispatching them to their final destiny in Iraq’s western deserts sparsely populated by Arab tribes. Here execution squads did their hellish job. If today we know what happened, it is because they were sloppy: some victims survived..”

The genocide was effectively managed from Baghdad’s side, and the Kurds in northern Iraq were warned.

Nowhere after the Holocaust has a genocide been so brutally and shamelessly announced in advance and the alarm bells rung so clearly as in Rwanda. Early warnings positively queued up for attention; Milles Colline Radio and the *Kangura* newspaper urged the killing of cockroaches and snakes, as the Tutsis were termed; UN representatives in the country asked headquarters for help; and Belgian, American and French diplomats warned early and precisely about: genocide. It was also what the UN Rapporteur on summary, arbitrary and extrajudicial executions, B.W. Ndiaye, reported to the UN Human Rights Commission in the summer of 1993. Half a year later, Canadian General Romeo Dallaire, Head of the United Nations Mission in Rwanda, UNAMIR, asked his headquarters for authorization to search for stocks of machetes which, in his opinion, were being built up to conduct a genocide. The UN’s then Deputy Secretary-General and later Secretary-General Kofi Annan rejected the request – something for which he later apologized.

But the unpleasant knowledge of rampant mass murder was as systematically ignored as the genocide was systematically staged. Rwanda had experienced it before – in the ethnic massacre of Tutsis in 1959, 1962 and 1972. Hutu media, especially the popular Radio Television Libre des Milles Colline, was systematically used for hate speech in the early 1990s to dehumanize the Tutsi minority.

Assumpta Mugiraneza writes: “No one went out on a murder spree. One merely went to work. One got up, grabbed his tools and reported to receive his work instructions. There were work teams, planned tasks which one got busy completing, sometimes with group singing, and the work that was to be done was about murdering Tutsis. When you took up your work, you had to start by getting rid of those who could put up the greatest resistance – adult men of fighting age – and then move on to women, children, and finally to older men and women.”

But the United Nations, France, Belgium and the United States, all preferred to avoid recognizing that it was a genocide – for no other reason than because it would have obliged them, at least morally, to step in. Yet they were warned, also by international correspondents in Rwanda. While the UN and the superpowers wrung their hands, over half a million Tutsis were killed in Rwanda. More murders followed.

Researchers still do not universally agree whether the massacres against “Bosniaks” – Bosnian Muslims – during the 1992-95 conflict constitute genocide or ethnic cleansing.

“Over three and a half years, the war claimed approximately 100,000 lives; but it wasn’t until the summer of 1995 that the scale and intensity of the killing finally compelled international actors to intervene in Bosnia and Herzegovina,” writes Edina Becirevic. “In July of that year, Serb forces overtook the UN Safe Area of Srebrenica and killed 8,000 Bosnian Muslim men and boys over several days. Yet, the distinction made by most governments at the time, and by many scholars since, between the crimes in Srebrenica – in which large numbers of people were killed quickly – and those carried out earlier in the Drina River basin or over years in Sarajevo and Prijedor raises questions about how the dimensions of these crimes are weighed. Can the label of genocide really be applied only to mass murder carried out swiftly? Is it not genocide if tens and hundreds of people are killed every day for years, as they were in Sarajevo? By focusing entirely or largely on the scope and density of killing, researchers risk failing to recognize the deeper social aims of genocide.” Becirevic’s own interpretation is clear: “Genocide did occur in Bosnia and Herzegovina, and that it was guided by a plan that was operationalized in 1992, eventually leading to the killing of nearly 8,000 Bosniaks in Srebrenica in July 1995.”

The motives for genocide have been different. The groups chosen for elimination have been different. The methods of murder have been different. What currently



brings them under the UN Convention is, in particular, an “intention” to destroy, in whole or in part, a national, ethnic, racial, religious or other definable population.

Professor Gregory H. Stanton, who worked for the US Department of State for most of the 1990s, has devised what he terms the “10 stages” of genocide after he himself had been involved in the endeavor to ensure tribunals in Cambodia and Rwanda.

#### The 10 Stages:<sup>5</sup>

1. Separation (of populations into “us” and “them”).
2. Use of hate symbols (to shame target groups with words or imposed symbols like the “Jewish star,” special registration or clothing).
3. Discrimination (e.g., stigmatization or concretely by race law).
4. Dehumanization (exposure of the target group to hateful propaganda, comparison with animals, attribution of negative characteristics).
5. Organization (e.g., into bands of hooligans, terrorist groups intending violence against the target group).
6. Polarization (through media and, for example, by defining interaction between “them” and “us” as hatred).
7. Preparation (building up armed groups, purchasing weapons, training in “necessary” violent acts).
8. Persecution (massive violation of human rights, exposing of the target to extreme violence, physical, confined to target group).
9. Murderous acts (genocide in practice).
10. Denial (which, according to Stanton, has accompanied most genocide).

As Stanton has been the first to point out, one or more of these phenomena can prevail in a society without necessarily leading to genocide. And not all genocides evolve according to the same model in the same order. But the 10 stages often accompany with genocide.

And if a society strives for democracy, justice and cohesion, none of the 10 phenomena will serve that purpose, more likely the opposite – they risk dragging society down and make social cohesion impossible.

Abram de Swaan has identified “a checklist of warning signs, each of them an aspect of the compartmentalizing process, which indicates an increased probability of large-scale annihilation” – i.e. the forebodings of catastrophe. De Swaan is the first to realize that “no one can tell if, and when, catastrophe will strike.” He

is also first to call for evaluating current regimes that are taking a turn towards compartmentalization with all that may entail.

“It is said that ‘It can’t happen here and it can’t happen in our time.’ Do not be too sure,” observes de Swaan, who advises us to sound the alarm when power divides people between “them and us.”

Seven decades after the adoption of the UN Convention which would prevent genocide, the United Nations is, according to Dr. Simon Adams, in an existential crisis.

“Historically, no issue has done more to tarnish the reputation of the UN than the failure to halt mass atrocities. Arguably it was not until Rwanda and Srebrenica during the 1990s that the United Nations began to grapple with this failure and the need for the international community to respond to such crises in ways that were both legitimate and legal. Linked to this debate was a recognition that the UN’s long-term credibility depends upon its ability to not only provide a global debating chamber, but to offer practical solutions wherever and whenever people face the threat of mass atrocity crimes,” writes Dr. Adams.

In recognition of this challenge, a 2005 UN conference adopted, with the participation of a historically large number of heads of state and governments, the principle of R2P, “Responsibility to Protect,” to allow the Security Council and the international community to step in, in time to protect populations against their own governments and against genocide.<sup>6</sup>

Ten years later, in 2017, it did not prevent a regulated genocide of the Yazidi minorities in northern Iraq, nor atrocities against the minority of Rohingyas in the Rakhin Province of western Myanmar, which the UN Jordanian High Commissioner for Human Rights, Zeid Raad al-Hussein, called ethnic cleansing and later “with elements of a genocide.”<sup>7</sup>

Adams: “Fundamentally, the Myanmar situation was not just a failure of the UN Security Council to uphold their responsibility to protect, it was a failure to challenge the calculus of lowest common denominator diplomacy and to defend the basic norms and principles of human rights and humanitarianism”

Wichert ten Have, Adviser to IHRA, The International Holocaust Remembrance Alliance, offers his lesson:

“The relevance of all this is that small steps should be seen as warning signs of a process of discrimination and stigmatization, possibly leading to persecution. There is need for awareness that propaganda can hide the real meaning of a gradual policy. Steps leading to the stigmatization of a group are such signs. This is

equally important for our own time, when politics and society are confronted with stigmatization and discrimination again and again.”

This acknowledgment, said Wichert, “should be present on all levels. On a higher level, in what is called the ‘international community’: from the perspective of a Responsibility to Protect one should identify the steps in the process and the urgency for action and intervention. The same awareness is needed for all human beings in their specific situation in society.”

In the case of Myanmar, 688,000 Rohingyas were nevertheless displaced from the country over four months, in 2017 alone – and thousands killed – while the Security Council did not adopt a single resolution to charge the guilty of these atrocities.

Never more, never again?

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Notes:

<sup>1</sup> Convention on the Prevention and Punishment of the Crime of Genocide, [http://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1\\_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf](http://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf)

<sup>2</sup> Raphael Lemkin, <https://www.ushmm.org/wlc/en/article.php?ModuleId=10007050>

<sup>3</sup> Cecilie Felicia Stokholm Banke and Anders Jerichow, “Civil Society and the Holocaust – International Perspectives on Resistance and Rescue.” *Humanity In Action*, New York 2013

<sup>4</sup> The Rescue of Denmark’s Jews, <http://www.yadvashem.org/righteous/stories/the-rescue-of-denmark-jews.html>

<sup>5</sup> Gregory H. Stanton, “10 Stages of Genocide,” <http://www.genocidewatch.com/ten-stages-of-genocide>

<sup>6</sup> United Nations Office on Genocide Prevention and the Responsibility to Protect, <http://www.un.org/en/genocideprevention/about-responsibility-to-protect.html>

<sup>7</sup> The U.N. Isn’t Ruling Out “Elements of Genocide” in Myanmar. *Time.com*, <http://www.time.com/5051269/un-genocide-rohingya-zeid-raad-al-husseini/>

### Suggested further reading:

Annan, Kofi, with Nader Mousavizadeh – *Interventions: A Life in War and Peace*, Penguin Press, New York, 2017

Bak, Sofie Lene – *Nothing to Speak of. Wartime Experience of Danish Jews 1943-45*. The Danish Jewish Museum, 2011

Balakian, Peter – *The Burning Tigris, A History of the Armenian Genocide*, Pimlico, London 2005

Dallaire, Romeo, *Shake Hands With the Devil: The Failure of Humanity in Rwanda*, Random House Canada, 2003

Gourevitch, Philip – *We Wish to Inform You That Tomorrow We Will Be Killed with our Families*, Picador, New York, 1998

Hiltermann, Joost R. – *A Poisonous Affair: America, Iraq and the Gassing of Halabja*. Cambridge University Press 2007, Berkeley CA, 2005

- Jerichow, Anders – *Oktober '43*, Humanity In Action 20013
- Hinton, Alezzander Laban – *Why Did They Kill?: Cambodia in the Shadow of Genocide*. University Of California Press, 2004
- Karski, Jan – *Story of a Secret State*, Penguin, New York 1944
- Klemperer, Victor – *Language of the Third Reich*, Bloomsbury 2013
- Lidegaard, Bo – *Countrymen, The Untold Story of How Denmark's Jews escaped the Nazis, of the courage of their fellow Danes – and of the extraordinary role of the SS*. Penguin Random House, 2013
- Stokholm Banke, Cecilie Felicia & Jerichow, Anders – *Civil Society and the Holocaust – International Perspectives on Resistance and Rescue*, ”
- Humanity In Action, New York 2013
- United Nations Office on Genocide Prevention and the Responsibility to Protect,<http://www.un.org/en/genocideprevention/about-responsibility-to-protect.html>
- Genocide Watch, [www.genocidewatch.com](http://www.genocidewatch.com)

# I. Genocide

# Armenian nation: Inclusion and Exclusion under Ottoman Dominance

Taner Akcam

The saying, “the Armenians, once a faithful people, turned into a traitorous people,” can frequently be encountered in Turkey. This troublesome expression, whose dual suggestive nature (an Armenian people who are both faithful and traitorous) is problematic, in fact captures very succinctly the events that occurred within the context of the “Armenian issue” during the Ottoman era.

The message it conveys is straightforward: as long as Armenians remain faithful and devoted to Muslims, they are allowed to remain members of society; however, the moment they cease or fail to be loyal, they will be ostracized and labeled as ‘traitors’. This saying demonstrates how the inclusion/exclusion tactics employed by the Ottoman Empire functioned during the 400 years (16<sup>th</sup>-20<sup>th</sup> Centuries) of Ottoman society’s dominance and hegemony upon Armenian lands and people.

The Armenians, who are among the oldest nations living on Anatolian soil, after having lived for centuries surrounded by several different Muslim states and people, were subjected to genocide during the period of 1915-18. Sixty percent of the Armenian population within Ottoman borders, estimated to be close to two million in 1914, was annihilated. Those who survived were either forced to flee to the Caucasus or struggled to stay alive in Syria-Iraq where they were forcibly deported. This represented nothing less than the wiping out of a major civilization in the Middle East.

It is always difficult to answer questions such as why large massacres occur and what – if anything at all – could have been done to prevent them. In order to answer the question of ‘why’, we are compelled to look to the past and conduct what could be considered a teleological reading of history. Seeing as mass exterminations do not happen suddenly – they do not simply fall from the sky – there have to be some historical roots and reasons for why it ensues.

Indeed, why were the Armenians the target of genocidal policies during 1915-18? Was it impossible to predict that such a catastrophe was about to occur – were there no early warning signs detected? And, if the impending calamity was fore-

seen, why was nothing done to prevent it? These are serious questions that will continue to trouble us and, perhaps, have different explanations depending on the conditions and contexts of those who attempt to answer them.

The first answer to why the 1915-18 genocide took place is that it did not occur in an ahistorical vacuum. The events of 1915-18 appear to be the culmination of a series of similar, albeit smaller, massacres that preceded it. It is difficult to establish a definite beginning to these historical events. However, if we are to take the 1878 Berlin Congress as a start date, prior to the genocide in 1915-18, the Armenians had already been subjected to massacres in 1894-96, 1904 and 1909. These massacres continued on even after the genocide in 1921-22, as if shockwaves in the aftermath of the main event. Thus, when discussing mass murder and genocide with regards to the Armenians in Anatolia, we are in fact talking about a period spanning 1878-1923. It is crucial to integrate this larger context into the discourse on Armenians and not focus solely on the 1915-18 genocide.

The second answer to the 'why' question must emphasize that these atrocities were not committed against Armenians alone, but that all Christian minorities were being targeted at the time. During the period in question, Assyrians, Ottoman Greeks and other Christian minorities were likewise targeted in the massacres; or, in the case of the Greeks, were additionally subjected to ethnic cleansing manifested in the form of forced migration to Greece in 1913-14 and 1923-24. It might, therefore, be more accurate to characterize the period of 1878-1923 as one of genocide perpetrated by the Ottoman government against its Christian subjects. Thus, any discussion of how mechanisms of inclusion/exclusion operated within Ottoman society must encompass not solely the Armenians, but all other Christian populations, as well.

How Christians were included in the Ottoman society's social, cultural and economic life, and what types of relationships they could develop with Muslim populations was primarily determined by Islamic Law. This is because the Islamic faith and its rules were not limited to the domains of belief and worship. It also promulgated legal, social and political laws and regulations pertaining to every aspect of a country's social life.

Provided the Christians accepted Islam's authority and supremacy, Islamic law guaranteed them their freedom of worship and conscience. In response to this security provided by Islam, the Christians were expected to remain dependent and loyal to the Muslim administration and were forced to pay an additional head-tax known as *cizye*.

Under Ottoman hegemony, Christians were divided according to their sects (Catholic, Protestant, Orthodox, etc.) into separate categories. These groups, named *millet* by the Ottoman government, were then provided individual autonomy. Through this limited sovereignty, each *millet* group was not only able to administer its own religious affairs but was also granted the capacity to regulate matters of education, marriage, divorce, custody rights and inheritance laws. Only criminal offenses and matters were left to the jurisdiction of Ottoman courts. Each *millet* also possessed the authority to indict, adjudicate, and collect taxes from within its own members.

However, these freedoms and opportunities of autonomous self-organization did not signify that the Christians were equal to Muslims under Ottoman rule. On the contrary, there were a series of political and legal limitations to this self-government. For example, Christian men were not allowed to marry Muslim women. Furthermore, in Sharia courts, the Christians were either prohibited from testifying against Muslim defendants entirely or, in cases where they were permitted, two Christian testimonies would amount to one Muslim testimony. Inequality was also present in Ottoman criminal law. For example, a Muslim who had murdered a Christian would rarely receive the death penalty.

In addition to the abovementioned examples of inequality, the Christians were also exposed to a series of derogatory practices in social life. For instance, Christians could not conduct their worship rituals in a manner that would disturb the Muslim populations; they were not allowed to ring church bells or construct any new houses of worship; riding horses, carrying weapons and walking on the sidewalk when encountering a Muslim were also strictly prohibited for the Christians. Moreover, there were several restrictions regarding their clothing, housing, and other such matters.

In summary, the pluralist model adopted by Ottoman Islam was constructed upon the legal and cultural degradation and belittlement of any non-Muslim populations. The Christians, in turn, were expected to wholly accept the status ascribed to them. As long as the Christian populations submitted to what in modern terms would be deemed a 'second class citizenship', no problems would arise. To object this status was, consequently, interpreted as breaking the agreement contracted with the Muslim society. As a matter of fact, the Christian demands for political and legal equality during the 19<sup>th</sup> Century were interpreted precisely as such and the Muslim populations refused to concede.

Christians being discontented with their status has come to signify the breakdown of the 'inclusion' mechanism. 'Knowing one's place' is an indispensable



and crucial cultural category within the Muslim-Turkish (and Kurdish) society. Today, the calamities suffered by the Christian populations are generally explained through this cultural code. According to this dominant Muslim view (Turkish, Kurdish, Circassians etc), the Christian populations' dissatisfaction with the freedoms granted by the Muslims and their subsequent requests for additional privileges constituted their breaching of the boundaries demarcated for them. In other words, they did not know their place. Consequently, every calamity they suffered was caused by this violation of social and political boundaries.

There is another crucial and indispensable dimension to this legal-social-cultural backdrop that condemned the Christians to second-class citizenship and led to their unequal representation in every aspect of society. The Armenian issue was fundamentally an issue of land.

The great majority of the Armenian population lived in contemporary Turkey's Eastern provinces, known also as Western Armenia (Van, Bitlis, Mus, Diyarbakir, Elazig, etc.), intermingled with the Kurds. The Armenians, who were sedentary farmers engaged in agriculture and animal husbandry, and city dwellers, often-times were exposed to attacks by the nomadic Kurdish tribes. The pillaging of their harvests and crops, seizure of their animals and properties, storming of their villages, looting and robbery, and the kidnapping of Armenian women and girls were common occurrences. In order to protect themselves from these types of attacks, Armenians would frequently have to pay additional taxes to the leaders of Kurdish tribes.

In the second half of the 19<sup>th</sup> Century, influenced by the ideologies of the French Revolution, the Armenians felt the desire to rid themselves of their second-class citizenship and began to demand equality and freedom from the government. In truth, the Ottoman rulers did understand that they would face the dissolution of the Empire if they did not acquiesce to the Christian populations' demands of social, political, and legal equality. The 1804 Serbian and 1820 Greek uprisings and the subsequent independence of Greece in 1830 were especially strong indicators to this regard. For this reason, a new era of reform was introduced beginning in 1830, with what is known as the *Tanzimat*. The 1839 Tanzimat Reforms, the 1856 Islahat Reforms, and the 1876 Constitution all symbolize crucial steps towards ensuring the equality of Christians and Muslims in the Empire.

The year 1863 carries particular importance with regards to the initiatives aiming for the equality of Armenians (and Christians at large) and Muslims. Within the 1856 Reforms framework, the Armenian Millet system had been reconstructed

and in 1863 the bylaw (constitution) of the Armenian Millet had been accepted. Accordingly, Armenians had held an election and formed an Armenian National Parliament in Istanbul. This parliament begun gathering the complaints of Armenians from around the Empire and submitting them to the Sultan in the form of reports. Moreover, they carried out active advocacy campaigns for the realization of further political and administrative reforms.

The Armenian demands for reform entered into a new phase with the 1878 Berlin Treaty. The topic ceased to be an issue solely of domestic concern and became the number one problem of contemporary international diplomacy. In Article 61 of the treaty, the Ottoman government promised to increase measures to protect Armenians from Kurdish and Circassian attacks, as well pass the needed reforms.

However, neither the promises of reform nor the partial regulations guaranteeing equality were executed willingly by the Ottoman leaders. Consequently, the reform demands began being perceived as imposed upon the Empire from external forces. Perhaps more importantly, the Muslim population was extremely displeased with any reforms that would render Christians as equal citizens.

Ultimately, the Christian initiatives to improve their status and obtain equality – in other words, to break the former status quo and unspoken agreement – also initiated the period of severe alienation. The attempts to secure Muslim-Christian equality formed the foundation for Muslim-Christian tensions. The perceived interference by foreign governments on behalf of the Armenians in particular only served to compound the discontent of the Muslim populations.

It would be reasonable to trace a direct link between the Armenians' demands for equality and reform and their subsequent alienation. We are confronted here, however, with a paradoxical link. At the same time the Armenians drew nearer towards the realization of their demands for reform, their risks of exclusion and even massacres increased, as well. It is not a coincidence that the massacres of Armenians occurred precisely at those instances in which they voiced their demands for reform the loudest. The massacres during the 1894-1896 Abdul Hamit era were, in fact, a backlash to the reform conferences that began in 1895 and the Armenian Reform Declaration of October 1895.

In the year 1894, the Armenian villagers of Sasun refused to pay additional taxes to the Kurdish tribes and, as a result, fell victims to a largescale massacre. Consequently, the great powers began to apply pressure on the Empire to execute reforms protecting the Armenians. An ultimatum was given on the topic of re-

forms in May 1895 and the entire summer of that year was spent in deliberations debating what reforms would be carried out and how. A series of Consulate reports arriving from the provinces during this period, which shed tremendous light on the impact of the Armenian reform debate upon international diplomacy and the public, indicate that threats against Armenians had escalated in wake of these reform negotiations.

The ambassadors of the great powers in Istanbul were likewise aware that the pressure they were exerting upon the Empire on behalf of the Armenian population would likely cause an increase in Muslim backlash towards Armenians, including a surge in regional massacres. They did not, however, engage in any preventative measures that would counteract the effect of their operations. For this reason, the 1894-96 Massacres provide a splendid example of how actions carried out for the protection of a victim group can ultimately produce a result antithetical to the original objective.

The case of the 1909 Adana Massacre is not much different. In July 1908, the Committee of Union and Progress (CUP) – the political party that would go on to mastermind the Armenian Genocide – led a revolution that compelled Sultan Abdul Hamit to declare the Empire a parliamentary democracy once again. The despotic regime of over 30 years had finally collapsed and the country was swept up in the tides of freedom and equality. All Christian populations in general – and the Armenians in particular – were overwhelmed with expectations of reform. Instead of the amelioration of their status, however, what they witnessed was the massacre of 20,000 Armenians in the city of Adana. The targeting of Armenians in 1909 resembled the 1894-96 massacres. The Armenians had come to represent the new Constitution and its reforms and political freedoms. Once again, it was no coincidence that the Muslims, who did not wish the Christians to be treated as their equals, attacked a group that had become the face of these recent reforms for freedom and equality.

The same reform-alienation dilemma can be used to explain the 1915-18 Armenian Genocide. The Ottoman Empire had just experienced a devastating defeat during the 1912-13 Balkan War and lost a significant portion of its European lands. The Armenian reforms stepped into the limelight once more, primarily through the encouragement and support of the Russians. The Great Powers, just as during the 1894-96 period, renewed their pressures on the Empire in regards to passing reforms. New reform deliberations took place based on the tenets of the 1895 reform plan. These deliberations, which intended to put an end to the

oppression of Armenians and solve their problems of political, social and legal inequality, brought with it the acceleration of the process of Armenian alienation.

The CUP leaders, using the support of the foreign powers as a justification, directly threatened representatives of the Armenian organization with mass murder. They believed that the foreign powers' pressures represented a threat to the territorial integrity of the Empire and that these reform deliberations were in reality a façade for a conspiracy to divide the Ottoman lands. Accordingly, the country was face to face with a grave security threat and the Armenians were its primary cause.

In 1914, Russia and the Ottoman Empire signed a reform treaty encompassing the Eastern provinces (Western Armenia). According to this agreement, two autonomous provinces would be established in the regions where Armenians resided; the Armenians would be directly involved in the administration of these provinces, including the security forces; and foreigners would be appointed as governors. The Ottoman leaders interpreted this treaty as sowing the seeds for the establishment of an independent Armenian state and began contemplating strategies for eliminating what they perceived as a profound threat against their interests.

There is a direct connection between the perception of Armenian aspirations for reform as a security threat and the Armenian genocide. The rationale of the Ottoman leaders was simple: the great powers were using the Armenians as a pretext for meddling in the domestic affairs of the Empire and were masquerading their ulterior motives of dividing the country with the facade of reforms. They concluded that in order to obstruct the foreign powers from achieving their intended objectives, the Empire had to rid itself of its Armenian problem.

As such, the threats and attacks against Armenians in Anatolia began to increase significantly. The local Armenian newspapers discussed the looming danger of massacres on a daily basis. Some Turkish officials who were friendly with Armenians were likely warning their Christian friends of the imminent calamities. In August 1914, a secret agreement was signed between Germany and the Empire in which the Ottomans pledged allegiance to the Germans during the First World War. Simultaneous to the signing of this agreement, the Ottoman leaders began taking some precautionary measures against the Armenians.

When the Ottomans officially entered into the war in November 1914, their first act was to abolish the Reform Treaty of February 1914. The arrest of Armenian leaders and the sieges and pillaging of Armenian villages accelerated drastically.

In other words, Ottoman leaders were biding their time for the right opportunity to orchestrate a large-scaled massacre.

In January 1915, the Russian forces won a decisive victory in Sarikamis and all of the Armenian provinces listed in the February 1914 Reform Treaty were on the verge of falling under Russian control. The Ottomans expected that if the Russians did seize control of these territories, they would implement the Reform Treaty and the Muslim population of the region would be deported. This denoted nothing less than the Empire losing its Eastern provinces.

In the same months, the English and French naval forces had begun entreating upon and threatening Istanbul from the strait of Gallipoli. The Ottoman Empire was on the verge of collapsing. The leaders interpreted this as the consequential fight for survival. The only way to prevent the execution of the Armenian reforms and save the Eastern provinces was to ensure the total annihilation of the Armenians – and this is precisely what ensued.

The Armenian Genocide was the Ottoman leaders' response to the Armenians' demands for equality and freedom. Their aspirations of reform had paved the path to their mass extermination. Moreover, the pressure applied by the foreign powers on the Empire did nothing more than to act as a catalyst to the dynamic of reform-massacre and accelerate the process. The fact that the Armenian reform initiatives would have been met with massacre unless a direct foreign intervention attempted to forestall it is illustrated through the examples of the 1894-6 period and the period after 1914. Both the Armenian press and the Consulate reports were teeming with the early warning signs of catastrophe. Whereas the Armenians as a victim group did not possess any capacity to circumvent the impending calamities, the foreign powers, likewise aware of the imminent tragedy, were contented with doing nothing more than watching the events unfold.

The Armenian Genocide offers a valuable lesson on and impeccable example of how foreign pressures exerted on behalf of a group (in this case the Armenians), can have the exact opposite effects as intended. It demonstrates masterfully the truthfulness and value of the principle that reminds us to avoid interfering if we are not ready to face the unintended and plausible negative ramifications of the intervention.

# Germany: Omens, hopes, warnings, threats – Antisemitism 1918 to 1938

Ulrich Herbert

For the majority of the German population, defeat in war, the revolution, and the economic downturn 1918/19 were inexplicable events. The war had not even taken place on German soil and even in the early summer of 1918, victory for Germany had been strongly expected. This made the defeat all the harder to comprehend.

In this respect, it is unsurprising that antisemitism experienced an enormous surge from the winter of 1918-1919, with Germany's defeat and then the Revolution. As part of the exhaustive search for the causes and culprits responsible for the calamities afflicting the Fatherland, both Western liberal civilization and the Communist Revolution in Russia were blamed. Both were forces of universalism and internationalism – and thus were interpreted as antithetical to the way of thinking of the Germans, which was oriented towards the nation. Were the leading bankers in the USA and in Great Britain, in France – and in Germany itself – not Jewish? Were some of the principal representatives of the left-wing parties and revolutionary groups – from Leo Trotsky to Rosa Luxembourg – not also Jewish? According to the widespread view, both of these adversarial groups were represented by the Jews, indeed, they were seen to be led by Jews who, by definition, were a group that itself was internationally and universally oriented.

This belief was adopted even more strongly from the period of horrendous currency devaluation until the hyperinflation of 1923. No-one could comprehend how a loaf of bread could suddenly cost a thousand, and then a million Marks. Work itself did not seem to be of any value any longer. Typical of this view, one anonymous Munich resident wrote to the authorities at the end of 1923 that the “veterans of honest work, who had made Germany great, live in poverty, starving and freezing.” Meanwhile, “very young lads, fattened cattle-traders, wood racketeers, food profiteers, who all know how to avoid any kind of tax checks on their shady business dealings, take luxury trips in their elegant cars and indulge in nights at cabarets and night-clubs in a haze of wine with their idle female companions who care only about their ever more silly-looking dresses.”

It therefore became apparent that that which was inexplicable could in fact be explained by the activities of networks and secret societies, by conspiracies and secret agreements. In such explanations, the connection to antisemitism was never far away: here, suspicion and resentment were linked to the observation that Jewish businessmen and traders had benefited from the period of inflation. To be sure, non-Jewish businessmen had also profited from this, but they did not attract attention in the same way as a textile merchant, who, perhaps heralding from Galicia, had become wealthy during the period of inflation and who therefore seemed to serve as glaring evidence for suspicions that inflation was being controlled by dark forces. It was the “modern” man, not bound by tradition and custom, who had found his way in the modern world and who had profited from modernity, that was identified as something particularly Jewish – even by observers who would later become so level-headed, such as Thomas Mann. Mann characterized the typical speculator as “blond-Jewish and elegant, in his mid-thirties, with a monocle and fat, white, manicured hands, wearing a quilted smoking jacket and polished shoes, an excellent example of the international-culture-capitalistic profiteers.”

Beyond the devaluation of the currency, the experience of inflation intensified the mistrust and resentment towards liberalism and capitalism in general. But, in contrast to the antisemitism that served as an explanation and as an outlet for the right-wing groups and that had virtually come to define right-wing politics, popular anti-capitalism that emerged from the experience of inflation was also widespread among the Left and even the Centre. The experiences of the early 1920s thus loosened the intellectual and emotional bonds towards the liberal economic and social system even for those who had represented it in social terms and supported it in political terms – this was the case for the bourgeoisie and, particularly, the Bildungsbürgertum, i.e. the educated middle classes.

In this way, the inflation years acted as a kind of incubation phase for the new kind of antisemitism. What had hitherto been regarded as a mixture of rumours and slander was now viewed as accurate and truthful. A report from Bavaria stated as early as 1920 that “the hatred of the broadest circles is increasingly directing itself against the Jews,” a group “that had, for the most part, monopolized trade and, in the most widely shared view, had become wealthy at the expense of their fellow men in the most unscrupulous of ways.”

The experiences of the Münchner Räterepublik (Bavarian Soviet Republic) acted as a kind of burning glass for these irritations and anxieties. That a large German city had been controlled by a small and dilettante group of radical left-wing writers and anarchists, for weeks confirmed people’s worst fears. Among the

Bavarian bourgeoisie, the hatred of Bolshevism and left-wing intellectuals now became almost fanatical. And because some of the leaders of the Bavarian Soviet Republic had also been Jews, the experience of Soviet rule was immediately associated with the figure of the communist Jew, therefore permanently strengthening antisemitic obsessions that were already present anyway.

Conspiracy theories thrived whenever the world became more complex and wherever modernity asserted itself with a particular forcefulness, overrunning older attitudes and ways of life. But in contrast to other countries, in Germany such theories were connected to defeat in the war and combined the sense of confusion towards the modern age with the radical demands for revenge and compensation; moderation and patience were meanwhile denounced as cowardice and treason. This gave the suspicions that dull, radical tone that was perceptible throughout the post-war years.

Despite the nationalist tenor of these remarks, traditionalist critiques of the foundations of modern culture were by no means limited to Germany. But what was specific to Germany (and Austria) was the link between criticism of modernity and the humiliating experiences of defeat in the First World War. Here, defeat in war was interpreted as the victory of Western principles over the conflicting ideals of the Germans.

As a result, cultural criticism gained its acutely nationalistic dynamic: the forms of modernity that manifested in Germany were conceived as variants of foreign rule – and hence as rule by that group which was seen as so inexplicably successful in everything that was new and modern – in other words, rule by the Jews. Antisemitism thus became a type of *passe-partout*, an explanation for almost all the contradictions of modern life, especially in a Germany that was shaken by defeat, revolts, and uprisings.

Until 1933, however, antisemites in Germany were always confronted by a large group of opponents. Throughout the Weimar years there were genuine waves of anger directed against antisemitism, expressed in all the newspapers by members of the reputable right-wing and left-wing alike. This was the case after the riots in Berlin's Scheunenviertel and after the murder of Walther Rathenau. Meanwhile, the increasing number of desecrations of Jewish cemeteries which occurred at the end of 1924 and the assaults on Jews by members of the SA from the late 1920s elicited similar responses.

Here, what was even more important was the relative security offered to Jews by the Weimar Republic as a constitutional state. Admittedly, there were court decisions in which sympathy with the antisemites could be clearly discerned – but



these resulted in scandals and were the exceptions rather than the norm. Indeed, recourse to the courts in the case of assaults, libel, or abusive propaganda remained the most important counter-measure for Jewish organizations against the antisemites until the end of the Weimar Republic. Thus, the Central-Verein deutscher Staatsbürger jüdischen Glaubens (“Central Association of German Citizens of Jewish faith”) tirelessly used this instrument, certainly not without some success.

It was not least because of this that many German Jews hoped, and indeed were convinced, that antisemitism was, in historical terms, a remnant of a dark past and was gradually dying out. This optimism was held both by Jews that were mostly moderate in their political views and those who subscribed to left-wing assessments of antisemitism, particularly those put forward by left-wing intellectuals. In the magazine *‘Die Weltbühne’*, for example, antisemitism and antisemites were subject to acerbic mockery and always to dismissive scorn. In this context, militarism and its connection to the traditional elites were seen as the genuinely dangerous aspects of radical right-wing politics in the Weimar Republic. Organized hatred of Jews, by contrast, seemed to be something rather anachronistic, and would be soon be vanquished anyway. For instance, Arnold Zweig wrote in *‘Die Weltbühne’* in 1919 that, in the eyes of antisemites, the Jew was an “amusingly horrific mythical beast,” and that the Aryan Siegfried would not rest until “the world infected by Jews has been healed by the German spirit. In short: we are dealing with the eternally adolescent dreams of immature, overindulged Dahn and Wagner enthusiasts, who delight in fighting against the bogeyman they themselves have created and thereby transform their own nature into something nasty through lies.”

Most liberal and left-wing intellectuals could not comprehend the potency and suggestive power of extreme right-wing ideologies nor did they possess suitable categories for analysing them.

It was only with the world economic crisis that the NSDAP grew to become a mass political party and thus only then did antisemitism achieve immediate political relevance. This was because, with Hitler and his movement, the political party that was undeniably the most radically antisemitic was now at the centre of political life in Germany. Admittedly, it has frequently been stated that, from 1930, the NSDAP used antisemitism less overtly in its propaganda than it had previously done.

But at the same time, for everyone who voted for Hitler’s party or was sympathetic towards it, it was unmistakable that they were thereby supporting the most intensely antisemitic group that had ever emerged in Germany. Many (or at

least some) may well have accepted this because, by voting for the Nazis, they expected improvements to their social situation, or to Germany's standing in the world or had other expectations. At the very least, though, they tolerated the extreme hatred towards Jews.

Moreover, many people voted for the NSDAP not because they hated the Jews, rather, they hated the Jews because they voted for the NSDAP.

In 1933, the NSDAP had become the first extreme antisemitic political party ever to take power of government in Europe. In the previous years, the Party, like its leader, had left no doubt that they held the small Jewish minority in Germany responsible for the majority of problems that Germany had been facing, especially since it had become an industrial society, and even more so for the problems arising after the First World War. To be sure, the number of extreme antisemitic slurs by the NSDAP leadership had somewhat decreased in the elections of 1930 to 1933 in order to win voters beyond the sectors of the population that held antisemitic views. But for the supporters of National Socialism, there was a clear expectation that with Hitler's coming to power the Jews would be dealt with severely.

The Jews themselves feared this, too. Many of them had initially underestimated the significance of the 30th January, but in the 'Jüdische Rundschau', the enormity of the events of that day were clearly recognized: "As Jews, we are faced with the fact that a power hostile to us has taken over the government in Germany [...] National Socialism is a movement hostile to the Jews. It is programmatically antisemitic to an extent that no other party has been before. It owes a large part of its rabble-rousing success to the unscrupulous smear campaign conducted against the Jews."

The discriminatory measures against the Jews did indeed increase throughout the Reich immediately after Hitler was appointed as Reich Chancellor. And soon, fuelled by the Reichstag fire, there were also violent assaults on individual Jews. Undoubtedly though, the regime's anti-Jewish policies did not initially follow a clear plan. The National Socialists all agreed on the need to humiliate the Jews, to eliminate them from positions of influence, to induce them to emigrate by way of violence and threats, and above all, to seize the Jews' assets. But it was unclear which longer-term prospects would emerge from these measures – and many Jews still hoped it would not become as bad in practice as in the Nazi threats.

In fact, even in the first weeks and months after the Nazis seized power there was a torrent of discriminatory regulations and special laws concerning the Jewish

population, and by the start of the war, these comprised more than 1,400 separate regulations. The initiative to take action against the Jews often came from local municipalities or specific administrative regions. In so doing, officials and functionaries seemed to want to outdo each other in their eagerness, ingenuity and guile.

The goal of these discriminatory measures and acts of violence was the expulsion of the Jews from Germany – and this strategy proved to be effective. As early as 1933, 37,000 Jews had left the country, and in the following years the number of emigrants was 23,000 and then 21,000. Initially, this rate of emigration stayed the same, so that by 1937 a total of 125,000 Jews had emigrated – around a quarter of all Jews living in Germany at the time. And both the lower-level party structures and the various regional and Reich authorities pushed for this policy to be expedited.

The Nuremberg Laws that were hurriedly adopted in September 1935 on the initiative of Hitler took this pressure into account. Just two and a half years after the seizure of power by the National Socialists, the Laws had now relegated the Jews to the status of second-class citizens. These measures, just as the more far-reaching plans announced for the future, all aimed to reverse the emancipation of the Jews which had occurred more than one hundred years earlier. They additionally aimed to take away their economic livelihoods and expel them completely from Germany within a very short period of time. In sum, what was occurring was something that, only a few years previously, almost no one had considered conceivable outside the small circle of *völkisch* activists. If it had been possible to perceive the recurring assaults and acts of violence as excesses committed by a politically fanatical minority, then with the Nuremberg Laws, racial antisemitism was established as the basis of state administrative governance – and thus the breach of fundamental principles of equality before the law was legalized.

The economic aspects of the hostility towards Jews had possessed a special significance ever since the rise of modern antisemitism itself. Attributing the contradictions and the aporia of modern capitalism to the activities of a small group of people that had proven to be particularly successful in industry, trade, banking and the liberal professions, and which seemed to have secretive ways of influencing market forces, was an enticingly simple explanation for what were otherwise unexplainable developments in the economy and capital markets. Such explanations were so appealing that they were accepted even by those who did not consider themselves remotely antisemitic.

It was therefore unsurprising that anger towards Jews was directed above all against Jewish shops and businesses. When the economic situation began to noticeably improve with the rearmament programs from 1936, even the big banks and insurance companies began to involve themselves in the “de-Jewification of the German economy.” A veritable “Aryanization trade” developed, in which trusteeships, “emigration agents,” middlemen and lawyers all orchestrated the expropriation of Jewish companies, making themselves very wealthy as a result.

The slogan used to carry out the expropriation of the Jews of Germany was significant, too. Here, the concept of “compensation” (*Wiedergutmachung* – literally meaning “making good again”) was invoked to refer to the idea that the Jews had somehow become rich at the expense of the Germans both before and after the First World War by establishing shrewd and savvy companies, developing new products, or by working as lawyers or successful doctors. The plunder of the Jews that was now being organized was thus justified as legitimate by stating that people were simply taking back what belonged to them in the first place. In this way, business rivals who had previously been inferior to their Jewish competitors could also justify their involvement in breaking up the companies of more successful department store owners in order to acquire their stores for a bargain price.

The persecution of the Jews was very closely observed in the major newspapers in the USA, in Great Britain, and in France. But in Germany itself it was met with striking indifference until 1938. This can be attributed to the system of repression that had in the meantime been significantly expanded by the Nazi regime. When it came to the actions taken against a group that most Germans felt disconnected from and many were hostile towards, nobody wanted to take on the Gestapo or the Nazi activists. The leadership of the SPD in exile, for example, far removed from antisemitic impulses, wrote in a report from 1936 that socialist-minded workers were certainly “staunch opponents of the excesses.” At the same time, though, many supported “breaking, once and for all, the dominant position of the Jews and consigning them to a certain field of work.” According to the report, most workers did “not agree with the harsh methods [...], but still say that ‘It won’t do any harm to the majority! of the Jews’.”

This way of thinking was echoed by the Catholic Church: the Munich Cardinal, Faulhaber, wrote to a priest who had become upset about the persecution of the Jews, that the policies of the Nazis towards the Jews were certainly unchristian. But, Faulhaber continued, there were currently other, more important problems: “for the higher Church authorities there are far more important issues at present

[...] especially as we may assume, and to some extent have already seen, that the Jews can help themselves.”

As early as the start of 1938, the vast majority of the Jewish population in Germany depended on their savings to live, and the majority of Jewish firms had been “Aryanized,” either through administrative measures or through unauthorized, “wild” Aryanization. However, attempts to also wrest control of the remaining companies, especially those big companies owned by Jews that had not yet been severely affected by Aryanization, did encounter vocal objections. When, in July 1938, the Reich Interior Ministry suggested adopting a law which would immediately, completely and forcibly eliminate the Jews from the economy and which would confiscate their wealth, the Reich Finance Minister protested, pointing to the expected loss of tax revenue, while the Reich bank pointed to the potential damage this would do to the capital markets.

Thereupon, the persecution and discrimination of the Jews was intensified to induce them to leave the country. And the process of expropriation was accelerated as well, so that the greatest amount of Jewish wealth could be seized. Emigration came to a halt as a consequence. The situation for the Jews was worsened by the outcome of the international conference held at Évian in the summer of 1938, which showed that the willingness of most countries to accept Jewish refugees from Germany was extremely limited. The USA, for example, maintained its quota of 27,370 immigrants from Germany and Austria, while most other countries completely closed their borders.

The impasse that developed in the autumn of 1938 as a result of these contradictions meant the direction of the Regime’s anti-Jewish policy was uncertain and relatively unsettled: it could pursue a more gradual “elimination” of the Jews from the economy over several years, especially in the case of the larger Jewish firms; or it could pursue a quick, radical expulsion from the economy, even if this was damaging to the national economy as a whole.

This was changed with the pogroms of November 9th, 1938. Now, within the regime’s leadership, it was decided that there would be no slow, gradual way to exclude the Jews. Even for the doubters among the German Jews, the German authorities now made it obvious that it was no longer just the Jews’ position in society that was under threat, but also their lives which were in danger. This terror caused the emigration numbers to soar in the following months. By the summer of 1941, around 270,000 Jews had left the country – around half of all the Jews

living in Germany before 1933. Almost the same number were still living in the country when, in 1941, emigration was prohibited. The proportion of younger people among the emigrants was much higher than average so that in 1939, three quarters of all the Jews who remained in Germany were over forty years old. Most of them had become impoverished: they had been forced out of their jobs and many had been driven out from their homes and placed in so-called "Jew houses." Only sixteen per cent of them were registered as being in work.

For the Nazi authorities, the treatment of those Jews remaining in the Reich was now first and foremost a problem for the police. This is because, soon, the reality for these impoverished, isolated, and unemployed people seemed to conform to the caricature created by antisemitic propaganda, which imagined the Jews to be dirty, work-shy criminals and which demanded they be treated as such. On 24 November 1938, the SS newspaper "Das schwarze Korps" predicted that the isolation and pauperization would push the Jews into a miserable existence, compelling them to "all sink into criminality. At this stage of such a development, we would thus face the harsh necessity of eradicating the Jewish underworld just as we are accustomed to eradicating criminals in our orderly state: with fire and sword! The result would be the effective and final end of Jewry in Germany, its utter extermination.

Such threats, announcements and prophecies of the downfall and the annihilation of the Jews could be frequently heard in those weeks. Hence Göring declared after the November pogroms that: "If the German Reich enters in to a foreign-political conflict in some foreseeable future, then it goes without saying that we in Germany will also think first of all about carrying out a major reckoning with the Jews."

Mind you, this occurred at a time when preparations for war were in full swing in Germany! Such comments highlighted that limits to the Regime's anti-Jewish policies were now being pushed. By explicitly formulating their intentions for their own people to hear, and only formally concealing such intentions from outsiders, statements like these broadened the scope for what could be said and what was now conceivable. And given such possibilities, any kind of objections made against the introduction of even harsher anti-Jewish measures, which had previously been seen as unthinkable, now seemed rather petty.

These rhetorical excesses reached their zenith on 30th January 1939, when Hitler outlined the principles and goals of the regime's anti-Jewish policies in a spe-

ech to the Reichstag. He first legitimized the ‘Aryanization’ of Jewish property: “What these people possess today they have acquired through the most odious manipulations at the expense of the less astute German people. Today we are merely remedying the wrongs committed by these people.”

Hitler then explained that, if the Western powers were not willing to take in Jews in their countries, then the Jewish problem in Europe could not be solved, because “Europe cannot find peace until the Jewish question has been settled [...] There is sufficient space for settlement in the world.” If the Jews were not deported and settled elsewhere in the world then “sooner or later, they will succumb to a crisis of unimaginable extent.” Hitler then also formulated the threat contained within this statement more brazenly: “If the international Jewish financiers inside and outside Europe succeed in plunging the nations into a world war once again, then the result will not be the Bolshevization of the world, and with it the triumph of Jewry, but rather the annihilation of the Jewish race in Europe.”

Hitler’s “prophecy,” to which he referred repeatedly in the subsequent years, contained three important features. Firstly, Hitler declared that Germany’s decline as well as the critical effects brought by political and cultural modernity were a result of the activities of the Jews. Secondly, he emphasized that Jewish activities were the reason why Germany had long been preparing for war. And thirdly, through such statements, Hitler established a certain way of thinking about anti-Jewish policy for the supporters of the Nazi regime.

Not that it was known what approach would be taken from then on. However, once articulated in public, the notion of the “annihilation of the Jewish race in Europe” developed its own dynamic. When it came to the Jews, no Nazi-official could go back behind these words.

# Poland: Living Apart

Konstanty Gebert

“Poles apart,” the title of one of Pink Floyd’s greatest hits, unsurprisingly gets 230,000 results in a Google search, when used in conjunction with the name of the immortal band. Yet if you replace “Pink Floyd” with “Poland,” the number of results is a still respectable 143,000; apparently – apart from the pun – there is something in total opposites that sits well with describing the country. Come to think of it, the opening lines of the Floyds’ song: “Did you know, it was all going to go so wrong for you / And did you see it was all going to be so right for me”<sup>1</sup> aptly describe not only a love story that was going to end badly, but also a political history that does not have much hope of ending much better either.

On January 25, 2018, on the eve of International Holocaust Remembrance Day, the Polish parliament, somewhat unexpectedly, passed a law penalizing (Art. 55a) public statements which would imply the “responsibility or co-responsibility of the Polish state or nation” in “Nazi crimes of the German III Reich”<sup>2</sup>. Immediately dubbed the “Holocaust law,” as it strongly impacts what can, and cannot be said about the Holocaust in Poland, it was officially justified as a reaction to alleged massive use abroad of the expression “Polish death camps” to describe German death camps for Jews set up in occupied Poland.

The passing of the law generated the biggest international crisis the country had found itself in since the fall of Communism in 1989, pitting it against Israel, with whom it had excellent and mutually beneficial relations with, and the US, its most important ally, especially since the Right-wing government took power in Warsaw in 2015 setting Poland on a collision course with the EU. Other democracies, such as France and Canada, also criticized the new law. The only country which praised it was Russia, satisfied with the penalization of “denial of crimes of Ukrainian nationalists” (Art. 2a).

This crisis clearly took both the government and international public opinion by surprise. Polish ruling circles were genuinely unable to fathom why an internal Polish political decision generated so much interest and ire abroad – and claimed that massive historical ignorance and/or sinister intrigue by dark forces had to be responsible. At the same time, international observers were at their wits’ end trying to comprehend why the country – previously the poster boy for democratic transition, and now the whipping boy of liberal elites threatened by a continental popu-



list tide – had decided to shoot itself so massively in the foot without even gaining anything in return; an alleged atavistic antisemitism was sometimes invoked.

Seeing the magnitude of international damage, the government eventually tried to get rid of the noxious law; it is currently awaiting review by the Constitutional Court, which might rule parts unconstitutional. Yet given the degree of support the law enjoys among the ruling party's electorate, and probably even beyond 40% approval overall,<sup>3</sup> getting rid of it might prove politically expensive.<sup>4</sup>

Antisemitism, recently rising in Poland after a long post-Communist decline<sup>5</sup>, certainly contributed to making the passing of such a law possible, as did mounting public fears triggered by the exposure of widespread Polish participation in the wartime murder of Jews<sup>6</sup> entailing painful revisions of collective self-perception, and threatening to lead to financial compensation. This in turn leads us to question whether societies can always hear warning signals even after a genocide has happened, let alone before it.

Ethnic Poles in occupied Poland were not, to be sure, free to determine their actions in the face of the German genocide of Jews being committed in front of their eyes, on their land, and largely against their neighbors.<sup>7</sup> Themselves subject to brutal German terror,<sup>8</sup> they had precious little compassion to spare for anybody else, and the German death penalty for any help given Jews, usually brutally enforced, made rescue an act of heroism: the 6700 Poles recognized by Yad Vashem as Righteous Gentiles are stunning pillars of light in a night which, otherwise, was very dark and very bloody.

Yet the denial of help, psychologically understandable if morally still open to challenge, was not the main problem of Jews trying to survive. As latest Polish historical research shows,<sup>9</sup> two out of three Jews who tried to hide from Germans in occupied Poland died – either denounced to Germans by Poles, or murdered outright by them, or – in rarer cases – murdered by Germans without Polish involvement, or dying of other causes. The number of victims, whose deaths are attributable to actions by Poles, runs into the dozens of thousands. This would not have been possible without the willingness, among a segment of Polish society, to consider such murder permissible. As the heroic Jan Karski, an emissary of the wartime Polish underground, reported already in 1940 to the government-in-exile in London: antisemitism is “a sort of narrow bridge where the Germans and a large part of Polish society meet in harmony.”<sup>10</sup>

To understand how this was possible, we need to look at pre-war Poland.

When the country reappeared on the map in 1918, after having been partitioned between its three neighbors, Russia, Prussia and Austria for 123 years, it faced

an almost impossible task. It was to weld back together territories which had been parts of different states for over a century while establishing a functioning democracy it had never experienced either under the partitions or before them. Furthermore, it had to do so while fighting wars on all of its borders, and attempting to reconcile the interests of the 2/3 Polish majority and those of national minorities which overwhelmingly would have rather preferred to be part not of Poland but of the countries with which their ethnic kin Poland was fighting. From that viewpoint, the very survival of interwar Poland was a stunning success. From any other viewpoint – less so.

The Jews, who constituted 10% of Poland's population, its second-biggest ethnic minority and the world's second biggest Jewish population after the American one (itself a product of migration from Polish lands), were caught in a particular double bind. As the only minority which did not have a bordering country it would have rather joined, they supported Poland, at times enthusiastically – even though, in referenda on the Western border, they massively opted for the Germany they had already assimilated into. This should have made them ideal Polish citizens, if not for the fact that the Polish majority saw the state in ethnic and religious terms, and those who did not meet these criteria were rejected. A popular slogan conflated ethnic Polishness and Catholicism into one construct, "*Polak-katolik*."

This attitude, given the Poles' experience with their neighbors, was hardly surprising, yet, in the long run, suicidal. It was premised on a concept of Poland as an ethnically Polish state, with minorities tolerated, but only if they recognize they are "guests" of their Polish "hosts," and act with appropriate deference. This undermined early hopes of building Poland as a consciously multiethnic nation and ensured the alienation of its minorities, which otherwise would have protected their stake they had in the country they shared. Furthermore, controlling and repressing minorities detracted from the meagre resources the Polish state had at its disposal. Eventually, any benefit a minority strove to obtain or protect – a Ukrainian university, say, or legal protection for Jewish religious observance – was seen as a Polish loss. What "was going to be so right for me" had to "go so wrong for you." And ethnic Poles who thought this zero-sum perspective to be itself fundamentally wrong, were simply dismissed as agents, conscious or not, of the "other side."

This particularly affected Jews, who were seen as racially unassimilable and culturally threatening – and at the same time vulnerable, not having a state which could pressure Poland in their defense.<sup>11</sup>

They became a stand-in for more powerful and threatening Others, but one that could be attacked with relative impunity, economic gain, and a sense of moral

righteousness provided by then Catholic teaching. Several dozen pogroms occurred during the first two years of Poland's independence, with several hundred victims (more precise numbers are still unavailable). The most vicious took place in the city of Lwów, within the framework of a Polish-Ukrainian battle in late 1918, in which Jews declared neutrality. In response, Polish army and civilians murdered 72 Jews and looted the Jewish district.

Even more pernicious was the mass internment of 17,000 Jewish volunteers, soldiers and officers, eager to join the Polish army in defending the country against the Soviet invasion of 1920. Jews were routinely suspected of Communist sympathies, so their enthusiasm in enrolling was seen as evidence of an intention to desert to the enemy. This placed too much Jewish emotional investment in Poland and created an army in whose officer corps Jews would be almost entirely absent, facilitating an antisemitic culture that, with the growing role of the army, permeated the state. Such influences were largely countered, however, when the architect of Poland's independence and the victor of 1920, Marshal Józef Piłsudski, took power in a bloody coup in 1926. Originally a Socialist, and viscerally opposed to nationalism, the Marshal on a regime which, if increasingly authoritarian, still attempted to respect democratic freedoms and was strictly observant of the rights of Jews.

This, however, placed Jews at odds both with the Polish majority, critical of Piłsudski's rule and increasingly antisemitic, and with other minorities which did not enjoy the Marshal's benevolence. When Piłsudski died in 1935, Poland started resembling other Central European dictatorships, and Jews were increasingly exposed to popular violence: at least 57 died in pogroms in the first two years after his death. Yet discrimination of the Jews, if not outright violence, had already become engrained even under his rule, and under the ever-more dysfunctional democratic governments which had preceded it. The Polish state and civil society were run largely on "*Polak-katolik*" principles.

While Jewish religious observance was not hindered, Sunday rest was compulsory, which put Jewish businesses at a competitive disadvantage. Though all recognized religions were formally equal, the Catholic church was constitutionally "first among equals," and the State calendar, observance and ceremonial was run according to its norms. It was not legally possible to be of no-religion, however, and personal status was handled by religious communities only: membership in them, the Jewish community included, was acquired by birth; the rosters of these communities were to give German occupation authorities detailed knowledge of residents.

Though Jewish institutions, including educational ones, were allowed to freely exist, they were given no government support, while government preference was shown to ethnically Polish bodies. Military veterans, almost by definition non-Jewish, had priority in obtaining State employment, while Jews were excluded from the military – and therefore largely from State service. While agriculture was the main area of economic activity, Jews – till late forbidden by law from owning land under the partitioning powers – had only a meagre presence there. And for obvious reasons its Jews were not seen among the all-powerful clergy.<sup>12</sup>

This meant that Jews were absent from much of the State, most of the army and agriculture, and all of the Church – the basic institutions of Poland and of its civil society. Combined with their objective difference in terms of language (only a minority, if rapidly growing, spoke Polish well), lifestyle and practice on the one hand, and a majority ideology which already saw in them a threatening Other, this ensured both their practical alienation from much of Polish life, and their being perceived as alien to it.

Given that exclusion, Jews flocked to economic and social sectors which were open to all on individual merit, mainly retail trade, crafts, and the professions, only to encounter rising competition from a growing, State-supported, ethnically Polish middle class. Right-wing parties organized boycotts of Jewish businesses, since 1936 with the official sanction of the Prime Minister, who in a speech in parliament endorsed “economic boycott” if done without violence. Professional associations introduced the “Christian article” to their by-laws, forcing Jews out, and businesses owned by Christians advertised that fact to attract Christian clients and exclude Jewish ones.<sup>13</sup>

In the universities, Jews tended to dominate in the faculties of medicine and of law, springboards to some of the few professions available to them. University authorities retaliated by introducing “bench ghettos” with compulsory seating for Jews in a determined section of the hall, and limiting Jewish admissions to overall percentage in the population (*numerus clausus*), leading eventually to a total ban on Jews (*numerus nullus*). These measures were resisted by left-wing students and professors. Since Jews, refusing to sit in “bench ghettos,” sometimes would take courses standing, some non-Jewish students, and even some lecturers, would also stand, in solidarity with them. Solidarity was also found in the Socialist party and part of the labor movement, and in the illegal and tiny, if largely Jewish Communist party, which however enjoyed little support in the Jewish community at large.

Civility existed also, to an extent, within the framework of interpersonal relations. Neighbors, tradesmen, and customers, professional colleagues who had

learned over the years to treat each other as individual human beings rather than exemplifications of collective stereotypes, only slowly gave in to the pressures of exclusion. Some of those relationships, then often thought of as only casual and devoid of deeper significance, would then resurface under the occupation as the only reliable route to salvation.

Also, other marginalized groups would pool solidarity with Jews as fellow oppressed, even if otherwise differences between them would remain huge. Political minorities, such as Socialists and Communists, liberals and unorthodox, but also sexual minorities and minority religions, would express sympathy and later, under the occupation, sometimes provide assistance. The same was true of the Polish underworld, connected with the Jewish one by myriad bonds, and equally hostile to the state – even if its loyalty was often still conditional on perspectives of material benefit.

Most of civil society, however, supported growing, and eventually total, separation from Jews, effectively dividing the country along ethnic lines. Language grew more brutal, with routine comparisons of Jews to vermin, especially of the blood-sucking kind, parasites, germs, and rats, which need to be expelled. The government, in fact, was intensely involved in promoting Jewish emigration, voluntary or otherwise; the then French island of Madagascar was seriously targeted. Illegal military aid was also given by the government to the Jewish underground in Palestine, against – totally unrealistic – promises that 1 million Jews would emigrate there in five years. When one realizes that the mandatory power there, against whom such weapons would be used – the UK – was also Poland's most important ally in a war with Germany that everyone saw coming, one can gauge the importance Warsaw ascribed to making Jews leave Poland.

The Church was very tolerant of even rabid antisemitism. In a pastoral letter in 1936 its Primate, Cardinal August Hlond, wrote: "It is an actual fact that the Jews fight against the Catholic Church, they are free thinkers, and constitute the vanguard of atheism, Bolshevism and revolution. The Jewish influence upon morals is fatal, and the publishers spread pornographic literature. It is also true that the Jews are committing frauds, practicing usury, and dealing in white slavery. It is true that in the schools, the Jewish youth is having an evil influence, from an ethical and religious point of view, upon the Catholic youth." He advocated total separation from them, but condemned violence.

Most Poles agreed with his view, and in the presence of a growing threat of war, withdrew even more into the borders of what is ours, and threatened by the Other. Allowing him to enter was tantamount with undermining the very founda-

tions of resistance to the threat. And those who believed otherwise were at best unwitting agents of the Other, and hence of the threat he represented or, worse still, the Other himself in one of his many disguises. They had to be repressed and resisted at all costs.

As the war approached, Jews were more frequently expelled from Polish civil society, and serious attempts were made to remove them, one way or another, from the territory of the Polish state. Those who had resided 5 years abroad saw their passports suddenly cancelled, leading to Nazi Germany expelling thousands of them – and Poland initially detaining them at the border and refusing to take them in. Physical violence grew as the state largely ceased repressing it. At the same time, however, the perspective of unavoidable war with Germany created a temporary climate of national solidarity which in early 1939 and during the fighting itself weakened the impact of antisemitism.

Yet in Parliament, in that last year of peace, the subject most intensely debated was not defense, national security, or foreign relations. It was a law on banning ritual slaughter, due to enter in force in 1940: it was hoped that it would force Polish Jews, overwhelmingly observant, to move elsewhere where they could comply with their religious dietary requirements. It took up 18% of Parliament's time. And then the war came.

It seems highly plausible that the German invasion had saved Poland from its own brand of State antisemitism – and yet it seems highly implausible that without that invasion Poland would have engaged in widespread anti-Jewish violence. Once the Germans engaged in it, however, they found understanding, and even active support, from a segment of the Polish population.<sup>14</sup>

Zygmunt Klukowski was the director of a hospital in the small town of Szczepleszyn in Southeastern Poland. Throughout his life he wrote a diary, which remains an invaluable source for the study of Polish history. A liberal and a kind man, he was one of those who, "poles apart" from much of the people he served, cured, and educated, was able to look at them without illusion, and yet with compassion. On November 26, 1942, as the extermination of Jews in his town and region was already ending, he noted:

"Peasants, fearing repression, catch Jews throughout the villages and bring them to town or often just kill them on the spot. In general, a strange bestiality towards Jews had set in. Some kind of psychosis has taken hold of people, who following the example of the Germans often do not see in the Jew a human being, but consider him some kind of noxious animal, which must be exterminated by any means, like rabid dogs, rats etc."

This psychosis had been incubating for years. It had only infrequently been diagnosed, and never truly cured. Any society which wishes to immunize itself from it needs knowledge about its manifestations and consequences. To resist that knowledge is to feed the disease.

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Notes:

<sup>1</sup> <https://www.youtube.com/watch?v=g2V0s5PbxUk>

<sup>2</sup> <https://www.timesofisrael.com/full-text-of-polands-controversial-holocaust-legislation/>

<sup>3</sup> <https://www.tvn24.pl/wiadomosci-z-kraju,3/opinia-polakow-o-nowelizacji-ustawy-o-ipn-sondaz-cbos,815681.html>

<sup>4</sup> Full disclosure: This author has publicly broken this law and hopes to have his day in court (cf. e.g. <http://www.new-sweek.com/polands-legacy-ashes-902185>).

<sup>5</sup> [http://cbu.psychologia.pl/uploads/PPS3\\_raporty/Antisemitism\\_PPS3\\_DB\\_MHW\\_fin.pdf](http://cbu.psychologia.pl/uploads/PPS3_raporty/Antisemitism_PPS3_DB_MHW_fin.pdf)

<sup>6</sup> Cf. e.g. <https://www.holocaustresearch.pl/?l=a&lang=en>

<sup>7</sup> Of the six million Jewish victims of the Shoah, half were Polish citizens.

<sup>8</sup> Of the six million Polish citizens murdered in WWII, half were ethnic Poles.

<sup>9</sup> <https://www.holocaustresearch.pl/index.php?show=415>

<sup>10</sup> [http://www.karski.muzhp.pl/karski\\_en/misja\\_raporty\\_karskiego\\_artykul.html](http://www.karski.muzhp.pl/karski_en/misja_raporty_karskiego_artykul.html)

<sup>11</sup> The „small Versailles treaty,” imposed on Poland, Czechoslovakia, Romania and Yugoslavia by the Allies, which guaranteed some rights of Jews and other minorities, was implemented only partially, and eventually denounced by Poland in 1934.

<sup>12</sup> In one particularly dramatic case, a Jewish convert priest was slapped in the face by an outraged nationalist militant while performing mass, and later, under the occupation, denounced as a Jew to the Germans by another priest, an ecclesiastical expert on “the Jewish question.” Cf. Dariusz Libionka i Jan Grabowski: *Anatomia donosu ks. Stanisława Trzeciaka na ks. Tadeusza Pudra*; in: *Zagłada Żydów. Studia i Materiały*. Pismo Centrum Badań nad Zagładą Żydów. nr. 13 R. 2017. ISSN: 1895-247X.

<sup>13</sup> In a particularly ironic twist, a five-star Warsaw restaurant “*Chez Swann*,” advertised its “Christian” ownership. Swann, the leading character of Marcel Proust’s “*A la recherche du temps perdu*,” was Jewish in the novel, as was by origin the novel’s author.

<sup>14</sup> The point is often legitimately made in Poland that it had been the only country in occupied Europe without a Quisling government. This is true, but ignores the fact that Germans, in their racial contempt for Poles, never wanted one, while candidates on the Polish side did exist.

<sup>15</sup> Zygmunt Klukowski: *Zamojszczyzna*. 1918-1959. Warszawa 2017, Ośrodek karta.

# Italy: The Mussolini Campaign against the Jews

Michele Sarfati

The Fascist period in Italy began in October 1922 with the “March on Rome” and the appointment by King Victor Emmanuel III of Benito Mussolini to the post of President of the Council of Ministers. Mussolini, leader of the Partito Nazionale Fascista, established a dictatorship, persecuted all free political organizations, the trade unions and the free press, built a totalitarian regime, forged a mass consensus, “fascistized” society, signed a Concordat with the Holy See, sent troops to Spain against democracy, invaded Ethiopia, formed a military alliance with Adolf Hitler, passed anti-Jewish laws in 1938, and joined the war in June 1940. On July 25, 1943, after the Allies had landed in Sicily, Mussolini was removed from office and Pietro Badoglio was appointed in his place. Badoglio began negotiations with the Allies, and on September 8, 1943 announced that the armistice had been signed. From that day on, until April 1945, Italy was split in two by the shifting front-line. South of that line were the Allies and the Kingdom of Italy with Badoglio’s government, north of it the German occupying forces and the Fascist government of the new Repubblica Sociale Italiana, under Mussolini’s restored leadership.

The persecution of the Jews in Fascist Italy went through two stages, which I have called *persecution against the rights of Jews*, from September 1938 to July 25, 1943, and *persecution against the lives of Jews*, from September 8, 1943 to April 25, 1945. This paper deals only with the first stage. We have to remember that, during the second stage, of the approximate 43,000 persons “of Jewish race” that were present in Central and Northern Italy, over 7,900 were arrested. Of these, 300 were killed in massacres and 7,600 were deported, mainly to the death camp of Auschwitz-Birkenau.

In Italy, Jews had obtained full equality of social and political rights during the Risorgimento in the 19th century, when Italy became a national state. At the start of the 20th century there were no bars or limitations to their presence in education or in other economic or social sectors. After the First World War and the annexation of Trieste and Fiume/Rijeka, there were about 45,000 Italian and foreign Jews; in the Kingdom of Italy that is, approx. one per thousand of the entire population. They were a religious minority, but not, contrary to other countries, an



ethnic or national minority. At the beginning of the 20th century they laid the foundation for the first Zionist groups. After the First World War, a new diffusion of anti-Semitic publications was facilitated by reactionary circles.

For many years, Fascism did not openly display anti-Semitic views, nor did the government bring in any laws against Jews, and Mussolini developed a contradictory relationship with both the Italian and the international Zionist movement. However, in the late 1920s, the dictator began to gradually remove Jews from important posts in culture, in the civil service, and in society. These actions were not given publicity, yet many observers were very much aware of them. In April 1932 (that is, before Adolf Hitler won the elections and rose to power), for instance, Isacco Sciaky, who acted as contact in Italy for Vladimir Jabotinsky, leader of revisionist Zionism, wrote to the latter: "Hitlerism in the various countries [...] sees Rome as the mecca of anti-Semitism."<sup>1</sup>

On the other hand, a certain number of Jews were card-carrying members of the National Fascist Party, either because they shared its ideology or out of self-interest. Other Jews were anti-Fascist, or uninterested in politics; what needs to be highlighted here, however, is that in its early years Fascism had both anti-Semitic and Jewish supporters.

Then, between late 1935 and the summer of 1936, Mussolini decided to officially adopt anti-Semitism both within the Fascist party and in society in general. For the moment it was a general decision, not yet an operational one. Before translating it into an actual policy, or rather in order to be able to translate it into an actual policy, the authorities and public opinion had to be conditioned to accept it. This was done also through an increasingly aggressive anti-Semitic campaign. In 1937, a systematic press campaign circulated through books and newspaper articles with a new virulence, reinforcing anti-Semitic accusations and stereotypes.

Eventually, in July 1938 the government published the ideological manifesto "*Il fascismo e i problemi della razza (Fascism and the Problems of Race)*," written following recommendations by Mussolini himself, and in early September 1938 they had passed the first anti-Jewish royal decree-laws.

Mussolini and Fascism decided to adopt an anti-Jewish policy entirely on their own, although their decision was obviously related to the rise of anti-Semitism in the public opinion and in the governments of many European countries. This new policy was connected to other policies of the Fascist regime, such as the ever-closer alliance with Nazi Germany, the establishment of a racist policy against the population in the African colonies, the forging of an "imperial dignity" and of a new "Fascist man," etc. I do however believe that it originated first and foremost

from the will to strike the Jews and to exclude them from the new Italy, that arose in part from the increase of anti-Semitism within the Fascist party and in Mussolini himself, and in part from the dictator's annoyance at the independence Jews had displayed on several occasions (for instance, when they decided to assist their brethren who were leaving anti-Semitic Nazi Germany).

We must bear in mind that Europe saw a steady increase of rules and laws against Jews in 1938. Not only was German legislation becoming increasingly drastic, the early months of that year saw the enactment of anti-Jewish laws in Romania and Hungary, while Germany's anti-Jewish laws were extended to Austria, now annexed to the Third Reich. Also, in March, Poland approved a law restricting the citizenship of expatriates, and that summer Switzerland passed strict measures against the arrival of new refugees.

Within this broader European context, the laws passed in September-November 1938 in Fascist Italy contained some provisions which – at the time when they were promulgated and for a few weeks' duration – were even more persecutory than those in force in Nazi Germany, such as the expulsion of foreigners and the banning of schoolchildren and students.

This anti-Jewish policy was strongly willed by Benito Mussolini, the dictator and charismatic leader of Fascism, and affected the whole of society, in its political, social, economic, and cultural aspects. From the Fascist point of view, they had brought about a sweeping and permanent reform. Mussolini had decided that Fascism and Italy as a whole were to be "Aryan" and anti-Semitic: and both became or at least set out to become so.

Although it resembled in some respects the racist shift which had taken place in 1936-1937 against the subjects in the African colonies, the anti-Jewish persecution enacted in 1938 differed from it, in so far as it was directed against people who were citizens of the State. It meant therefore a breach of the pact of equal citizenship entered into during the Risorgimento, and negated the liberal principles of the 19th century. The new legislation was aimed at only one section of the citizenry, and it was the first time since Italy had become a united country that this happened.

While it is true that from 1938 to 1943, Fascism did not pass any law stripping Italian Jews of their Italian citizenship, one should bear in mind that it did exclude them, in a sweeping and definitive manner, from the armed forces, the National Fascist Party, and the entire life of the nation.

The laws had a racist approach and were based strictly on biological racism. They were aimed at all those who were termed "of Jewish race," and they defined

as being “of Jewish race” every person whose parents were both “of Jewish race,” even if he or she belonged to the Christian faith. In other words, this meant that whatever their religious or cultural choices, people could not change what had been automatically bequeathed to them by their parents.

The parents’ “race” was determined according to their own parents’ “race,” and so on, going back in time up to the point when there were no more birth registers, when it was assumed that a person belonging to the Jewish faith was automatically “of the Jewish race.” This method is totally unscientific, but then racism is always unscientific. In the case of so-called “racially mixed marriages,” the “race” of the children was determined according to their actions: whether they were christened or belonged to a Jewish Community, whether they were married to a person “of Jewish race” or to one “of Aryan race,” and so on. Again, it is an entirely unscientific method, but this is the way racists’ minds work. Following these criteria, all those who had three grandparents classified as “of Jewish race,” a substantial minority of those who had two grandparents classified as “of Jewish race,” and a tiny minority of those who had one grandparent classified as “of Jewish race,” were themselves classified as “of Jewish race.” The “biological” criterion was also applied to people belonging to the Jewish faith but born of two “Aryan” parents: they were invariably classified as being “of Aryan race.”

Based on the results of the racist census of Jews carried out in August 1938, we can calculate that approx. 51,100 people (slightly over 1 per thousand of the Italian population) were affected by the persecution. Of these, 4,500 had no Jewish religion or identity.

From 1938 to 1943, Fascism was determined to eliminate all Jews, whether Italian or foreign, from Italian soil and from Italian society.

As far as foreign Jews were concerned, between September and November 1938 the government banned them from entering the country for the purpose of taking up “residence” and ordered all those who had become a resident of Italy after 1918 to leave the country within a few months. In August 1939, Jews from Central Europe were banned from entering Italy for obtaining “soggiorno” (temporary residence) and, in May 1940, even for “transit.”

When Italy entered the Second World War (on June 10, 1940), the government decreed that most foreign Jews still living in the country were to be interned in small towns and villages or even in actual internment camps until the end of the war, when they would be expelled. Internment was in itself an anti-Semitic measure, but there were no acts of anti-Semitic violence in the camps.

As far as Italian Jews were concerned, the government at first endeavoured to persuade them to emigrate voluntarily. It also revoked the Italian citizenship of those who had obtained it after 1918. Regarding these actions, one should bear in mind that had the government decided to strip all Italian Jews of their citizenship, thereby making them stateless, and to expel them, such a policy would certainly have backfired, by causing neighbouring countries to close their frontiers.

In 1940-1941, the government started to work on a law that would expel Italian Jews once and for all. The plan was soon laid aside, however, no doubt because with the war spreading to so many geographical areas, chances to emigrate were by now practically nil.

Government action was aimed at excluding Jews from the nation's life and at separating them from non-Jews, while the measures in education and employment had an immediate persecutory purpose and were meant at the same time to get those thus persecuted to leave the country. Until the closing down of the last emigration routes in 1941, approximately 8 per cent of Italian Jews had emigrated.

Giuseppe Bottai, Minister of Education, sought out and literally erased all traces of Judaism from State schools: teachers, employees, students, names of schools, textbooks written by Jewish authors, mural maps designed by Jewish authors, textbooks written by Aryan authors containing references to Jews who had died after 1850, etc. Dino Alfieri, Minister of Cultura popolare (Popular Culture), expelled authors, orchestra conductors, concert performers, singers, film and stage directors, and actors from radios, opera houses and theatres, expunged their names from the catalogues of recording and film companies, etc.

In November 1938, Jews were expelled from all public employment; consequently, they ceased to be army officers, trolley-bus drivers, librarians, etc. By April 1942, the government had dismissed all Jews working for private companies considered of strategic importance to the defence of Italy (i.e. FIAT, shipyards, electric plants, etc.). Between 1939 and 1942, Jews were barred from being street vendors (a very common activity in the poor and populous Jewish community in Rome), hotelkeepers, private teachers, carrier pigeon breeders, circus artists, photographers, stationers, vendors of sacred (Catholic) objects, and so on. Businesses owned by Jews could no longer work for the State or on behalf of the State (for instance, they could no longer sell furniture to hospitals or sell cigarettes to the public). Because of this and other measures, approximately one third of shops and small businesses owned by Jews were forced to shut down. A complex decree dated 1939 expelled Jews from many professions (namely lawyers, physicians, engineers, midwives, accountants, agronomists, etc.) or greatly limited their range

of activity in them. In conclusion, by 1943 the only fields still open to Jews were employment in small and medium-sized private companies or trade in the traditional sectors of food and textiles.

Jews were removed from the Fascist party. They were removed from recreational activities. Limits were imposed on real estate ownership. Needy Jews were excluded from welfare services. “Racially mixed” marriages were forbidden. *Kosher* ritual slaughter was forbidden and the publication of all Jewish newspapers was suspended.

In June 1940, the government interned some hundreds of Italian Jews it deemed the most dangerous; in May 1942, it coerced some thousands of men and women into forced labour; in June 1943, the decision was taken to assemble all able-bodied Jews in four forced-labour camps (the decision, however, was never carried out, because the success of the Allied forces caused the regime’s political crisis of July 25, 1943).

In Italy, Jews were not compelled to wear the yellow star.

The legal and social persecution was attended by very few instances of physical violence against Jews. It was Mussolini’s will that Italian policies be implemented by the State, within Fascist legality. In those years, none of the Jews of Italy was killed, but persecution led a few of the victims (between 0.5 and 1 per thousand) to commit suicide.

The Jewish communities were committed first and foremost to helping children expelled from schools continue their studies. The principal Jewish aid organization – *Delasem* – gave material, moral, and religious support to thousands of foreign Jews.

In the latter half of the year 1942, Mussolini heard about the deportations and massacres (sometimes by gassing) that were taking place in Europe. Viewed together, they clearly signalled the existence of an extermination plan. In the face of this, until 25 July 1943, Rome did not collaborate in the deportations (apart from two complex episodes in Pristina and in Nice) and in the early months of 1943 made an agreement with Berlin to repatriate Italian Jews living in the territories controlled by the Third Reich, all the while, however, maintaining its military and ideological alliance with the German regime.

The anti-Jewish laws met with consent from many, far too many quarters.

King Victor Emmanuel III of Savoy signed each and every law.

Pope Pius XI protested publicly – by means of an article in the *Osservatore Romano* – only against the rule forbidding the “*trascrizione*” (that is, the recording in the marriage registers by Italian state authorities) of “racially mixed” marriages

celebrated with Roman Catholic rites. His successor, Pius XII, never made any public protest whatsoever.

The great majority and sometimes the totality of the noblemen and high-ranking army officers who sat in the Senate voted in favour of the anti-Jewish laws.

Students and young Fascist intellectuals zealously supported and publicized them.

Older intellectuals decided not to resign from the aryanised academies.

Low and high level officials of the National Fascist Party applauded and acted as propagandists.

The laws were applied indifferently to Fascist, anti-Fascist, and non-Fascist Jews; to those belonging to the Jewish faith, the Roman Catholic faith, or to no faith at all; to Zionists and anti-Zionists; to high-ranking army officers and to pedlars; to Jews in Rome and in Trieste; to children, adults, and old people.

Undoubtedly, persecution was made possible by the fact that Italy was ruled by a dictatorship. But the implementation of the anti-Jewish laws was in itself proof that the Fascist dictatorship was no joke and that it had succeeded in exacting an ample consent among the population.

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Note:

<sup>1</sup> Isacco Sciaky to Vladimir Jabotinsky, letter of 25 April 1932; quoted in Vincenzo Pinto (ed.), *Stato e Libertà. Il carteggio Jabotinsky – Sciaky (1924-1939)*, Soveria Mannelli, Rubbettino 2002, 70.

### **Suggested further reading:**

Giorgio Fabre, *Mussolini razzista. Dal socialismo al fascismo: la formazione di un antisemita*, Garzanti, Milano 2005.

Michael A. Livingston, *The Fascists and the Jews of Italy. Mussolini's Race Laws, 1938-1943*, Cambridge University Press, New York, 2014.

Marie-Anne Matard-Bonucci, *L'Italie fasciste et la persécution des juifs*, Perrin, Paris 2007; trad. it., *L'Italia fascista e la persecuzione degli ebrei*, trad. Andrea De Ritis, Mulino, Bologna 2008.

Liliana Picciotto, *Il libro della memoria. Gli Ebrei deportati dall'Italia (1943-1945). Ricerca della Fondazione Centro di Documentazione Ebraica Contemporanea*, 3rd ed., Mursia, Milano 2002.

Michele Sarfatti, *Gli ebrei nell'Italia fascista. Vicende, identità, persecuzione*, def. ed., Einaudi, Torino 2018; eng. transl. *The Jews in Mussolini's Italy. From Equality to Persecution*, transl. John and Anne C. Tedeschi, The University of

Wisconsin Press, Madison 2006; germ. transl. ; *Die Juden im faschistischen Italien. Geschichte, Identität, Verfolgung*, transl. Thomas Vormbaum and Loredana Melissari, De Gruyter, Berlin, 2014.

Michele Sarfatti, *Mussolini contro gli ebrei. Cronaca dell'elaborazione delle leggi del 1938*, 2° ed. aug., Zamorani, Torino 2017.

Klaus Voigt, *Zuflucht auf Widerruf. Exil in Italien 1933-1945*, 2 voll., Klett-Cotta, Stuttgart 1989-93; trad. it. *Il rifugio precario. Gli esuli in Italia dal 1933 al 1945*, trad. Loredana Melissari, 2 voll., La Nuova Italia, Firenze 1993-96.

Susan Zuccotti, *Under His Very Windows. The Vatican and the Holocaust in Italy*, Yale University Press, New Haven and London 2000; trad. it. *Il Vaticano e l'Olocausto in Italia*, trad. Vittoria Lo Faro, Bruno Mondadori, Milano 2001./ Köln: Brill, 2002), pp. 225-239;

# Hungary: The Trap of Loyalty – Antisemitism on the Eve of the Holocaust

László Csősz and Ferenc Laczó

Mainstream Hungarian opinion today tends to view the Holocaust in Hungary as a direct consequence of the German occupation of the country and prefers to conceive of it as a sudden cataclysm. However, the origins of the genocide can only be properly accounted for with reference to Hungarian developments since the 19<sup>th</sup> century. Many of the main concepts and arguments radical antisemites would use later were originally developed before the First World War. Modern antisemitic ideology permeated wide segments of Hungarian society at the time, even if antisemitic parties and movements could still be largely contained. It was during the First World War that antisemites managed to overcome their political marginalization when, especially after 1916, the Hungarian Parliament and press debated the “Jewish question” with a vehemence only comparable to that of the late 1930s and early 1940s.<sup>1</sup>

Upon the dismantling of the Hungarian Kingdom, a key part of the collapse of the Habsburg Empire at the end of the First World War, the Hungarian state officially gave credence to grave antisemitic suspicions. As representatives of the emerging regime under Regent Miklós Horthy widely interpreted the experience of the Republic of Councils in 1919 through the Judeo-Bolshevik myth, they began to assert that Hungary’s Jews could not be considered loyal to their nation and constituted a multifarious political threat.<sup>2</sup> As early as 1919, the powerful far-right Association of Awakening Hungarians openly propagated the forcible resettlement of Jews.<sup>3</sup>

Such extremist forces were never detached from the political establishment of the inter-war era. Vocally proposing antisemitic solutions to all manners of social questions, they exerted a major impact on Hungarian public discourse throughout the period.

The *numerus clausus* law on university enrollment, adopted in 1920, severely restricted the options of students branded as Jews (a category that was newly introduced into the legal vocabulary). In historical accounts, this law tends to be presented as the one-sided cancellation of the “contract of assimilation” – a con-



tract retrospectively conceived as the rational exchange of Jewish rights for their national services in the context of a nationalizing state controlling a multinational society (a largely autonomous state that, as if only to make things even more peculiar, remained part of an empire).<sup>4</sup>

Even as no antisemitic general laws were enacted before 1938 and the highly successful economic elite of the Jewish community found a *modus vivendi* with the political leadership of the country, Jews suffered discrimination in various areas of social and economic life. Even more perilously, despite the seeming consolidation of the archconservative regime, members of a more autocratic and radically antisemitic generation were gradually assuming key positions in Hungarian politics, the army and in the civil service during the 1930s. Many of them would become key protagonists in the genocidal campaign of 1944.

One of the specificities of the legal history of Hungarian antisemitism is that Jewish emancipation was annulled in a gradual manner, with the pace of adopting ever more severe discrimination greatly increasing after 1938.<sup>5</sup>

While the initial antisemitic laws and decrees were aimed at damaging the existential bases of Jewish life and at transferring middle class positions to non-Jews, they gradually separated those defined as Jews from the rest of society and increasingly restricted their political and private rights too. Such a forcible reorganization created a large number of beneficiaries and made them materially interested in maintaining or even radicalizing anti-Jewish policies. These early discriminatory laws and decrees thereby opened the gates for the further disenfranchisement and eventually the mass expulsion and murder of Jews.

The radicalization of Hungarian antisemitism in the late 1930s was part of a wider international trend without the pioneer, Nazi Germany having to exert direct pressure on its close ideological allies.<sup>6</sup>

This radicalization overlapped in time with the solidification of the country's alliance with Nazi Germany, which yielded the temporary enlargement of Hungary to nearly twice its pre-1938 size. By the early 1940s, the radicalization of Hungarian antisemitism was strongly interconnected with the Nazis' unprecedented genocidal practices.

Since a continent-wide genocidal campaign was launched against European Jews by 1941, in the eyes of Hungarian Jews, the ambitions of the Hungarian state and (due to their anti-German biases) even those of Hungarian ethnic radicals could appear as rather ambivalent all the way until 1944 – despite their ever more severe anti-semitic practices.<sup>7</sup>

Even as Hungarian state policies meant significant impoverishment, everyday humiliations and grave dangers to most members of Hungary's Jewish community comprising (since the territorial enlargements of 1938-41) some 750,000 individuals, a desperate hope would still be attached to the very same state: a hope of survival if the Hungarian state only continued to refuse mass deportations to areas under the direct control of the Nazi Germans.

The conservative elites of the country may have maintained their influence upon the aging Regent to thereby repeatedly thwart, till 1944, the most radical plans of the numerous domestic supporters of Nazi-style politics. At the same time, the five prime ministers of the country between 1936 and 1942 all steered towards the far right and made important concessions to extremist demands along the way. What is more, on the eve of the war, far-right ideologies were dominant among members of the political elite and decisive segments of public opinion as well – the opposition parties firmly rejecting antisemitism were supported by no more than about 10% of the electorate.

Hungary entered the war against the Soviet Union in the summer of 1941 and much of its propaganda – similarly to that of Nazi Germany – framed the conflict as a life-and-death struggle against “Judeo-Bolshevism.” With the introduction of war censorship and the forced decline of the left-wing and liberal press, such propaganda exerted a devastating impact on how ordinary people viewed their Jewish neighbours. It also possessed a self-fulfilling logic: the antisemitic radicalization of the Axis powers made many Hungarian Jews prefer the victory of the Allies, which was then taken by antisemites as a sign of treason and used as a pretext to persecute them further. By then, numerous members of Parliament openly demanded the ghettoization and expulsion of Jews.

In spite of all that – Hungary's powerful right-wing radicalism, dedication to the revisionist cause, its military alliance with the Axis powers and participation in the war on the Soviet Union, including the mass shooting of civilians, the deadly exploitation of so called labor servicemen, and even active involvement in deportations from Subcarpathia and mass murder in the Bačka in 1941 and 1942, respectively – there was hope that the country might not only remain on the periphery of the raging global military conflict but also rather marginal to the monumental Nazi German imperial-genocidal plans. Long into the war years, the possibility still existed that Hungary would not become the target of Nazi and Soviet aggression and would not end up as a major theater of the military conflict – in the same way that the Nazi-Soviet agreement of 1939 to carve up East Central Europe exerted only limited impact on her.

However, as the ferocious east European war reached the territory of Hungary in the closing stages of the Second World War, the country moved from its relatively fortunate semi-peripheral position to the very epicenter of the global conflict. Betraying all Hungarian Jewish but also most non-Jewish Hungarian hopes, the war concluded in a disastrous manner. The partly locally-planned and efficiently implemented genocide murdered the majority of Hungary's Jews, and raging battles soon devastated the country. The option most feared by the political elites, i.e. Soviet occupation followed by Sovietization, soon materialized while none of the territorial ambitions of the country were fulfilled.

We ought to recall that the reorganization of the East Central European region and the evolution of the "Jewish question" were interconnected since the end of the First World War. The twisted road to the collapse of historic Hungary, including its partial and temporary reestablishment between 1938 and 1944 on a Nazifying continent, was profoundly intertwined with the history of Jews on the territories of the former Kingdom. In 1920, large Hungarian Jewish communities were left outside Hungary's new borders. The composition of these communities in terms of their predominant religious trends as well as the direction of their political and cultural development may have significantly differed from those characterizing the Jewish communities within post-1920 Hungary: Orthodoxy but also the Jewish national platform was much more popular in both Slovakian and Transylvanian territories.<sup>8</sup> At the same time, links between the Jews of Hungary and those in neighboring states were never completely severed and parallels remained.

In an evidently hypocritical move, Hungarian politicians of the inter-war period were often eager to count Hungarian-speaking Jews across the county's borders as members of the Hungarian minority communities (to which such Jews indeed often gravitated) while denying Jewish people the status of Hungarian citizens within Hungary. The Jewish elites of Hungary tended to support the border revisionism of the country in spite of the Horthy regime's antisemitic profile – or perhaps precisely because of the fond memories and illusions they cherished regarding Greater Hungary.<sup>9</sup> However, the Hungarian (re)acquisition of territories between 1938 and 1941 brought swift discrimination to the 'returning' Jewish communities.

The Hungarian Jewish journal *Libanon* dissected the contradictory experience of Hungarian Jewish revisionists already in 1939. In a review of the pamphlet *Justice for the Jewry of Upper Hungary*, the revisionist slogan of "twenty years of struggle for Hungariandom" was reaffirmed, but the grave disappointments

the Jews from Upper Hungary had to face upon the actual border revision were highlighted too.<sup>10</sup>

It is an even graver paradox that the assignment of Northern Transylvania to Hungary as a result of the Second Vienna Award of 1940 was originally welcomed by many Jewish inhabitants of the area. As it turned out, it was precisely this territorial rearrangement that led to the deportation of them to Auschwitz-Birkenau four years later, while members of the Southern Transylvanian Jewish communities – who remained in Romania – had incomparably higher chances of survival.

Despite all their severe losses and painful humiliations already prior to 1944, Hungarian Jews rarely opted for strategies of dissimulation, such as emigration or religious conversion. The large majority of the Jews of Hungary saw themselves as good Hungarian patriots devoted to their “country and denomination.” For both subjective and objective reasons, emigration was difficult to imagine and execute. Antisemitic laws did prompt small waves of conversions but their overall numbers remained limited.

The years 1942–43 provided the highest drama of Hungarian Jewish uncertainties during the Horthy period. This was the time of the nearly continent-wide implementation of the Nazi genocide against European Jews, peaking in Operation Reinhard, but also of the controversial double dealings when Hungary under Prime Minister Miklós Kállay, who was cognizant of the changing fortunes of the war, attempted to cautiously distance the country from Nazi Germany without thereby provoking direct intervention by its overbearing ally.<sup>11</sup>

If Hungarian Jewish hopes attached to Hungarian politics in previous years survived into 1944 – as they occasionally did, defining, crucially, the attitudes of the Central Jewish Council – they metamorphosed into harmful illusions.<sup>12</sup>

The fatal strength of Hungarian Jewish illusions needs to be approached in an international framework to understand how the severe disappointments caused by the adoption of ever more restrictive anti-Jewish policies, starting in 1938 could be followed by a notable reassertion of Hungarian attachments among Hungary’s Jews in 1942–43. After all, many of the basic facts concerning the Nazi genocide of European Jews were already available in Hungary prior to 1944 and they were even circulated within the heavily restricted but still existing Hungarian Jewish public sphere.

Unexpectedly for an Axis state, Hungarian Jews could publish several documents that not only explicitly referred to but also provided detailed and accurate accounts of extreme Nazi violence – even if some key features of the Holo-

caust, such as the extermination camps or the gas chambers, were not specified in these wartime publications. To cite a major example, in his report for the *Yearbook of the Israelite Hungarian Literary Society* in 1942, Fülöp Grünwald discussed the destruction of German Jewry, the ghettoization and deportation of Jews in German-occupied territories as well as the collaboration or parallel practices of allied countries.<sup>13</sup> Concerning Slovakia, Grünwald even employed the frightening (though unspecified) expression “the final solution of the Jewish question.”<sup>14</sup>

It is only a seeming contradiction that Hungarian Jews emphasized their Hungarian attachments in the early 1940s in the awareness of the ongoing Nazi genocide. As the Hungarian regime radically questioned Jews’ political and national loyalty while providing the last hope against hope of Jewish survival, these attachments were in fact highlighted not in spite of the Holocaust, but precisely because of it.

The theory of “Horthy-fascism” may have been widely accepted in the ideologically charged historiography of the communist era but is widely considered untenable today. Leading Hungarian historians, such as Ignác Romsics or Gábor Gyáni, have contributed much to arrive at a more nuanced appreciation of the realities under Horthy’s regency and thereby helped to marginalize the early postwar thesis regarding a fascist regime lasting a quarter of a century. The mainstream historiographical stance nowadays is that the Horthy regime amounted to a curious amalgam: it might be described as a pluralistic regime with marked autocratic features, a multiparty system with highly limited franchise and with one party monopolizing power while radicalizing ever further.

Such critiques of ideological anti-fascism created a grave interpretative dilemma: how can we account for the willing co-perpetration of genocide by a regime that was not a fascist dictatorship, indeed how was the implementation of the Holocaust without a local fascist regime possible at all? How to contextualize the deeds of ‘ordinary Hungarian perpetrators,’ and what broader lessons might be drawn from their frightening stories?

The argument can be made that the ever more radical anti-Jewish politics of the Horthy regime invented the methods “all on its own, without German help” that were required for the swift implementation of deportations in 1944.<sup>15</sup>

The slow and gradual escalation of antisemitic exclusion might also only have contributed to a fatal “spread of societal indifference” towards the murderous consequences of anti-Jewish policy.<sup>16</sup>

We have just quoted points recently made by Krisztián Ungváry and Géza Komoróczy to emphasize that while it is important to explore why Hungary refused to deport its Jewish population in 1942-43, it is even more important to confront a much more uncomfortable question: how could Hungarian state and society implement the ghettoization and deportation of Jews so rapidly and drastically after the German entry into the country in March 1944, just when other countries which actively collaborated in the genocide at the peak of Nazi power were eager to desert the Axis? This leads us to the moot historical question: what kind of cause of the Holocaust in Hungary was the German occupation of its ally? Should it be qualified as the decisive cause that drastically altered Hungary's war-time path, or did it merely catalyze further pre-existing tendencies?

The German occupation of March 1944 was followed by a radical change of Hungarian behavior and it can thus indeed be considered a prime trigger of the Holocaust in Hungary. However, the resulting change on the Hungarian side exceeded the effects of this "external" cause the German occupation could exert its immense force precisely through the drastic change of Hungarian behavior. It was an occupation by an ally that yielded much increased willingness to cooperate in implementing the Holocaust: the presence of German forces, including key perpetrators of the *Sondereinsatzkommando* Eichmann, created the perception of a state of exception and provided the opportunity for the Hungarian *génocidaires* to impose their will.

This could only happen since, by 1944, broad segments of Hungarian society were conditioned to support or at least passively accept the brutal deportation of their Jewish neighbours. Decisive parts of society by then thought that – irrespective of the actual human consequences for their former neighbours or even in full endorsement of them – radically cleansing Hungary of Jews constituted a mere extension of previous anti-Jewish policies. In short, while the German occupation was a crucial trigger without which the Holocaust in Hungary might not have happened, on another level this occupation served as a mere pretext for local perpetrators to pro-actively support the genocidal campaign against Jews, while decisive segments of Hungarian society welcomed, or at least did not oppose the implementation.

The Holocaust in Hungary can thus provide an important alternative to the political-ideological emplotments of the Nazi genocide: at the heart of the Hungarian historical *problématique* is the realization that, unlike in Germany, there is no clear causal link between a fascist dictatorship and the Holocaust. If the interpretations drawn from the genocide of European Jews were going to overcome their

Germanocentrism and accommodate a broader variety of patterns, the lessons shall not only appear more nuanced but they are likely to be even more disturbing.

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Notes:

- <sup>1</sup> Péter Bihari, *Lövészárkok a hátorszáiban. Középosztály, zsidókérdés, antiszemitizmus az első világháború Magyarországon* (Budapest: Napvilág Kiadó, 2008).
- <sup>2</sup> Various elite perspectives on this dissolution of the Habsburg Monarchy are analyzed in Gergely Romsics, *Myth and Remembrance: The Dissolution of the Habsburg Empire in the Memoir Literature of the Austro-Hungarian Political Elite* (Boulder, Colorado: East European Monographs, 2006).
- <sup>3</sup> Zoltán Vági, László Csősz, and Gábor Kádár, *The Holocaust in Hungary: Evolution of a Genocide* (Lanham, MD-Washington, DC: AltaMira Press-USHMM, 2013), xxxviii.
- <sup>4</sup> For a critical analysis of the concept: Kati Vörös, “A Unique Contract. Interpretations of Modern Hungarian Jewish History” in András Kovács and Eszter Andor (ed.), *CEU Jewish Studies Yearbook 2002-2003* (Budapest: CEU, Jewish Studies Program, 2003).
- <sup>5</sup> For this point, see Guy Miron, *The Waning of Emancipation. Jewish History, Memory, and the Rise of Fascism in Germany, France, and Hungary* (Detroit: Wayne UP, 2011). On the story of Hungarian antisemitic radicalization, see also Nathaniel Katzburg, *Zsidópolitika Magyarországon, 1919-1943* (Budapest: Babel, 2002).
- <sup>6</sup> On the introduction of anti-Jewish legislation across Europe, see Chapter 12 “Legislation against Jews in Europe: A Comparison” in Christian Gerlach, *The Extermination of the European Jews* (Cambridge: Cambridge University Press, 2016), 315-335.
- <sup>7</sup> On Hungarian race protectors, see János Gyurgyák, *Magyar fajvédők* (Budapest: Osiris, 2012).
- <sup>8</sup> See Éva Kovács, *Felemás asszimiláció. A Kassai zsidóság a két világháború között, 1918-1938* (Somorja, Dunaszerdahely: Lilium Aurum, 2004). Attila Gidó, *Úton. Erdélyi zsidó társadalom- és nemzetépítési kísérletek* (Csíkszereda: Pro-Print, 2008). See also Clara Royer, *La Royaume Littéraire. Quêtes d'identité d'une génération d'écrivains juifs de l'entre-deux-guerres* (Paris: Honoré Champion, 2011).
- <sup>9</sup> On revisionism, see Miklós Zeidler, *Ideas of Territorial Revision in Hungary, 1920-1945* (Boulder, Colorado: East European Monographs, 2007).
- <sup>10</sup> See *Igazságot a felvidéki zsidóságnak* (Kohn Zoltán) in *Libanon*, 1939, p.39.
- <sup>11</sup> András Joó, *Kállay Miklós külpolitikája. Magyarország és a háborús diplomácia* (Budapest: Napvilág, 2008). Miklós Kállay served as Prime Minister of Hungary between 1942 and 1944.
- <sup>12</sup> See Ernő Munkácsi, *How it Happened? Documenting the Tragedy of Hungarian Jewry* (Montreal: McGill-Queen's University Press, 2018).
- <sup>13</sup> See Fülöp Grünwald, “Az elmúlt év története. 5702” in *IMIT Évkönyv*, 1942. For more details, see chapter four “The Audible Voices of the Persecuted” in Ferenc Laczó, *Hungarian Jews in the Age of Genocide. An Intellectual History, 1929-1948* (Leiden: Brill, 2016).
- <sup>14</sup> See Fülöp Grünwald, “Az elmúlt év története. 5702” in *IMIT Évkönyv*, 1942, p. 338.
- <sup>15</sup> Krisztián Ungváry, “A zsidótörvények végrehajtása” in Randolph L. Braham, *Tanulmányok a holokausztról IV.* (Budapest: Presscon, 2006), p.136.
- <sup>16</sup> Géza Komoróczy, *A zsidók története Magyarországon I.* (Pozsony: Kalligram, 2012), p.36.



# The Netherlands: Dissonance between Feelings of Safety and Destruction

Selma Leydesdorff

In his unknown Yiddish novel *Mit Blindè Trit iber der Erd* (*With Blind Steps over the Earth*), the author Leïb Rochman describes an old rabbi crossing the streets of Amsterdam after the Shoah. In the olden days before the disaster, people would open their windows to bless him. He was known for his wisdom; he would bring food to poor mothers, and with his remedies and his help, small children escaped the angel of Death. Suddenly in a window on the top floor of a house he is passing a fist is raised and an old woman shouts: “Scoundrel! At times you saved my son. Thanks to you, he was not decently buried when he died!” And suddenly many children on the roofs shout that he has prevented them from dying in their beds.

The allegories in the book represent our incapacity to predict the future. No one in the years before the Second World War could predict that under the German occupation more than three-quarters of the Dutch Jews would be deported to German camps in Poland and murdered there – more than anywhere else in Western Europe. The Netherlands were too civilized for such inhumanity.

In the collective memory of the Netherlands, almost every non-Jew had hated the occupier, and even those who felt it was safe to continue living as they had before the war – although Jews were people one did not really ‘know’ – imagined that there would also be safety for those considered an accepted minority. This image is a construction of changing memories. I want to argue that in the dominant historical view of the past, Jews have become more accepted than they actually were. It is a challenge to explain this construction.

Is it possible that people in a country can be equal and legal citizens, yet not at all equal in their daily lives? If this is the case, when do these people truly become full citizens? Will social scientists ever be able to measure feelings of safety or acceptance, constructs which are almost never expressed statistically? Do methods exist that can quantify collective feelings accurately? These are some of the pressing questions that require answers in order to understand the expectations of Dutch Jewry before the Holocaust.



It is clear that the Jews had no political authority, and only a very few of them held positions of power. Indeed, only a miniscule percentage of Jews belonged to the elite, and those who did were – and even today are – always pointed to as an example of the successful integration of the Jews. Apparently, a strong dissonance exists between the perception of safety as part of the history of the Dutch Jewry before the war, and what actually happened.

The policy to exterminate the Jews came from the Germans, but the occupation forces were helped by a smoothly running administration and by a majority of the Dutch policemen who were charged with arresting the Jews, and also by the Dutch railway personnel who transported them to the transit camp from where German trains departed to the death camps. All this was facilitated by the smooth Dutch administration.

All over Europe, it has taken time to come to terms even partially with the participation of non-Germans, i.e., the local population, in the deportation of the Jews. Many people have been much too uncomfortable to speak about it. Those who collaborated were people who had mentally shut themselves off from the suspicion that the destinations of the trains to the East were murder factories.

However, modern historiography has forced people to acknowledge this massive participation of the non-Jewish population in the deportations and man-hunts. In most countries of Western Europe, the dominant narrative has been that the Germans were the chief perpetrators, and this is certainly correct; but the paradigm that singles out the Germans for blame has had the effect of hiding and exculpating the non-German perpetrators. Indeed, many of those who facilitated the destruction of Europe's Jewry did not adhere to the Nazis' racist ideology.

The debate about the participation of the local population was first catalyzed by the publication of a book entitled *Vichy France and the Jews*<sup>1</sup> which highlighted the participation of the French population in the deportations. After the book's publication, the issue of collaboration could no longer be ignored. The debate then found its way into countries outside of France, often encountering great emotional resistance, and over the past decades this new paradigm has entered the Netherlands as well. Some people began to wonder in earnest about the extent to which the Germans had actually been helped.

The emotional resistance against such research also appeared in academia, which was generally quite reluctant to explore the issue. It is striking that, while

official collaboration eventually became a bona-fide field of research, more widespread participation has seldom been the focus of serious historical research.

The pre-war history of Dutch Jewry is overshadowed by mythologies that mask the later non-German involvement. Moreover, the degree of integration of the Jews is exaggerated by feelings of guilt about the massive complicity, not only of those who helped to commit the crimes, but also of the many who opted to turn their gaze away from what was happening right in front of them. During the first years of the occupation, many assumed that Germany would eventually win the war, and thus it was better to adapt, and not to talk or think too much about the fate of their neighbors who were rapidly disappearing.

According to the dominant image of the past, Jews began to settle in the Netherlands centuries ago, and thus were no longer considered as immigrants. A presence over centuries and an emancipation in the late eighteenth century had transformed them into 'real Dutch.' The February 1941 strike, when thousands of workers demonstrated their solidarity with the Jews, is supposed to be one of the major indicators that Jews were already integrated into Dutch society prior to the Holocaust.

However, it may be more accurate to interpret this strike differently, as it was chiefly the result of communist contestation in the harbors. It is now clear that the strike does not actually constitute proof of massive loyalty of the Dutch towards the Jews during the war.

According to the above-mentioned mythological image, the Jews, who were initially present as 'others,' expected to integrate fully with the majority of the population and become 'one of us.' It is indeed the case that they wanted to be part of the Dutch nation, and to adopt its culture. In my work on pre-war Jews, I have stressed that the Jews were ambivalent about the role of their Jewish cultural heritage, which they did not want to reject or abandon altogether.<sup>2</sup>

These Jews were typically optimistic about successful integration since they were more integrated here than in many other countries. Contemporaries from abroad visiting the larger towns where Jews lived always mentioned their amazement at the high level of integration. The many observations of eyewitnesses who stated that Jews were living better in the Netherlands than anywhere else in Europe served as templates for memories of idealized relations between Jews and non-Jews.

Indeed, a reasonable argument exists that the Jews were integrating. In the following, I will examine if this was indeed the case, and if so, to what extent.

Therefore, it is necessary to question the self-image of the Netherlands as a country that lacked a genuine tradition of antisemitism.

Holland has a racist and colonial past, in which overt antisemitism was not part of the day-to-day discourse, but where anti-Semitic prejudices were nonetheless quite common, especially among the upper classes. It must be acknowledged that the Jews were discriminated against and segregated, not physically but in numerous other important ways. For example, there were athletic clubs that excluded Jews. Moreover, sporadic statistics reveal the reluctance of non-Jewish parents to let their children play with Jewish children, and almost all Jews were excluded from many desired professional opportunities.

The culture of the Amsterdam Jewish working classes I have studied for decades was dominated by the elite of the diamond workers, for whom assimilation was a core part of their political goals. Their degree of integration into the Dutch socialist movement is an exception in the European pattern, which has been widely noted by historians of socialism and socialist Jewry. Below them on the social hierarchy were the seamstresses, the cigar-makers, the tailors of the textile industries, and the many unemployed. In the late 1930s, when the economic crisis hit the diamond industry and 92% of the diamond workers became unemployed, the hope for integration remained, although the elite had disappeared and life became increasingly a part of a culture of poverty. It should also be recalled that the Jews were enclosed in a separate economy from which it was virtually impossible to escape. Reports supported by data from 1926 and 1936 confirm this. This 'Jewish economy' was made up of Jews who were unevenly distributed through the various sectors, which deviated significantly from the norm, both locally and nationally. Jews worked in a number of specific sectors, while many others remained closed to them. Jews were more present in small trade, commerce, and retail.

It is important to note that Jews typically worked and lived together. When they entered new neighborhoods, they preferred those streets where other Jews lived and where their lifestyle and food patterns were not considered deviant. They never integrated completely, and access to many professions was blocked. Even when they believed that they were in the process of integrating, they actually lived in their own hermetically sealed world. Louis, a man that I interviewed in the 1980s, stated that he would spend his entire free weekends among fellow Jews, even though he also asserted that he was a worker, just like the non-Jews. Jewish girls would also attend evening classes that were exclusively comprised

of Jews. These classes would frequently teach skills needed in professions in which Jews were allowed, such as how to make fine needlework within the textile industry.

In most positions of societal authority, Jews remained a minority. For example, of the 4,000 municipal aldermen in the Netherlands from 1930-35, there were only 10-15 Jews. Among the 590 members of the provincial states, only seven were Jews. The proportion of Jewish teachers, and Jews in education overall, was also significantly lower than in the rest of the population.

So, it can be argued that while many Jews were integrating to a greater or lesser extent, they still lived in a 'migrant society.' It is also important to note that, although this was the case, they would never consider themselves migrants. For them, migrants were those Jews who came from the East (e.g., refugees from Poland and Russia), and they despised them. In contrast, they themselves were truly 'Dutch.' Still, no one would deny that friendships with 'the others' hardly occurred, and data reveal the persistence of Jewish marginality. The cleavage between Jews and non-Jews tends to be effaced in the collective memory, and pre-war Dutch Jewry is typically taken as an example of a successfully integrated group. The Shoah has made it particularly challenging to recover the pre-war stories of being 'in' Dutch society but not 'of' it. It is apparently much easier to think about the past as the history of a country in which all Jews were regarded as fellow citizens.

In the Netherlands, most people disregarded the threat of Nazism. Even though thousands of refugees were on the move throughout Europe, the Dutch Jews clung to the conviction that they were safe. The Netherlands had not been involved in the First World War. The country had adopted a policy of neutrality and was expected to stay out of any war that might occur in the future. If one had money, there was happiness, such as during a Jewish marriage in the North of the country. Even among the poor and unemployed, life was peaceful and happy.

Many descriptions indicate that a general feeling of trust was ubiquitous. Newspapers, diaries, and other sources from that time indicate complacency, and threats in Europe are mentioned only sporadically. The future was considered safe and secure. For instance, my own mother was forced by her parents to return from Palestine because it was unsafe there. Her parents believed that she would be much better protected at home. However, she ended up in Auschwitz, where she managed to survive.

This pattern of complacency did not disappear completely when the Germans occupied the country. There was still hope for survival within the Jewish commu-

nity. People knew they had to hide, but they also trusted the voices that told them to adapt and to pack their belongings. Once the deportations began, the Jewish leaders reassured them that life in the East would probably turn out to be better than they expected.

The best way for everyone to remain safe seemed to be obedience and non-resistance towards the occupiers. Many saw no reason to flee or go into hiding. Indeed, most people preferred not to doubt and not to fear. After all, there was nothing else to do but to go. Although most assumed that it was better not to be sent to the East, it was thought that, through hard work, survival was possible. The Germans wanted people to believe that no special violence would be directed at them. However, during the *razzias*, in the streets of towns and villages, the Germans' behavior was violent. Jews then assumed that what awaited them was not good, but no one could imagine the massive killings that would soon occur.

In the history of my own family I found an example of hope in a lovely letter my grandmother wrote to her children on the evening before she was deported. At that moment, she was in the major transit camp at Westerbork. She was worried as she wrote, of course, and she prayed for God's guidance. She believed that she would die, and worded it this way, "I don't know where I'll die. Here in Westerbork or in Poland? The life of Jews is at this very moment unquiet." However, she assumed that "our people will flourish again."

She had lost all of her property, but she left something much more important to her children: her enormous love. She was convinced that my mother would survive with her first husband. They were so strong. (My mother's husband was gassed in Sobibor). My grandmother was not naïve, and before the war she had tried to receive refugees; she knew about the dangers of Nazism. She belonged to a small group of elite Jews who lived a traditional Jewish life and maintained a kosher house. She had been shocked by the violence in the streets of Amsterdam and later in the transit camp of Westerbork, members of my family told me. There were illusions and hope, and at the same time there was no hope.

Lately, there has been a fierce debate about what people knew about what was in store for the Jews. Deliberately, I have kept away from this debate, which mostly concerns the reliability and use of sources. Some read them as a confirmation of the public awareness of danger and others as a denial that people knew. I read most of them as an exculpation of the non-Jewish Dutch who, according to these

sources, could not possibly have known that the Jews would be systematically exterminated.

Some of the participants in this debate argue that even the Jews who would be slaughtered did not and could not have known. This is true in a certain way. I am always shocked to read how the Dutch Jews arriving in Sobibor were forced to write postcards with the message that they were doing well. This happened less than six hours before they were killed. No one could imagine the enormity of the crime that was coming.

Even the 'workers' in Sobibor believed that the people who 'suddenly' disappeared were transported to other camps for labor. Sometimes, it took weeks until they could accept that the stench in the camp came from the dead bodies carried out of the gas chambers. Many survivors I interviewed told me this.

How can we disentangle the dichotomy between integration and non-integration that has been buried for so many powerful reasons? The Shoah has made it so difficult to remember the non-integration of the Jews. It is such a small step to argue that the Jews would eventually have integrated. I prefer, however, to examine a Dutch society in which the Jews were not fully intergrated. Dutch society has had, for centuries, a problematic relation to migrants, and the Jews were no exception to this rule.

In Dutch society, the Jews and non-Jews did not really know each other. It has often been noted how people stood by in the streets when the Jews were being rounded up. This image is true. However, I wonder if the Jews expected their non-Jewish neighbours to act differently. In a sense, the people chased through the streets were their neighbours, but at the same time they were people from a different world who often kept to themselves. The myth of the February 1941 strike suggests that they were also friends, and that there was a massive and unified protest. This narrative, however, has obscured their actual material life in a segregated society. Integration was far away indeed, so much farther than we want to believe.

Unpeeling the many layers that intertwine feelings of guilt with many denials and constructions of memory is a major challenge if we choose a lens which acknowledges that maybe the feelings of belonging and safety have been accentuated. There is considerable evidence to show that the Jews were far less integrated than we are now led to believe. History constantly needs to be rewritten, and this issue awaits future discoveries which may reveal that there was not such a dissonance.

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Notes:

<sup>1</sup> Michael R. Marrus and Robert O. Paxton, *Vichy France and the Jews* New York: Basic Books, 1981.

<sup>2</sup> Selma Leydesdorff, *We Lived with Dignity, The Jewish Proletariat of Amsterdam 1900-1940* (Wayne State University Press, 1998), *Wir haben als Mensch Gelebt* (Suhrkamp 1998); "The Veil of History: The Integration of Jews Reconsidered," in J. Israel and R. Salverda (eds.), *Dutch Jewry: Its History and Secular Culture* (Leiden/Boston/Köln: Brill, 2002), pp. 225-239; and "The Mythology of Solidarity, as shown in the Memory of the February Strike of 1941," in Joseph Michman (ed.), *Dutch Jewish History* (Assen/Maastricht: Van Gorcum, 1993), vol. III, pp. 353-369.

# No One Could Predict the Holocaust – But Can We Predict the Danger Now?

Bent Blüdnikow

We see the past with the wisdom of hindsight. It is a banality but worth emphasizing every time we touch upon antisemitism and the Holocaust, because when we think and write about the fate of the Jews, all reflections go through the prism of the Holocaust and all our thoughts are colored by it. But no Jews—or Christians for that matter—could know that history would result in the Holocaust. It was unthinkable and, even after 1945, the Holocaust seemed unreal in the form that the genocide took. When one looks back, it may seem predetermined that this might be the case. But the Holocaust was not predetermined, because nothing in history is predestined.

Anti-Jewish attitudes and deeds have been a part of history for centuries. As far back as we can trace the history of the Jews in the Middle East and in Europe, they were a persecuted minority and there were prejudices against them which resulted in assault, persecution, and killing. Crusaders in the Middle Ages murdered Jews on their way to Jerusalem. After the Middle Ages, Jewish congregations in Europe were subjected to brutal attacks. In more recent times, there have been many cases in which hatred toward Jews was part of the strong passions that have characterized European societies. In Austria, Karl Lueger was elected mayor of Vienna and, as a political leader in the 1880s, gained success with an anti-Jewish agenda. In France, the 1890s were characterized by the case against Captain Alfred Dreyfus, a Jew who was accused of spying for Germany. He was entirely innocent and eventually acquitted, but among nationalist and religious groups a great hatred for the Jews prevailed. In Poland, where there was a large Jewish population in the Interwar period, there were strong antisemitic movements. In Russia, Communist leaders Vladimir Lenin and Joseph Stalin had a deep distrust of Zionists and Jews which resulted in many Jews being incarcerated in prisons and labor camps. In Italy, the fascists were full of distrust for the Italian Jews. In this regard, many other countries could also be cited.

It was by no means a given that it was Germany in particular where such a murderous anti-Semitism would unfold. It could just as easily have happened in a number of other countries. With his 1996 book *Hitler's Willing Executioners*:



*Ordinary Germans and the Holocaust*, American historian Daniel Goldhagen attempts to argue that German antisemitism was particularly malignant and that the German population was, in other words, predetermined to carry out the genocide of the Jews<sup>1</sup>. However, he was contradicted by many other historians who believed that Goldhagen saw everything through the filter of the Holocaust, that German antisemitism was not worse than in other countries, and that he post-rationalized his research. There has also been a tendency for recent historians to emphasize that the murder of the Jews was not a German phenomenon, but that we must see the Holocaust in a European context because citizens of many other nations participated in the murder and plunder of the Jews. Not least, American historian Timothy Snyder, with his book *Bloodlands*, has supported the view that the majority of the murderers and concentration camps were outside Germany and that the massacres took place in what he calls bloodlands; that is, the regions between Germany and Russia<sup>2</sup>. Jews, especially, were murdered there, but other communities such as Ukrainian farmers were also starved to death and murdered by the communists. Snyder's point, without depriving the Holocaust of its central place in history, is that the common misdeeds of both Nazis and communists were crucial to the death rate becoming as extensive as it did.

In a number of countries other than Germany antisemitism was also, in all probability, severe and dangerous. As said, there were broad swathes of antisemitism in France after the Dreyfus affair, and it can be determined that Vichy, a partially independent southern region of France, chose to implement anti-Jewish legislation and deport Jews eastward. Even in Paris, the police participated in capturing and deporting Jews. In Italy, notwithstanding the country's reputation for being more Jew-friendly than Germany, Mussolini enacted anti-Jewish laws. In Poland, it was the worst, and the majority of the Jews were pillaged and murdered with the help of the Poles. This is a broad and inflammatory debate, but recent research clearly indicates that the Poles participated in the genocide of the Jews (3). The latest book on the subject, from 2018, *The Fate of the Jews in Selected Regions of Occupied Poland*, concludes that Poles sent a large number of Jews to the Nazis (4). The Communist regime in Russia was no better. During the period between 1939 and 1941 when Nazi Germany and the Soviet Union had formed a pact together, communists carried out anti-Jewish measures, and after the war the anti-Jewish course continued into the 1950s when Jews were executed and deported both in the Soviet Union and in the occupied countries of the Soviet Union. Some historians argue, although it is debatable, that, up until 1953, Stalin had plans to deport Russian Jews to concentration camps<sup>5</sup>.

This examination could extend to other countries, both in Europe and the Middle East, where hatred of the Jews flourished, to emphasize the point that the Holocaust—or something similar—could have developed elsewhere other than in Germany. When the persecution finally played out, it actually occurred in many places other than Germany. No one could have known, not even the European Jews, who probably had their suspicions raised because they knew about the long history of antisemitism, that Nazism, in cooperation with other regimes, movements, and populations, would carry out a massacre the likes of which had not been seen in the history of the world. Here, of course, we enter a crucial debate: whether the Holocaust was unique, and distinct morally and pragmatically from other genocides. Mao and his executioners probably murdered between 50 and 70 million people, and Lenin's and Stalin's hired killers probably murdered 30 or 40 million, but the genocide of the Jews stands out by the fact that the ultimate Nazi goal was to murder all Jews on Earth. Many groups were victims of Mao's, Pol Pot's, Lenin's and Stalin's plans, but, as far as we know, they did not strive to systematically murder every single member of particular groups wherever they were to be found.

When Nazism showed its true face in the 1920s, it was just one of many national socialist movements in Europe. For Adolf Hitler, hatred of Jews, as we know from his 1925 work *Mein Kampf*, played a crucial role, but there were other leading figures in Europe and Russia who had the same preoccupation with them. One can argue, in line with Daniel Goldhagen, that Hitler did not simply pluck his racial antisemitism out of thin air, but that in German history there were other extreme haters of Jews such as, for example, Martin Luther, who, in the 16th century, expressed fervent anti-Jewish attitudes, and who was later followed by other fanatical Jew-haters. But one tends to ignore that other nations also had this sort of ideological pyromania. France had, among many others, the writer Édouard Adolphe Drumont, who created an Antisemitic League in the late 1800s which played a major political role in France. And Hungary had the politician Győző Istóczy, who ran for parliament with an antisemitic agenda and was elected. We ourselves had the former culturally radical writer Olga Eggers who spewed hatred towards the Jews, but did not, however, play a political role.

One could argue until one is blue in the face whether the intense persecution that ended with the Holocaust was determined in advance or was the logical end of Nazi conquests. There are arguments both for and against this claim. On one side of the debate are the Intentionalists, who believe that the decision was taken by

Hitler and his people from the outset, and, on the other, the Functionalists, who believe that the Holocaust was the result of Nazi conquest eastward that brought millions of Jews under their power. It is impossible today to determine who is right because there are arguments for both views, but the case is important to the assessment of Jewish reactions, because, if the Holocaust was planned beforehand, it is more incomprehensible that the Jews did not respond faster and more aggressively to the threat.

The German Jews actually had reasonable opportunities to escape Germany until 1938, from which point it became increasingly difficult. Jews could escape if they had connections and money, and at times the Nazis even worked toward Jewish state formation in different locations in the world. The Holocaust was therefore not predetermined, say the Functionalists, even though Hitler, early on, had expressed a desire to eradicate all Jews. There has been a tendency in recent research to argue for a stronger Functionalist position, emphasizing that Nazi policy changed according to situation and strategy, but the Intentionalists have not disappeared, and Timothy Snyder's latest book, *Black Earth*, is an attempt to revive Intentionalism, pointing to Hitler's radical Darwinism, which, through a global race war, would promote the Aryan race and exterminate the Jews, but this work has been criticized by many historians as being too speculative<sup>7</sup>.

In the 1920s and 1930s, Jews had many different appraisals of the danger. Many German Jews were proud nationalists who had participated as soldiers in World War I and had faith in German culture. In addition, most Jews both in Germany and beyond believed that Nazism was a transient phenomenon and that this civilized country, where there were many moderate forces, would control the Nazi movement. Even when the Nazis came into power in 1933, the general stance was that extremism was a temporary phenomenon and that moderation would prevail. Of course this belief was shaken when anti-Jewish laws were implemented in Germany in 1935, in particular those authored by prominent jurist Werner Best. But there still was hope and the opportunity for departure. In fact, German authorities, for a long period, encouraged German Jews to leave, but they would be stripped of everything on departure—including citizenship. The flow of stateless Jews from both Germany and Poland created a fear of renewed antisemitism in a number of European countries as well as fear of unemployment, which led to the Nordic countries' cooperation with Nazi countries to have "J" stamped on the Jews' passports so that they easily could be rejected or expelled in, for example, Denmark<sup>8</sup>.

With Kristallnacht in 1938, when Jewish shops and synagogues were burned down and destroyed, it was clear that the Nazis were serious in their intentions.

However, in the wake of the event, countries such as Italy and the Soviet Union were not, as mentioned, hindered from enacting anti-Jewish legislation, nor were countries such as Sweden and Denmark prevented from actively cooperating with Nazi countries to prohibit Jewish entry.

Jewish leaders and organizations were at a loss over what to do. Some believed that European Judaism was sentenced to eradication and they called for flight, while others believed that moderate forces would eventually win. After 1945, the Jewish leadership was criticized by many Jewish historians and others for not having realized in time what would happen. But was this fair? Could one really have known, even after 1938, that the Holocaust would be the result? It should also be remembered that, although the Nazis did not hide their hatred for the Jews and carried out Kristallnacht, later misdeeds were kept hidden from the outside world. No one knew what was taking place in Poland with the murder of Jews after the occupation in 1939, and no one was being told that special units were sent east to liquidate as many Jews as possible. The bloody reality remained secret for a long time.

The situation of the European Jews was, therefore, immensely difficult and it was not a natural, logical choice for them to abandon everything and escape. Still, there were Jews in Europe who lived in relative security long into the war, and who were captured and deported to their deaths only in 1944 or 1945. Developments in Europe were dependent on the luck of war, Hitler's sudden attacks, the machinations of the SS, and regional conditions in occupied countries that developed unpredictably. Thus the Jewish situation in Europe was not clear, and represented so many dilemmas that it was difficult for them to decide what would bring about their rescue. Today, we can say with some certainty that it would probably have been wise to flee to Shanghai or Latin America, but back then such choices were not easy. The journey was, in itself, a grave danger and many met their deaths at distant destinations or committed suicide. Others believed that salvation would come with flight to Denmark, France, Belgium, Spain, or the like, but it turned out that it was a pure gamble whether one survived or not. Only retrospectively can we now see that what was wisest, statistically speaking, was to flee overseas, but that reality could be grim. Let me give a concrete example from Denmark. In the 1930s, as an exception, Denmark received a group of Jewish agricultural students who would go on to Palestine. One of them was Bruno Schmitz. He was studying horticulture in North Zealand, but when action against Jews was triggered in October 1943, he and the others were transported to Gilleleje to cross over to Sweden

by boat. They were hidden in the Gilleleje church's loft, but the Nazis received news of their hiding place and commanded, with weapons, the Jews to come down, after which some of them ended up in the Theresienstadt concentration camp. However, Bruno had hidden himself in the bell tower when the other Jews were picked up, and refugee helpers got him down. The day after, he was taken to Snekkersten, from where many were transported to Sweden. He was unfortunate enough to be in the same boat as my father, Benjamin Blüdnikow, and when I say unfortunate, it is because the boat was a miserable old tub that simply could not carry the ten refugees. In the middle of Øresund it sank and three of the ten people aboard drowned. Bruno was one of them. If one survived, it was pure luck, and nothing could guarantee survival<sup>9</sup>.

Even when the mass executions were commenced, ghettos created, and Nazi death squads formed, questions about being rescued or not were entirely unfathomable. You could save your life if you were in a fortunately overlooked ghetto, had special qualities, or had contacts, but there was no guarantee of anything. Danish Jews' lives were spared in Thersienstadt and they were not sent on to Auschwitz, but that is probably, as I have argued in a number of articles, due to the fact that the SS leader Heinrich Himmler wished to use them for propaganda purposes, to establish contacts within the Western powers, and not because he wanted to work with Danish authorities or had a soft spot for Denmark<sup>10</sup>. The most shameful circumstance of the Nazi era is that the International Red Cross did virtually nothing to help the Jews. Neither did the Danish Red Cross, which had a Nazi leader, show any special interest in them. It is a further part of the explanation for the Holocaust's far-reaching tragedy that most European governments showed very little concern for stateless refugees and gladly expelled foreign Jews, as happened in Denmark, which resulted in 20 foreign Jews being expelled and later murdered in concentration camps. Everything then was a risky game, from which we cannot after the fact evaluate how we made it out alive.

Jewish apprehension of the danger often depended on personal contacts, family members abroad, wealth, and political attitudes. The Zionists had a conviction that emigration to Palestine was the goal in all circumstances, which helped to save a great number of Jews. For theological reasons, religious groups had the same concept in mind as Zionism and, therefore, had an easier time leaving Poland or Germany to try reaching Palestine, which was not so easy because the British prevented immigration. In contrast, socialist Jews had difficulty understanding the threat of death because of their political views. They believed that class struggle was the driving force behind Nazi politics and did not believe that the

Jews themselves were the target. This meant that many socialist Jews, including the so-called Frankfurter School of Intellectual Jews, did not realize the danger in time. Most Jews, however, knew about the persecution of Jews and were prepared that something bad could happen. The Jewish historian Yitzhak F. Baer, an expert in Spanish Judaism, knew that Jews in Spain had been persecuted and thrown out of the country in the 1490s. Perhaps that was the driving force that led him to travel to Palestine already by 1930, where he wrote in his book, *Galut*: "Today we can interpret everyday events in light of old events and dusty chronological annals, because history unfolds as an uninterrupted process ..."<sup>11</sup>. The issue was that the Holocaust was not a repetition of persecutions in Spain, but something unique and entirely unexpected, which no one thought possible and which remains, in many ways, inexplicable. That is why historians still fumble after explanations and motives and still disagree.

Jews in Denmark followed the developments in Europe with apprehension. Although Denmark was somewhat unique in having good relations between Jews and the royal house, and between Jews and most Christians, it was not without perilous moments. There had been a dangerous Jewish fever in 1819, which could easily have developed to have been worse than it actually was. But with emancipation in 1814 and the Danish Constitution in 1849, Jews became equal to Christian citizens, and antisemitism in Denmark seemed to be under control and not a danger. After the Russian Jews arrived at the end of the 19th century, more extensive antisemitism emerged, as seen in the growth of nationalist movements after World War I, but in comparison with, for example, Poland or Germany, Danish antisemitism was harmless. The Danish Jews were generally well-integrated, and the East European Jews who had come to the country before 1917 adapted quickly. Most were convinced that the Jews would do well in Denmark and were safe in this country. At the same time, there were people who had family in Germany or Poland, who were aware of the dangers that developed during the 1920s and 1930s, but generally Jews in Denmark considered themselves secure.

One can argue that the Jews in Poland and Germany were also largely well-integrated and had made significant contributions to their nations. The development of extreme antisemitism was not a rational phenomenon and did not necessarily have to do with whether the Jews were well integrated or contributed positively. There was always a suspicious eye on the Jews because, as a minority, they represented something different and irrational. Christian antisemitism partially diminished through the 19th century, and, after the Enlightenment, there was greater

openness for equality and assimilation. It was the hope of people during the Enlightenment and also of Napoleon that equality would automatically lead to assimilation, so that the Jews would ultimately be integrated with the majority and disappear as a minority. Notably, this did not happen, and at the same time Jews in a number of countries, including Denmark, formed an especially successful group which had been markedly fortunate in academic fields, the arts, finance, and trade. This resulted in acute envy, and in several recent historical works such as those by German historian Götz Haydar Aly and Polish-American historian Jan T. Gross, it is emphasized that envy played a significant role as one of the explanations for the violent development of extreme antisemitism, as evidenced by the looting of the Jews by local populations<sup>12</sup>.

Fortunately, that did not happen in Denmark, and part of the cause may be found in the good relationship between Jews and other Danes, but also in the fact that the Jews were a very small minority, which therefore played a lesser role than in other countries. Finally, German antisemitism did not influence Denmark appreciably, precisely because it was German. After 1864, the Danes were generally anti-German and there was no desire to follow German extreme antisemitism, which was left to Danish Nazis, and which, in turn, resulted in the Danes generally not being foolish enough to jump on the bandwagon.

The Danish Jewish congregational leadership consisted of very well-integrated Jews who did not pay attention to the danger from the south. It was believed that Nazism would disappear and it was the leadership's policy until the last, that is until October 1943, to calm the members of the Jewish congregation and to advise against escape or engaging in too much public activity that could attract attention. There were individual voices that warned about the coming danger. One distinctive figure was the young rabbinical student Marcus Melchior, who had come from an official position in Germany and Poland to Denmark in 1934. Melchior attempted to warn against antisemitism in Germany and Poland, but did not gain the ears of the Jewish congregation's leadership. In his 1965 memoir, *A Rabbi Remembers*, Melchior wrote, "The Jewish congregation in Copenhagen was, in its relation to the demands and problems of the time, hopelessly left behind, provincial, and narrow-minded. Obviously, the dominant feeling was this: 'The disasters in the world do not concern us ...'" Melchior was not then a member of the leadership and had barely known what was going on behind the scenes<sup>13</sup>.

After the war, the passivity of Jewish leadership when confronted with Nazism was severely criticized. Not least by the Israeli historian Leni Yahil in her dis-



sertation, *Test of a Democracy* (1966), a scathing criticism of the leadership for having not warned the members of the congregation of the danger, not having had a plan B if the Nazis acted against them, and blindly following the soothing words of the Danish authorities to keep calm and to remain totally passive. Her dissertation was met with anger by the Jewish congregation, who thought she was unfair. In my eyes, Yahil was right in her main appeal, namely, that there should have been a warning and a plan B prepared, but the leadership of the Jewish congregation was not as passive as she thought. It was, first and foremost, the Danish government and officials who instructed the Jews to keep calm and in no way to provoke the Germans or publically act out too much. The leadership of the Jewish congregation also sought to relax the restrictive refugee policy by direct communication to the Ministry of Justice. It concerned comprehensive relief work for refugees, which included an amount of more than 1 million DKK for tickets and assistance to refugees. Absolutely crucial to the evaluation was the fact that the Jewish congregation actually carried out dangerous and illegal relief work to bring Jewish refugees farther along. This work was carried out in collaboration with the American-Jewish relief organization JDC with, as an intermediary, the Danish Jew Hugo Rothenberg, who, through a friendship with Hermann Göring, was able to travel freely in Europe. Let me mention an example of this assistance. In February 1941, the Swedish-Jewish Refugee Committee planned to send ships with refugees from Gothenburg to Japan, the United States, and South America. The dispatch was a highly complicated diplomatic affair which required money and diplomatic contacts. In May 1941, several ships from Gothenburg sailed to, among other places, the USA and South America. The Danish-Jewish Refugee Committee was involved in these transports and a number of German Jews were transported from Denmark to Sweden to join the ships. This activity certainly did not suggest fatalism, but the congregation was unable to divulge these sorts of actions after the war because what they had done was illegal on account of having accepted foreign capital for refugee help, which had been criminalized<sup>14</sup>.

It has been argued that the Jews were too passive in their encounter with a murderous threat. The criticism is largely unfair. The effective German murder machine was very difficult to oppose. Considering Denmark, it has been argued that the Danish Jews were passive in their encounter with the Nazi occupation, but that is actually incorrect. It falls outside the scope of this short article to account for the number of Jewish resistance fighters, but, in fact, there was a significant number involved in illegal work and actual resistance work. The myth of the passive Jews simply does not hold up.



One can actualize the case of the Jews' reaction to the threats of the 1930s and 1940s by asking the question of how Jews respond in our own time to rising anti-semitism in Europe. Over the past 10 years, Europe has experienced an increasing level of prejudice against Jews and concrete terrorist attacks against them. In France, Belgium, and, among other countries, Denmark, terrorist attacks have been directed at Jewish targets. Islamists have also expressed anti-Jewish attitudes in Denmark and opinion polls from other European countries show that there is a large percentage of Muslim populations that share prejudices about Jews. This hatred of Jews is partly based on the Quran and its teachings, and partly in the showdown between Israel and the Arab countries and Palestinians.

In addition to the Islamic danger, there is also a threat from right-wing nationalists who have shown their faces in, among other places, Hungary and Poland. It is difficult to say as yet how antisemitic these movements are, but in Hungary there have obviously been hostile anti-Jewish elements.

It has been a shock to most Danish Jews that in the last couple of years there has been a passionate and fierce debate about the circumcision of boys. One can make completely legitimate arguments to oppose circumcision, but it has awakened deep concern that in the debate, anti-Jewish attitudes have also been expressed.

In addition, a new antisemitism has emerged in which no distinction is made between Israelis, Zionists, and Jews. On the extreme left, the demonization of Israel as a Nazi state helps to aggravate tempers and create a greater risk of harassment or even abuse of Jews. In culturally radical circles, one can see a dangerous tendency to represent Israeli soldiers as German Nazi-like soldiers. The newspaper *Politiken* has two illustrators, Per Marquard Otzen and Anne-Marie Steen Petersen, who have both sketched such hate drawings for *Politiken*. In 2009, Per Marquard Otzen thus drew a parody of the famous Warsaw ghetto photograph showing a Jewish boy with his hands in the air and Nazi SS men with machine guns. In Per Marquard Otzen's version, there was a Palestinian boy and the SS men were replaced by Israeli soldiers. The analogy between Israel and Nazi Germany was weighty. In 2009, Anne-Marie Steen Petersen drew religious, contented and laughing Jews turning their backs on pitiful Palestinians behind barbed wire. The drawing does not direct its sting against Israeli politicians or generals, but against Jews wearing yarmulkes. The unnamed yarmulke-wearers in the drawing do not have to be Israelis, but could be Danish Jews thus identified as oppressors of Palestinians. In 2017, Per Marquard Otzen drew a fat yarmulke-wearing Jew eating a peace dove. It was not Prime Minister Benjamin Netanyahu or other

Israeli politicians or soldiers against whom he directed his satire, but just a fat anonymous Jew. Thus the villain was not an Israeli politician or soldier but a Jew. What is alarming is not just that this type of drawing can be published in *Politiken*, but that the paper's staff and readers who would have protested against such stereotypical representations of Jews in the past, now remain silent, and that the editor-in-chief was quoted as saying that he could not see anything wrong with the drawing.

*Politiken's* use of these kinds of hostile images involving Nazism is a sign that antisemitism is now accepted in circles that were not earlier thought to be infected<sup>15</sup>.

Along with the widespread prejudices against Zionists and Jews in Muslim communities and the existence of terrorists in Europe, the risk is palpable. A significant emigration of Jews from France has been documented, but how seriously should one take the present danger? Am I inventing a hell? Possibly. Most Jews I talk with about this topic do not know how they should perceive the situation. Is there an immediate danger? Will there be more terrorist attacks? Will the situation in the Middle East, with more settlements and a possible war in Gaza, lead to an increasingly harsh negative attitude towards Israel, Zionists, and Jews? Do we want to see more and still more unpleasant, inflammatory drawings in *Politiken*? Should one, for the sake of one's children, pick up and go?

The reality is that we do not know, and like the Jews in the 1930s, we only hope for the best.

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Notes:

1. Daniel Goldhagen: *Hitler's Willing Executioners: Ordinary Germans and the Holocaust*, 1996.
2. Timothy Snyder: *Bloodlands: Europe Between Hitler and Stalin*, 2010.
3. Jan T. Gross: *Polish Society Under German Occupation – Generalgouvernement 1939-1944*, 1979.
4. Barbara Engelking & Jan Grabowski (red.): *The Fate of the Jews in Selected Regions of Occupied Poland*, 2018
5. Jonathan Brent & Vladimir P Naumov: *Stalin's Last Crime: The Doctors' Plot*, 2004.
6. Among the many books about this theme are the following anthologies:
7. Timothy Snyder: *The Holocaust as History and Warning*, 2016.
8. Regarding Denmark's treatment of foreign Jews, one of the earliest and most notable books is *Medaljen bagside (The Back of the Medal)*.
9. Bent Blüdnikow: *Min fars flugt. Jødiske skæbner i oktober 1943*, 2013.
10. Bent Blüdnikow: *The magazine Rambam*, 2017. and Bent Blüdnikow: *Moral og internationalisme i debatten om jøder og Danmark*. Historisk Tidsskrift, 2016.
11. Jacob Katz: *Was the Holocaust Predictable?*, Yad Vashem, 2008.
12. Götz Aly: *Hitler's Beneficiaries: Plunder, Racial War, and the Nazi Welfare State*, 2007.
13. Bent Blüdnikow: *Stille diplomati og flygtningehjælp. Den jødiske menigheds ledelse 1933-1943*. I Hans Sode Madsen (red.): *Foreren har befalet. Jødeaktionen oktober 1943*, 1993.
14. For a detailed statement see Bent Blüdnikow: "As if They Did Not Exist at All," 1993.
15. You can see some of these drawings on the website: Israel-online: [http://israel-online.dk/mediawatch/171213\\_Antisemitische\\_tegninger\\_i\\_Politiken.php](http://israel-online.dk/mediawatch/171213_Antisemitische_tegninger_i_Politiken.php).

# Cambodia:

## “What makes a man start fires?”

Alexander Hinton

### “What makes a man start fires?”

In November 2017, *New York Times* reporter Richard Faussett invoked this question, posed by an album title of the punk rock band Minutemen, in relation to Tony Hovater — a white nationalist, Nazi sympathizer from Ohio who had participated in the Alt-Right “Unite the Right” march in Charlottesville a few months earlier.

During the rally, held to protest the possible removal of a statue of Confederate General Robert E. Lee, the Alt-Right protests marched with torches while shouting neo-Nazi slogans like “*Blood and Soil!*” “*White Lives Matter!*” and “*Jews will not replace us!*” Some hooted monkey sounds at African-Americans.

Faussett’s article headlined “A Voice of Hate in America’s Heartland.”<sup>1</sup> Try as he might, however, Faussett couldn’t find a clear explanation for Hovater’s extremism. He seemed to be an “ordinary” American, a welder who lived in a white house, had registered at Target for his wedding, watched “Seinfeld,” and ate at Applebees.

Faussett’s article provoked enormous controversy, including condemnation from other media outlets and many *New York Times* readers for normalizing hate. “How to normalize Nazis 101” wrote one reader on Twitter. *The New York Times* apologized for offending people while arguing that the newspaper was not seeking to normalize a white supremacist but instead to underscore how extremism and hate were becoming normalized in the United States.

Faussett himself wrote a follow-up article, “I interviewed a White Nationalist and Fascist. What was I left With?,” in which he explained how he had come to write the article. He had wanted to find answers to explain Hovater’s turn to radicalism but “still don’t think I really found them. I could feel the failure [during a last phone call with Mr. Hovater].” Faussett concluded this follow-up article by invoking the Minutemen album title, “What makes a man start fires?”

This question has also frequently been asked after atrocity crimes, especially genocide. Armenian death marches. Ukrainian starvation. Auschwitz. Rwandan machetes. The black flag of ISIS. Darfur and now Rohingya villages burned to the ground. *Why?*

It is also a question asked about the killing fields of Cambodia – “Why did Khmer kill Khmer?” as I have often heard Cambodians put it during my years of anthropological research in the country. Their question became my question and was echoed by the title of my book, *Why Did They Kill? Cambodia in the Shadow of Genocide*.

Cambodians had good reason to ask. From April 17, 1975 to January 6, 1979, the Khmer Rouge, a group of Maoist-inspired Marxist-Leninist revolutionaries, undertook one of the most radical revolutions in history. After a brutal seven-year civil war that took place as the Vietnam War raged, the Khmer Rouge determined to undertake a “Super Great Leap Forward that would outdo even Mao’s revolution in China.

Almost immediately, life in Cambodia was radically transformed, beginning with collectivization. People lived in cooperatives, where they ate and worked communally and owned little beyond the shirt on their back. No markets. No private property. No currency. The Khmer Rouge even blew up the national bank.

Clothes were dyed black. Women cut their hair short. Everyone was supposed to look the same, equal (though not in practice) as they together created a new revolutionary society. Cambodians were expected to “forge” their minds and “build” the country through hard labor, mostly farming the paddy fields and carrying buckets of dirt to construct irrigation dams and canals. People worked by day and often into the night on meager rations, sometimes just a ladle of watery soup.

The changes touched every dimension of social life. Religion was banned; Buddhist monks forcibly disrobed. Pagodas, a center of village life, were defaced, destroyed, and used as storage facilities, hospitals, prisons, or even torture centers. Freedom of speech, travel, and assembly were dramatically curtailed.

Meanwhile, family life was upended. Parents and children were often separated, living and working apart, sometimes turned against each other. Even marriage was controlled by the new Democratic Kampuchea (DK) state.

And then there were the two million or so deaths, roughly a quarter of the population. Some, maybe half – there is no way to know for sure – died from malnutrition, overwork, starvation, and illness admit almost minimal health care. The rest, hundreds of thousands of people, were executed, their bodies often dumped in what became known as “The Killing Fields.”

*Why?* A first step toward an answer is to move back in time, to seek answers in what came before — to reframe Fausett’s question in terms of genocide. For a past is always present in the genocidal moment. Indeed, this question of origins

is the focal question of this volume and the remainder of this essay. What started Cambodia's fires of genocide?

There are, of course, many ways to attempt to answer this question. Some begin with grand theory, a primary current sweeping all else along. Some see economics as the driver, others poverty, material gain, and oppression. Others turn from structure to agency, point to the tumult of psychophysiology or pathologies of mind.

My anthropological approach is more modest, an attempt to set aside preconceptions as much as possible and try to put together pieces of history, moment, and memory, weaving them into an explanatory narrative, then abstracting, parsing the fuel that gave rise to genocidal flames. This anthropological approach is inductive, moving to the general from the particular, seeking understanding from the building blocks of lived experience, everyday practice, commonsense knowledge. It begins by asking how Cambodians tell the story.

One place to start is with the words of the perpetrators. If their tellings have to be read with caution, perpetrators may also provide key insight into the dynamics that gave rise to genocide.

And indeed, former Khmer Rouge have offered their side of the story. I begin with two such narratives, one in the genocidal past, the other more recent.<sup>2</sup>

The first is a speech given by "Brother Number One," Khmer Rouge leader Pol Pot, in a 1977 speech marking the 17<sup>th</sup> anniversary of the founding of the Communist Party of Kampuchea. Not only did Pol Pot reveal his identity, previously hidden, to the Cambodian population, but he provides a retrospective of how the DK regime had come to power and what it wanted to do.

The second explanatory story comes from Pol Pot's right-hand man, "Brother Number Two" Nuon Chea, who, unlike Pol Pot who died in 1998, has lived into the 21<sup>st</sup> century. One Cambodian journalist, Thet Sambath, spent years interviewing Nuon Chea and portrayed Nuon Chea's story in a film as well as a book, *Behind the Killing Fields*.

If Pol Pot and Nuon Chea highlight many key pre-DK moments in their accounts, both highlight September 30, 1960 as a key moment in revolutionary struggle – not a "smoking gun" but a moment that helped cock the trigger — one that Pol Pot would say gave the revolutionaries "clear sight."

On this date, a group of 21 revolutionaries who had been meeting for three days in a room in the Phnom Penh railroad yards, made several key decisions, including the finalization of their movement's political line. This line was linked,

in part, to their memories and experiences in the past. Nuon Chea, born into a poor peasant family while Cambodia was still under French colonial rule, recalled his anger toward the moneylenders who helped keep his family poor, the arrogance and derision of the rich, French maltreatment, and the larger humiliation and oppression of the poor.<sup>3</sup>

Nuon Chea would go on to study in Thailand, where he became involved in politics and radicalized in his views. He joined the Thai communist party before returning to Cambodia in 1950 to foment revolution amidst rising nationalism and anticolonial struggle.

In 1953, Prince Sihanouk declared Cambodia's independence. Then the aspirations of the revolutionaries were dashed and the movement fragmented when they were given few concessions at the 1954 Geneva Accords that ended the first Indochina War. Khmer Rouge would later point to this moment as an early instance in which the Cambodian communists were betrayed by their Vietnamese brethren, who won North Vietnam at the negotiating table while the Cambodian communist got nothing.<sup>4</sup>

Pol Pot took a parallel but different path to revolution.<sup>5</sup>

While he grew up in a moderately wealthy family, Pol Pot too observed the oppression and abuse of the poor. In 1949, he was granted a scholarship to study in Paris, where he learned about Marxist-Leninism and Stalinism, met friends who would become fellow revolutionaries (others his foes), and joined the Communist party.

In early 1953, Pol Pot returned to Cambodia just as independence was declared. He began to teach and foment revolution. He soon met Nuon Chea and, together with others, including Tou Samouth, a leading revolutionary who would later mysteriously disappear, they sought to chart a new path to revolution, one that would decrease their dependence on Vietnam.

And so, in the late 1950s the Cambodian revolutionaries sought to "analyze ... the real nature of Kampuchea society" and formulate a set of guiding principles for the moment.<sup>6</sup>

Accordingly to Nuon Chea, Pol Pot was tasked with analysis of the Cambodian political situation, while Nuon Chea examined the plight of the poor. They read books, studied the history of Cambodia and other revolutions, and gathered facts as they prepared to establish the party line.

Pol Pot's speech was given on September 29, 1977, a day before the seventeenth anniversary of the Communist Party of Kampuchea, which commemorated the

date when the revolutionaries established their political platform and leadership headed by Tou Samouth, Pol Pot, and Nuon Chea (Pol Pot would take over after Tou Samouth disappeared in late 1962).<sup>7</sup>

Only after extensive “scientific analysis,” Pol Pot proclaimed to the nation, did the revolutionaries see that there were two main “contradictions” in Cambodian society. The first contradiction was with foreign imperialism, including Cambodia’s state of military, economic, cultural, and social “semi-colonialism,” especially in relationship to U.S imperialism. Partly in response to such foreign influences, the party line emphasized “independence, sovereignty, and self-reliance, in order to be masters of our own destiny, applying Marxism-Leninism to the concrete realities of Kampuchea.”<sup>8</sup>

The second and more primary “antagonistic contradiction” was class-based, involving the oppression of the poor by the rich and powerful. If there were five classes (feudalists, bourgeoisie, petty bourgeoisie, workers, and peasants, who were further subdivided on a spectrum from rich to poor peasants), the main contradiction was between the capitalists and landlords who exploited peasants, comprising 85% of the population.

This “life and death” contradiction generated hatred that historically had been “buried,” in part due to Buddhist doctrine, which suggested that one’s present life was the result of one’s past actions. To rectify this situation, the revolutionaries needed “to arouse the peasants,” especially the lower-middle and poor peasants, “so that they saw [the contradictions], burned with class hatred and took up the struggle.”<sup>9</sup>

Khmer Rouge cadre began to build their base of support, especially in the countryside, where they lived with the poor as they “carried out agitation and propaganda among them about feudal and semi-feudal exploitation, and the exploitation by the merchants and the capitalists.”<sup>10</sup>

More broadly, the Khmer Rouge often described the party line in terms of politics, organization, and consciousness. *Politics* referred to revolutionary ideology and corresponding propaganda ranging from slogans to formal education (for example, political tracts or stories that explained class oppression and contradictions and proper revolutionary stance).

These ideas were operationalized through proper *organization*, including management structure, following the chain of command, institutional practices (such as participating in criticism and self-criticism sessions), and the revolutionary transformation of the means, relations, and forces of production from capitalist to socialist, including collectivization and the elimination of private property.

*Consciousness*, in turn, involved the constant struggle to “forge” a proper revolutionary subjectivity, often expressed through the metaphor of “stance.” Pol Pot’s speech emphasized that “contradictions” remained “among the people because we all carry vestiges of our old class character, deep-rooted for generations.” To “resolve” these reactionary traits, each person needed to continuously “struggle” to temper their consciousness through organizational practices such as “education, study, criticism and self-criticism, and periodic self-examination of our own revolutionary lifestyle.”<sup>11</sup>

“Our line was right,” Pol Pot stated in his 1977 speech, “and we applied it correctly” as they began to foment revolution following the 1960 meeting.<sup>12</sup> As a result, by 1967, when the first armed insurrection took place, the “situation in the countryside had reach a new height, like dry straw in the rice fields” needing only “a small spark to set it on fire.”<sup>13</sup> *What makes a man start fires?* Pol Pot’s answer.

If it offers insight into the Khmer Rouge rise to power, Pol Pot’s speech provides a partial account, a teleological narrative painting a picture of inevitable success, a revolution guaranteed to be victorious given the “all-seeing” Party line.

The reality was more complicated. At first, the revolutionaries had modest success in building their revolutionary forces.<sup>14</sup>

A more immediate spark was provided by the Vietnam War, including carpet-bombing that devastated parts of the countryside, the arrival of foreign troops on Cambodian soil, and the degradation of the Cambodian economy.

The 1970 coup that led to the overthrow of Prince Sihanouk was a second big spark. Sihanouk responded by joining the Khmer Rouge in a united front, which greatly increased the revolutionary ranks after Sihanouk called for his rural “children” to fight the new Khmer Republic (1970-75), headed by his former general turned traitor, Lon Nol.

In 1970 and 1971, North Vietnamese troops took the lead in destroying the best units of the Cambodian army. By 1973, the Khmer Rouge controlled almost all of the country with the exception of the urban centers, which were filled with refugees fleeing civil war violence and U.S. bombing. The Lon Nol government was able to remain in power with U.S. support until the Khmer Rouge took over on April 17, 1975, two weeks before the fall of Saigon.

The violence that ensued did not follow in a straight line from the Party line to the killing fields, but the potential was there in its Manichean vision, moralism, and homogenizing impulse to create a singular society comprising only pure re-



revolutionaries. An initial phase of violence took place immediately after the revolution as the entire urban population was sent into the countryside and the Khmer Rouge purged military and civilian officials as well as monks and former political leaders. Ethnic Vietnamese, against whom there is a long tradition of animus in Cambodia, were also targeted during the phase (as they were by the Lon Nol government). Many were forced into Vietnam.

Then there was a lull before a much more violent phase commenced in early 1976, signified in part by the appointment of a new head of S-21 prison, which was charged with ferreting out the “hidden enemies burrowing from within” – including former revolutionaries and enemy spies who were plotting coups and subverting the revolution. Muslim Chams, if not initially singled out, also began to be targeted at this time after some localized 1975 rebellions in response to policy changes in conflict with their traditions.

Pol Pot’s speech was given in late 1977 as this massive spike in violence had lessened somewhat following the destruction of large numbers of alleged “enemy agents, who belong to the various spy networks of the imperialists ... and who secretly implant themselves to carry out subversive activities against our revolution.” Nevertheless, some “reactionary elements” remained, perhaps “one to two percent of the population” who “camouflage themselves.”<sup>15</sup>

In one of the regime’s clearest statements of genocidal intent, Pol Pot told the nation, “We do not consider these traitors, these counterrevolutionary elements, to be part of the people. They are enemies.” While it might be possible to “separate, education and win over” some of these enemies, others had to be “neutralized” or “isolated and eradicated.”<sup>16</sup>

Not surprisingly, the violence waxed and waned but continued. As open war with Vietnam broke out in 1978, there was another spike as suspected pro-Vietnam elements, sometimes referred to as having “Khmer bodies but Vietnamese minds,” were targeted. By the time the DK regimes was toppled by a small force of Cambodians — many of them former Khmer Rouge who had fled the purges — backed by roughly 150,000 Vietnamese troops, roughly a quarter of the population had died or been killed.

There is more to the story, including renewed civil war as Cambodia once again became caught up in Cold War politics and most recently a tribunal trying a handful of Khmer Rouge leaders for their crimes. The purpose of this volume, however, is to reconsider what came before, not after, in a search for signs of prognostication, early glimpses of the fault lines of difference and destruction.

This quest returns us to our initial question: what makes a man start fires of genocide? A first answer is to distrust anyone who tells you they have *the* answer. There is no single answer. Genocide is a process, a moving stream that has cross-currents and is fed by tributaries and streams.

A second answer is to pause, not immediately answer. Instead, first interrogate the question. For each question is a directive, a demand for particular sorts of answers. Consider “what makes a man start fires?” It commands our gaze. “Give answers about the true believer, the sadist, the hater and the fanatic, individual intention,” it whispers in our ear. We look away from the structures that mediate human agency, the force of situation and power.

What makes a Pol Pot or Nuon Chea start fires? Hate is an easy first answer; the “racist” label another. It seems we are stuck in the query, but there are paths out. One is offered by the Khmer Rouge — by the way they explained their revolutionary fires.

Reconsider their political line, the triad of politics, organization, and consciousness, each geared to demarcate right from wrong, us from them, those who do and do not belong, purity and contamination. We often find this moralism in genocide, sometimes passionate, in other situations more strategic. It was certainly a strong current in Khmer Rouge ideology.

Now it’s time to put on a social science hat, model an answer, provide a take-away — another whisper in your ear. Imagine a campfire, then enclose it in a triangle, each side an element needed to start the flame.

*Politics* (ideology, discourse, ideas) is the tinder, *organization* (structure) the overarching kindling, *consciousness* (subjectivity, identity, and personal investment) the branches topping it off. The sides are triangulated to enact a politico-moral vision of how things should be, who belongs, who is fully human. The three sides press on one another, signifying the potential force, even violence.

Still, to burn the first needs a spark, then wood, oxygen, and wind to fuel the flame. That spark is *circumstance*, the deep histories that inform the moment, the sudden upheavals that give it shape and form. The Cambodian genocide, as we have seen, was inflected by deep histories of colonialism, imperialism, feudalism — distributions of wealth, status, and power. Prior to DK, we have more immediate factors — the spark that lights the fire — the Indochina War, a coup, U.S. bombing. Together, these “matches” helped light the Khmer Rouge fire and then fan the flames, which roared, subsided, then roared again as events during DK unfolded

— some scholars call this “cumulative radicalization”<sup>17</sup> — killing many the people caught in the blaze.

What were the warning signs? The question, again, is a directive, often answered with a list: upheaval, past histories of violence, intergroup cleavages, dehumanization, ideologies of hate. The list goes on, often quantitatively weighted, suggestions of a predictive yes.

Examine the lists. They have value. But always remember they blind you as well. Genocide, as I have stated, is a process that takes different shape and form. Politics, organization, and consciousness, while coming in many forms, are almost always all involved — as is a related vision of a moral order with inclusions and exclusions — though to different extents. But never take your eye off the sparks, the events and upheavals that fan (or exhaust in cases of de-escalation) the flames, make exclusion and dehumanization more possible, legitimate violence, and even turn hate into a virtue.

Let me leave you with one last metaphor, a somewhat forced acronym, but perhaps a “takeaway” that will be easy to bear mind. Fire needs fuel. So let’s make it our acronym, F-U-E-L, one brings together what we have discussed before. FUEL: Fiction – Upheaval – Establishment – Loyalism.

F is for *Fiction*, the narratives legitimating violence and hate. These fictions center around a vision, a notion of both what should be and what prevents this becoming: an us and a them, the former pure, the latter devalued, contamination. The Khmer Rouge fiction was clear: a vision of a utopian society, one from which dangerous and corrupting “elements” and “contradictions” had been eliminated — leaving only pure revolutionaries with a proper revolutionary consciousness.

U is for *Upheaval*, the tumult that sets the stage, makes people more receptive to the narrative that promise a better future and scapegoat the “others” who are supposedly to blame. If this upheaval comes in many forms — political change, social upheaval, economic crisis — it most often is linked to earlier violence and war. The Khmer Rouge rise to power provides an illustration of all of these types of upheaval, but most especially there was the Vietnam conflict and Cambodian civil war.

E is for *Establishment*, the structures intended to make the fiction a reality. If Fiction overlaps with the politics (ideology and discourse) of the Khmer Rouge Party line, Establishment is a more dynamic way to think of its formal and informal organization: the structures, routines, practices, and disciplines meant to

actualize and enforce a new and exclusionary revolutionary way of being freed of “contradictions.”

L is for *Loyalism*, devotion to the movement and cause. Some loyalists are firm believers, drivers of the enterprise. Many also have pragmatic and instrumental goals. Loyalism helps drive the Establishment and enact its Fiction-based goals, including genocidal exclusions. Loyalism is directly linked to Khmer Rouge consciousness, the idealized revolutionary subjectivity calibrated to accord with the politics/fiction and organization/establishment of the Khmer Rouge party line.

Remember the F-U-E-L that feeds the fires of genocide. But bear in mind that these fires are also continuously influenced by “weather,” the circumstances of the moment that heighten or tamper the flames. The inclusions and exclusions of Khmer Rouge ideology were present from the start, manifest in the talk of “contradictions” and “elements” in the 1960 party line. They remain evident in Pol Pot’s 1977 speech. But there is no straight line to genocide. The fires require fuel to get started, then favorable “weather” to begin to blaze and, in the extreme, become a genocidal conflagration.

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Notes:

<sup>1</sup> Richard Faussett, “I Interviewed a White Nationalist and Fascist. What was I Left With?” and “A Voice of Hate in America’s Heartland,” *The New York Times*, November, 25, 2017 (<https://www.nytimes.com>); Marc Lacey, “Readers Accuse Us of Normalizing a Nazi Sympathizer; We Respond,” *The New York Times*, November, 26, 2017 (<https://www.nytimes.com>).

<sup>2</sup> Pol Pot. 1977. *Long Live the Nineteenth Anniversary of the Communist Party of Kampuchea: Speech by Pol Pot, Secretary of the Central Committee of the Kampuchean Communist Party Delivered on September 29, 1977.* Phnom Penh: Democratic Kampuchea Ministry of Foreign Affairs; Gina Chon and Sambath Teth, *Behind the Killing Fields: A Khmer Rouge Leader and One of His Victims*, Philadelphia: University of Pennsylvania Press, 2010.

<sup>3</sup> Thet and Chon 2010.

<sup>4</sup> Democratic Kampuchea, *Black Paper: Facts and Evidences of the Acts of Aggression and Annexation of Vietnam against Kampuchea*. Phnom Penh: Ministry of Foreign Affairs, 1978.

<sup>5</sup> See Thet and Chon 2010 and David P. Chandler. *Brother Number One: A Political Biography of Pol Pot*. Boulder: Westview Press, 1999.

<sup>6</sup> This paragraph is based on Thet and Chon 2010, 61.

<sup>7</sup> Chandler 1999; Pol Pot 1977; Thet and Chon 2010.

<sup>8</sup> Pol Pot 1977, 21-2.

<sup>9</sup> Pol Pot 1977, 28.

<sup>10</sup> Pol Pot 1977, 28.

<sup>11</sup> Pol Pot 1977, 57.

<sup>12</sup> Pol Pot 1977, 33.

<sup>13</sup> Pol Pot 1977, 38.

<sup>14</sup> Chandler 1999.

<sup>15</sup> Pol Pot 1977, 57-8.

<sup>16</sup> Pol Pot 1977, 58.

<sup>17</sup> See, for example, Donald Bloxham, “The Armenian Genocide of 1915-1916: Cumulative Radicalization and the Development of a Destruction Policy. *Past & Present* 181: 141-91.

**Suggested further reading:**

Becker, Elizabeth. *When the War Was Over: Cambodia and the Khmer Rouge Revolution*. New York: PublicAffairs, 1998.

Chandler, David P. 1991. *The Tragedy of Cambodian History: Politics, War and Revolution since 1945*. New Haven: Yale University Press.

Chandler, David P. 1999. *Voices from S-21: Terror and History in Pol Pot's Secret Prison*. Berkeley: University of California Press.

Chon, Gina, and Sambath Teth. 2010. *Behind the Killing Fields: A Khmer Rouge Leader and One of His Victims*. Philadelphia: University of Pennsylvania Press.

Fawthrop, Tom, and Helen Jarvis. 2004. *Getting Away with Genocide: Cambodia's Long Struggle against the Khmer Rouge*. London: Pluto.

Hinton, Alexander Laban. 2016. *Man or Monster? The Trial of a Khmer Rouge Torturer*. Durham: Duke University Press.

Hinton, Alexander Laban. 2005. *Why Did They Kill? Cambodia in the Shadow of Genocide*. Berkeley: University of California Press.

Dy, Khamboly. 2007. *A History of Democratic Kampuchea (1975-1979)*. Phnom Penh: Documentation Center of Cambodia.

Kiernan, Ben. 2008. *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79*. New Haven: Yale University Press.

Pol Pot. 1977. "Long Live the Nineteenth Anniversary of the Communist Party of Kampuchea: Speech by Pol Pot, Secretary of the Central Committee of the Kampuchean Communist Party Delivered on September 29, 1977." Phnom Penh: Democratic Kampuchea Ministry of Foreign Affairs.

**Recommended Web Resources:**

Documentation Center of Cambodia / Sleuk Rith Institute ([www.cambodiasri.org](http://www.cambodiasri.org))

Extraordinary Chambers in the Courts of Cambodia ([www.eccc.gov.kh/en](http://www.eccc.gov.kh/en))

Cambodian Genocide Program, Yale University (<https://gsp.yale.edu>)

Bophana Audiovisual Resource Center ([www.bophana.org](http://www.bophana.org))

# Kurdistan, Iraq: Fighting for Statehood, Dying for Oil

Joost Hiltermann

It is easy today to speak of genocide committed against Iraqi Kurds in 1988 – even if the assessment that genocide occurred is not universally shared. Yet there was nothing preordained or inevitable about it. Someone observing the slow build-up toward this mass atrocity might well have sounded the alarm at multiple stages, predicting that dynamics would likely yield such an outcome, and precipitating steps to prevent it. That this didn't happen is due to an unfortunate confluence of factors that proved the Kurds' undoing.<sup>1</sup>

One such factor: there were virtually no outsiders to see what was happening in northern Iraq. Access was extremely limited and the Kurds themselves did not possess the means, or the international support, to have their evolving plight recorded and acknowledged as truthful. Iraq was a police state and the Kurdish mountains skirting the Iraqi border were uninviting to all but the most intrepid. Occasional visits by Westerners could hardly expose the full scope of what amounted to a gradual progression toward mass slaughter.

(In hindsight it is simple to declare that a disaster could have been prevented now that we know what that disaster was. Our imagination is not naturally conducive to worst-case scenario thinking; it has to be willed to engage in such an exercise, and then will find only little traction among a broader audience, especially if the prognosis is particularly dire: it will almost certainly be taken as wild speculation or even scare-mongering.)

A second factor that worked against the Kurds was timing: the genocide occurred at the tail-end of an eight-year war between two states – Iran and Iraq – in which Kurdish rebels chose the side of Iran, the West's enemy in the aftermath of the 1979 revolution and subsequent embassy hostage crisis. In 1988, few in Western capitals were ready to listen to Kurdish pleas for help, busy as they were arming the regime of Saddam Hussein. Western support of Iraq provided the regime with an enabling environment; it knew it could act with virtual impunity in confronting a common enemy: Iran and its allies.<sup>2</sup>

First the basics. The Iraqi regime's 1988 Anfal counter-insurgency campaign can be classified as genocidal because it targeted a population – rural Kurds residing in clearly regime-demarcated prohibited areas (often their ancestral villages)

– based on their ethnic belonging: no one was spared (not even children of any age), except elderly Kurds and any non-Kurds living there, though the pattern changed somewhat from place to place; in some, only “adult” men were killed.<sup>3</sup>

Estimates of the number of those who perished vary; an empirically-based assessment suggests something close to 100,000, but Kurdish leaders cite almost double that number. The military offensive advanced systematically, sweeping through the entire Kurdish countryside in six months like a window wiper in slow motion.<sup>4</sup>

To accomplish its task, the Iraqi military used a tactic as simple in its effectiveness as it was ghastly in its conception: on the first day of every stage covering a given area, it would deploy poison gas to flush a terrified population out of their village homes, gathering them up as they reached the paved road, transporting them to transit camps for sorting, then dispatching them to their final destiny in Iraq’s western deserts sparsely populated by Arab tribes.<sup>5</sup> Here execution squads did their hellish job. If today we know what happened, it is because they were sloppy: some victims survived and miraculously made the long way back, eventually informing the world of the fate their kith and kin had suffered.<sup>6</sup>

The Anfal – a Quranic word suggesting war booty – was most comprehensive near the city of Kirkuk and its hydrocarbon riches, including what is called the “super-giant” Kirkuk oil field itself. These were areas the regime had long targeted for “Arabisation,” a multi-pronged policy ensuring that Arab populations replaced non-Arab ones, especially Kurds, the largest of Iraq’s minorities.<sup>7</sup>

Indeed, the entire struggle, and its monstrous conclusion, was about access to oil, pitting Arabs against Kurds. Both laid claim to territory that was neither majority-Arab nor majority-Kurd but historically had a predominantly Turkman character, with smaller minorities mixed in. Fate willed it that some of the richest oil-bearing areas in northern Iraq were situated in a swath of territory that constituted border lands between the Arab-populated Mesopotamian plains and the Kurdish mountains, and that also were an important trade route during Ottoman times, dotted with garrison towns populated by soldiers and craftsmen of Central Asian provenance.

Kirkuk’s oil was discovered in the 1920s, and almost immediately became a cynosure for hungry eyes and greedy hands, a strategic resource that locals frequently cite as both a blessing and a curse because it became a generator of wealth as much as a cause for competition and dispute.<sup>8</sup> Iraq had emerged from the furnace of World War I as a British Mandate territory, stitched together from some of the Ottoman Empire’s remnants. Britain’s designs were informed by its desire

to keep the successor Turkish state weak and its colonial competitor France, with which it divided the spoils, at bay. It installed a Hashemite from the Hejaz as king (as it did in Jordan), granting independence in 1932 but continually interfering until World War II clipped Britain's global ambitions and capabilities.

The Kurds, who felt cheated out of a state of their own, which the British had vaguely promised in 1918, found themselves ruled by Arabs – first a monarch, then (after 1958) a succession of military leaders. None had any sympathy for Kurdish demands for self-rule, much less their explicit quest to incorporate Kirkuk into a future autonomous region. When Kurdish leaders negotiated with Baghdad – as occurred whenever it was weakened by war or coup – invariably talks would break down over the disposition of Kirkuk or, more precisely, over where precisely the self-rule area's boundary would be, and whether it would encompass the oil fields.

After 1968, the regime in charge was Baathist in ideology, a vague merger of state socialism and Arab nationalism. As such, it bumped up against Kurdish nationalism, especially the tribal variety championed by the Kurdish leader, Mustafa Barzani. Yet, in the early years of Baath rule, having few domestic friends, the regime declared itself ready to accommodate Kurdish self-rule aspirations. In March 1970, it signed an autonomy agreement that entailed recognition of the Kurds as one of Iraq's two "nationalities"; extended language rights; and promised Kurdish self-government in a region fashioned from majority-Kurdish areas.<sup>9</sup>

"Majority-Kurdish areas:" the majority to be determined how? Via the decennial nationwide census, scheduled next for 1977. To affect the ethnic balance and thus secure the desired outcome in Kirkuk and other "border" areas, the regime stepped up its Arabisation policy, begun already in 1963, ahead of the population count. This highlighted the tragedy of Iraq: the cohabitation of two irreconcilable nationalisms plus a combustible mix of oil and the political choice to legitimise and institutionalise the ethnic question. This encouraged manipulation of numbers, population displacement and, ultimately, mass killing. The delineation of the autonomous region's boundary has been disputed ever since and remains a principal point of contention today, thirty years after the Anfal and almost half a century after a negotiated autonomy agreement that many Iraqis appear to accept in principle.

By 1973 the situation had changed decisively in the regime's favour. It had signed a treaty of friendship with the Soviet Union and, after the international oil crisis (which upped the price of oil and thus the stakes over Kirkuk), nationalised the oil fields. The U.S., Israel and Iran threw their support to Barzani, who offered



the U.S. access to the Kirkuk oil fields in exchange for helping him take them. The next year, Iraq pre-emptively decreed a unilateral autonomy statute, which Barzani promptly rejected because the envisioned Kurdish region did not include Kirkuk. The insurgency resumed, but was crushed within months when the Shah pulled the rug from underneath Barzani by settling a separate border dispute with Iraq and promptly withdrawing his support from the rebels.<sup>10</sup>

Some 50,000 Barzani-affiliated Kurdish fighters and their families were banished to camps in southern Iraq, from which they were allowed to return only five years later, not to their lands but to similar camps set up in the Kurdish region. The collapse of Barzani's resistance did not end the Kurdish insurgency but transformed it. Barzani, who died in U.S. exile a few years later, was ultimately succeeded by his son Masoud. Meanwhile, dissenters under Jalal Talabani had split from Barzani's Kurdistan Democratic Party to form the rival Patriotic Union of Kurdistan.

The Kurdish national movement, though internally divided, was resurrected in 1980 by the happenstance of Iraq's invasion of Iran and the eight-year war that followed, which tied down Iraqi forces on the southern front. The regime regarded the war as an existential struggle. Indeed, had the Iranians captured Basra, Iraq's only gateway to the Gulf, it might not have survived. It therefore directed all available resources toward the front. This meant leaving a vacuum in the north, where security forces controlled the towns but had to cede sway over the countryside to insurgents. Yet the regime needed bodies for the frontlines, and so recruited heavily throughout the country, including among Kurds, many of whom did not see this war as theirs. As a result, desertion was rampant; many Kurdish recruits on furlough joined draft dodgers in moving into the countryside, sometimes signing up with either the insurgents or, if they had the necessary connections, with regime-sponsored Kurdish tribal militias that operated in the Kurdish region. The latter's tasks included patrolling the roads, manning checkpoints, guarding government installations and carrying out raids on villages to ferret out truants and dispatch them to the front.

The period 1975-1988 saw an accumulation of warning signs that, had they been noticed, heeded, and acted upon, might have prevented worse. This could have happened through U.S. leverage over the regime from 1984 onward, when it restored diplomatic relations and began tilting toward Iraq in the latter's defence against repeated Iranian assaults.

The first sign was the creation of a cordon sanitaire along Iraq's border with Iran in the late 1970s; this involved the destruction of some 500 villages and re-

moval of their estimated 600,000 residents to resettlement camps (*mujamma'aat*), also called collectivised villages. This turned out to be a model for a much more massive such a campaign in 1987-88.

The second sign came following one of the first battles inside Iraq during the war, at Haj Omran, when the regime retaliated against Barzani's KDP, whose fighters had acted as scouts for invading Iranian forces. As punishment, the regime detained some 8,000 male members of the Barzani clan and "disappeared" them. In Saddam Hussein's inimitable words: "They betrayed the country and the covenant. We punished them severely and they went to hell." Five years later, this methodologically executed atrocity proved to have been a prelude to the Anfal, a mass slaughter exceeding it by several orders of magnitude.

The third sign was the regime's escalating Arabisation measures in and around Kirkuk, which reflected the growing importance of oil once Iranian forces had turned the tables on Iraq's aggression and began pushing for advantage after 1982. These measures took two principal forms: gerrymandering of administrative boundaries and population removals. The latter came in a variety of ways: imposing residency requirements; limiting property rights; destroying homes and neighbourhoods in retaliation for, respectively, association with insurgents and rebel attacks; and deporting insurgents' families to the Kurdish region, including to "prohibited zones," which increased in number and size as the war wore on, ultimately covering the entire Kurdish countryside.

In the regime's eyes, the Kurds' reliance on outside parties marked them as traitors. Masoud and his siblings earned the moniker "offspring of treason" (*salili al-khayaneh*), while Talabani and the PUK were called "collaborators of Iran" (*'umalaa Iran*). The regime also began referring to Kurdish fighters, known locally as Peshmerga ("those who face death"), as "saboteurs" (*mukharebeen*). In its deportation policy, it conflated fighters and fighters' families (all civilians), removing Iraqi citizenship from them for being "collaborators of Iran" or "offspring of treason," and sending them to the "areas where the saboteurs are present" (the "prohibited areas"). There they found themselves in acute danger, because these were free-fire zones.

In early 1987, events took an even more alarming turn: Saddam Hussein appointed his cousin to rule the north, Ali Hassan al-Majid, a man with a single operating mode: brute force. This came after Kurdish rebel parties had reunified and struck a mutual-defence pact with Iran, agreeing to open a second front if the other came under Iraqi assault. Within a month of Majid's arrival, he launched chemical strikes, already common along the front lines, against Kurdish rebels

deep inside Iraq. Technically, by targeting combatants, Iraq broke no international convention, but the strikes were often indiscriminate (poison gas, whose dispersal radius is highly dependent on the wind, lends itself easily to indiscriminate use), and killed scores of rural Kurds among whom Kurdish fighters and army deserters had embedded themselves; those who survived and fell into regime hands in the nearest town's hospital were "disappeared," fate unknown.

In June 1987, Majid signed two decrees that jointly provided the blueprint for what would become the Anfal campaign's *modus operandi* a year later: jointly, they instructed the security forces to use chemical weapons and otherwise fire at will in prohibited areas, and to detain and kill anyone found there between the ages of 15 and 70. The army began implementing these orders almost immediately, but in the early months it confined itself to villages close to towns or main roads, and gave residents a few days' notice to pack up their belongings, leave their homes and register in one of the resettlement camps – instead of killing them.<sup>11</sup> Many relocated; many others did not, moving higher into the hills. The army then set about razing the villages it could reach, blowing up mosques and filling up wells.

What turned out to be the last warning sign came in October 1987. This was the year of Iraq's decennial census. In the Kurdish region, messages conveyed via national radio warned residents that those who failed to participate in the population count would be considered army deserters and lose their Iraqi citizenship. Inhabitants of the prohibited areas could participate in the census only by registering themselves as residents in one of the resettlement camps. This may have triggered another minor rural exodus, but many villagers did little more than going through the motions of registering, then went home to tend to their lands and flocks. They were ready to endure the constant threat of air attacks and artillery shelling, because at least the countryside offered a livelihood. No one appeared to expect what they could not know was coming – like frogs in water being brought to a slow boil – even if the gathering clouds might have provided a hint that the regime was going to pull out all the stops.

The eight stages of Anfal were the culmination of a years-long escalating counter-insurgency that occurred within an enabling international environment and the secrecy of a police state. It reached its apex when Iraq's war fortunes turned sufficiently that it could free up forces to take revenge on the rebels. During a seven-month period in 1988, the army reached all remaining Kurdish villages, levelling them and carting off their population to execution sites, having used poison gas to drive them into its arms. Those who escaped or otherwise survived

ended up in barebones resettlement camps, far from their sources of livelihood, utterly dependent on a state that had already shown it rejected them.

The Anfal constituted genocide because it targeted rural Kurds who happened to be living in or near areas rich in oil and refused to leave, and whose leaders laid claim to this oil as a vital engine for their independence drive. Any anti-Kurdish animus did not start as such, despite strong Arab nationalist sentiments, but became so when it appeared that the Kurds, as Kurds, would not accept Baghdad's terms for Kurdish autonomy. In fighting for their rights, the Kurds were killed primarily because of oil and what possessing it implied.

Just as the Iran-Iraq war allowed the Kurds to resurrect their insurgency in the 1980s, so the Iraqi invasion of Kuwait and the U.S.-led campaign to oust it gave Kurdish rebels the chance to rebound. This time, Western states were on their side, but never to the point of supporting them in their ultimate aspiration of independence. This meant that Kurdish leaders today still must negotiate with Baghdad about the degree of their autonomy and, most vexingly, the location of their region's boundary. This sets the stage for future confrontations.<sup>12</sup>

Meanwhile, mass killings continue. The attacks between 2003 and 2008 on Shiite mosques and marketplaces by the group called Al-Qaeda in Iraq, precursor of the Islamic State in Iraq and Syria, showed that former-regime elements were actively resisting the political order that had replaced them.<sup>13</sup> ISIS's post-2014 use of (crude) chemical weapons has been another indication of this.<sup>14</sup> So was the method used by ISIS to kill Iraqi army recruits at Camp Speicher in 2014; the few survivors' harrowing stories harkened back to those of the handful of lucky Kurds who returned from the Anfal.<sup>15</sup>

Finally, ISIS's mass killing and enslavement of members of Iraq's Yazidi minority in and around Sinjar in 2014 was genocidal in nature.<sup>16</sup>

At the same time, Kurdish forces fighting ISIS have destroyed Arab villages and prevented their inhabitants from returning once the fighting ended.<sup>17</sup> Shiite militias have engaged in similar practices,<sup>18</sup> while Iraqi forces backed by Western states seeking to defeat ISIS in Mosul are reported to have engaged in indiscriminate bombardments and summary executions of ISIS fighters.<sup>19</sup>

The only way out of the destructive cycle of killings will be to help Iraqis rebuild state institutions and encourage Baghdad and Kurdish leaders to negotiate an equitable, workable arrangement over their mutual border, regardless of the nature of the Kurdish entity to the north of that boundary. Short of that, we should heed the warning signs and take steps to at least reduce the likelihood of further mass atrocities.

## Notes:

- <sup>1</sup> This essay is based heavily on research findings presented in Human Rights Watch, *Iraq's Crime of Genocide: The Anfal Campaign Against the Kurds* (New Haven: Yale University Press, 1995), published originally in report form in 1993 as *Genocide in Iraq: The Anfal Campaign Against the Kurds*, available at: <http://www.hrw.org/reports/1993/iraqanfal/>, to which I was a primary contributor as field researcher. An additional report focussed on documentary evidence of genocide is Human Rights Watch, *Bureaucracy of Repression: The Iraqi Government in Its Own Words* (1994), at: <http://www.hrw.org/reports/1994/iraq/> and presented in summary form in an annex to *Genocide in Iraq*, *ibid*.
- <sup>2</sup> See Joost R. Hiltermann, "Outsiders as Enablers: Consequences and Lessons from International Silence on Iraq's Use of Chemical Weapons during the Iran-Iraq War." In Lawrence G. Potter and Gary G. Sick, eds., *Iran, Iraq and the Legacies of War*. (New York: Palgrave MacMillan, 2004), pp. 151-166.
- <sup>3</sup> The killings of entire families seem to have been concentrated in the Kirkuk countryside (known as Germiyan), an area known to be rich in oil and gas. See Joost R. Hiltermann, *A Poisonous Affair: America, Iraq, and the Gassing of Halabja* (New York: Cambridge University Press, 2007), pp. 132-33.
- <sup>4</sup> Human Rights Watch prepared internal legal briefs arguing the grounds for a genocide case before the International Court of Justice in The Hague. These efforts are described in Joost R. Hiltermann, "Elusive Justice: Trying to Try Saddam," *Middle East Report*, No. 215 (Summer 2000), pp. 32-35.
- <sup>5</sup> This policy is described in Hiltermann, *A Poisonous Affair*, 129-35.
- <sup>6</sup> See Human Rights Watch, *Iraq's Crime of Genocide*, pp. 160-74; and Human Rights Watch, *The Mass Graves of al-Mahawil: The Truth Uncovered* (2003), at: <http://www.hrw.org/reports/2003/iraq0503/iraq0503.pdf>.
- <sup>7</sup> See Human Rights Watch, *Claims in Conflict: Reversing Ethnic Cleansing in Northern Iraq* (2004), at: <https://www.hrw.org/report/2004/08/02/claims-conflict/reversing-ethnic-cleansing-northern-iraq>; and Roberta Cohen and John Fawcett, *The Internally Displaced People of Iraq* (Washington: Brookings, 2002), at: <https://www.brookings.edu/research/the-internally-displaced-people-of-iraq-2/>.
- <sup>8</sup> A good history of Iraqi Kurds by a journalist is Jonathan Randal, *After Such Knowledge, What Forgiveness? My Encounters with Kurdistan* (New York: Farrar, Straus and Giroux, 1997).
- <sup>9</sup> The best history on this period is provided by David McDowall, *A Modern History of the Kurds* (London: I.B. Tauris, 2000).
- <sup>10</sup> A useful historical study of U.S. policy toward Iraq and the Kurds is Bryan Gibson, *Sold Out? US Foreign Policy, Iraq, the Kurds and the Cold War* (Basingstoke, UK: Palgrave, 2015).
- <sup>11</sup> The reason for the regime's reluctance to go "all the way" at this time may have been the fact that the Iran-Iraq war was still raging, its end not yet in sight. This prospect had changed by early 1988.
- <sup>12</sup> See Joost Hiltermann, "Iraq: The Battle to Come," *The New York Review of Books*, July 1, 2017.
- <sup>13</sup> See International Crisis Group, *Exploiting Disorder: al-Qaeda and the Islamic State* (2016), at: <https://www.crisis-group.org/global/exploiting-disorder-al-qaeda-and-islamic-state>.
- <sup>14</sup> See Eric Schmitt, "ISIS Used Chemical Arms at Least 52 Times in Syria and Iraq, Report Says," *The New York Times*, 21 November 2016, citing the IHS Conflict Monitor, at: <https://www.nytimes.com/2016/11/21/world/middleeast/isis-chemical-weapons-syria-iraq-mosul.html>.
- <sup>15</sup> See Tim Arango, "Escaping Death in Northern Iraq," *The New York Times*, September 3, 2014 (includes video), at: [https://www.nytimes.com/2014/09/04/world/middleeast/surviving-isis-massacre-iraq-video.html?\\_r=0](https://www.nytimes.com/2014/09/04/world/middleeast/surviving-isis-massacre-iraq-video.html?_r=0).
- <sup>16</sup> Inter alia, "Islamic State committing genocide against Yazidis: U.N.," Reuters, June 16, 2016, at: <http://www.reuters.com/article/us-mideast-crisis-syria-yazidi-idUSKCN0Z20WR>.
- <sup>17</sup> Human Rights Watch, *Iraqi Kurdistan: Arabs Displaced, Cordoned Off, Detained* (2015), at: <https://www.hrw.org/news/2015/02/25/iraqi-kurdistan-arabs-displaced-cordoned-detained>; and Amnesty International, *Banished and Dispossessed: Forced Displacement and Deliberate Destruction in Northern Iraq* (2016), at: <https://www.amnestyusa.org/reports/banished-and-dispossessed-forced-displacement-and-deliberate-destruction-in-northern-iraq/>.
- <sup>18</sup> For example, Human Rights Watch, *Iraq: Possible War Crimes by Shia Militia* (2016), at: <https://www.hrw.org/news/2016/01/31/iraq-possible-war-crimes-shia-militia>.
- <sup>19</sup> "Iraq Investigates Videos of Troops Killing Mosul Detainees," *The Atlantic*, July 14, 2017, at: <https://www.theatlantic.com/news/archive/2017/07/iraq-investigates-videos-of-troops-killing-mosul-detainees/533658/>.

## Suggested further reading:

Liam Anderson and Gareth Stansfield, *Crisis in Kirkuk: The Ethnopolitics of Conflict and Compromise*. Philadelphia, PA: University of Pennsylvania Press, 2009.

Arbella Bet-Shlimon, *Kirkuk, 1918-1968: Oil and the Politics of Identity in an Iraqi City*. Doctoral Dissertation, Harvard University, 2012.

Joost R. Hiltermann, *A Poisonous Affair: America, Iraq, and the Gassing of Halabja*. New York: Cambridge University Press, 2007.

Human Rights Watch, *Iraq's Crime of Genocide: The Anfal Campaign Against the Kurds*. New Haven: Yale University Press, 1995.

Phebe Marr, *The Modern History of Iraq*. Boulder, CO: Westview Press, 2012.

David McDowall, *A Modern History of the Kurds*. London: I.B. Tauris, 2000.

Susan Meiselas, *Kurdistan: In the Shadow of History*. New York: Random House, 1997.

Samantha Power, "*A Problem from Hell: America and the Age of Genocide*." New York: Basic Books, 2002.

Jonathan Randal, *After Such Knowledge, What Forgiveness? My Encounters with Kurdistan*. New York: Farrar, Straus and Giroux, 1997.

Gareth Stansfield and Mohammed Shareef, eds., *The Kurdish Question Revisited*. London: Hurst & Company, 2017.

Charles Tripp, *A History of Iraq*. New York: Cambridge University Press, 2007.

# Rwanda: The Genocide of Tutsis: The Story of a Rhetorical Escalation

Assumpta Miguraneza

After each new mass crime against humanity, we can observe the same phenomenon: a chorus of voices from many sides – politicians, church people, people from all social and religious backgrounds, from north and south to east and west – condemn the tragedy by summoning proclaiming the mantra “never again!”

It is a mantra which, of course, can only be enjoined, but it is also, unfortunately, an empty gesture which functions first and foremost to create an illusion of unity and to reassure troubled minds. However, time after time we witness that reality has the effect of countering the expressed hope. No matter how many times we shout “never again,” we have still not been able to prevent new mass killings and fresh relapses into old patterns of violence, nor to frustrate the forces, found on all continents, which prepare the ground for new atrocities.

Even though we lack precise knowledge about what we need to do to ensure the actualization of *never again*, we at least know what we should not do: we must not stand back with folded arms. We must not surrender in advance to the constant escalations of conflict that, for decades, have cast a dismal pall over our time. There is no other way forward than to intensify our efforts of analysis and understanding, in order to develop new tools and new approaches. There is no other way forward than insisting and believing that one day it will truly be possible to deter and then put an end to new crimes against humanity.

As Georges Bensoussan<sup>1</sup> rightly points out (2006), the logic behind a crime of such an immense magnitude as genocide confronts us with major problems of understanding. Should we be able to reach an understanding at all, we must abandon habitual thinking and cognitive shortcuts which may be convenient, but invariably lead us further from recognition of the mechanisms allowing an excess of such crimes. How are mass crimes conceived? How are they put together, rhetorically speaking? How do they become orchestrated ideologically, as socially legitimate and achievable frameworks for collective action?

That is what this article deals with; I will look into the hate speech and genocide-inciting statements that preceded Rwanda's genocide of the Tutsis in 1994.

Crimes of such extreme violence as genocide cannot be implemented *ex nihilo*. We must never errantly perceive them as a sort of spontaneous, sudden, and inexplicable madness in a crowd out of control. On the contrary, genocide is a long-term project that requires the mobilization of a wide range of actors within a society or social group. Neither future victims nor future executioners evade this mobilization.

Conceived at the highest political level as a malicious plan of extinction, the first phase would be to create a linguistic arsenal. Special code language must gain a foothold and spread. Words must be imbued with new meanings, new concepts must be verbally implemented, while other words must be deprived of their old meanings, and still others be taught and imposed. This process advances insidiously and gradually, but with inexorable systematization: the language changes bit-by-bit. It is simplified, impoverished, and tends toward uniformity. This process, as Victor Klemperer analyzed exemplarily, also took place in Rwanda, where the power of the word is great. Uncovering the whole process requires an enormous job of documentation, which is still far from completed.

In Rwanda, the power of the word is profoundly central throughout the country's social, cultural, political, and economic life. Indeed, the use of language in the Rwandan tradition fulfills an entirely dominant role for expression. Rwandans do not have special traditions for painting, etching, architecture, sculpture, drawing, or other figurative representations.

In Rwandan tradition, we do not employ masks or illustrations, but rather listen to words that are part of a complex, multi-layered use of language which finds expression in the Rwandans' lived experiences, and in their dream universe and beliefs about the holy.

It was, first and foremost, due to language manipulations that the genocide of Rwanda's Tutsis took shape first on the imaginary plane, then at the preparatory stage, and ultimately in its incessant realization. In particular, Rwanda's radio stations, which gathered massive crowds of listeners and whose propaganda content was unfolded and repeated throughout the entire daily broadcast, became key tools throughout the criminal project, which came to be described as a so-called "proximity genocide."<sup>2</sup>



Certainly drawings that caricatured the enemy, along with other stage-setting, appeared in early 1990s propaganda as relatively new forms of expression in enemy image representation, but they did not add new dimensions. Instead, they merely reiterated and reflected the cognitive universe which had long been linguistically and universally conveyed. Printed hate-media could never have gained such enormous clout and creativity if it had not been able to build on the rich linguistic expression of Kinyarwanda or the Rwandan language.

The operational mode of hate speech is visible at both semantic and syntactic levels. Within the already rich discursive universe of hate speech, genocide discourse has a distinctive character. Above all, genocide discourse calls forth, or sets the stage for, a notion of two groups – us against them – which are absolutely incompatible with each other as mutually exclusive opposites.

In principle, the markers that identify us can never overlap with the markers that identify them. Where the former are native, natural inhabitants, legitimate, patriotic, peaceful, law-abiding, honorable and hardworking, the latter are foreign, nomadic, barely tolerated immigrants who are only out to cheat and exploit us, are warlike by nature, and incapable of feeling genuine love for the nation.

In genocide discourse, the *other* is not only made into an enemy but into a natural enemy (in its biological essence). What the enemy possesses in the way of genetic baggage can never be changed. In a further sense, this implies that the enemy forfeits all attributes of fellow human beings and becomes a subordinate being. And the dehumanization does not stop here, it degenerates into animalization, so that the enemy is soon perceived as a pest (a snake, a rat, a cockroach, a louse), even as an infectious agent, vermin, and disease. The enemy slips at last into the sphere of non-livingness to become dirt and waste.

Ultimately, the rhetorical strategy of dehumanization builds up to the necessity of radical elimination in terms of physical eradication. Within a genocide project, there is no room for displacement to other habitats, and it is just as impossible to convert the enemy to get him or her over onto our side, because evil is an integral part of their nature. There becomes no alternative to the absolutely pure and simple imperative that our group must eradicate the enemy's group to protect and preserve ourselves.

It is the case in any propaganda that language is distorted. Hate propaganda may work through the invention of new words, but especially through the displacement of word meanings away from the customary and established. It distorts the

language and leads us away from the ordinary understanding of it. Words are stripped of the emotional content that could accompany them, and this often takes place through resorting to euphemisms that deliberately dehumanize, and that create extraordinary semantic slippage. With no dramatic and sudden transitions, but unmistakably and progressively, the hate speech gains ground. Even before the massacres began, the ideologues behind the total eradication of the Tutsis and their communication apparatus had, so to speak, accomplished their mission: the Hutu Power group had established itself as a solid concept and stood ready to massacre the block of *inyenzi* or "cockroaches."

The "Ten Commandments of the Hutus" were published by the *Kangura* newspaper, and reeled off and repeated at mass meetings and in other discursive spaces. The enemy was now clearly identified and defined by its incurable nature, by its conspiratorial and falsifying role, by its physique, by its appearance, and by its imperative intention to wipe us out. And we, the good people, had no choice but to resort to existential self-defense.

Without presenting a complete list, I will review some typical examples of how the process takes place when this sort of new cognitive and discursive universe is created, one that will legitimize and enable, and even obligate, participation in a genocide like the one that the Rwandan Hutus committed against their Rwandan brethren, the Tutsi.

Dehumanization is a slow but continuous process aimed at denying the other his or her social status as a citizen and part of the community and, secondly, depriving the other of all human attributes by displacing him or her to the animal kingdom's lowest levels: to the domain of insects and parasites. This takes place by affixing names and labels to other that cannot inspire any sympathy, so as to better instill fear, repulsion, rejection and the desire or urge to crush and eradicate.

The first use of the word *inyenzi* about humans appears in what is commonly referred to as "the events of 1959," and that Rwandan eyewitnesses called *Muyaga*. This seemingly insignificant designation refers to the sociopolitical outbreak of violence which occurred during the abolition of the monarchy and establishment of the first Rwandan republic (in 1959), which then paved the way for independence (in 1962). Violent attacks were instigated by Hutu leaders who had joined the PARMEHUTU (Party for the Liberation of the Hutu People), had been in

charge of the so-called 1959 Revolution, and now claimed to want to overthrow the hierarchical racial order that privileged Tutsis at the expense of Hutus.

In the political discourse of this era, just before Rwanda's independence, the Tutsis had already begun to be identified with the monarchy. They were persecuted, bullied, and massacred, and their houses were burned down. Many of the Tutsis who escaped this first ethnic massacre in Rwanda's history fled to neighboring countries.

Activated by the monarchist UNR (Union National Rwandaise) party, which fled together with the *Mwami* (king), it is from refugee camps in those neighboring countries that exiled Tutsis in 1962 attempted to carry out an armed return that, however, failed in every way. These attempts at self-repatriation were followed by brutal suppression of the civilian Tutsis left behind in Rwanda, especially in the border regions.

The term *inyenzi* (cockroaches) thus referred to the exiled Tutsis who, in an attempt to return to Rwanda, resorted to armed struggle. And the use of the word *inyenzi* further justified massacres against innocent civilian Tutsis, whom they nevertheless accused of supporting the other *inyenzi*.

A Rwandan child who grew up in the 1960s and 1970s would have heard these stories of *inyenzi*, which might have aroused fear and or the feeling of a diffuse threat, but was not yet linked to simple disgust or phobia against a particular insect species, the cockroach, with which the word has since become charged. In school classrooms, Hutu children learned about the evil of the Tutsi, about the domination of Rwanda which the Tutsis had forced by usurping power from the Hutus, and about their cruel regime, characterized by injustices and attacks against Hutus.

By this instruction of pseudo-history and civilization, Rwandan students learned about the 1959 Revolution which had driven out the king and his Tutsi minions and established the Republic, which returned the rights of the Hutus and tore them out of serfdom and bondage. And they learned about the danger that the *inyenzi*'s attack would have constituted against the nation, had it not been for the Rwandan army and Parmehutu partisans' magnificent fighting power and feats under President Grégoire Kayibona's preeminent military command.

Following Major General Habyarimana Juvénal's military coup (July 5, 1973), celebration of the 1959 revolution and fighting against the *inyenzi* diminished

significantly, and one spoke even less about the main characters of the period. Power shifted hands from the southern Hutus to the northern Hutus. From this point, it was about exalting the new regime and the new ruling unity party, MRND (*Mouvement Révolutionnaire pour le Développement*), and about establishing a distance from the unrest of the previous regime, proclaiming peace and unity, all while maintaining the ongoing discrimination against Tutsis, albeit now practiced more discreetly.

On October 1, 1990, Rwandan Patriotic Front (FPR-Inkotanyi) troops, for the most part consisting of young exiles, attacked Rwanda, thereby causing further difficulties for the already unpopular and faltering Habyarimana regime. Tutsi intervention was an obvious opportunity to revive old thought patterns and evoke the *inyenzi* ghost. Rwandan civilian Tutsi groups were again massacred and the *inyenzi* epithet attached to these victims, which inflamed the entire Rwandan opposition.

In massive numbers, people who were suspected of not sufficiently loving the ruling regime were detained as *icyitso*, or “accomplices of the enemy.” The head of Rwanda’s General Staff now unequivocally denounced the enemy in a speech he gave to his fellow officers in the regime army: the enemy is the Tutsi – both the Tutsi attacking from the outside and Tutsi inside who conspires with his brother, the invading aggressor. In the following days, more public voices agreed to promote this understanding: all Tutsis are *inyenzi* – they are the same as they have always been.<sup>6</sup>

At this stage, the fateful epithet caused dire consequences. *Inyenzi-inkotanyi*-Tutsi became interchangeable terms. It is a protocol that exposed the people to which it is attached to arbitrary arrests, imprisonments, mass layoffs and sometimes also to massacre, although none of these attacks were yet defined as parts of an “ultimate solution.” However, the demonization was deliberately maintained and broadened daily among the Rwandan population via a steady stream of hate propaganda which, ultimately, must have prepared and precipitated action, i.e. for the genocide in which a very large part of the population is going to participate.<sup>7</sup>

In an article that was printed and distributed in a large print run, the newspaper *Kangura* did not hesitate to heat up the rhetoric: “A cockroach can never give birth to a butterfly. This is the truth: A cockroach can only birth a new cockroach! (...) Rwanda’s history tells us that a Tutsi will always be Tutsi, that he can never change identity. We know the Tutsis’ evilness and cruelty from our nation’s hi-

story. That we call him 'snake' in our language fundamentally says everything about the Tutsi. A Tutsi is one who can seduce with his words, but whose evilness knows no limit. A Tutsi is one whose thirst for revenge can never be quenched; one whose thoughts can never be transparent, and who laughs, even under the worst torments."

Later, when the genocide against the Tutsi was underway, the notorious, renowned TV host of RTL (Radio Télévision Libre des Mille Collines), Valérie Bemeriki, who is today serving a life sentence in Kigali for her role as the smear campaign generator, encouraged ever more massacres of Tutsi by using the same discourse and role-reversing logic, and by using the *inyenzi* concept in abundance.

She assigned to the *inyenzi* the same crimes that Hutus committed, and attributed to them an excess of cruelty by accusing the *inyenzi* of filling lakes and rivers all the way up to the Nile with the Hutus the *inyenzi* have massacred. Whereupon she concluded: "You must understand, therefore, that the cruelty of the *inyenzi* is incurable. It can only be cured by killing them all as one, through their total extinction" (Cited in Chrétien, 2003).

During the massacres, which took place from April to July 1994, it is synonymous to say that one had killed a Tutsi, an *inyenzi*, or an *inkotanyi*. There is only one enemy who – of course – must be liquidated, as no alternative solutions exist.

The wily serpent from Genesis, which led to the fall of man, is a suitable cognitive-discursive instrument in a nation where more than 80 percent of the population profess to be Christian. This elongated, sinuous creature – a bit like the cliché of the physically taller Tutsis in the world of colonial imagination which, over the years, also slid into the Rwandan's – is cold blooded and awakes fears in a region where the climate creates favorable living conditions for large populations of snakes that have taken many human lives. It is an animal that cannot be allowed to slither freely around people without exposing itself to the risk of mortal peril.

*Inzoka* or "snake" became a commonly-used disparaging term for the Tutsi during the genocide campaign. The newspaper *Kangura* reminded its readers that the snake's descendants themselves become new snakes. The newspaper therefore earnestly urged that one not only kills the snake but also its offspring, and preferably that one crushes its eggs. So it was not just about killing the adult Tutsi, but also his and her children, and even infants and babies could not be allowed to survive.

During the *gacaca* local court process, in one sequence that was filmed by the Belgian director Bernard Bellefroid, and found in his 2004 film, *Au Rwanda, les*

*Collines Parlent*, one of the accused explains the word's enforced meaning. "It was shouted that there were snakes and that they needed to be killed, so I ran to the place, but when I got there, I found that it was no snake – it was a Tutsi..."

When someone in Rwanda's hilly landscape shouted "kill the snakes" or "kill the cockroaches," everyone knew very well what was meant and that it resulted in exactly the same outcome.

Another prevailing expression hindered and prevented all attempts to evade and abstain from killing a Tutsi, for example, in the case of a mixed Hutu-Tutsi marriage. The leaders of the genocide used a word that left no room for negotiation. "When the snake sneaks into the calabash bottle, which is used to acidify milk – on the *igisabo* – there's nothing else to do: one has to sacrifice his calabash to kill the snake." This souring container is an object that, in Rwandan tradition, is held in great veneration. It is said that the greatest accidents can overtake those who crush a calabash bottle due to carelessness or unintended calamity. Because it is so precious, it is always securely anchored and hidden in an inaccessible place to protect it from damage. This word formulation, about violating a collective taboo, means that one cannot do business with nor ally oneself with any snake, no matter whether it is your wife or cousin – even if it costs a life, one must never let a snake live within one's own circle.

In Anne Aghion's documentary about the *gacaca* court process, *Les Cahiers de la Mémoire*, this wording appears again in one remarkable case, and, in the archival material that has piled up, one repeatedly encounters this wording as an incantation to ensure that that nobody spared their nearest and dearest, nor had the slightest reservation about eradicating Tutsis from the midst of Hutu power.

In the culminating phase of the massacres, the canonical writings of Tutsi hate do not only merely draw on the zoological or entomological domain. The already common term *umwanda* becomes all the more frequently used to spur the killing patrols not to hesitate in making short process of Tutsis, which are not just inhuman beings – they are a form of contaminant that must be stamped out without delay.

On the radio during the mass meetings where massacres were incited and organized (as was documented during the *gacaca* process), the call was heard regularly: *Mukizeho umwanda* ("Remove this dirt, wash away these impurities"). A leader of a killing gang who does not want to show mercy to a Tutsi brought to him so he can determine the captive's destiny, could simply speak these words: *mvana uwo mwanda mu maso*: remove this contaminant from my field of vision, after which death was inevitable.

In this use of language, a value was also called forth that is traditionally honored in the daily lives of the Rwandans, in the countryside as well as in the city: Rwandans care a great deal about their outer appearance and place considerable value in appearing presentable. Even cattle cannot be led out of the stable before they have been washed and groomed. To go as far as to call another person *umwanda* – dirt – is a very rare practice in the Kinyarwanda language, where common modesty causes most to abstain from insults and rudeness. Such an overstep breaches a tacit imperative contract of communication – (Rodolphe Ghiglione, 1986).

Language distortions, the constant repetition of phrases, and inculcation of the same messages, but also euphemistic circumlocutions, were put into intensive use in the Rwandan genocide's rhetoric. One sought words that were emptied of any emotional meaning in order to avoid naming the facts. One emphasized the distance between the subject acting and its action (Dewitte, p. 176). Ordinary words were distorted and placed into the service of a criminal project – a project that could, thus, play out in a blameless environment.

*Gukora* means “work” and had no known secondary meanings, but nevertheless, during the genocide, this word could assume a new dimension: no one went out on a murder spree, one merely went to work. One got up, grabbed his tools and reported to receive his work instructions. There were work teams, planned tasks which one got busy completing, sometimes with group singing, and the work that was to be done entailed murdering Tutsis. When you took up your work, you had to start by getting rid of those who could put up the greatest resistance – adult men of fighting age – and then move on to women and children, and, finally, to older men and women.

One continued one's work by plundering and destroying the houses, not forgetting to confiscate building materials that could be reused, such as roof tiles, corrugated walls, doors and windows, even the bricks, while all that had no value or could not be taken was set on fire.

Afterwards, one returned to the headquarters (meeting place for all the “workers,” around which there were often small commercial booths where one could buy beverages – especially alcoholic drinks, which flowed in rivers) to submit the daily report and receive one's fees. Had one not completed his day's work conscientiously? Who could condemn citizens who simply did a job to defend their country against a swarm of immoral cockroaches?

The whole scenario described here may seem surreal and excessive for those who have not studied Rwanda's genocide of the Tutsi, but "work logic" did, indeed, turn massacres into an ordinary everyday practice,<sup>8</sup> orderly and trivialized.

In the speech he gave on April 19, 1994 in the southern part of the country, the interim president, Théodore Sindikubwabo, appealed to his people to take an active part in the massacres. His call was addressed to all without exception. It is true, however, that in this region the massacres first gained general progress from the end of April. The aging interim president, who remained in office for only the first three months of the genocide, addressed the people of Butare after unseating the local prefect and allowing him and his family to be murdered.

In the speech, Sindikubwabo used indirect coded language, in which the term "work" frequently crops up. He thus beseeched all workers to do their work with maximum efficiency, and demanded of his people not only to massacre the Tutsis but also all Hutus who have any thought of opposing the massacres. "Let those who do not feel that this concerns them and who will not assume their share of responsibility, but prefer just to watch while others work, disappear." His barely veiled threat becomes clear in the continuation, where he requires that those who will not help liberate the nation of pests are quickly eliminated, "so that those who have the heart for their work can do it better" (cited in Chrétien, 1995, p. 192).

The speech of the interim president was broadcast on the state radio channel, Radio Rwanda, April 21, 1994. Neither the future victims nor their future executioners had any difficulties comprehending the full implications of the message, because the words "work" and "work assignment" are threaded in everywhere instead of all other ordinary activities.

In the Rwandan hills from April to July 1994, you did not go to the office, to the field, to school, nor to higher study... you got up to go out and massacre Tutsis – it was the "machete season", like the title of a work about the event published by Jean Hatzfeld in 2004.

In a country whose business is dominated by agriculture, the cognitive and discursive universe around work in the fields is a richly charged and common point of reference for all. Many proverbs have this universe as a focal point, and everyday work is largely organized around agricultural work. Quickgrass is a widespread type of weed that can cause major difficulties for the farmers who grow the crops.



It can be torn up by the roots, which is the most difficult but also most efficient control technique.

Alternatively, it can be dried out and then reaped in piles or stacks to be burned. But in order to avoid running the risk of the quickgrass coming back, the roots must also be eradicated with fire. All of these metaphors were used in the genocide's media, as was also evident in the documentation presented during the court proceedings.

Jean Paul was a little boy of 8-9 years of age when the genocide was in progress. He grew up in a family of humble means that lived in the big city, so farm work was not part of his everyday life. Jean-Paul witnessed hundreds of killings in the neighborhood of Kigali where he lived, and at times he himself was close to being designated as one of those to be killed.

As it emerged during the *gacaca* process,<sup>9</sup> he had connected himself to a certain Cypriot, who was subsequently sentenced to life imprisonment. Jean Paul testified against the Cypriot and told how he had herded groups of Tutsis onto a small banana plantation before he participated in their killing. He repeatedly cited the special wording the Cypriot used when the Tutsis asked why they should be herded together in the plantation and detained for hours.

Without trembling and despite the Cypriot's noisy denials, Jean-Paul reiterated his words: "When you want to burn off quickgrass, you start by gathering it in stacks," the Cypriot was claimed to have said. The *gacaca* judges did not ask further to what the wording was supposed to refer because everyone in the assembly already knew it very well. It was solely to determine that this particular wording had been used. The court also ruled, despite the Cypriot's denials, that Jean-Paul had indeed used these terms: his statements were confirmed by other witnesses, and, even though it was not the Cypriot's only crime, his use of this wording became decisive for judgment and punishment.

During the "work" that began in Rwanda in the spring and summer of 1994, diligent use was made of all common expressions from the world of agriculture, and not only because the machete (*umuhoro*) and the hoe (*agafuni*) were among the primary tools, but also because of all the language that had woven itself to the use of those tools. The task was to weed out the weeds, to thin out, to tear up the quickgrass with all its roots, to gather the weeds together in bundles stacked to burn, and to participate in this work for the well-being of the community, etc. The domain of Rwandan agriculture flows from a rich vocabulary which, in combina-

tion with terms from work terminology, can be stretched indefinitely. It was particularly poisonous when emphasizing the conviction that this truly was a piece of work that must necessarily be done for the best of the collective, and, at the same time, could place a psychic distance from any risk of emotional investment.

Another noteworthy aspect is how the word *kuboha* (tie up/tether) and its antonym *kubohora* (release, loosen bonds, free the suppressed), by semantic slippage became *kubohoza*.

*Kubohoza* constitutes an extraordinary semantic slippage in the genocide's language and practices in Rwanda. Although the notion of liberation was highly visible in the 1959 revolutionary movement, which proclaimed the Hutu as the true Rwandans, who had now liberated themselves from the yoke to which they had been subjugated by the Tutsis, historically regarded as an invading force from Abyssinia, expressions such as *kubohora*, *kwibohora* and *oukubohoza* had not yet been brought into use at that time.

Initially, it was FPR-Inkotanyi which presented its battle as a struggle for liberation,<sup>10</sup> a struggle for Rwanda's *kwibohora* and *kubohora* (self-liberation and liberation of Rwanda). The party's campaign for *kwibohora* resonated in a Rwanda which had become sick and tired of a one-party system and a president who preached unity, development for all, justice, and equality of opportunity for all countrymen, while, at the same time, he and his closest companions sat heavily on all political, social and economic machinery of power.

Rwanda lived through a deep crisis during this period, and, in the early 1990s, it was a common expectation that Habyarimana's time in power was running out. This is where the term *kwibohora* first gained acceptance in Rwanda in connection with the armed struggle led by FPR-Inkotanyi.

With the subsequent opening for increasing party pluralism, one tore free from strong men and their slogans. Semantic slippage of the word *kuhohora* now became effective and we thus get *kubohoza*: to seek out another in order to liberate and acquire the goods he or she possesses. President Habyarimana's one-party rule, MRND (*Mouvement Révolutionnaire National pour le Développement*), sought by all means to mobilize the masses to pull the rug out from under the emerging opposition parties.

This came in connection with outbreaks of political violence. Groups of young people sought out specific locations (markets, stadiums, bars, sometimes private homes) to assault people who intended to remain in the MRND's service, in order

to purge them (*gukanda*) from this party, but also to pressure them over into their own party – a process known as *kubohoza* to the former villagers, who were now fellow party members.

This practice was first and foremost driven by MDR (*Mouvement Démocratique Républicain*), which benefited from the political opening and largely became a continuation of the old MDR-Parmehutu party, which had been banned since the military coup on July 5, 1973. A new word came to light when *kubohoza* gained expanded meaning in the extremist discourses, in which it now meant “liberation by use of violence.” *Kubohoza* was practiced in order to “liberate” the positions previously, illegitimately, held by the *inyenzi* (Tutsis) in order to “liberate” export licenses, white-collar jobs, housing, and other benefits. Attacking Tutsis (considered usurpers) was no longer an illegal or amoral act, but instead became a civic gesture, which distinguished a true Rwandan as a respected member of the majority population (Hutus).

Gradually, as the linguistic domain of genocide took shape, the word *kubohoza* became one of its permanent rallying cries. *Kubohoza* should be practiced against the real estate and property of Tutsis as part of the completion of one’s work. That is to say, the plundering of Tutsis’ valuables after killing them.

In the same movement, *kubohoza* was practiced against Tutsi women of all ages. The lesson was taught and indoctrinated. Liberation of material goods and women are extensions of the same action. The word *kubohoza* is used about women during the genocide to designate of the widespread rapes that accompanied the killings. It is a word that did not have such meanings before the genocide, but is accorded a very precise meaning in the discourse of genocide, both during and after.<sup>11</sup>

Immediately after the genocide, this term moved from the domain of rape into a new domain. It now means “requisition of houses to be occupied after the victory over FRP-Inkotanyi and the end of the war.” Following the concept’s further development within this domain is a trail that ought to be pursued more closely.

*Kubohoza*, as practiced against women, appears to have disappeared from the discursive domain and has only appeared again in the time after the genocide as a euphemism for past rapes of women during the genocide, as if it were a parenthetical insertion that everyone agreed by joint decision to close.

Women reduced to objects that could ruthlessly be robbed, raped, required to provide sexual services and killed, distanced and without empathy? Keeping

these crimes apart as separate categories makes no sense. Rather, we must think that they flow together as one and the same genocidal dynamic.

The whole process of emerging linguistic innovation, shifts and slippages of a concept from one semantic domain to another, needs to be uncovered, documented, illuminated, and described more comprehensively in order that we can better understand it.

*Gusasira umubyeyi*: An appropriate resting place for a killed father of the country President Habyarimana's tragic death – he was killed on April 6, 1994 when his plane was shot down near Kigali, Rwanda's capital – became the occasion for many forms of rhetorical mobilization to massacres. A rumor was put into circulation that the Tutsis, with the help of the old colonial rulers, the Belgians, had murdered the President, the Father of the Nation. For this crime they had to pay the highest price. Consequently, they had to be massacred. In order that fullest justice be attained, this was the natural way to proceed.

One form of mobilization took hold of powerful phantoms from old superstitions about the deceased. Throughout the day, radio broadcasts spewed encouragement to ensure that the head of state could rest on a comfortable bed that would match the measure of his cruel death. This mattress, this comfortable resting place for the deceased president, had to be prepared on a foundation made from mounds of Tutsi corpses. It was necessary to kill as many Tutsis as possible to avenge the Father of the Nation and secure for him a final resting place that corresponded to his rank.

Who would not do his utmost to grant a countryman who had been murdered by the *inyenzi*, the best possible bed? Thus, the work was taken up with an easy mind. A Rwandan composer has described an event in this period, when she was hiding with a benevolent Hutu in a neighborhood in Kigali in close proximity to one of the genocide patrol headquarters. From her hiding place, she could follow day-to-day performance reports of the most recent massacres. Not until July was there talk about the funeral of President Habyarimana, which was due to take place on July 5th, the anniversary of his acquisition of power, and that the next day's programmed massacres should grant him a suitable bedspread.

She further claims that "we heard it every day and so many times, that we eventually ended up mentally preparing ourselves that the day would come when we would be massacred to make the perfect resting place for Habyarimana – they

wanted to kill us and we knew it would happen. We could not see any way to escape this fate.”

In the morning of July 4th, the hiding place she shared with other death-threatened Tutsis was revealed. Armed men ordered them out and she thought, “So, now it has happened, now we are going to pad Habyarimana’s bed.” She said to the men, “You can kill us, but it will not bring your ancestors back.” When the uniformed men then said they had not come to massacre her, she realized that she had already surrendered herself to her fate. Since then, she has written a song as a tribute to her rescuers, who were full of regret that she herself had gone along with the idea that she and her companions should be part of the deathbed for a president for whom she could feel no respect.

The effort to document and analyze the linguistic arsenal that enabled the genocide must continue if we are to refine our understanding. Linguistic articulation is an essential part of the mechanisms that led to the genocide. To identify and track the entire process is necessary in order to deconstruct the genocide’s architecture, and is a prerequisite for thinking about which mechanisms are potentially preventative.

Some of my friends can become alarmed by my great preoccupation with the language of the genocide. Regularly they accuse me, that it is as if I refuse to acknowledge that the genocide is once and for all past. And when I come across a wording or newspaper quote today that reminds me of the genocide epoch’s language, they marvel that I am prone to see the genocide’s reflections everywhere. But it is not easy to live in the heart of a society that has fostered and committed genocide, not easy to maintain constant vigilance, and not particularly easy to explain all this to those who were not there themselves.

My research work and my current efforts to build an archive with an audio-visual documentation center that can tell the whole story has been enriched by the studies I have been able to conduct at the Jewish Documentation Center, Mémorial de la Shoah, in Paris. I have been confirmed here in my presumption that the evil which long infected Rwanda is not necessarily exorcised from the Earth, as long as the words from that time have not gone out of use. And they do not disappear by themselves (Klemperer and Sternberger).

It worries me that Rwanda’s young generation does not have sufficient concrete opportunities to develop a considered attitude toward this usage of language in the context of mass communication (media, music, caricatures, etc.). In my view, this is required in order to provide a solid foundation for prevention.

The young Rwandans who cannot resort to perspectives from memory need to acquire historical recognition, but they do not receive sufficient concrete tools for this during their schooling and not even in initiatives taken to keep memory of the genocide alive. In my work at the IRIBA Documentation Center, which is dedicated to building a comprehensive audiovisual archive that can inform my countrymen and women about their history, this is an experience that I have encountered over and over again.

Finally, let me tell you story from a Rwandan Middle School, which for eight years has arranged a theme week to commemorate the genocide. Among the questions that have been dealt with here has been a review of “hate media.” The youngsters have most often never learned the most basic historical details, including what the “Ten Hutu Commandments” were about, what the abbreviation RTLM stood for (Radio Télévision Libre des Mille Collines), the names of the radio station’s two most important hate-speech radio hosts (Kantano and Valérie Bemeriki) nor the leading genocide agitator at the newspaper Kangura (journalist Hassan Ngeze).

Neither do they know of another tragic celebrity from the time of the genocide, pop singer Simon Bikindi. His song from then, *Nanga Abahutu* (“I hate Hutus”) was directed against moderate Hutus who did not hate the Tutsis enough to kill them, but was misunderstood by these young people who assumed that it was a song from a Tutsi extremist who would repay the Hutus’ hate with even more hatred.

Based on these experiences of historical ignorance and forgetfulness, it is obvious to me that historical education and awareness efforts today are too rudimentary. There is a need to take more time to identify the specific historical grounds and actors, and to scrutinize the entire course of events with the students. Only through so doing can we ensure that they are able to understand all the twisting roads in the buildup to tragedy.

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Notes:

<sup>1</sup> Bensoussan Georges, *Europe, une passion génocidaire, essai d'histoire cultural*, 2006, Mille et unes nuits, Paris.

<sup>2</sup> *Des discours de la haine ou des dires genocidaires* (The Discourse of Hate and the Sayings of Genocide) is the title of my master’s thesis, which I wrote in the years 1996-99. It offers a comparative analysis of the cognitive universe of the Nazis and the Hutu power block.

<sup>3</sup> Jean Pierre Chrétien (dir), *Rwanda, les médias du génocide*, 1995, Paris, Karthala.

<sup>4</sup> Jean Hatzfeld, Assumpta Mugiraneza.

<sup>5</sup> Proper noun derived from the word *umuyaga* (“wind”) as the name for this historical event. It is not an ordinary wind or storm, but something far more dramatic and dangerous, which should not be confused with ordinary weather phenomena.

<sup>6</sup> The most important work on the media of hatred is the anthology *Rwanda, Les médias du génocide*, published by the editors of JP Chrétien (1995, 2003). The repertoire of readiness songs from the era is highly instructive, but still underexamined in current research.

<sup>7</sup> Jean Paul Kimonyo (2008), *Rwanda, un génocide populaire*, Paris L'Harmattan.

<sup>8</sup> See Jean Hatzfeld (2003), *Une saison de machette*.

<sup>9</sup> The author of this article was present at this process (2009).

<sup>10</sup> See a recent article on this issue: Benjamin Chemouni and Assumpta Mugiraneza, *Singing the Struggle: The Rwandan Patriotic Front's Ideology Through its Songs of Liberation*.

<sup>11</sup> Rwandan women are central to the genocide. Tutsi women as victims par excellence for both rape and killing, the Hutu women as fellow participants in the most gruesome practices.

### Suggested further reading:

Audoin-Rouzeau Stéphane, *Une Initiation. Rwanda 1994 – 2016* (2017).

Bensoussan Georges, Assumpta Mugiraneza, Yves Ternon (Dir.) *Revue d'histoire de la Shoah*, n° 190, "Rwanda, quinze ans après. Penser et écrire l'histoire du génocide des Tutsis", janvier-juin (2009).

Chrétien Jean-Pierre (dir.), *Rwanda, les médias du génocide*, Karthala (2002), *100 ans d'histoire des Grands Lacs*.

Des Forges Alison, *Aucun témoin ne doit survivre. Le génocide au Rwanda* (1999).

Hatzfeld Jean, *Dans le nu de la vie. Récits des marais rwandais*, Le Seuil (2000), *Une saison de machettes*, Le Seuil, 2003 (Points, 2005), *La Stratégie des antilopes* (2007).

Hubrecht Joël et Mugiraneza Assumpta, *Enseigner l'histoire et la prévention des génocides. Peut-on prévenir le crime contre l'humanité ?* Hachette-CNDP (2009).

Mujawayo Esther, Belhaddad Souâd, *Survivantes. Rwanda, histoire d'un génocide*, L'Aube (2005), *La Fleur de Stéphanie. Rwanda entre réconciliation et déni* (2006).

Mukasonga Scholastique, *Inyenzi ou cafards*, Gallimard, 2004, Notre dame du Nil (2012)

Sémelin Jacques, *Purifier et Détruire. Usages politiques des massacres et génocides*, (2005).

### Films:

Aghion Anne, *Au Rwanda on dit... La famille qui ne parle pas meurt*, (2004), *Mon voisin Mon tueur* (2009), *Les cahiers de la mémoire*, (2009).

Luc de Heusch, *Rwanda, Une République devenue folle* (1995).

Glucksmann Raphaël, Hazan David, Mezerette Pierre, *Tuez-les tous* (2004).

Lainé Anne, *Rwanda, un cri d'un silence inouï* (2003).

# Bosnia and Herzegovina: Genocide in Srebrenica, the Valley of Death

Edina Bećirević

Despite well over two decades of research and analysis on the subject, authors and scholars still rather contentiously dispute the nature of the mass violence committed against Bosnian Muslims (Bosniaks) during the 1992-1995 conflict in Bosnia and Herzegovina. Some call it genocide, arguing that a planned and organized process took place throughout the conflict, starting in 1992 and culminating in Srebrenica in 1995.<sup>1</sup>

Others refer to what Bosniaks experienced as, at most, “ethnic cleansing”<sup>2</sup> – implying that this is less sinister than genocide and, moreover, that the mass crimes perpetrated against Bosniaks were random and reactionary. They refer, as Michael Mann has, to a “murderous cleansing of Muslims which was too erratic and regionally varied to be called genocide.”<sup>3</sup>

It is my position that genocide did occur in Bosnia and Herzegovina, and that it was guided by a plan that was operationalized in 1992, eventually leading to the killing of nearly 8,000 Bosniaks in Srebrenica in July 1995.

This scholarly debate over whether genocide took place in Bosnia and Herzegovina is underpinned by ongoing debate at the theoretical level, over a framework for genocide, which has yet to be harmonized. Still, the work of almost all genocide scholars emphasizes the key role of states in genocide as well as the fact that genocide does not occur accidentally or spontaneously. As Irving Horowitz noted, genocide must be “conducted with the approval of, if not direct intervention by, the state apparatus.”<sup>4</sup>

The role of non-state actors in perpetrating mass crimes has also been increasingly highlighted by scholars like Christian Gerlach. These non-state actors cannot be overlooked given their significant influence on global levels of participatory violence.<sup>5</sup>

Understanding them is important, too, because state authorities often try to obscure their own involvement in genocide by framing it as uncontrolled violence carried out by “rogue” non-state actors.

Of course, genocide may be planned and largely implemented by state actors or their proxy, but it also requires the psychological preparation of a population – so



that a large portion is either complicit and participatory or is at least unwilling to resist the extermination of “others.” To ensure this, a state must pre-emptively dehumanize the intended victim group; an aim for which nationalism can serve as a powerful force. Indeed, Horowitz observed that nationalism is used so frequently by states to gain approval for genocide because it inherently highlights who belongs and who does not.<sup>6</sup>

It is important to consider the nature of “belonging” for a moment. Belonging is about more than mere physical presence, and a rejection of those who “don’t belong” involves more than just the most obvious and extreme acts of physical displacement or murder. The rejection of a group of people also involves a rejection of symbols, customs, and language. Raphael Lemkin’s concept of genocide – that it entails more than killing, but also social and cultural destruction – is worth acknowledging here, particularly in the context of nationalist movements, which frequently create their own symbols and customs, many that honor loyalty to the in-group and some that even celebrate a willingness to oppress or commit violence against the out-group.<sup>7</sup>

These underlying factors to genocide interact with what Martin Shaw has described as “batteries of coercive powers – legal, administrative, political, ideological and economic, as well as armed, violent and military.” For this reason, he stresses that “defining genocide by killings misses the social aims that lie behind it.”<sup>8</sup>

This is certainly true in the case of Bosnia and Herzegovina – which was invaded by forces that had been systematically Serbianized in the previous years, who were coordinated by the regime in Belgrade in concert with Bosnian Serb civilian authorities to specifically target the non-Serb population.<sup>9</sup>

Over three and a half years, the war claimed approximately 100,000 lives; but it wasn’t until the summer of 1995 that the scale and intensity of the killing finally compelled international actors to intervene in Bosnia and Herzegovina.<sup>10</sup>

In July of that year, Serb forces overtook the UN Safe Area of Srebrenica and killed 8,000 Bosnian Muslim men and boys over several days. Yet, the distinction made by most governments at the time, and by many scholars since, between the crimes in Srebrenica – in which large numbers of people were killed quickly – and those carried out earlier in the Drina River basin or over years in Sarajevo and Prijedor raises questions about how the dimensions of these crimes are weighed. Can the label of genocide really be applied only to mass murder carried out swiftly? Is it not genocide if tens and hundreds of people are killed every day for years, as they were in Sarajevo? By focusing entirely or largely on the scope and

density of killing, researchers risk failing to recognize the deeper social aims of genocide.

Understanding the genocide that occurred from 1992 to 1995 in Bosnia and Herzegovina requires that researchers appreciate the objectives of Serbian state authorities and Bosnian Serb leadership in the context of Yugoslavia's dissolution and an ideology of expansionism. From at least early 1991, there was a Serb strategy to maintain a rump Yugoslavia that involved letting go of Slovenia and conquering designated territories in Croatia and Bosnia and Herzegovina. The plan was known simply as "RAM" – "the frame" – and witnesses at the ICTY testified that it originated among top Serb intelligence actors in Yugoslavia, who initiated the plan by developing a network of secret operatives to arm Serbs in Croatia and Bosnia, in preparation for war.<sup>11</sup>

According to Milan Babić, former president of the self-proclaimed Republic of Serbian Krajina (in Croatia), the plan was guided by Karadžić's objectives to expel Bosniaks to the river valleys and connect all Serb-claimed territories in Bosnia.<sup>12</sup>

Babić claimed that Milošević and Karadžić had publicly maintained loyalty to Yugoslavia, rather than to Serbia, in order to conceal their true aim – to create a Greater Serbia.<sup>13</sup>

April 6, 1992, the day the international community recognized Bosnian independence, was also the day war started in full force, when shelling by Serb soldiers and JNA artillery units began on the outskirts of Sarajevo. In the end, these forces besieged the city for three-and-a-half years, during which 11,541 people lost their lives. A great deal of global media coverage was focused on the siege of Sarajevo, compared to events in the rest of the country, but this is not surprising, given that it is a capital city, a cultural hub, and was where a majority of international journalists were based during the war. What's more, to the average reader abroad, perhaps unfamiliar with and unable to even pronounce Bosnia and Herzegovina, Sarajevo was at least familiar because it had played host to the 1984 Olympics. But this attention on the siege meant that it dominated international discourse surrounding the conflict in Bosnia. International journalists who shaped the narrative rarely travelled into the rest of occupied Bosnia, and their disproportionate fixation on events in Sarajevo drew focus away from acts of genocide that had already been carried out elsewhere in the country.<sup>14</sup>

Between late March and early May 1992, Serb forces launched coordinated attacks to secure key entry points into Bosnia, take over major communication lines, and establish logistical corridors. There was a clear pattern to these attacks,

which Gow has explained, “established a frame around the periphery of the country, within which the remainder of the campaign was conducted.”<sup>15</sup>

Indeed, Serb forces crisscrossed Eastern and Northwestern Bosnia to attack *Bosanski Brod* on March 27th, *Bijeljina* on April 2nd, *Kupres* on April 4th, *Foča* and *Zvornik* on April 8th, *Višegrad* on April 13th, *Bosanski Šamac* on April 17th, *Vlasenica* on April 18th, and *Brčko* and *Prijedor* on April 30th, creating the frame to which Gow referred and for which the RAM plan was named. With no heavy artillery and no organized army, Bosnian government forces could offer little resistance to these Serb offensives, and by early May 1992, Serbs controlled large swaths of the country.<sup>16</sup>

Throughout Bosnia, Serb occupations of cities and villages were aimed not only at seizing territory but at instilling fear in non-Serb citizens. This tactic, meant to “purify” demographics in the long-term, was based on the notion that by expelling and exterminating non-Serbs, and destroying their cultural and religious monuments, any survivors would never want to return to territories they inhabited before the war. Adjoined with Serbia proper, and featuring a majority Muslim population, Eastern Bosnia was an important part of plans for a Greater Serbia and thus saw some of the earliest and most brutal aggression. Bosniaks were targeted in every sizeable Eastern Bosnian town – Zvornik, Bratunac, Vlasenica, Rogatica, Foča, and Višegrad – as well as in nearby villages. Each of these operations were prepared long in advance and necessitated military control, and each resembled the others in all the Bosnian towns that had been designated for “ethnic separation.”

In Srebrenica, as in all these places, Serb forces first demanded that local police be divided along ethnic lines. This was followed by an ultimatum on April 18, 1992 that Bosniak police officers surrender their weapons.<sup>17</sup>

A policeman who chose to flee Srebrenica to the surrounding hills explained that he and others who were armed “decided to evacuate the population, since we knew that Serbs were killing people in the neighboring town of Bratunac.”<sup>18</sup>

Within a month, Bosniaks in Srebrenica made attempts to better organize their resistance and to create order in a town increasingly overcrowded with starving refugees, many of whom emerged after hiding in the woods, hoping their chances for survival would be better in a community of other displaced people.

But in a cruel twist of irony, the liberation of Srebrenica by Bosniak fighters had in some ways deepened the already-existing humanitarian catastrophe there, as refugees flowed into town unaware that when they entered, they were ensnared in the final trap of a genocidal web. The area was exposed to daily shelling, mine-

fields were strewn throughout town, and Bosnian Serb forces had cut off all exits to free territory and all access to supplies of food. Desperation among Bosniaks in Srebrenica rose, and some tried to flee; most of these people did not survive, but those who did were transported to concentration camps in places like Sušica and Karakaj, where many were tortured or killed.

It should not be shocking that a war was started in Bosnia and Herzegovina, nor that it culminated in a mass atrocity such as the genocide committed in Srebrenica. Indeed, these events were foreshadowed, if not foretold, by the public statements of Milošević, Karadžić, and others. It was in November 1991 that Karadžić first publicly threatened genocide against Bosniaks in a speech to the Bosnian Parliament, remarking that Muslims would “disappear” if the Bosnian government chose to pursue independence. Independence was his proclaimed red line for war, and Karadžić asserted that if war began, Bosnia would be taken “to hell” and Muslim would “not be able to defend themselves.”<sup>19</sup> He knew, of course, that Serbs across Bosnia had already been deftly armed in the early phase of the RAM plan.

The original directives of the Bosnian Serb Army (also referred to as the Army of the Republika Srpska, or VRS), which was formed out of the JNA in early 1992,<sup>20</sup> reflected the rhetoric broadcast by Karadžić in his November 1991 speech. Directive no. 4, for instance, from November 1992, articulated the precise aims of the Drina Corps, including to “exhaust the enemy, inflict the heaviest possible losses on them, and force them to leave the Birač, Žepa and Goražde areas together with the Muslim population.” Soldiers were instructed to “first, offer the able-bodied and armed man surrender, and if they refuse, destroy them.”<sup>21</sup>

In April 1993, one year after Serb forces first attacked Srebrenica, the United Nations declared the enclave a “safe area.” But, a genocidal strategy of starvation and shelling had already been initiated, and it continued relatively unabated through most of the remainder of the conflict.

In March 1995, Karadžić personally directed the Drina Corps to “create conditions of total insecurity, an unbearable situation without hope for further existence, for inhabitants of Srebrenica and Žepa.”<sup>22</sup>

These orders, which framed non-combatants as the enemy, reflect the distinction Martin Shaw makes between war from genocide as a function of how the enemy is understood – as a state or armed force, or as a social collective.<sup>23</sup> Shaw explains that “genocidal practices...treat social groups as enemies whose power and lives may have to be destroyed.”<sup>24</sup>

As endless transcripts, intercepts, and testimony collected in the ICTY prove, this principle was at the heart of Bosnian Serb visions for war and Serbian plans for expansionism. For this reason, if for no other, debate over the wider genocidal aims of the war in Bosnia should be put to rest. Clearly, Bosniaks were viewed as an enemy group by wartime Bosnian Serb and Serbian leaders; clearly, Bosniaks were to be destroyed if they did not comply with forcible expulsion measures; and clearly, mass violence in Srebrenica was an inevitability given the indifference of Western leaders to the blatantly genocidal rhetoric that emanated from Belgrade and Pale.

As David Hamburg has noted, “all sorts of efforts have been made to deny the existence of genocides, or to claim exaggeration, or to say it is simply a natural disaster like a tsunami.... It is so hard to face these dreadful events, so hard to understand how they could happen, so hard to know what could possibly be done to prevent them.”<sup>25</sup>

As a result, he says, the focus of scholars and policymakers has *not* been on prevention. Indeed, this demands that difficult histories and contrasting narratives are unwound and that memories of places like Srebrenica and events like the July 1995 mass killing that took place there are confronted. Yet, these painful and uncomfortable histories must be grappled with and the “early prevention of mass violence – whether genocide or not – must become the highest priority of a world striving to be decent and civilized.”<sup>26</sup> And while I am not always convinced that decency is what the world is striving for, I dare say it is the very least we should expect from each other and from ourselves.

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Notes:

<sup>1</sup> See f.eks.: Marko Attila Hoare, “Towards an Explanation for the Bosnian Genocide of 1992-1995,” *Studies in Ethnicity and Nationalism* 14, no. 3 (2014): 516-532; Adam Jones, *Genocide: A Comprehensive Introduction* (London: Routledge, 2006); Eric D. Weitz, *A Century of Genocide: Utopias of Race and Nation* (Princeton, NJ: Princeton University Press, 2003); Norman Cigar, *Genocide in Bosnia: The Policy of ‘Ethnic Cleansing’* (College Station, TX: Texas A&M University Press, 1995); and Smail Čekić, *Agresija na Republiku Bosnu i Hercegovinu: planiranje, priprema, izvođenje*, vols. 1-2 (Sarajevo: Institut za istraživanje zločina protiv čovječnosti i međunarodnog prava, 2004).

<sup>2</sup> See Michael Mann, *The Dark-Side of Democracy: Explaining Ethnic Cleansing* (Cambridge: Cambridge University Press, 2005); and Jacques Semelin, *Purify and Destroy: The Political Uses of Massacres and Genocide* (London: Hurst, 2007).

<sup>3</sup> Mann, 21.

<sup>4</sup> Irving Louis Horowitz, *Taking Lives: Genocide and State Power* (New Brunswick, NJ: Transaction, 1997), 16.

<sup>5</sup> Christian Gerlach, *Extremely Violent Societies: Mass Violence in the Twentieth Century World* (Cambridge: Cambridge University Press, 2010).

<sup>6</sup> Irving Louis Horowitz, *Genocide: State Power and Mass Murder* (New Brunswick, NJ: Transaction, 1976), 66.

<sup>7</sup> For an analyse af den senest opblussende ‘nye højrefløjeks-tremisme’ og dens brug af symboler, se: Ariel Koch, “The New Crusaders: Contemporary Extreme Right Symbolism and Rhetoric,” i *Perspectives on Terrorism* 11, no. 5 (2017).

<sup>8</sup> Martin Shaw, *What is Genocide?* (Cambridge: Polity Press, 2007), 34.

<sup>9</sup> Meget er skrevet om bestræbelserne på at omdanne Den Jugoslaviske Nationalhær (JNA) til rent serbiske enheder, og adskillige vidnesbyrd herom blev aflagt over for ICTY. Se f.eks. “The Serbianization of the People’s Army,” IWPR ICTY, March 19, 2003, <https://iwpr.net/global-voices/serbianization-peoples-army> (konsulteret 1. juni, 2018); Judith

Armatta, *Twilight of Impunity: The War Crimes Trial of Slobodan Milosevic* (Durham, NC: Duke University Press, 2010); og Andrew Cottey, Timothy Edmunds og Anthony Forster, eds., *Democratic Control of the Military in Postcommunist Europe: Guarding the Guards* (Palgrave Macmillan, 2002).

- <sup>10</sup> Der har været mange manipulationer med talopgørelser over ofre for den bosniske krig, med tal, der rangere fra så højt som 250.000 til så lagt som 97.000. Den seneste opgørelse over totale antal civile tab fra Demographic Unit at the ICTY's Office of the Prosecutor lyder på 104.732. Heraf var de 68.101 bosniske muslimer, 22.779 var bosniske serbere, 8.858 var bosniske kroater, mens 4.995 were 'andre'. Se Ewa Tabeau and Jan Zwierczowski, "A Review of Estimation Methods for Victims of the Bosnian War and the Khmer Rouge Regime" i *Counting Civilian Casualties: Introduction to Recording and Estimating Nonmilitary Deaths in Conflicts*, eds., Taylor B. Seybolt, Jay D. Aronson, and Baruch Fischhoff (New York: Oxford University Press, 2013).
- <sup>11</sup> See f.eks. Testimony of Witness B-1493, Prosecutor v. Milošević, April 10, 2003.
- <sup>12</sup> Milan Babić var præsident for den selvudrømte Republika Srpska Krajina fra 1991 til 1995, som satte sig som mål at løsrive sig Kroatien og tilslutte sig Serbien. Babić blev anklaget for krigsforbrydelser, og var den første tiltalte ved ICTY til at indrømme skyld. Han indvilligede i at slå en handel af med anklageren, hvor skulle vidne mod Slobodan Milošević og selv slap med fængsel i 13 år. I et interview med denne forfatter udtalte chefanklager Sir Geoffrey Nice, at Babić levere de vigtigste vidnesbyrd i Milošević-sagen. Nice, der tilbragte mange timer i samtale med Babić, fornemmede, at Babić virkelig angrede oprigtigt. Den 6. marts 2006 begik Milan Babić selvmord i sin celle.
- <sup>13</sup> Witness account by Milan Babić, Prosecutor v. Milošević, No. IT-02-54, Transcript (November 19, 2002), 13054-13056 and 13808-13813.
- <sup>14</sup> See f.eks. James Gow, *The Serbian Project and Its Adversaries: A Strategy of War Crimes* (McGill-Queen's University Press, 2003), 184.
- <sup>15</sup> Ibid., 174-175.
- <sup>16</sup> Robert Donia, "Bosnian Krajina in the History of Bosnia and Herzegovina," Expert Report, Prosecutor v. Brdanin, No. IT-99-36, January 11, 2002, 72.
- <sup>17</sup> Sud Smailovic, personlige samtale med denne forfatter, 9. juli 9, 2005, Tuzla, Bosnia and Herzegovina.
- <sup>18</sup> Ibid.
- <sup>19</sup> Talen blev holdt i parlamentsforsamlingen 14. november, 1991 – en optagelse findes på YouTube med engelske undertekster på: <https://www.youtube.com/watch?v=ACHkmW8NGJU> (konsulteret 1. juni, 2018).
- <sup>20</sup> Fra 27. April til 2. juni 2, 1992, bestræbte resterne af det jugoslaviske præsidentskab sig på at omdanne JNA til tre nye serbiske hære – VRS, Jugoslaviens Hær (VJ) og Krajinas Serbiske Hær (SVK). Se: Nevenka Tromp, *Prosecuting Slobodan Milošević: The Unfinished Trial* (Routledge, 2016), e.g. 128.
- <sup>21</sup> Hovedstaben fra Republika Srpskas Hær, "Strictly Confidential: Directive for further operations of the Army of Republika Srpska," No. 02/5-210, November 19, 1992, Prosecutor v. Naser Ori, Exhibit D76e.
- <sup>22</sup> High Command of the Armed Forces of the Republika Srpska, "Basic Characteristics of the International Military-Political Situation" (Original title: "VRHOVNA KOMANDA OS REPUBLIKE SRPSKE; Dt.br.2/2-11; 08.03.1995; OSNOVNE KARAKTERISTIKE MEĐUNARODNE VOJNO-POLITIČKE SITUACIJE"), Archive of the Institute for the Research of Crimes Against Humanity and International Law, Sarajevo.
- <sup>23</sup> Se: Martin Shaw, *War and Genocide: Organised Killing in Modern Society* (Cambridge: Polity Press, 2003); og Martin Shaw, "The General Hybridity of War and Genocide," *Journal of Genocide Research* 9, no. 3 (2007).
- <sup>24</sup> Shaw, *War and Genocide*, 47.
- <sup>25</sup> David A. Hamburg, M.D., *Preventing Genocide: Practical Steps Toward Early Detection and Effective Action* (Routledge, 2008), 264.
- <sup>26</sup> Ibid., 265.

## II Readiness to Protect

# The Refugee Problem in the 1930s and the Reaction of the International Community:

## James G. McDonald's Early Warning about the Holocaust

Cecilie Felicia Stokholm Banke

Could the Holocaust have been prevented? Could European states have acted differently? Could the United States? Where was the international community in the refugee crisis created by the Nazi regime's anti-Jewish policy in 1933? Was there an international community, or was the relationship between states at that time, the inter-war years, tied to a basic principle other than what we know from the post-war era, where multilateral cooperation and international agreements can interfere with the internal affairs of each state? How determined were the European states to resolve the refugee problem created by the Nazi regime with its anti-Jewish policy? Could the scope have been understood? Or is it here in the 1930s that the true lesson of the Holocaust lies, in the time before genocide took shape, where one still could have acted?

In the process of self-examination that hit Europe in the 1990s, some of the unanswered questions were about precisely that time before war broke out. Could there already have been opposition to the discriminatory policy of the Nazi regime in the 1930s? And if so, why was there not?

On December 30, 1935, the United States High Commissioner of Refugees for the League of Nations, James G. McDonald, announced his resignation. The letter filled an entire book and resounded the whole world over. "Demand for the League of Nations' Action for the Protection of the Jews in Germany" was on the front page of *Politiken*, "World Opinion Demands that Action be Taken." "I cannot stay longer," quoted the *Social-Democrat* from the letter.

With the persecution of Jews in Germany, the Nazis had imposed a refugee problem on the other countries. What for the Nazis was a "Jewish problem" became a huge concern for the surrounding nations. The new refugee problem was more than ordinary charity and goodwill could handle. Other solutions were needed.



McDonald vigorously counterattacked. For almost two years he had been attending meetings with European governments and discussing borders, refugee quotas and opportunities to find room for the many Germans who had escaped after Hitler seized power in Germany. He had written letters, memoranda and recommendations, and he had tried to get through to the German government – to little avail. Germany was not prepared to limit its flow of refugees, and the countries in the League of Nations were not prepared to accommodate the influx.

There was only one way for McDonald. As conditions had developed in Germany, it was no longer sufficient to continue laboring to support the refugees who had already left Germany, there also had to be “Measures taken to remove or at least mitigate the reasons that create German refugees,” as he wrote in his letter of resignation.<sup>1</sup>

James G. McDonald (1886-1964) was, as Canadian historian Michael Marrus writes, “a prominent American scholar in the field of international relations, chairman of the American Foreign Policy Association, a man widely respected by Jews and Gentiles in his own country.”<sup>2</sup>

McDonald was of Scottish and German descent, and had a strong Christian humanitarian commitment and an impressive physical appearance.<sup>3</sup>

He was known as a distinguished expert in international relations, and, throughout his career, he had been sympathetic to Germany.<sup>4</sup>

As a young educational assistant at Indiana University, McDonald had defended Germany against accusations of crimes committed during the First World War, and, in the foreign policy community, McDonald had also tried to counteract the condemnation that hit Germany after the War.<sup>5</sup>

Immediately, therefore, he was a less obvious candidate, but he was a popular figure among German-American Jews, including Henry Morgenthau Sr., who had helped to identify who should lead the new Commission. With McDonald, the High Commission was thus led by an American who, as Richard Breitman and Alan M. Kraut wrote, had “the endorsement of powerful Jewish interests.”<sup>6</sup>

The autumn of 1933, McDonald arrived in Berlin with high hopes for his new position as High Commissioner of the Commission for German Refugees.<sup>7</sup>

The Commission had been established at the suggestion of the Dutch delegates to the League of Nations and was a typical example of the dilemma in which the League found itself. On the one hand, it needed to pursue the ideals of common international actions, and, on the other, it needed to comply with the internal ru-

les of non-intervention in the affairs of a member state. The League of Nations' negotiators therefore designed an intermediate solution that did not involve the alliance as heavily, and which, at the same time, Germany could accept. To remedy the problem of German refugees, a commission was set up which did not negotiate in the name of the League or receive orders from it. Instead, the High Commissioner was responsible for an executive council consisting of delegates from the 15 member states, and was headquartered in Lausanne. As one of the League's high-ranking officials, Norman Bentwich, later wrote, they had created a "cast-off child of the League."<sup>8</sup>

The High Commissioner should, via negotiation, solve the economic, financial and social problems that arose as a consequence of the large number of refugees from Germany. McDonald's primary task was to coordinate those efforts.<sup>9</sup>

However, it did not take long before McDonald realized what work he had actually taken on. McDonald had hoped to conduct negotiations directly with officials at the top of the German government, but never got that high. As he disappointedly admitted in November 1934: "So far as our work is concerned we cannot expect any really effective cooperation from the Reich."<sup>10</sup> The same was true of cooperation with the French and English governments. France, which up until then, was the country that had received the most refugees from Hitler's Germany welcomed the new US refugee commissioner. McDonald was glad, but gradually it occurred him that, despite their friendliness, the French politicians did not take him or the League of Nations seriously. Around autumn 1935, French officials began to consider the High Commission to be a useless body and made it clear that McDonald's services were no longer desired. McDonald was, Yehuda Bauer writes, too independent, demanding, and energetic.<sup>11</sup>

A request addressed to the Danish Ministry of Foreign Affairs in autumn 1934 about subsidies for administrative costs shows how little Denmark, too, was willing to invest in the Commission. Since the Netherlands, Belgium, and France were unwilling to accommodate the request, Denmark did not have any reason to pay the 200-500 pounds McDonald had asked of smaller member states. In response, the Ministry of Social Affairs advised that it could not afford any "funds from which such a subsidy could be granted."<sup>12</sup>

In Britain, McDonald fared no better. Despite his good relationship with the British delegate, Lord Robert Cecil, the British government stubbornly committed

not to contribute more than moral support. Moreover, the High Commissioner's office was physically separate from the League of Nations, making McDonald's impact in political contexts even weaker. McDonald's enthusiasm and dedication disappeared. After a trip to Latin America, where he had hoped for an increased refugee intake, he was to disappointed to find that, "the more I face the refugee problem at close range, the more I am convinced that it is utterly insoluble unless and until the governments and private individuals concerned are prepared to make more sacrifices than heretofore."<sup>13</sup>

McDonald's frustration over the German-Jewish refugee problem became no smaller when the Third Reich proclaimed the Nuremberg Laws in September 1935. Among other things, these deprived Jews and other "non-Arians" of their citizenship and led to new persecutions and, consequently, new refugee streams out of Germany. In October, McDonald confided in a friend with which he had been emotionally involved, in what he called "the fundamental problem of Jewish-Christian relationships," and that his two years as High Commissioner for Refugees had only reinforced his conviction that "each of us who has a sense of the terrible responsibility which Christians have for the 'Jewish problem,' must do everything he can to redress the balance of centuries of wrongs perpetrated against the Jewish people."<sup>14</sup>

In December 1935, disillusioned, he returned home to the United States, well knowing that the refugee problem he had been sent across the Atlantic to resolve had only grown and would only grow bigger. "Due to the still-tightening measures in Germany, a new, very significant wave of refugees can be expected if conditions are not changed," he wrote in his resignation letter, December 1935.<sup>15</sup>

But what did McDonald actually write in his resignation letter? And how could it result in headlines in newspapers worldwide? Did he have a solution to the German-Jewish refugee problem? And if so, why did only a few listen? In fact, he did. McDonald suggested that he should go to the source of the refugee issue and advise Germany not force people to emigrate via its anti-Jewish policy.

As Claudena M. Skran writes, it was the first time that a High Commissioner pointed directly to the conditions that created refugees, namely a state's violation of minority rights. The member states of the League of Nations belonged to an international refugee collaborative which was opposed to violations of state sovereignty.<sup>16</sup>

This principle governed relations between states. McDonald's proposal was, in fact, an infringement of this principle. In that sense, McDonald marked a breach. He introduced the issue of human rights into international refugee cooperation. As Skran writes, "He believed that the abuse of human rights concerned the entire international community, not just the government involved. Although his viewpoint gained widespread acceptance only after the Second World War, he should be credited for demanding adherence to the norms now expressed in the United Nations Declaration of Human Rights."<sup>17</sup>

McDonald was ahead of his time and enforced rights which, in those days, were not considered politically. Thus, neither were they in Denmark. The reaction to McDonald's resignation letter among members of the Foreign Policy Board was immensely chilly, verging on ridiculous. Foreign Minister P. Munch was by this point more opposed than ever to Denmark being involved in a conflict with Germany through his peoples' coalition.<sup>18</sup>

According to him, McDonald had done more harm than good. The sensational farewell letter had only made it harder to come up with a recommendation about Germany. There had been certain frictions between the High Commissioner and the Secretariat in Geneva, and, as the Conservative member Ole Bjørn Kraft commented, McDonald had not been the Commissioner of the League of Nations itself.<sup>19</sup>

The matter came to the fore after Norway's Socialist Secretary of State, Halvdan Koht, had invited Denmark to take the initiative to provide better treatment for the Jews in Germany. But this was rejected by the Danish Foreign Minister. As Munch concluded, individual countries did not have the right to interfere, and a deal would certainly make matters worse, not least after the publication of McDonald's "Long Letter to the League of Nations," where "the position was further aggravated." It could not be beneficial for the League of Nations to raise this question. What really might help was direct negotiation between the United Kingdom and Germany, but the minister doubted that "anything like that could happen."<sup>20</sup>

In regard to the Danish public, the tone was somewhat different. The resignation letter gave various newspapers an opportunity to level accusations against the Nazi regime. And the two major government newspapers, *Politiken* and *Social-Demokraten*, also used plenty of good column space for a lengthy summary, not least the *Social-Demokraten*, whose London correspondent reported on the news-

paper's front page about the remarkable action of the High Commissioner for Refugees:

"Nazism's treatment of hundreds of thousands of German Social Democrats, Communists and Jews suddenly gets renewed timeliness. English newspapers announce that the Commissioner of the League of Nations who deal with German refugees, the American Mr. James Mac Donald (sic), steps down from his position, in direct protest against the German government."<sup>21</sup>

McDonald's protest had really given the *Social-Demokraten* newspaper an opportunity to fire a broadside against the German government. The newspaper quoted directly from the dramatically worded letter. Here, the consequences of Germany's racial policy were greatly expanded and put into an international context. As the newspaper also quoted from the letter:

"When a country's domestic policy threatens with demoralization and exile of hundreds of thousands of human beings, the purpose of diplomatic correctness retreats from ordinary humanity. It would be criminal if I did not draw attention to the real context and prompt the world's opinion, via the League of Nations and its Member States, to be set in motion in order to ward off the existing and threatening tragedies."<sup>22</sup>

McDonald was convinced that "horrendous suffering in neighboring countries and an even more horrible misfortune within the borders of Germany" was inevitable, "if the direction of development in the German Reich" was not stopped or returned to "fixed orderly conditions." In all its "bare horror," McDonald depicted "The Third Reich's inhumanity." In a special section entitled "Boycott of Non-Arians," the letter referred to places in Germany where "even the pharmacy" refused to sell to Jews, according to the newspaper. And in an "appalling chapter," McDonald revealed that this "inhumanity of state and administration, including the Nazi Party" had received the support of the German courts. Thus, the judges, "as the National Socialist Party's Agents," helped to "not only condemn the relationship between husband and wife, but also between parents and children." And the "persecutors" now aimed directly at "expelling these hundreds of thousands from German soil." No longer would they be content to create a ghetto.

It was therefore unthinkable that those who had the opportunity to flee would remain in Germany unless the current oppression was eased. It was no longer just a question of subsidizing, the problem had to be taken by the root if catastrophe was to be averted. It was a task for the League of Nations.

Protecting people against racial and religious persecution was foundational for international peace and security, summarized the newspaper. The effects of this “unique statement of objections” would surely not disappear. It would undoubtedly become the theme of international discussion in the days to come.<sup>23</sup>

However, while the immediate topic of international debate in the coming days was not McDonald’s letter, it nonetheless garnered attention. It was widely covered in the international press, also in Denmark.

Everywhere, the press responded very positively and helped the High Commissioner to raise awareness of the Nazi’s policy. The London-based newspaper *The Times* published the letter in its entirety and recommended that the League of Nations carefully consider McDonald’s proposal to send representatives to Berlin with an inquiry. *Manchester Guardian*, which likewise printed the entire letter, called McDonald’s resignation “a powerful letter,” and urged Germany to abate its persecution of non-Arians. *The Daily Telegraph* hoped that Germany would consider the advice of world opinion. McDonald’s later workplace, *The New York Times*, also printed the entire letter, highlighting McDonald as both a statesman and humanist, and *The Washington Post* declared the letter one of the most powerful pieces of evidence of the terrorism of the Nazi regime which had yet to be broadcast to the world. In Canada, the Ottawa newspaper *Citizen* wrote that it was high time that the world was informed of these crimes and hoped that those nations who still keep civilized traditions alive would consider McDonald’s proposals. But no real debate on the proposal followed.<sup>24</sup>

At newspaper headquarters in Denmark McDonald’s letter was not pursued. Seemingly, neither in *Politiken* nor *Social-Demokraten* was the letter commented upon, while *Berlingske Tidende* chose to give a somewhat more modest report under the headline, “The League of Nations Must Take Care of the German Emigrant Problem.” *Jyllands Posten*, on the other hand, mentioned McDonald’s Commission in an editorial on January 6, 1936, under the heading “Germany and its 500,000 Jews.”

The conclusion was that it was, naturally, a private, purely legal matter how Germany treated its Jews, namely “those who were considered to be the black sheep of the family,” but that “a little more understanding of the gentle recommendations of foreign countries would certainly be in the long run mostly for Germany’s own benefit.”<sup>25</sup>

The German government’s approach therefore had to be considered as an “accidental conglomeration of race hatred and monetary policy,” the result of which

would, in the long run, be the conversion of the Jews into a “proletariat” that might be completely starved out of Germany “or out of existence.” There was, in any case, no logic to Jewish persecution. The newspaper therefore determined that it would be “a gesture, worthy of the new Germany, if the Jews and their money were freed” so that it became possible for them to find a place to stay.

However, “the blind race hatred and the desperate currency situation” apparently had won out over “all noble feelings” and Germany’s quasi-official response to the League of Nations had also been an absolute rejection of the right of outsiders to interfere in internal German affairs, and that was, according to the newspaper, not worthy of a state such as Germany. On the contrary, it could very well have been handled in a somewhat more civilized fashion:

“With a dignified and sensible manner toward the Jewish question, Germany could not only get rid of its Jews in a satisfactory way, but also contribute significantly to international understanding and thus ease its own difficulties.”<sup>26</sup>

In a worthy and sensible manner? Get rid of their Jews? *Jyllands-Posten* 1936.

In general, McDonald’s resignation letter may be considered, as it is called in the field of genocide research, “an early warning.”<sup>27</sup>

What signs of genocide were visible? What information was available? McDonald’s letter had it all. It was full of warnings. This would become enormous, he predicted. Several hundred thousand would flee. But the letter also contained concrete information about the humiliation and persecution that Jews in Nazi Germany suffered.

Seen against the backdrop of what followed, it is significant how early McDonald was with his protest and how much it really gave rise to awareness. Words and phrases such as “still new waves of refugees” and “if an accident is to be avoided” that were quoted in Danish and foreign newspapers were the public’s method of giving attention to a problem that could have terrible consequences.

There were, of course, variations in the manner of presenting this early warning, but even *Jyllands-Posten* took the opportunity to criticize Germany, albeit in a diplomatic fashion, by referring to the country’s “dignity.” The persecution of Jews was unworthy of a cultured country such as Germany. And irrational.

There was no reason behind the Nazis’ racial policy. And that is also why it had been so hard for McDonald to break through with his mission to solve the problem of the German refugees. In 1934 and 1935, no one really took the problem seriously. Neither did the members of the League of Nations, the United States,

nor the European Jewish communities with whom McDonald also met. Here, the reaction was typical, that they had been subjected to persecution before.

McDonald became High Commissioner at a time when the refugee problem was still in its infancy, but it gave him insight into the character of the “Jewish question” itself, as he himself wrote. And he quickly became involved in the split between on the one hand, the European Jews who felt like citizens in the individual nation states, and, on the other, the Jews who worked for an independent Jewish state. Thus, in *My Mission to Israel*, McDonald tells retrospectively about his early acquaintance with Chaim Weizmann, the later prime minister of Israel:

“I was appalled but not surprised at his ruthless analysis of the fate of the Jewish communities in Germany and eastern Europe. He foresaw the extermination of millions of his fellow Jews and the persecution and displacement of other millions. Only in Palestine did he foresee a secure haven.”<sup>28</sup>

The book *My Mission in Israel* from 1951 describes McDonald’s experiences as the first United States ambassador to the newly formed Israeli state. It is clear that his post-rationalization bears the mark of the contemporary, not least in the widespread image of Israel as a sort of redemption for Europe’s “Jewish Problem.”<sup>29</sup>

In 1934, McDonald knew little about Palestine and less about Zionism, but he did not find it difficult to share Weizmann’s pessimism about the future of the Jews in Europe:

“Almost as [if] they were willfully blind to realities and to Hitler’s open threats of mass Jewish extermination, these Jewish leaders refused to believe that European Jewry was really in danger.”<sup>30</sup>

When the Nazis at their annual meeting in Nuremberg, September 1935, adopted a large number of anti-Semitic laws that deprived Jews and Germans of Jewish descent their rights, and forbade mixed marriages and sexual intercourse between Jews and “Arians,” McDonald had already decided to withdraw as High Commissioner for Refugees. However, the laws allowed McDonald and his staff to raise awareness about the Nazis’ racial policy, and he decided to make his resignation letter a political appeal. Work on the letter had begun several months before it was publicized.

Along with him to write the letter, McDonald had historian Oscar Janowsky of New York University and the lawyer Melvin Fagen. The two together wrote a more in-depth analysis of the consequences of Germany’s racial policy, *International Aspects of German Racial Policies*, published in 1937, supporting McDo-



nald's protest against the way in which the refugee problem in Europe was addressed.

The book can be seen as the historical and legal argument for McDonald's letter. It substantiated his protest by going back in time to look at how international powers had previously responded to the persecution of minorities, and outlined in this sense a tradition of foreign interference in the name of human rights.

The book began with three principle questions about whether national sovereignty can be so absolute that a government, without restrictions, can suppress or eradicate entire groups of its citizens; whether or not other states have the right and duty to protest or intervene; and what the civilized world must do when a nation makes persecution of minorities part of government's official policy.

For Fagen and Janowsky the answer was simple. The civilized world had both the right and duty to intervene, and the United States had already done so several times, including when death threats were directed against the Jews in Damascus in 1840. Or when the Jews in Tehran were exposed to abuse in 1897 and the United States representative appealed to the Persian authorities to stop the assaults.

The same was true in Morocco, where the absence of human rights had led to repeated intervention from foreign powers. In 1864, Sir Moses took Montefiore to Morocco with the support of the British government to appeal for the equal treatment of non-Muslims.

At the Madrid Conference in 1864, the same was seen. Throughout the 1870s and 1880s, American representatives in Tangier and Madrid made objections "in the name of humanity and civilization" against the discriminatory treatment of minorities. And, at the Algeiras Conference in 1906, the American representative, Henry White, recommended to the Sultan of Morocco to ensure that the subjects of his empire were treated equally and fairly without regard to religious convictions.<sup>31</sup>

In addition to being the legal and historical argument for McDonald's protest, the book is interesting because, in 1937, it attacked the Nazis' racial policy from a human rights perspective and enforced minority rights in relation to the state. A state is no more sovereign than that, in the case of violations of basic rights, it ought to be criticized and possibly sanctioned by other states. That was the principle that Germany, with its discrimination against Jews, had violated.<sup>32</sup>

The two authors placed the Nazi regime in the company of other "non-civilized" and "non-western" regimes which likewise persecuted their minorities: Tsarist Russia, Persia, and Turkey. Therefore, the international community with

the United States in the lead should ensure that the persecuted groups were protected from assault and guaranteed the same rights as other citizens, regardless of whether it would in a given case violate Germany's sovereignty. Not least because persecution of minorities, according to the authors' convictions, was a real threat to world peace.<sup>33</sup>

The League of Nations was created on the idea of minority protection. As United States President Woodrow Wilson stated at the founding, "Nothing is more likely to disturb the peace of the world than the treatment which might in certain circumstances be meted out to minorities."<sup>34</sup>

In McDonald's resignation letter, it was expressed in a recommendation to members of the League of Nations to peacefully intervene against Germany's racial laws:

"The growing sufferings of the persecuted minority in Germany and the menace of the growing exodus call for friendly but firm intercession with the German Government, by all pacific means, on the part of the League of Nations, of its member states and other members of the community of nations."<sup>35</sup>

The solution to the refugee problem was not in a sanctuary for the Jews, it was in a recommendation to Germany not to create refugees. The letter thus had two purposes: mobilizing a public about the Nazi policy against Jews and other "non-Arians." And to get the League of Nations, on behalf of the persecuted, to intervene against the Nazis.<sup>36</sup>

The letter was filed with the Secretary General of the League on December 27, 1935, and consisted, beyond the 3,000 words which justified McDonald's resignation, of attachments that documented the Nazi persecution of "non-Arians." It opened with pointing out the reasons for the refugee problem:

"More than half a million persons, against whom no charge can be made except that they are not what the National Socialists choose to regard as 'Nordic' are being crushed."<sup>37</sup>

The solution to the refugee problem demanded greater effort from philanthropic organizations, but that alone would not suffice. The letter also rejected emigration as a solution since "the present economic conditions of the world, the European States, and even those overseas, have only limited power of absorption of refugees." What it really dealt with was to attack the causes of German refugees. McDonald's attempt to expand the boundaries of international refugee co-operation to include the handling of that which directly created refugees received a mixed result.

On the one hand, his letter led to increased awareness of Nazi crimes and bringing the German refugee issue directly under the authority of the League of Nations. However, on the other, members of the international refugee regime rejected any kind of intervention at that time in Germany's domestic policy and prevented subsequent refugee administrators from interfering in the reasons for flight.

While the German refugee problem previously existed as an independent area without the possibility of political influence on decision-making bodies in the League, the German refugees after McDonald's resignation immediately came under the authority of the League with the British Sir Malcolm Neill as the subsequent High Commissioner of Refugees, and he had no intention of challenging the German government, experienced as he was after a long military career. As he proclaimed at his installation:

"I have no policy, but the policy of the League is to deal with the political and legal status of the refugees. It has nothing to do with the domestic policy of Germany. That's not the affair of the League."<sup>38</sup>

However, this reversal did not affect McDonald's ground-laying position. He maintained his conviction that refugee problems and the question of the displaced could only be solved by going to the conditions that had displaced people or sent them away. As he wrote during the Second World War:

"The only real solution for the problems of refugees and displaced persons is to eliminate the causes which force these innocent victims from their homes. That these causes must be eliminated is the deepest conviction gained during the writer's experiences with German refugees."<sup>39</sup>

By that time, McDonald was chairman of President Roosevelt's President's Advisory Committee on Political Refugees (PACPR).<sup>40</sup>

In 1946, he became a member of the Anglo-American Investigation Committee on Palestine, in 1948 the United States Special Representative in Israel, and from 1949 to 1951 the first United States Ambassador to Israel.

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Notes:

<sup>1</sup> Ministry of Justice 3, Office 1933, case nr. 1206; Norman Bentwich 1936, *The Refugees from Germany 1933-1935*, p. 219-228

<sup>2</sup> Michael Marrus 1985, *The Unwanted*, s. 161

<sup>3</sup> James G. McDonald 1934, *Christian Responsibility toward German Refugees*

<sup>4</sup> Marrus 1985, p. 162

<sup>5</sup> Claudena Skran 1998, *Refugees in Inter-War Europe*, p.230. About James G. McDonald, see his archive at Columbia University, The Papers of James G. McDonald, Lehman Suite, which contains a comprehensive letter collection. After his resignation as refugee commissioner, McDonald was a member of the editorial board at The New York Times, from 1938 to 1942, chairman of the Brooklyn Institute for Arts and Sciences, from 1936 to 1938, and was a consultant in Roosevelt Administration. See Chapter 6: Upstanders and City Standers.

<sup>6</sup> Richard Breitman and Alan M. Kraut 1987, *American Refugee Policy and European Jewry 1933-1945*, p. 97

<sup>7</sup> Skran 1998, p. 230

<sup>8</sup> Marrus 1985, p. 161

<sup>9</sup> Statement by James G. McDonald. High Commissioner for Refugees (Jewish and other) from Germany, made at the opening session of the Governing Body at Lausanne, December 5, 1933, the League of Nations Archives, Geneva, C1612, High Commissioner for Refugees from Germany,

<sup>10</sup> Letter from McDonald to Sir Osmond d'Avigdor Goldschmidt, a leading member of The Jewish Colonization Association, 17 November 1934. Quoted from Skran 1998, page 232. McDonald tells in *My Mission in Israel* how in the spring 1933 he had interviewed Hitler, who, according to McDonald, had stated that the world would come to thank him for learning how to handle the Jews, McDonald 1951, p. 252.

<sup>11</sup> Yehuda Bauer 1974, *My Brother's Keeper*, p. 149

<sup>12</sup> Ministry of Social Affairs, 2nd Office, Journal Law 1136

<sup>13</sup> Letter from James G. McDonald to Lord Robert Cecil, May 18, 1935, quoted from Skran 1998, p. 233.

<sup>14</sup> Letter from McDonald to Lewis L. Strauss, October 28, 1935, quoted here from Skran 1998, p. 234

<sup>15</sup> Ministry of Justice 3. Office 1933, Case No. 1206

<sup>16</sup> Skran 1998, p. 255

<sup>17</sup> Skran 1998, p. 258

<sup>18</sup> Erling Bjøl 1983, *Who decides? Studies in the Foreign Policy Decision Process*, p. 273

<sup>19</sup> Meeting of Foreign Affairs Committee, January 9, 1936, Ministry of Foreign Affairs, RA

<sup>20</sup> Meeting of Foreign Affairs Committee, January 9, 1936, Ministry of Foreign Affairs, RA

<sup>21</sup> *Social Demokraten* newspaper, 30 December 1935

<sup>22</sup> *Social Demokraten*, 30 December 1935

<sup>23</sup> *Social Demokraten*, 30th December, 1935

<sup>24</sup> *Jyllands Posten* newspaper, January 6, 1936. Note that just the *Jyllands Posten* doesn't understand the logic of Germany's persecution of the Jews in the light of the newspaper's anti-Semitic discharges throughout the 1920s, as described by Karl Christian Lammers in 1987, "*The foreign element, about anti-Semitism in Denmark in the Middle War. Reflections of a Time and a Phenomenon*", *The Jutland Historian* No. 40, and later after the Crystal Night, which

<sup>25</sup> *Jyllands-Posten*, 6. January 1936

<sup>26</sup> See. Leo Kuper 1985, *The Prevention of Genocide*

<sup>27</sup> James G. McDonald 1951, *My mission in Israel 1948-1951*, s. 251

<sup>28</sup> Göran Rosenberg 2003, *Det tabte land*, s. 16

<sup>29</sup> McDonald 1951, s. 252

<sup>30</sup> Oscar I. Janowsky & Melvin M. Fagen 1937, *International Aspects of German Racial Policies*, s. 20

<sup>31</sup> Janowsky and Fagen 1937, s. 122

<sup>32</sup> Janowsky and Fagen 1937, s. 122-123

<sup>33</sup> Janowsky and Fagen 1937, s. 122

<sup>34</sup> James G. McDonald 1935, *Letter of Resignation*, League of Nations Archives, Genève, s. ix

<sup>35</sup> Skran 1998, s. 234

<sup>36</sup> James G. McDonald 1935, *Letter of Resignation*, s. V

<sup>37</sup> Arthur D. Morse 1983, *While Six Million Died. A Chronicle of American Apathy*, s. 191

<sup>38</sup> James G. McDonalds 1944 "Refugees," i Harriet Eager Davis (ed.), *Pioneers in World Order: An American Appraisal of the League of Nations*, s. 226-227

<sup>39</sup> In May 1938, McDonald became chairman of the committee who, according to Henry L. Feingold's assessment, acted exclusively through the State Department, and with whom he had a bitter bureaucratic controversy about visas. See Henry L. Feingold 1970, *Politics of Rescue*, p. 26. See also Chapter 6: Upstanders and Towners

# Before the Catastrophe

Abram de Swaan:

## 1. Anticipating the catastrophe

In 1932, the German sociologist Norbert Elias, at the time 39 years of age, left the country of his birth and upbringing, Germany, only months after the Nazi usurpation of power. For a brief spell he lived in France, before moving again, this time to Great Britain. Did Norbert Elias, one of the most perceptive observers of his generation, anticipate the annihilationist turn that the Nazi-regime was to take in the years to come? He certainly did not dally and left his country in time for safer, more alluring shores.

In an interview, Elias describes the general mood in the Germany of the 1930s: “There was a real bisection of the country. That did not mean that people with different positions on the party spectrum at the university did not speak to each other. But you could feel the power of the right gradually increasing. All the same, no one in my circle imagined anything remotely like what later happened.”

In 1932, Norbert Elias was already well aware of the danger threatening the Weimar Republic, because, as he put it, the army no longer was subordinate to the state, but to traditional conservatives. Every movement, from the Communists and the Social Democrats to the Conservatives and the National Socialists, had its own militia roaming the street and attacking its opponents. The state was about to lose its monopoly of violence and that robbed the Rechtsstaat of the effective means to uphold the legal order.

At the time Hitler was appointed Reichskanzler in 1933, Norbert Elias was head of the Frankfurt Sociological Institute (the breeding ground of what was later to become world famous as the Frankfurter Schule). It occurred to him right away to gather and destroy the membership lists of leftwing student organizations that had been left lying around. A few days later the SS came for Elias and he was forced to hand over the keys of the Institute. Next, the SS told him not ever to show up again at the Institute.

That same year, after driving to Switzerland to try in vain to find a job at a university there, Elias decided to move to France, where he continued his studies. With two other German refugees he operated a small toy factory that helped them survive. Norbert Elias was the sales agent.

Two years later, in 1935, Elias briefly returned to Germany to visit his parents. Order in the country had been restored by the Hitler regime and people had re-

gained confidence in the Rechtsstaat. “Think of it – even my parents were not afraid enough to leave Germany. [...] It was all dreadful, it was of course terrible. A dictator, Hitler... one felt real contempt for him, and it was bad that this man was ruling Germany. But that did not mean that people like my parents – or like myself, when I travelled through Germany – were in acute fear for their lives. Such an idea is always a projection from later; you see, the National Socialists themselves only slowly got the idea of the ‘Final Solution.’ They had not planned the gas chambers from the first, it was a gradual process. So how could we have had an inkling of it?”

Norbert Elias’s parents came to England to see their son in 1939, on the eve of World War II “I begged them to stay. I did not want them to go back to Breslau [their home town], as I had the feeling they were in danger there. I begged them with all my power.”

His father said, and I quote it in the original German: “Ich habe nie etwas unrechtes getan, was können sie mir tun?” I never did anything wrong, what can they do to me? It was the greatest trauma of his life that Elias could not convince his father and mother to stay. Both his parents were to die in the next few years, his mother in Auschwitz.

I have quoted, at some length the vicissitudes of Norbert Elias in the thirties of the last century, because he was at the time one of the most attentive and insightful observers of society. In those years, he witnessed the rise of a regime that was to become genocidal through and through. Almost from the start he realized that there was no place for him in the new Reich, but the SS obligingly helped him to achieve that insight by telling him never to come back to his desk at the university. He had completed his doctorate, he was at the time in his mid-thirties, without the burden of a family of his own. He was, so to say, part of the freischwebende Intelligenz. He must have been in the first cohort of German Jews to flee the country and he settled in France for the time being. There, initially, Elias felt quite disoriented, but he succeeded in building a new life, albeit quite tenuously. He left France for England, not because of any foresighted calculations about the odds! of survival in case of a German invasion, but because “it was hopeless”, there was no perspective for a job, let alone for an academic career. And as such things go, friends from his hometown Breslau who had settled in Britain suggested he go there too. Norbert let himself be persuaded, even though he spoke no English (his French was fluent and nearly without accent), and prospects were not much better

in England. This move, although it was hardly motivated by political foresight, most likely saved his life.

Elias was not naïve: he was very well informed about the politics of his day. He had a sound grasp of the situation and he was also guided by a theoretical idea: the collapse of the state monopoly of violence had to bring about the disintegration of the *Rechtsstaat*. That insight served him well to evaluate the long term consequences of the chaotic upheavals that succeeded one another from day to day. It was that very same idea in reverse that would become the foundation of his Civilizing process, which, after all, is the outcome of a protracted, extending and intensifying pacification, i.e. the disappearance of violence from everyday society.

My father, Meik de Swaan sr, a younger man at the time, was born in 1911 and witnessed the rise of National Socialism from Amsterdam, where his parents and five brothers had moved from Groningen. This small town in the North of the Netherlands had a sizeable Jewish community, mostly very pious and mostly very poor (almost all of them were murdered in Sobibor). The brothers all turned away from Judaism. My father became a left socialist: one older brother and his German wife became card-carrying members of the underground KPD, the German Communist party. Moreover, the brothers knew many German refugees who arrived with the latest tales of horror from the Third Reich. They also all were avid newspaper readers, even at the table during the meal that their mother cooked them every Friday. My mother, Hennie de Swaan-Roos, remembered jerking the papers from their hands, thus earning the lifelong esteem of her mother in law.

Obviously, the brothers were very well informed. And yet... One brother, the oldest, an astute businessman without much intellectual or political ambition, decided to leave the Netherlands for the US in April 1940, just in time. (He and his wife and young son arrived in New York on May 9, the day before the German invasion of the Netherlands, Belgium and France). He had tried hard to persuade his younger brothers to join him in emigration, but he had been unsuccessful and the three other brothers that lived in the Netherlands stayed there throughout the war (they all survived, my father's two brothers because of their marriage to women who were not considered Jewish by the Nazis).

On May 10, as German troops crossed the frontier with the Netherlands and bombers flew over Dutch territory, thousands of Jews and quite a few leftwing intellectuals and politicians tried to escape. The only way out of the country was across the North Sea, to England. Everyone tried to get hold of a car to reach the port of IJmuiden where boats were ready to ship them to Britain. It was total

mayhem. My father's best friend and classmate, Lou de Jong, and his wife Liesbeth Cost Budde (my mother's old roommate) succeeded in commandeering a taxi that would bring them to the shore. De Jong had to leave his parents behind. My father, Meik de Swaan, and my mother Hennie jumped on the footboard and held on to the car all the way to IJmuiden, but had to let go in the chaotic bustle in the streets near the harbor. De Jong became the voice (and the pen) of Radio Free Netherlands in London throughout the war years and afterwards was the author commissioned to write what became the 29-volume official History of the Kingdom of the Netherlands during the Second World War. My father and mother that same day returned home from IJmuiden and two years later, when the persecution of the Dutch Jews intensified and the deportations had begun, just in time, they were hidden by faithful political friends. They stayed in a house on the Amsterdam canals, two blocks from Anne Frank's secret annex. My parents were not betrayed and survived the war, and, obviously, so did I, somewhere else. In hiding, my father collaborated on an underground review, *De Vrije Katheder*, which in the aftermath of the war under his directorship was to become a leading journal on the left.

What does this all lead up to?

Norbert Elias, Lou de Jong, or Meik de Swaan, and their wives Liesbeth and Hennie, were all well informed and alert followers of the politics of their day, especially of course, of the evergrowing menace of the Third Reich. Obviously, they understood the signs of the times. My parents belonged to the generation that as little children lived in neutral Holland during the First World War. Events which followed one another, if not chaotic, then full of dark menace: the German hyperinflation, the Freikorps in the Weimar Republic, the Great Depression of 1929, mass unemployment, and the rise of Adolf Hitler and his NSDAP. No sensible citizen could have remained entirely a political during those times. They all understood the signs of their time. But the signs of the time tell one the direction events may take, not the moment in time, if ever, that the worst will happen.

Students of international macroeconomics are fond of quoting "Dornbusch's law" (named after the German American economist Rüdiger Dornbusch): "Crises take much longer to arrive than you think, but when they do come, they happen much faster than you would have thought." This also applies to those political crises that end in large scale annihilation of human life. Episodes of mass murder are long in the offing and strike by surprise.



Since each episode follows a different course, no risks or odds can be calculated. And yet there are signs of danger, warnings, foreboding tokens of disaster. Most of the time the catastrophe does not materialize. Sometimes it does. No one can tell for sure in advance.

And yet, the process that may lead to murderous violence on a mass scale is understood in great part. It may be summed up by a single expression: compartmentalization. But this one term must do a lot of work. It covers a wide range of phenomena that usually go together but rarely are discussed in one breath.

In the course of this compartmentalizing process, people come to be separated on four levels at once: macrosociological, mesosociological, microsociological, and “psychosociological”.

First of all, in a macrosociological perspective, developments in society at large over a longer period of time shape the collective memories and the shared mentality of a nation. The wounds of war, the humiliations of defeat, the pervasive fear under tyranny, the pain of mass unemployment, and the penury of economic crisis constitute such formative experiences that shape similar dispositions among contemporaries (which still will differ considerably from one person to the next). These may be considered the macrosociological processes that may make for a turn toward mass violence.

Over a long period of time, certain dividing lines within the population are formed and may then remain dormant again for many, many years. But they remain part of the *mentalité*, the shared consciousness of people living in that society. At their most innocent, they are just the stuff for joking relationships, as between Dutchmen and Belgians, or Limburgers and Hollanders. At their very worst they may evolve in fierce and murderous hatred, as among the Hutus against the Tutsis in Rwanda in the second half of the last century.

At the next level, in a mesosociological perspective, the regime may put in place the institutions it needs to realize its discriminatory policies. It will try and actualize the mostly latent lines of division, defining the regime’s own people on the one hand and a target group on the other hand. All the while, it will actively try to shape people’s mentality and dispositions through education and propaganda. It may well decide to assign the target people to separate schools, to exclude them from some hospitals and health services, to designate specific areas for them to live, or even to set fixed times for them to be in the streets or visit shops.

On a third level, in the microsociological perspective, people function within the context of these institutions, such as schools and hospitals, offices or shops, prisons or camps, in situations that strongly influence their actions

and experiences. This is where they interact directly with their peers. As the regime continues to compartmentalize society, direct encounters between the regime's people and the target people will become increasingly rare. People may decide to avoid contacts with the others, so as not to embarrass or be embarrassed by their presence. Relations become awkward even before they become hostile.

And last, in a psychosociological perspective, individual people act with and against other people according to their particular dispositions and their specific "definition of the situation." As social compartmentalization intensifies, the regime's people come to experience feelings of disgust, contempt and hatred towards the target people, and they experience those feelings as their own authentic emotions. There is mutual suspicion and fear. The target people must resist so as not to let their self-esteem be eroded by the regime's propaganda and by the rejection from the regime's people. Feelings of self-doubt and vulnerability are compensated with sentiments of pride in one's own group, even though, or rather precisely because it is being discriminated against. The point here is that regime-initiated campaigns of compartmentalization may actually transform the most intimate thoughts and feelings of the people who live through such times.

What follows is a checklist of danger signs, each of them an aspect of the compartmentalizing process, which indicates an increased probability of large scale annihilation.

First of all, there are macrosociological conditions, the outcome of large-scale societal processes in the long term:

- Most important are major upheavals in the remembered past, such as war, civil war, revolution, economic crisis, hyperinflation, or mass unemployment.
- Over time, large groups in society ("the regime's people") have come to share a disidentification from a particular group of people, who are singled out as the target group.
- The regime and the regime's people have gained control of the resources, the personnel, information, organization, and equipment needed to kill members of the target group without running a similar risk themselves. A considerable inequality of power prevails between the regime's people and their target group.

These macrosociological conditions strongly determine the "opportunity structure" for the regime. Under these circumstances, the regime can act to bring about a series of mesosociological conditions:

- The regime encourages further compartmentalization of society at all levels, creating an ever sharper separation between the regime's people and the target people.
- The regime's propaganda insistently dehumanizes and demonizes the target group.
- The target group is depicted as the (potential) aggressor: the regime's people are the ones being threatened, and they risk becoming the victim of the target group and its foreign patrons.
- According to the regime, the present moment is a decisive turning point in history. From now on everything will be different, if only the regime's people seize their chance to act together resolutely.
- The regime takes a long series of institutional and legal measures to further separate the people of the regime and the people of the target group and drive them even further apart: inequality before the law, separate schools, hospitals, and neighborhoods, and all the other forms of legal and institutional compartmentalization that have a psychological impact by further exacerbating the separation of minds.
- The regime increasingly controls the media and other means of communication. It attempts to close all other channels of information, especially oppositional or foreign sources.
- Militias, gangs and small bands of thugs attack members of the target people and the regime condones it, allowing the perpetrators to get off with a slap on the wrist or with impunity. (if not openly or covertly encouraging them).
- Personnel of the police and armed forces, customs officials treat members of the target group rudely and even violently, and, again, the regime condones or encourages such behavior by its own personnel.

These are some mesosociological conditions that in turn help shape the microsociological level of direct interaction among the regime's people, among the target people and between these groups.

- People in both groups tend to limit their interactions to their own kind; the regime's people because they increasingly shun contact with people deemed inferior, or at least pictured as such by the regime in power; the target people want to avoid rejection and offense. Mutual encounters become increasingly embarrassing: the regime's people do not want to be seen with someone from the target group and the people from the target group fear humiliation from such an encounter.

Microsociological conditions gradually alter the psychosociological make up of people, their personal opinions and intimate sentiments.

- The regime's people come to feel proud of their own kind and to feel superior to the target people (and some of the regime's people actively resist such sentiments). They are buoyed by an increasing sense of solidarity. The target people feel increasingly powerless, weak, and intimidated. They may be overcome by a sense of isolation, personally and as a group. (And some of the target people actively resist such sentiments) The regime's people increasingly experience feelings of contempt and even intense disgust ('vitale Abkehr') when confronted with the target people, or even at the very thought of them. The people in the target group feel a growing fear and hatred of the regime's people and come to despise them more and more.
- As time goes on, the regime's people succeed in somehow "not thinking" about the fate of the target people. They may be aware of the existence of prisons, camps and interrogation centers and they may well have heard about the atrocities going on there, but they manage to 'put it out of their mind' (one more form of compartmentalization). When directly confronted with the suffering of the target people, they feel less or no compassion for the victims, since they are another kind of beings, and, anyway, they deserve what is coming to them.

Such are the forebodings of catastrophe. The list is not complete, of course. There are opposite movements, too. There is criticism of the regime, rebellion, covert help of the victims, open shows of solidarity. But that is a different subject. None of these warning signs on its own announces the coming of a catastrophic massacre, but each one of them increases its probability. And no one can tell if, and when, catastrophe will strike. The individuals discussed in the first part of this essay each tried to read the signs of the times and they were quite well aware of what might at some point come to pass, without ever grasping the dismal future in its gruesome reality.

One of them, Norbert Elias, as a young man on his own, an academic who had just lost his job, was quick to leave his home country, but his life saving choice for England was a matter of luck more than insight. However, by 1939 he foresaw that catastrophe was in the offing, even though he had no idea of the final form it would take. He tried hard to keep his parents from returning Germany and they, on their part, had no idea of the fate that might be in store for them.

De Jong and De Swaan "Sr." were equally aware of the dire situation in Nazi Germany and the likelihood of a Nazi invasion of the Netherlands. But neither of

them expected disaster to strike when it did. With hindsight, when the Nazis came for them, they turned out to be remarkably illprepared, all the more so, since they were so deeply involved in anti-Nazi politics. But that may precisely provide a key to understanding: Perhaps their very activism and the many ties and loyalties it entailed had restrained them from breaking all bonds, leaving their comrades behind, and fleeing when there was still time.

The above enumeration of warning signs may be used as a checklist to assess what may be ahead in the near future. It is useful to evaluate current regimes that are taking a turn towards compartmentalization with all that may entail.

“It can’t happen here and it can’t happen in our time.” Do not be too sure.

Maybe there is one decisive alarm signal: when the regime in power announces that “it is now or never, it is all or nothing, it is them or us”, then the time has come for either fight or flight.

# We Could See it Coming...

Frederik Harhoff

Many of us have felt, in the aftermath of a genocide, this strange sense of relief when the perpetrators were prosecuted and eventually convicted of this horrendous crime. At the time when it actually took place on the ground, we had doubts about whether this was in fact what it appeared to be and whether there would be evidence to support a finding that the offences amounted to genocide. The information is always scarce and frequently distorted by witnesses, victims, journalists, politicians and others with little appreciation of the elements in the delicate definition of genocide. So it is most often difficult to form a firm opinion about the matter when you sit at a distance, unfamiliar with the background and the events on the ground.

On the one hand, the sense of relief is borne out of the uncertainty about the evidence and the need to ensure that no reasonable doubt remains that the perpetrators are indeed guilty of the crime; we all *thought* it looked like genocide when it happened, but just weren't sure. On the other hand, the feeling of relief comes with the satisfaction that the justice system is functioning and that perpetrators have been brought to the book.

The issue, therefore, is to look closer at the range of possible actions in the period when we are aware of a looming crisis that could turn into an armed conflict and eventually generate genocide, the "pre-genocide phase". Why was the UN unable to react meaningfully to general Dallaire's warning about the genocide in Rwanda? Why didn't the international community intervene much earlier when we were listening to Radovan Karadžić and other agents of the Republika Srpska speaking passionately about the duty of all Serbs to vindicate lost lands in the former Yugoslavia and reserve those lands for Serbs only? What should we have done, and indeed what could we have done? Did we see it coming?

Before exploring the options available in the pre-genocide phase, however, I wish to take a closer look at what genocide actually is and perhaps more importantly what it is *not*, because the concept is frequently misunderstood. Here are six common misperceptions about genocide:

*Misperception 1:* Genocide is, judging by the meaning of the term, about *the killing* of a people – or at least the *killing of lots of people*. Wrong. The perpetrator

does not have to kill anyone at all; in fact, genocide can be committed without curbing a hair on anyone's head! This is because genocide has a distinct core element, namely that the perpetrator must have the intent to *deny a particular group of people the right to exist on this planet – as a group*.

In addition, the perpetrator must also have the intent to carry out one or more of the following acts with the purpose destroying the group in whole or in part:

- killing members of the group;
- causing serious bodily or mental harm to members of the group;
- deliberately inflicting on the group conditions of life designed to bring about its physical destruction in whole or in part;
- imposing measures intended to prevent births within the group; or
- forcibly transferring children of the group to another group.

Genocide, thus, is a crime with a double intent requirement (“special intent”):

- a) denying the right to exist as a group, and b) carrying out certain acts against the members of the group for the deliberate purpose of terminating its right to exist as a group.

*Misperception 2:* Genocide is about killing or inflicting serious mental or bodily harm etc. on members of *a group*. Wrong. Genocide focuses on *particular groups* and not just any group. In view are – only – *national, ethnical, racial or religious* groups. Political or professional groups such as, e.g., members of political parties or herders or farmers, notably, are not protected groups under the crime of genocide. Common to these four protected groups is the feature that they are stable, if not permanent groups; you are born into the group and you remain a member for life. Indeed, one may change one's religion, but that happens rarely.

However, certain other groups known in history may be equally stable and permanent and one may therefore ask if such groups could also qualify as “a group” within the meaning of the genocide convention? The answer is affirmative. When the ICTR first had to determine whether the Tutsis constituted a “group” in a genocide context, it reached the conclusion that the Tutsis were neither a national nor an ethnical or a racial or religious group. Nevertheless, the Trial Chamber pronounced that since the Tutsis had the same characteristics of being stable and permanent as the four groups mentioned above, it did in fact qualify as a “group” in the context of the genocide in Rwanda. The Appeals Chamber, however, later reversed that decision and held that the Tutsis constituted a “national group”.

*Misperception 3:* Genocide is always associated with an armed conflict. Wrong. The existence of an armed conflict is *not* a requirement for genocide. This crime, thus, can be committed both in peace-time and during war (as can “crimes against humanity”).

*Misperception 4:* Genocide is about killing members of a group who share some common features and who *distinguish themselves* as members of the group. Wrong. The decisive benchmark of the crime is that the group is perceived, understood or otherwise identified as a group – *either* internally by the group-members themselves, *or* externally by others in the surrounding community, *or* both. Accordingly, genocide can be committed against members of a group who do *not* feel themselves particularly bound together by strong sense of belonging to the particular group, *provided* the *perpetrators* regarded the members as being in fact distinct members of the group that they wanted to destroy.

*Misperception 5:* Genocide cannot be committed by a single perpetrator but presupposes a common policy or a plan. Wrong. While the existence of a plan or a policy is frequently an associated factual element of the crime, such a plan or policy is *not a legal requirement*. For all practical purposes, it is rarely physically possible for one single person on his own to destroy a group, even only in part, and in most cases there is indeed a common plan or a policy that motivates or inspires the individual perpetrators to carry out the genocide. However, one cannot exclude the risk that a “*lone génocidaire*” goes ahead to destroy a group, if only in part, in the absence of a plan or policy and succeeds in doing so by way of applying a weapon of mass destruction. At least some of the acts listed in the genocide convention, notably killing members of the group and causing serious mental or bodily harm on them, can be committed by a single or a few individuals (while other of those acts may clearly not), so a common plan or purpose is not a legal element of the crime of genocide.

*Misperception 6:* Genocide is about killing or destroying the group as such. Wrong. Conviction of genocide does *not* require that the *entire* group is being destroyed; indeed, the convention clearly stipulates that the group has to be destroyed *in whole or (only) in part*. Killing all, say, Christians or Muslims in the entire world is obviously not a possible option, but that does not exclude genocide against members of the targetted group within a geographically confined area. At the ICTY, for instance, generals Krstić and Mladić were both



convicted of genocide for having deliberately killed almost all (7.000-8.000) of the male Bosnian Muslims in Srebrenica. The Tribunal held that their *intent* to achieve the physical disappearance of the Bosnian Muslim population at Srebrenica *and* the fact that the killings would significantly *change the ethnic composition of that area for generations to come* provided sufficient evidence of genocide.

Let me then return to the questions raised above: *did we see it coming, and what could we have done?*

The problem here is that one has to be sure about the fact that genocide *is* indeed going to occur before one can take appropriate measure to prevent it – and by that time it is, in most cases, too late. The underlying risk is that if we cry “*Genocide!*” every time we are faced with incidents that may suggest the subsequent occurrence of genocide, chances are that our warning may sometimes turn out to be erroneous. As a foreseeable consequence, such warnings will become counterproductive since nobody will take much notice of them. Moreover, such false warnings based on insufficient insight and evidence may lead to confusion about what the law really is and eventually to public disregard for the law. My first recommendation, thus, is to abstain from crying out prematurely.

The better option is probably for domestic institutions at all levels to patiently and steadily address the underlying reasons for or background of the hatred that fuels the crime of genocide – or the risk thereof – in a particular region. This, however, is a long and arduous task; it requires investment of reconciliatory programs in all stages of education, changing the history books and deleting one-sided propaganda material from the public domain, arranging common cultural and sports events that brings the adverse groups together in manoeuvres where they have to cooperate, etc. It will take forever, but it has to be done.

The international community, too, should engage in regular talks and dialogue between the opposing parties and between the affected states in the region, and leading States could offer their good services to this end. The international community could also invest in industrial and economic development in order to promote wealth in the vulnerable State, which in turn may ease the tensions.

For instance, Egypt, the US, and other States have initiated talks to launch a massive industrial development plan on Egyptian soil just south of the Gaza border in order to promote work, income and progress and thereby reduce the huge unemployment among Palestinians in Gaza. My second recommendation, hence, is to take a long-term view ahead and initiate a multitude of domestic and inter-

national measures or actions in order to reduce tensions – regardless of whether there are actual signs of a prowling genocide.

The traditional approach in international law in attempting to prevent conflict is for the international community to apply strong diplomatic and economic sanctions or even military pressure on the State or region where conflict may break out – and genocide eventually occur. In some cases, such international sanctions have actually helped in the sense that widespread violence was avoided, but in most cases they have at best delayed the violence. However, imposing political or economic sanctions on a country at risk of an outbreak of armed conflict is rarely an efficient means to avoid such conflict, let alone preventing a genocide from occurring. My third recommendation is therefore that political or economic sanctions to compel a State to avert armed conflict and possibly genocide must be considered very carefully and never applied independently of some of the reconciliatory measures mentioned above.

When we consider our options in good time before the possible occurrence of genocide, it is equally important to look also at the period immediately following the end of hostilities, when the armed conflict has been brought to an end and peace has been restored. This is the phase usually labelled “*Transitional Justice*”, *i.e.* a phase where the institutions of Justice have to be reshaped and become functioning again, notably Courts and avenues of mediation and reconciliation. At this point, very likely, the opposing parties will have obvious difficulties in reaching out to the other side. However, it is all the more important that the conditions laid down in the peace agreement are balanced and that the agreement includes reference to reconciliation procedures. It is also crucial that some of the measures and programs mentioned above be initiated as soon as possible, since the prospect of recovery and peace will become ever more feeble the longer time it takes to heal the wounds. This goes in particular for the initiatives of the international community which may come to suffer from “conflict fatigue” after only a few years following the end of the conflict. My fourth and last recommendation, thus, is that the most important time to prepare a safe road *away* from conflict and genocide is the time immediately after the end of an armed conflict.

# The Fate of the Rohingya and the Future of the Responsibility to Protect

Simon Adams

On 9 and 10 December 2018 the United Nations will celebrate the seventieth anniversary of two of its most significant early political achievements – the adoption of the Convention on the Prevention and Punishment of the Crime of Genocide, and the Universal Declaration of Human Rights. But celebrations in New York, Geneva and elsewhere recognizing this historic landmark will occur at a time when the entire post-1945 structure of universal rights and multilateral diplomacy appears to be unraveling.

Since 2011 the international community has been confronted by seemingly intractable civil wars in Syria, South Sudan and Yemen; endemic violence and instability in Democratic Republic of the Congo and Central African Republic; the rise and fall of the so-called Islamic State, Boko Haram and other armed extremist groups; as well as deteriorating and deadly human rights situations in the Philippines, Burundi, and Venezuela. All of this has contributed to a perception that the norms and institutions that are supposed to protect human rights and safeguard humanity are under threat.<sup>1</sup>

The United Nations, in particular, is facing an existential crisis. Historically, no issue has done more to tarnish the reputation of the UN than the failure to halt mass atrocities. Arguably it was not until Rwanda and Srebrenica during the 1990s that the United Nations began to grapple with this failure and the need for the international community to respond to such crises in ways that were both legitimate and legal. Linked to this debate was a recognition that the UN's long-term credibility depends upon its ability to not only provide a global debating chamber, but to offer practical solutions wherever and whenever people face the threat of mass atrocity crimes.<sup>2</sup>

It was precisely this political reality that former UN Secretary-General Kofi Annan was alluding to when he spoke of the need for a reformed twenty-first century UN to confront “problems without passports,” such as poverty, climate change and “the persistence of deadly conflicts in which civilians are primary targets.”<sup>3</sup>

It was also this thinking that led to the development of the principle of the Responsibility to Protect (R2P) as a means of mobilizing “timely and decisive action” by the UN Security Council and the broader international community to prevent or halt mass atrocities wherever they may occur. R2P was then adopted at the 2005 UN World Summit, the largest gathering of heads of state and government in history.

Twelve years later, in late 2017 the Rohingya minority in Myanmar (Burma) faced months of atrocities perpetrated by the security forces without the UN Security Council doing anything to halt the killing. These events exposed the tragic gap between words and deeds that often still exists when it comes to protecting the most vulnerable populations in the world today.

Between 25 August and 31 December 2017, more than half a million Rohingya crossed the border from Myanmar into Bangladesh. The Rohingya were fleeing so-called “clearance operations” carried out by Myanmar’s security forces in Rakhine State, including widespread killings, rape, and the systematic burning of more than 350 villages.<sup>4</sup>

The UN High Commissioner for Human Rights, Zeid Ra’ad al-Hussein, called these attacks “a textbook example of ethnic cleansing” and later described them as potential “acts of genocide” that should be referred to the International Criminal Court for investigation.<sup>5</sup> But while the scale and ferocity of the post-25 August violence was shocking, it was not surprising.

The Rohingya, a distinct Muslim ethnic minority group in a majority Buddhist country, had been persecuted for decades by Burma’s military rulers. For example, the country’s 1982 Citizenship Law did not recognize the estimated 1 million Rohingya as one of the country’s “national races,” rendering most of them stateless.<sup>6</sup>

Despite changing the name of the country and a gradual move away from military rule after 2011, the persecution of the Rohingya intensified. Discriminatory laws restricted their freedom of movement and access to employment and education, with more than 120,000 Rohingya confined to displacement camps in Rakhine State following inter-communal violence in 2012. The so-called Protection of Race and Religion laws, which were passed in 2015, placed harsh restrictions on women and non-Buddhists and further restricted the fundamental religious freedoms of the Rohingya, as well as their reproductive and marital rights. In short, prior to August 2017 the conditions under which the Rohingya minority were forced to live in

northern Myanmar already constituted a uniquely Southeast Asian form of apartheid.

The military's operations began on 25 August as collective punishment for a coordinated attack on police and army barracks by Rohingya militants armed mainly with knives. The attacks resulted in twelve members of the security forces being killed along with more than fifty of the attackers, who were members of the self-styled "Arakan Rohingya Salvation Army." One week later the Commander of Myanmar's military, General Min Aung Hlaing, described the "Bengali problem" (he refused to use the term Rohingya) as an "unfinished job" left over from World War Two that previous governments had failed to complete. Atrocities committed by Myanmar's security forces against the Rohingya population after 25 August clearly constituted crimes against humanity under international law and also appeared to be genocidal in intent.

With the desperate exodus of the Rohingya dominating the international media, attention turned to the UN Security Council. The Council discussed Myanmar under "any other business" on 30 August, 13 September, and 26 September. UN Secretary General Antonio Guterres also briefed the Security Council about the crisis on 28 September, noting that the UN had received "bone chilling accounts" regarding "excessive violence and serious violations of human rights".<sup>7</sup>

Indeed, given the multiple sources of information and intelligence made available to them, there is no doubt that the entire Council was fully aware of the scale and intensity of the atrocities underway in Rakhine State.

Their response was tepid at best. It took ten weeks for the UN Security Council just to issue a Presidential statement on the crisis. Released on 6 November, the statement emphasized that the "Security Council stresses the primary responsibility of the Government of Myanmar to protect its population including through respect for the rule of law and the respect, promotion and protection of human rights."<sup>8</sup>

Part of the reason for the delay was that China remains a powerful ally of the generals who still dominate Myanmar. China is also Myanmar's largest supplier of arms. But facing global outrage, China avoided having to veto a binding Security Council resolution by reluctantly agreeing to a unanimous Presidential statement instead. Words, but no action.

Despite the Security Council's inertia, the flow of Rohingya refugees ebbed. This was not because atrocities were halted, but because an estimated 80% of

the Rohingya population had fled by the end of the year, with the total number of Rohingya refugees in Bangladesh reaching around 870,000 people.<sup>9</sup>

No one knew how many more were dead or displaced inside Myanmar, but according to research by Médecins Sans Frontières, at least 6,700 Rohingya were killed in Rakhine State between 25 August and 24 September alone.

Another report by ASEAN Parliamentarians for Human Rights, based upon findings by the Bangladesh government, calculated the approximate death toll in northern Rakhine to be 43,000 Rohingya adults.<sup>10</sup> Unfinished business, indeed.

Undeterred by years of warnings about the threat of mass atrocities in Rakhine State, a number of governments had taken refuge in the idea that quiet diplomacy – including acquiescing to Myanmar’s insistence on not publicly mentioning the Rohingya – would create space for gentle reform. Instead it had the reverse affect, encouraging those generals who desired a “final solution” in Rakhine State and wanted to test the limits of Nobel Peace Prize winner Aung San Suu Kyi’s moral authority.

However, democracy in Myanmar cannot be built on the bones of the Rohingya. Or as an extremely critical report from the UK parliament’s own International Development Committee put it:

“In fact, continuing engagement with Burma seems to have been interpreted as tacit acceptance of the treatment of the Rohingya, reinforcing the problem. There appears to have been over-optimism about the speed and breadth of democratic reform in Burma. The Rohingya have paid a heavy price for the lack of consensus amongst the international community on how and when to decide to act effectively to prevent or end emerging crises”.<sup>11</sup>

It was due to the brave testimony of Rohingya survivors, as well as the efforts of journalists, humanitarian workers and civil society activists, that there was broad awareness and international outrage regarding the plight of the Rohingya. In response, during October the United States suspended its training programs with Myanmar’s military, and then in December they placed sanctions on Maung Maung Soe, the General responsible for operations in Rakhine State.

Canada also imposed targeted sanctions, France and the United Kingdom suspended bilateral training programs with Myanmar’s military, and the European Union said it would maintain a pre-existing arms embargo. But these measures were not coordinated globally, nor were they mandated by the UN Security Council and therefore binding under international law.

### **Lowest Common Denominator Diplomacy**

Despite the UN Security Council's failure to act, R2P helped frame the way an array of civil society organizations and governments – including Myanmar – viewed and spoke about the crisis. At the start of September, for example, the government of Nigeria issued an official statement condemning atrocities committed against the Rohingya and calling upon “the United Nations to invoke the principle of the ‘Responsibility to Protect’ and intervene in Myanmar to stop the ongoing ethnic cleansing and create conditions for the safe return” of displaced Rohingya.<sup>12</sup>

Similarly, Australia's Foreign Minister, speaking at the UN during September, argued that the “Government of Myanmar has a responsibility to protect all citizens in its territory, and where human rights violations have taken place, those responsible must be held to account.” Even Malaysia, an ASEAN member state which has been critical of R2P, issued a formal statement expressing “grave concerns” over atrocities against the Rohingya, “which have unleashed a full-scale humanitarian crisis that the world simply cannot ignore but must be compelled to act upon.”<sup>13</sup>

These sentiments were echoed in a joint appeal from eighty-one human rights, faith-based and humanitarian organizations to the UN Security Council. The appeal argued that the “Myanmar government has the primary responsibility to protect its diverse population without discrimination and regardless of ethnicity, religion or citizenship status.” It also called for “prompt, concerted and effective international action,” including an arms embargo and targeted sanctions against “senior officers responsible for crimes against humanity or other serious human rights abuses.” The signatories included a diverse array of organizations, including Amnesty International, Burma Human Rights Network, Darfur Women's Action Group, Fortify Rights, Human Rights Watch, International Federation for Human Rights, Physicians for Human Rights, Refugees International, Save the Children and the Syrian Network for Human Rights.<sup>14</sup>

Responding to widespread criticism, on 28 September 2017 Myanmar's National Security Advisor, U Thaung Tan, spoke at the UN Security Council, stressing that the concern of the international community had been provoked by “subjective and emotionally charged” accounts in the global media. However, according to the National Security Advisor, those with prior “exposure to the propaganda tactics of terrorists” would be able to see through unreasonable assertions and determine that “there is no ethnic cleansing and no genocide in Myanmar.” In his statement, U Thaung Tan managed to completely avoid using the word “Rohingya” at all, referring only to the unexplained exodus of “Muslim villagers” and trying to refocus the discussion on the need to fight terrorism.<sup>15</sup>

One month later the same National Security Advisor participated in a nationally televised discussion in Myanmar, commenting that the concept of the Responsibility to Protect was “very dangerous for our country.” Among other things, U Thaung Tan noted that Myanmar had been listed as “a red color country,” meaning a country where atrocities were already occurring and that urgent action was needed by the international community.<sup>16</sup>

While arguing that China and Russia would defend Myanmar’s interests at the UN Security Council and noting that “international pressure did not hurt our sovereignty” in the past, U Thaung Tan worried that because of the R2P principle, “it could this time.”<sup>17</sup>

U Thaung Tan’s hopes, rather than his fears, were realized as Chinese diplomats continued to insist in various private UN Security Council negotiations that they would not countenance a binding resolution on the crisis in Myanmar. A unanimous Presidential statement censuring the government was one thing, but any attempt by the Council to impose sanctions or an arms embargo remained anathema. In their intransigent diplomatic defense of Myanmar these Chinese diplomats exposed the enduring problem of a UN Security Council that is immobilized and unable to function when a permanent member threatens to use its veto power to protect the interests of a state that is committing atrocities. Syria, Yemen and Myanmar are all contemporary cases in point, despite the best efforts of civil society organizations and the commitment of 116 states who have signed the “Code of Conduct regarding Security Council action against genocide, crimes against humanity and war crimes.”<sup>18</sup>

As Australia’s former Foreign Minister, Gareth Evans, once put it, the whole point of R2P was “to create a new norm of international behavior which states would feel ashamed to violate, compelled to observe, or at least embarrassed to ignore.”<sup>19</sup>

Fundamentally, the Myanmar situation was not just a failure of the UN Security Council to uphold their responsibility to protect, it was a failure to challenge the calculus of lowest common denominator diplomacy and to defend the basic norms and principles of human rights and humanitarianism.

All too often it appears that the international community still prefers solemn hand wringing in the aftermath of mass atrocities to being accused of acting prematurely to avert them. There has also been a tendency by some states to, in the words of the former UN Special Advisor on the Responsibility to Protect, Edward Luck, overemphasize R2P’s “preventive side and underemphasize its responsive side.”



As a result, “artificial lines have been drawn between prevention and response and between pillars one and three of the secretary-general’s implementation strategy.”<sup>20</sup>

The net effect has been to radically increase political rhetoric around the need for the international community to improve its preventive capacity, combined with an unwillingness to actually invest in improving or utilizing that capacity.

The price of failure has been exorbitant. Research indicates that countries lose “an average 8.5 percentage points in economic growth in the first year of civil war and 4.5 percent in subsequent years,” throwing people into unemployment, hunger and dependence upon emergency aid.<sup>21</sup>

Syria’s GDP, for example, decreased by up to 80 percent between 2010 and 2016 as a result of the civil war – dramatically increasing poverty as mass atrocities displaced civilians, destroyed cities and killed hundreds of thousands of people.<sup>22</sup>

Overall, the international community spent \$8.2 billion on peacekeeping and \$22.1 billion on humanitarian operations while responding to violent conflicts during 2016. Meanwhile, research by the World Bank and UN suggests that preventing the outbreak of violent conflict could actually save “over \$34 billion in damages” at the national level and save the international community “at least 1.2 billion per year.”<sup>23</sup>

Despite this reality, actual investment in prevention still amounts to a miserly fraction of the amount spent on military aid or emergency relief efforts. An analysis by Mercy Corps of 2014 OECD statistics found that donor governments spent only approximately 1 percent of their official development assistance funding on conflict prevention, conflict resolution and peacebuilding. Even in the most fragile states, the percentage spent on prevention or conflict mitigation programs only rose to four percent.<sup>24</sup>

The failure to systematically invest in proximate efforts to prevent mass atrocities is definitely not the result of a paucity of information. Most conflicts where mass atrocities occur are slow-burn situations that develop over years, rather than days or months. These conflicts are often the result of deep structural problems rooted in protracted disputes over the use and abuse of power, such as Myanmar, where the international community failed to adequately respond to years of early warning regarding the plight of the Rohingya.

Over the last decade, we have seen more than fifty states (one quarter of the UN membership) appoint high-level R2P Focal Points in their governments, and more than sixty-eight UN Security Council resolutions have been adopted that refe-

rence R2P. From the Human Rights Council's Universal Periodic Review process to the Peacebuilding Commission, the infrastructure for both structural prevention and early warning is in place. It just isn't being properly supported and effectively utilized where and when it is most desperately needed.

Twenty years from now it is unlikely that the history books will commend the contemporary concern of some members of the UN Security Council that the divided body always speak "with one voice," therefore deliberately avoiding some political discussions regarding how to protect vulnerable populations from atrocities in order to achieve false unanimity and elude controversy. History will, however, definitely record that while 688,000 Rohingya were being systematically displaced from Myanmar over a four-month period at the end of 2017 – with hundreds of villages burnt down and thousands of civilians killed – the Security Council failed to pass a single resolution to hold the perpetrators of these atrocities accountable.

If we want to avoid endlessly repeating the failures of the past, human rights norms, and humanitarian principles cannot continue to be selectively applied or diluted and discarded. Now is the time for diplomats, activists, and our political leaders to uphold our collective responsibility to protect by consistently preventing, halting and punishing mass atrocities. Because if not now, when?

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#### Notes

<sup>1</sup> This article draws, in part, on ideas initially developed in S. Adams, "Notes for the Next UN Secretary General," *Global Responsibility to Protect*, Vol.8, No.4, 2016, pp.331-342; S. Adams, "The Responsibility to Protect at 10," *E-International Relations*, 29 March 2015, <http://www.e-ir.info/2015/03/29/r2p-at-10/>

<sup>2</sup> S. Adams, "Notes for the Next UN Secretary General," *Global Responsibility to Protect*, Vol.8, No.4, 2016, pp.331-342.

<sup>3</sup> K. Annan, "Problems without Passports," *Foreign Policy*, 9 November 2009, <http://foreignpolicy.com/2009/11/09/problems-without-passports/>

<sup>4</sup> Human Rights Watch, "Burma: 40 Rohingya Villages Burned Since October," 17 December 2017, <https://www.hrw.org/news/2017/12/17/burma-40-rohingya-villages-burned-october>

<sup>5</sup> S. Nebehay, T. Miles, "U.N. rights boss wants allegations of crimes against Rohingya referred to ICC," *Reuters*, 9 March 2018, <https://www.reuters.com/article/us-myanmar-rohingya-un/u-n-rights-boss-wants-allegations-of-crimes-against-rohingya-referred-to-icc-idUSKCN1GL12B>

<sup>6</sup> Burma's military rulers officially changed the name of the country to Myanmar in 1989. The country currently has a population of around 53 million people. For more background on the Rohingya, see *Global Centre for the Responsibility to Protect, The Persecution of the Rohingya in Burma/Myanmar and the Responsibility to Protect*, March 2015, <http://www.globalr2p.org/publications/357>

<sup>7</sup> "Secretary-General's remarks at open debate of the Security Council on Myanmar," 28 September 2017, <https://www.un.org/sg/en/content/sg/statement/2017-09-28/secretary-generals-remarks-open-debate-security-council-myanmar>

<sup>8</sup> "Security Council Presidential Statement Calls on Myanmar to End Excessive Military Force, Intercommunal Violence in Rakhine State," 6 November 2017. <http://www.un.org/press/en/2017/sc13055.doc.htm>

<sup>9</sup> This included 688,000 refugees displaced by the post 25 August violence, and more than 100,000 displaced by earlier waves of atrocities.

<sup>10</sup> The 43,000 figure was based upon interviews with Rohingya children at refugee camps in Bangladesh. At least 36,000 child refugees reported having lost one parent, and 7,700 reported having lost both parents. It was noted, however,

- that some unaccompanied refugee children may have simply been separated and lost contact with their families while fleeing Myanmar. See the full report at ASEAN Parliamentarians for Human Rights, “The Rohingya Crisis: Past, Present and Future – Summary Report of Findings from Fact-Finding Mission to Bangladesh,” 2018, available at: [https://aseanmp.org/wp-content/uploads/2018/03/APHR\\_Bangladesh-Fact-Finding-Mission-Report\\_Mar-2018.pdf](https://aseanmp.org/wp-content/uploads/2018/03/APHR_Bangladesh-Fact-Finding-Mission-Report_Mar-2018.pdf)
- <sup>11</sup> UK House of Commons International Development Committee, “Bangladesh and Burma: the Rohingya Crisis,” 15 January 2018, p.3. <https://publications.parliament.uk/pa/cm201719/cmselect/cmintdev/504/504.pdf>
- <sup>12</sup> Statement: Nigeria Condemns Human Rights Abuse in Myanmar, 12 September 2017, <https://prnigeria.com/general/fg-condemns-human-right-abuse-myanmar/>
- <sup>13</sup> The Hon. Julie Bishop MP, Minister of Foreign Affairs of Australia, Speech at Meeting on the Situation in Rakhine State, New York, 18 September 2017. [https://foreignminister.gov.au/speeches/Pages/2017/jb\\_sp\\_170918.aspx?w=tb1CaGpkPX%2FIS0K%2Bg9ZKEg%3D%3D](https://foreignminister.gov.au/speeches/Pages/2017/jb_sp_170918.aspx?w=tb1CaGpkPX%2FIS0K%2Bg9ZKEg%3D%3D); Statement by the Minister of Foreign Affairs, Dato’ Sri Anifah Aman in Response to the ASEAN Chairman’s Statement on the Humanitarian Situation in Rakhine State, 24 September 2017. Australia’s criticism did not, however, cause them to end training programs with Myanmar’s military. See E. Thomas, “Australia to train Myanmar military despite ethnic cleansing accusations,” *The Guardian*, 5 March 2018,
- <sup>14</sup> Joint Appeal to the UN Security Council to Act on Myanmar’s Rohingya Crisis, 12 December, <http://www.globalr2p.org/publications/620>
- <sup>15</sup> Statement by H.E. U Thaung Tun, National Security Advisor to the Union Government of Myanmar at the meeting on the situation in Myanmar in the United Nations Security Council, 28 September 2017, <http://www.myanmarmissionnewyork.org/images/pdf/2017/Statements/NSA%20statement%20latest%2028%20sept.pdf>
- <sup>16</sup> U Thaung Tan attributed the “red color” coding system to the UN but he was almost certainly referring to the R2P Monitor, a publication of the Global Centre for the Responsibility to Protect. See, [http://www.globalr2p.org/media/files/r2p\\_monitor\\_jan2018\\_final.pdf](http://www.globalr2p.org/media/files/r2p_monitor_jan2018_final.pdf)
- <sup>17</sup> See, L. Went, “Govt Frets UN Will Invoke Genocide Doctrine to Intervene in Rakhine,” *Irrawaddy*, 27 November 2017, <https://www.irrawaddy.com/news/burma/govt-frets-un-will-invoke-genocide-doctrine-intervene-rakhine.html> Four months later, R2P was (literally) back in the headlines with one daily newspaper in Myanmar reporting that the National Security Advisor was now saying “don’t worry too much about R2P since there is no genocide.” From headline on front page of “7 Day Daily” newspaper, 12 March 2018.
- <sup>18</sup> For more information on the Code of Conduct, see [http://www.globalr2p.org/our\\_work/un\\_security\\_council\\_code\\_of\\_conduct](http://www.globalr2p.org/our_work/un_security_council_code_of_conduct)
- <sup>19</sup> See, S. Adams, “The Responsibility to Protect at 10,” *E-International Relations*, 29 March 2015, <http://www.e-ir.info/2015/03/29/r2p-at-10/>
- <sup>20</sup> E. Luck, *The Responsibility to Protect at Ten: The Challenges Ahead*, Policy Analysis Brief, Stanley Foundation, May 2015, p.3. <https://www.stanleyfoundation.org/publications/pab/LuckPAB515.pdf>
- <sup>21</sup> UN and World Bank Group, *Pathways to Peace: Inclusive Approaches to Preventing Violent Conflict: Main Messages and Emerging Policy Directions*, Washington DC, 2017, pp.8-9.
- <sup>22</sup> UN and World Bank Group, *Pathways to Peace: Inclusive Approaches to Preventing Violent Conflict: Main Messages and Emerging Policy Directions*, Washington DC, 2017, pp.8-9; A. Lund, “As Syria looks to rebuild, US and allies hope money can win where guns lost,” *IRIN*, 22 May 2018, <https://www.irinnews.org/analysis/2018/05/22/syria-looks-rebuild-us-and-allies-hope-money-can-win-where-guns-lost>
- <sup>23</sup> UN and World Bank Group, *Pathways to Peace: Inclusive Approaches to Preventing Violent Conflict: Main Messages and Emerging Policy Directions*, Washington DC, 2017, pp.1-2. See also, report by Mercy Corps, *An Ounce of Prevention: Why increasing investment in conflict prevention is worth more than a ‘pound of cure’ in addressing the displacement crisis*, September 2016, pp. 3, 6-7. [https://www.mercycorps.org/sites/default/files/MC\\_AN%20OUNCE%20OF%20PREVENTION%20FINAL.pdf](https://www.mercycorps.org/sites/default/files/MC_AN%20OUNCE%20OF%20PREVENTION%20FINAL.pdf)
- <sup>24</sup> Mercy Corps, *An Ounce of Prevention: Why increasing investment in conflict prevention is worth more than a ‘pound of cure’ in addressing the displacement crisis*, September 2016, pp.4, 10-11, 22. [https://www.mercycorps.org/sites/default/files/MC\\_AN%20OUNCE%20OF%20PREVENTION%20FINAL.pdf](https://www.mercycorps.org/sites/default/files/MC_AN%20OUNCE%20OF%20PREVENTION%20FINAL.pdf)

### Suggested further reading:

F. Wade, *Myanmar’s Enemy Within: Buddhist Violence and the Making of a Muslim ‘Other’*, Zed Books, London, 2017.

E. Luck, *The Responsibility to Protect at Ten: The Challenges Ahead*, Policy Analysis Brief, Stanley Foundation, May 2015, p.3. <https://www.stanleyfoundation.org/publications/pab/LuckPAB515.pdf>

Global Centre for the Responsibility to Protect, *The Persecution of the Rohingya in Burma/Myanmar and the Responsibility to Protect*, March 2015, <http://www.globalr2p.org/publications/357>

Gareth Evans, *The Responsibility to Protect: where to now?*: Address to 2018 Amnesty International/ANU College of Law Speaker Series, Australian National University, Canberra, 23 May 2018 <http://www.gevans.org/speeches/Speech654.html>

# A Future for the Rule of Law and the Division of Power?

Morten Kjærum

Human rights, international courts and institutions, and the expansion and securing of the rule of law, are some of the grand global achievements born out of the horrors of World War II. All these mechanisms and international rules were established to balance and limit power.

History has taught us that even when political leaders are democratically elected, there is no guarantee against the abuse of power. Human rights, therefore, provide a framework for how power is to be administered. The limitation of power is often difficult to accept among populists who claim to speak on behalf of “the people”—who, to their self-perception, are the majority. The populist leader knows “the people’s” will, and it must not be constrained by international rules and institutions. Neither are such limitations always liked by religious and secular ideologues, who believe that their understanding of the good society constitutes the ultimate truth.

Populists, as well as secular and religious ideologues, have significant influence today and counteract the realizations from World War II. According to Freedom House in their annual Freedom in the World Index, 2017 was the twelfth consecutive year of global decline in fundamental freedoms. Therefore, something was set in motion with the dawn of the 21st century despite the widespread optimism that prevailed in the 1990s in the name of democracy and human rights after the fall of totalitarian regimes in all parts of the world.

It may be good to recall, at this point, that our ancestors, when they stood on the threshold of the 20th century, had a similarly optimistic view of the future. They stood on achievements created by the Enlightenment’s new vision of humanity, one in which the protection of the dignity of the individual came to the forefront, along with the development of democratic governance, and technological innovations. It was thus surprising, in this light, that it became the bloodiest century on record, characterized by names such as Hitler, Stalin, Pol Pot, and Saddam Hussein.

So what went wrong, and what can we learn from history? In his book *Black Earth*, Professor Timothy Snyder analyzes patterns of the Holocaust and diffe-

rences in prosecution among individual countries to identify what, respectively, promotes and weakens actions as extreme as those witnessed during World War II. The extermination of the Jews was most pronounced in countries such as Poland and the Baltic countries where rule of law structures—legislation and institutions—had disintegrated prior to the German invasion. There was, therefore, neither a functional police force nor judiciary to act as bulwarks against the serious assaults that were, frequently, carried out by local citizens. In contrast to those countries, most institutions in Denmark remained intact despite occupation, and the vast majority of Jews in Denmark survived. This came about, according to Timothy Snyder, despite the fact that there was, perhaps, greater anti-semitism in Denmark than in the Baltic countries in the 1930s. In France, a greater number of Jews with French citizenship survived than those who were stateless. The backing of the state thus offered a certain protection. Raoul Wallenberg, who helped the Jews in Hungary, is also mentioned because he had support from the Swedish state with its institutions.

Timothy Snyder concludes that, “effective prevention of mass killings is incremental and its heroes are invisible.” Laws, institutions, officials, and judges constitute the strongest defense against any form of human rights violations. The Holocaust is not unique in this context; minorities of any category are always protected by a strong legal framework and institutions that enforce the rules.

The recognition that Timothy Snyder analyzes constitutes the essence of human rights. It is the collectively accumulated experience of humankind. Throughout history, humanity has, at high cost, acquired this experience due to serious assaults against the individual person. Religious freedom was written into the United States Constitution in 1791 and the Danish Constitution in 1848, in light of causes including the many religious wars in Europe. The protection of other minorities—especially national minorities—later found a place in many European constitutions. Freedom of expression, freedom of assembly, and freedom of association are key concepts that came out of the French Revolution, revealing the importance of the notion that power can always be spoken against, and is able to withstand opposition through peaceful manifestos and unionization. Miserable housing and health conditions in growing cities and the consequent high mortality rate created an understanding of the importance of social and economic rights.

And so one can go from right to right. It was all these elements that President Roosevelt, in 1941 during the middle of World War II, drew together in his speech about the new moral world order. In the speech he outlined the “four freedoms” on which the new order should be built: “Freedom of speech, freedom of worship,

freedom from want, and freedom from fear.” His speech became the cornerstone of the UN’s Universal Declaration of Human Rights from 1948, which again formed the basis of the binding conventions of the UN and the Council of Europe.

It is recognized that human rights build trust on three levels: between people, between people and states, and between states. Generally, the more trust there is in a society, the more safe and secure it is for everyone, which, ultimately, can also be seen in the economy. It is no coincidence that the Nordic countries always score highly in confidence surveys and, at the same time, are some of the richest countries in the world. Confidence between people is created, *inter alia*, via conventions and legislation. Conversely, fear and insecurity are created if society’s rules of play are unclear and law enforcement authorities are weak. Thus, the bulwark against, among other things, discriminatory exclusion from being able to participate equally in society because of ethnicity, gender, sexual orientation, religion, etc., is weakened.

Confidence between people is created through well-functioning institutions, including, in particular, independent courts. When citizens in one way or another come into conflict, we trust that society provides an impartial judge to resolve the controversy. In countries with a high degree of corruption or politically dependent judges, confidence is weak, and uncertainty/fear is latent.

The courts also play a central role in the trust between the state and the citizenry. Corrupt or partial judges create distrust in cases involving the state. This applies in particular and most intrusively in relation to the individual in criminal cases. Therefore, it is a central right that one can receive a fair trial. The trust between state and citizen goes much further, because it plays out every day when citizens act in relation to legislation. The citizen expects the authorities to act in a particular way and based on the values contained in the human rights conventions regarding dignity and respect. It is, therefore, important to have independent institutions such as the Ombudsman, national human rights institutions, and the like, and that the authorities listen to them. This creates security and confidence among the citizens. Human rights and associated institutions thus become part of the foundation of the contract between the democratic state and the citizen.

The linking of democracy and human rights supports that decisions taken in the democratic forum contribute to ensuring the right to a future for all. Democratic decision-making processes are aimed at addressing relationships in the present day with a mind toward creating change in the future. The decision-making process is open in order to ensure different visions of how the future scenario ap-

pears. Human rights contribute to the democratic resolution, both by ensuring the process of protecting freedom of expression, assembly, and association, and concretely by the prohibition of discrimination, torture, slavery, and the protection of privacy, etc.

When citizens trust each other and the state because fundamental rights are respected, the result will be stable and prosperous societies. Besides the obvious advantage, it also has a spillover effect on neighboring countries and the region. It was clearly marked, in the 1998 Irish peace accord, that protection of human rights gained a prominent position in order to establish, among other outcomes, trust between the Republic of Ireland and England/Northern Ireland. Recognition of human rights' confidence-building function was also clearly reflected in the so-called Copenhagen Criteria. Since 1993, these criteria have been instrumental in what states must live up to in order to become members of the EU. These criteria provide a framework for the candidate countries to comply with regarding fundamental principles of the rule of law, the protection of human rights, and, in particular, the protection of minorities. The process prior to granting of full membership has worked relatively well, but the follow-up has been inadequate. This is clearly visible in relation to countries such as Hungary and Poland.

Hungary and Poland are forerunners in Europe for the authoritarian, illiberal and/or populist development that has taken place over the past 5-10 years on every continent. In both countries the courts, and especially constitutional courts, became the first target. When Fidez came to power in 2010, the Constitution was altered in a way that forced 10% of the members of the Constitutional Court to retire, thereby getting rid of some of the judges who had abided by fundamental constitutional principles. Next, the number of judges was expanded, so the government could install judges known for their sympathies with the government. The entire process was carried out by a new agency, the National Judicial Office, where key positions were occupied by people close to Fidez. This agency can also decide where cases will be tried and by which judges, which seriously weakens legal security. In Poland, since 2015, similar attempts have been made to gain control of the Constitutional Tribunal. In addition to this formal interference, there are also many reports of serious pressure put on the judges in their daily work. The judges who try to maintain their independence are routinely investigated for tax evasion or other irregularities, which rarely lead to anything other than their credibility being damaged in the public eye.



The various independent institutions which keep a watchful eye on public administration, are also systematically weakened. This applies to ombudsman institutions, oversight of banks, the media, etc. So it is not only the judicial power that is weakened, but also the independence of the second of the three powers, namely, the executive. As for the fourth power, the media, similar developments are taking place. In Poland, according to the new law from January 2016, the Finance Minister has the full right to appoint and dismiss the heads of public media. This has created legitimate fear among journalists that it will lead to the removal of critical journalists working for the public media. The government becomes *de facto* responsible for the editorial office.

Finally, it should also be mentioned that in both Poland and Hungary, minorities are in focus and intense hate speech is a regular part of today's language, even from leading politicians and shapers of opinion. For a long time, widespread anti-semitism has prevailed in Hungary, from the beginning of the new millennium there was increased focus on the Roma, and, from 2014, there has been extreme anti-Muslim and anti-immigration rhetoric that reached its preliminary climax under parliamentary elections in 2018. During the election campaign there was also an undertone of anti-semitism in Orbán's sharp rhetoric.

If you add things up, the result is clear that one of the three state powers is in the process of gathering a great deal of influence into its hands, namely, the legislative power. And that which would balance this power has been weakened. Prime Minister Orbán in Hungary has called his regime an illiberal democracy. Although there are certain democratic institutions, such as, for example, the vote, it is misleading to use the word democracy in this context, because the institutions are emptied of their democratic substance. In the literature, names such as hybrid regime and grey-authoritarian crop up as new concepts. These new concepts are important so that we are not tricked into believing that we are talking about democratic regimes. I have focused on Hungary and Poland because these countries have been at the forefront in recent years, but, in other countries, more of the same trends can be seen, although still not to the same widespread degree.

As history teaches, it is precisely in these cases that regional and international organizations must show their worth and ensure that fundamental principles of law are upheld and that minorities receive the protection to which all people are entitled. The central European institutions are the EU and the Council of Europe, with the UN and OSCE as active players. It is beyond the scope of this article to

conduct a detailed review of the status of the institutions, so I will be content with some solitary key examples that point to some general trends.

The paradox in relation to the EU is that cooperation was created as a peace and democracy project, in which interaction between countries should be an important engine to social development. The general opinion was that development could only move towards more openness, more democracy, and better protection of human rights. The EU institutions were therefore not prepared to relate actively to developments in recent years, as it was not foreseen that countries could go backwards. Gradually since 2010, EU member states have resolved this naive assumption and the EU Commission has been given the support to initiate investigations under the rule of law mechanism established in 2014. For example, the EU Commission has opened a dialog with Poland on media freedom. Similarly, the EU Commission has brought several cases before the European Court of Justice on these issues, but the legal basis is still relatively weak. Finally, the Council of Ministers holds annual meetings on the development of the rule of law, but the issues are only discussed in general and no countries are exposed to direct criticism. The EU thus has a weak position in relation to these core issues for the member states.

The Council of Europe has significantly broader and more direct competence to address many of the issues on the agenda, but the Council of Europe does not have the same opportunities as the EU to put power behind its decisions. The Venice Commission of the Council of Europe and the Human Rights Court have both played an important role in this context. The Venice Commission has contributed, in particular, to important analyses and criticisms of constitutional changes that pull in an undemocratic direction. It is an important body, alongside the European Court of Human Rights, which cannot raise general criticism of constitutional changes unless it is bound to specific cases. The Court must otherwise be said to be the flagship in this context because it is here that the citizens of Europe can complain about the violations to which undemocratic actions in the states can potentially lead. It is a unique institution that provides significant security to broad groups beyond Europe, especially among human rights defenders and minorities.

Therefore, it is immediately puzzling that a country like Denmark, during its 2017/18 presidency of the Council of Europe, chose to put the Court at the top of the agenda, with the clear purpose of weakening the independence of the Court. The project did not fully succeed, as a majority of countries wanted to maintain the central role of the Court in Europe. The process, however, led to a weakening of the Court in relation to matters concerning key issues such as the right to privacy, freedom of expression, and freedom of assembly. In this context, it is, howe-

ver, the background for the Danish initiative which is interesting. The Danish government's supporting party from the far right is in line with many of its sister parties beyond Europe in its strong skepticism towards international organizations and its hostility toward human rights. This party managed to get the government to direct an attack against the Court, and the campaign was wrapped up in inaccurate claims that the court is too activist in its judgements against foreigners. As in Hungary, it was foreigners and minorities that were pushed out in front when one wishes to weaken a mainstay in the rule of law. Not surprisingly, Hungary and Russia were the warmest supporters of the Danish proposal.

It is thus a mixed picture when we look at European institutions' opportunities to raise issues of law. The EU has a weak point of departure for being able to act with more power; conversely, with the Council of Europe, whose starting mandate was to safeguard human rights and the rule of law, it is now, in various ways, attempted to curtail its strength.

The Council of Europe's counterpart, the – Inter-American Commission and Court – has, in recent years, been exposed to violent cuts and decisive boycotts from, among other actors, the American side. This is thus not only a European but a global development.

And at the global level in the UN, human rights are likewise under pressure. The UN Secretary-General has had to abandon a special unit in the secretariat which was intended to ensure that a human rights perspective was included under relevant items on various agendas of the Security Council and the General Assembly. In recent years, the UN High Commissioner for Human Rights has made it even harder to come before the Security Council or other relevant assemblies, which has contributed to the failure of former High Commissioner Prince Zaid to extend his mandate. It is not only the High Commissioner who finds it difficult to have a say, this is especially true in the case of NGOs, which are increasingly excluded from relevant meetings and hearings of which they had previously been a natural part.

The pressure on human rights is obviously also traced to the UN Human Rights Council, where polarization has become more significant in recent years. The religious, authoritarian, and populist forces come together around common agendas which aim to weaken the protection of the individual. It can take many forms, but a favored approach is to emphasize that family, culture, and tradition come before individual rights. With that agenda, children's rights, women's rights, rights for sexual and cultural minorities, etc. quickly become pushed into the background. Should the protection of the dignity of the individual be retained, much harder

work must be done among the states that continue to be rooted in fundamental rule of law principles and human rights.

A gloomy picture emerges, not only in Europe but also in the wider world. Some may have marveled that I focus on Europe when there are so many other places in the world where it is even worse. This is due to the painfulness of seeing conditions being rolled back, as is the case in Europe and the United States at this time. In addition, it has been precisely Europe and the United States which have traditionally supported the regional and international organizations and institutions that have made a major contribution to protecting and developing human rights and building trust.

Finally, this bleak outlook needs to be nuanced with some positive trends that give rise to a belief that the tide can turn.

Firstly, the UN's 2030 Development Goals (SDGs), adopted by all world countries in 2017, has proven itself to be a unifying force within a very short time, which helps to communicate human rights globally in a new and engaging fashion.

Secondly, human rights over the past 25 years have been mainstreamed into legislation and practice to an unprecedented extent.

Lastly, it must be noted that every day millions of people around the world are making extraordinary efforts to protect other people's rights. So, although it may be hard to recall the optimism of the 1990s, there is still a good starting point for further work, but attention must be paid to the protection of the institutions.

# The Deceptive Graduality of Discrimination

Wichert ten Have

In the city of Amsterdam in the Germanoccupied Netherlands, in the spring of 1942, an auxiliary policeman on the way work on his bike decided to take a short-cut through the park. Enjoying the good weather, he spotted Prins, who had the same idea. But there were differences between the two men. Abraham Prins wore a yellow star on his coat and the auxiliary police consisted as a rule of Dutch national-socialists. Since a couple of months there was a sign at the entrance of the park that the place was forbidden for Jews. Prins had taken the risk of ignoring the sign, probably thinking this was a small offence. But he was arrested by the policeman, who despite that he was not on duty, took him to the next policeoffice. Prins was then taken to the German Kriminal Polizei. A few weeks later, Abraham Prins was deported to the east and killed, weeks before the officially organized deportations from the Netherlands to Auschwitz began.

One bitter story out of many thousands. A bizarre coincidence. A fanatical Nazi policeman. Instead of a couple of weeks in a police-prison, Prins was added by the Kripo to a penal transport. There was no law that implied a death camp for a small offence, but there was a ordinance about places where Jews should not enter. And the policeman after the war declared that he had not intended to send Prins to a camp in the east. He just had to arrest him. In his view it was Prins' own fault: he should have observed the rules.

This year is the unhappy anniversary of the Italian Racist Laws in November 1938, inspired by the Nuremberg Laws of 1935. What I want to discuss on these few pages is that in Germany, as in the countries occupied by national-socialist Germany, laws were not the precondition nor the beginning of racism in practice. They are the horrible summary of a racial practice in thought (antisemitism in this case), in behaviour (discrimination and racial violence) and ordinances and regulations of different kind. I want to make clear my thesis that the anti-Jewish policy was more often than not a process of step-by-step practices in society and measures by government or administration.

Of course this is not a new conclusion. It has been recognised in research before "i however, in those cases," discussion was rather about the consequences for the concept of the Holocaust. What is relevant here is that this gradual development

made it difficult for those who lived through it to have a overall picture and to make decisions accordingly. And this, of course, is of the highest relevance if we want to interpret what did happen then, and what is happening in our days.

At first I will discuss some aspects of racist policies in context, just a few examples of how racist discrimination came into being, and developed in the years of national-socialist and fascist domination. Secondly, I will outline the gradual character of this policy icy of discrimination and segregation, and after this I present some conclusions and a few remarks about the relevance for our own times.

The idea that there was no place for Jews in the Third Reich belongs to the core of national-socialist thinking. The prominence of this driving force did not mean that the Third Reich knew one general policy for all German territories and occupied countries. On the other hand, in each country or territory this policy was formed under influence of the specific situation. In the occupied countries of western Europe, the German regimes developed their anti-Jewish policy independently. They formed this policy in a way they thought appropriate for their “own” territory. The fact that they “worked towards” comparable aims and methods illustrates that they all were aware of the general direction of anti-Jewish policy in the countries dominated by Nazi-Germany.

This specific policy-making included the non-occupied zone of France, where the French authorities in Vichy, without real German pressure, issued the ‘*Statut des Juifs*’ ( a regulation for Jews). This meant among other things that Jews were excluded from certain parts of public life. But a serious difference was made between French and foreign Jews. Jews were registrated, as were their properties and economic activities. The law in this case accompanied or prepared the discrimination and persecution. All Jews were discriminated against, but foreign Jews were interned in concentration camps. In July 1942 the foreign Jews were handed over to the Germans and deported, but the Vichy authorities refused to extradite the French Jews for deportation.

In the occupied zone of France, the French authorities carried out another policy. On the 16th of July, on German orders, the French police rounded up Jews, foreign and French, interned them, and deported them. In Belgium, anti-Jewish regulations were issued, but not all of them had their full consequences in reality, because of evasion and resistance.

The context of the anti-Jewish measures was of crucial importance: in Austria and some parts of Easten Europe, racial laws were issued after the occupation and were realized immediately, connected to considerable support in of society.

This shows that not only the state or a occupation regime but also non-state actors were of influence on the effectuation of Racial Laws and certainly on the process of discrimination and segregation. The local and regional level is relevant for what is happened. In Germany itself, even the Nuremberg laws were partly a consequence of pressure from below. As in Austria, there did exist support for antisemitic policy long before the Nazis took power. Apart from the general population, there was discrimination in the field of natural scientists, historians, medical doctors and lawyers: these are just examples of groups in society where discrimination of Jews was practised, and certainly not only in theory. Already in the republic of Weimar, a boycott movement against Jews did exist. In many countries the attitude towards Jews and other minorities were negatively influenced by immigration. It is notable that the the policy to increase emigration of the German Jews was a pre-eminently centralized affair without any main opposition in society.

As said, different regimes in ocupied countries and territories, had the possibility to make different choices in applying antisemitic policy. The fanaticism was of a different kind, but both the Militärverwalter in France and the Generalgouvernement in Krakov in Poland supported and executed anti-Jewish policy, from deportation to murder. On the other hand: Denmark and Finland, both co-operating with Germany to a certain extent, used their relative freedom actively and succesfully managed to save Jews.

So the context was important for the way the persecution of the Jews was carried into effect. Slovakia, ally of the Third Reich, complied actively to German pressure, especially by the activity of the fascist Hlinka guards. Another phenomenon was that in the course of time, antipathy to German brutalities led to (partial) support to the Jews, where before indifference or even complicity was often the case. In the Netherlands, Poland, and in France, the co-operation with the German persecution became less normal than before. However for many Jews this change came too late.

Let us turn to the Netherlands for a moment. In March 1942 the Reichskommissar, dr. Arthur Seyss-Inquart, decided to apply the Nuremberg Laws in his territory without officially announcing it. From this moment in the Netherlands, marriage and sexual intercourse between Jews and non-Jews was not allowed and made punishable. The weekly of the Jewish Council described the new measures and published the order that Jews who were engaged to non-Jewish women had to report to the German Sicherheitspolizei. Those who did were arrested immediately, maltreated and were sent to the camp Mauthausen, where they all died. This

development came as a shock and seemed unexpected. However, more than a year before, in October 1940, an ordinance had been made public that defined who was Jew and who was not, according to national-socialist views. In this way, it was possible to organise the dismissal of the Jews from the public service. In hindsight this was an important sign for a future persecution. The process of discrimination had started long before the application of the Nuremberg Laws.

In order to get an impression of a process of discrimination and, segregation leading to deportation, we follow some stages in the development in the Netherlands. Of course, these are examples in catchwords, and are far from a complete summary of events.

After the capitulation of the Netherlands on the 10th of May 1940, the Dutch government took refuge in London. In the Netherlands, the Germans installed a civilian German occupying regime under the leadership of Reichskommissar Arthur Seyss-Inquart. In his installation address, he promised not to force his own political ideas on the Dutch people, of which he appreciated the Germanic “blood”. What happened in reality?

The continuity of the gradual process of discrimination in the Netherlands, 1940-1941:

<i>May 1940:</i>	No Jews allowed in press and radio
<i>June:</i>	Jewish musicians in orchestras on the back rows
<i>July:</i>	Jews expelled from the Air Raid Precaution Department
<i>August:</i>	Ritual slaughtering forbidden
<i>September:</i>	No Jews accepted on new jobs in the government
<i>October:</i>	All members of the Civil service obliged to sign a declaration about being Jewish
<i>November:</i>	Jewish members of the Civil service and government suspended
<i>December:</i>	Jewish members of the Civil service dismissed
<i>January 1941:</i>	Registration of Jewish civilians
<i>February:</i>	Limitation for Jews to work in non-Jewish firms and families. The Jewish Council was founded: responsible for Jewish affairs
<i>March:</i>	Restriction in freedom of movement for Jews: streets, parks, cafés
<i>Summer:</i>	Registration of Jewish properties
<i>Fall:</i>	Segregation in schools: Jewish children in Jewish schools

The graduality of the implementation of the policy of occupation brought many in the population under the impression that the situation was less serious than



expected. Even years after the war an historian called the relation of the Nazi occupier and the population a “honeymoon”.

In fact there was a deceptive step-by-step development of an anti-Jewish policy of discrimination and segregation, leading to persecution and deportation. This gradual development can be observed in other occupied countries. In many cases we observe the same deceptive gradual character of the implementation of this policy, in even where brute force and murder were common from the beginning, like in eastern Europe.

In Germany itself, the anti-Jewish policy from 1933 on had developed in three phases:

In April 1933, almost immediately after Hitler’s ‘Machtergreifung’ by taking power, Jews were excluded from certain professions like the Public Service. Participation in journalism and law was limited, as were some studies in universities. In 1935 Jews were expelled from the Wehrmacht. It was the year when the racist policy was reflected in the Nuremberg Laws. In 1938, before and after the Kristallnacht/November Pogrom, began a third round of measures, for instance, the confiscation of Jewish property.

It had taken 6 years since the Machtergreifung for the German Jews to be expelled from German society and culture.

The antisemitic discrimination was in the core of national-socialist ideology and practice. There were differences in the way of enforcement, but in the Third Reich, and in most of the allied countries and the territories that were occupied, the determination of the policy was a common issue.

Having said that, the enforcement of the discrimination, and persecution, was a gradual development. The different measures were enforced Step-by-step.

Why is this important? Because it had a function.

For the *Perpetrators*. They knew their ultimate aim: there should be no place for the Jews in the end. They could pursue their policy in an experimental way without proclaiming what the end would be. It explains the sometimes irrational way of behaviour: the logic of their aim was clear in its immorality.

Then the *Bystanders*. The general public as well as members of the national administration, churches, social organisations. The step-by-step method of the Nazi-regime created a possible excuse to remain passive and to repress their anxieties.

For the *victims* of persecution, the Jews and Roma and Sinti, the gradual process opened the door for a “defense mechanism.” Of course it was humiliating

and painful. But did the small steps of the Nazi measures really threaten their existence essentially? Many wanted to believe it did not.

Gradually it became clear to the Jews that they were isolated from society and had no protection. Members of the administration and the police decided step-by-step made to co-operate with the Nazi regime. In their deceptive gradual action, the Nazi-regime had managed to discourage activism and resistance among the population.

The relevance of all this is that small steps should be seen as warning signs of a process of discrimination and stigmatization, possibly leading to persecution. There is need for awareness that propaganda can hide the real meaning of a gradual policy. Steps leading to the stigmatization of a group are such signs. This is equally important for our own time, when politics and society are confronted with stigmatization and discrimination again and again.

This awareness should be present on all levels. On a higher level, in what is called the 'international community': from the perspective of a Responsibility to Protect one should identify the steps in the process and the urgency for action and intervention. The same awareness is needed for all human beings in their specific situation in society.

Let us return to the park in Amsterdam and the arrest of Abraham Prins. Nobody can say if the story would have had a better ending – or even beginning – if the signs would have been evaluated and acted upon. Perhaps it is a good idea to remember Abraham Prins by not underestimating a gradual development towards discrimination.

# III Document

# Convention on the Prevention and Punishment of the Crime of Genocide

Approved and proposed for signature and ratification or accession by General Assembly resolution 260 A (III) of 9 December 1948 Entry into force: 12 January 1951, in accordance with article XIII The Contracting Parties, Having considered the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world, Recognizing that at all periods of history genocide has inflicted great losses on humanity, and Being convinced that, in order to liberate mankind from such an odious scourge, international co-operation is required, Hereby agree as hereinafter provided:

## **Article I**

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

## **Article II**

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

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

## **Article III**

The following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;

- (c) Direct and public incitement to commit genocide;
- (d) Attempt to commit genocide;
- (e) Complicity in genocide.

#### **Article IV**

Persons committing genocide or any of the other acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

#### **Article V**

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention, and, in particular, to provide effective penalties for persons guilty of genocide or any of the other acts enumerated in article III.

#### **Article VI**

Persons charged with genocide or any of the other acts enumerated in article III shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

#### **Article VII**

Genocide and the other acts enumerated in article III shall not be considered as political crimes for the purpose of extradition.

The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

#### **Article VIII**

Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article III.

#### **Article IX**

Disputes between the Contracting Parties relating to the interpretation, application or fulfilment of the present Convention, including those relating to the re-

sponsibility of a State for genocide or for any of the other acts enumerated in article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

#### **Article X**

The present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall bear the date of 9 December 1948.

#### **Article XI**

The present Convention shall be open until 31 December 1949 for signature on behalf of any Member of the United Nations and of any non-member State to which an invitation to sign has been addressed by the General Assembly.

The present Convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

After 1 January 1950, the present Convention may be acceded to on behalf of any Member of the United Nations and of any non-member State which has received an invitation as aforesaid.

Instruments of accession shall be deposited with the Secretary-General of the United Nations.

#### **Article XII**

Any Contracting Party may at any time, by notification addressed to the Secretary-General of the United Nations, extend the application of the present Convention to all or any of the territories for the conduct of whose foreign relations that Contracting Party is responsible.

#### **Article XIII**

On the day when the first twenty instruments of ratification or accession have been deposited, the Secretary-General shall draw up a *procès-verbal* and transmit a copy thereof to each Member of the United Nations and to each of the non-member States contemplated in article XI.

The present Convention shall come into force on the ninetieth day following the date of deposit of the twentieth instrument of ratification or accession.

Any ratification or accession effected subsequent to the latter date shall become effective on the ninetieth day following the deposit of the instrument of ratification or accession.

#### **Article XIV**

The present Convention shall remain in effect for a period of ten years as from the date of its coming into force.

It shall thereafter remain in force for successive periods of five years for such Contracting Parties as have not denounced it at least six months before the expiration of the current period.

Denunciation shall be effected by a written notification addressed to the Secretary-General of the United Nations.

#### **Article XV**

If, as a result of denunciations, the number of Parties to the present Convention should become less than sixteen, the Convention shall cease to be in force as from the date on which the last of these denunciations shall become effective.

#### **Article XVI**

A request for the revision of the present Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

The General Assembly shall decide upon the steps, if any, to be taken in respect of such request.

#### **Article XVII**

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in article XI of the following:

- (a) Signatures, ratifications and accessions received in accordance with article XI;
- (b) Notifications received in accordance with article XII;
- (c) The date upon which the present Convention comes into force in accordance with article XIII;
- (d) Denunciations received in accordance with article XIV;
- (e) The abrogation of the Convention in accordance with article XV;
- (f) Notifications received in accordance with article XVI.

#### **Article XVIII**

The original of the present Convention shall be deposited in the archives of the United Nations.

A certified copy of the Convention shall be transmitted to each Member of the United Nations and to each of the non-member States contemplated in article XI.

**Article XIX**

The present Convention shall be registered by the Secretary-General of the United Nations on the date of its coming into force

*Source:* [http://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1\\_Convention](http://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1_Convention)



## IV Contributors

**Dr. Simon Adams** – Executive Director of the Global Centre for the Responsibility to Protect, established in 2008 with the support of international human rights leaders, including former UN Secretary-General Kofi Annan. Dr. Adams has worked extensively with governments and civil society organizations in South Africa, East Timor, Rwanda, and elsewhere. Dr. Adams is the author of four books with a focus on international conflict. He has also written for leading global newspapers and appeared as an expert commentator on Al-Jazeera, BBC World News, ARD and Deutsche Welle News (Germany), China Global Television Network and numerous other media.

**Taner Akcam** – holds the Kaloosdian & Mugar Chair of Armenian Genocide Studies at Clark University. Akcam is widely recognized as one of the first Turkish scholars to write extensively on the Ottoman-Turkish Genocide of the Armenians in the early 20th century. He is the author of more than ten scholarly works as well as numerous articles in Turkish, German, and English on Armenian Genocide and Turkish Nationalism. His most known books, *A Shameful Act: The Armenian Genocide and the Question of Turkish Responsibility* (2006) and *Young Turks' Crime Against Humanity: The Armenian Genocide and Ethnic Cleansing in the Ottoman Empire*, received several awards. Akcam's latest book is *Killing Orders: Talat Pasha's Telegrams and the Armenian Genocide* (2018)

**Cecilie Felicia Stokholm Banke** is a historian, senior researcher and research coordinator at the Danish Institute for International Studies, specialized in European history before and during Second World War. She has published on the development of Scandinavian welfare states, refugee policies between the two world wars, Turkey and the EU and memory policies. Co-edited *Civil Society and the Holocaust. International Perspectives on Resistance and Rescue* (2013). She is also member of the board of Humanity In Action (Danmark)

**Edina Bećirević** is an associate professor of security studies at the University of Sarajevo, where she herself completed undergraduate studies in journalism in 1990 before attaining two Master degrees, in the Department of Social Psychology at the London School of Economics and in the Political Science Department at Central European University. She defended her doctoral thesis on genocide in Eastern Bosnia at the University of Sarajevo in 2008. Her research focuses on the causes of war and genocide in Bosnia and Herzegovina from 1992 to 1995, as well as on transitional justice in the complex, post-war period; and she has publis-

hed extensively on these topics. Her book *Genocide on the Drina River* examines the genocide committed by Serb forces against Bosnian Muslims during the 1992-1995 war in Bosnia, and was published July 2014.

**Bent Blüdnikow** and is a historian, journalist, critic, author of several books, among them *Som om de ikke eksisterede* (1991), *Bombeterror i København* (2011) og *Min fars flugt* (2013). Previously archivist at Danish National Archive. At present, Blüdnikow is a cultural reporter and critic at Berlingske Daily newspaper, Copenhagen.

**Laszló Csősz** is a senior historian at the United States Holocaust Memorial Center, Budapest. Co-editor of *The Holocaust in Hungary*, a source volume in the *Documenting Life and Destruction* series by the United States Holocaust Memorial Museum (2013). He has written several articles including “Land Reform and Race Protection: The Implementation of the Fourth Jewish Law in The Holocaust in Hungary: A European Perspective” (2005), and several entries to *The Geographical Encyclopedia of the Holocaust in Hungary* (2013). Csősz compared the Hungarian case with the policies of other countries, particularly independent yet Nazi-allied Romania, Bulgaria, and Finland.

**Konstanty Gebert** is an international journalist and columnist at one of Poland’s biggest newspapers, *Gazeta Wyborcza*, and an Associate Fellow at the European Council on Foreign Relations. A former dissident, Mr. Gebert founded the Polish Jewish intellectual monthly *Midrasz*, and serves as a board member of the Dutch Jewish Humanitarian Fund, as well as the Einstein Forum in Potsdam, Germany. In his capacity as a professor, Mr. Gebert has taught in Poland, Israel and the US, and has authored ten books regarding Polish democratic transformation, French policy toward Poland, the Yugoslav wars and the wars of Israel, Torah commentary and post-war Polish Jewry.

**Judith S. Goldstein** founded Humanity in Action in 1997 and has served as its Executive Director ever since. Under Judith’s leadership, Humanity in Action has organized educational programs on international affairs, diversity and human rights in Bosnia and Herzegovina, Denmark, France, Germany, Greece, Poland, the Netherlands and the United States. She received her PhD in history from Columbia University and was a Woodrow Wilson Scholar for her MA studies. Judith has written several books and articles about European and American history, art

and landscape architecture. She is a member of the Council on Foreign Relations and several boards and advisory groups.

**Frederik Harhoff** is professor emeritus in International law at University of Southern Denmark Universitet. Judge 2007-2013 at the UN *International Criminal Tribunal for the former Yugoslavia*, ICTY and 1996-98 senior legal officer at the UN *Criminal tribunal for Rwanda*, ICRA. Has published extensively, lately *Folkerettens historie* (2017), *As Good as it gets ...: om forholdet mellem dansk ret og folkeretten* (2016, on relations between Danish law and international law) og *Krigsretten i moderne krige* (2016)

**Anders Jerichow** – senior correspondent and columnist at Politiken daily, chair of Humanity In Action (Denmark) since 2009, chair of Danish PEN 2005-2015. Chair of the Ministry of Education advisory steering committee for education in Holocaust and other genocides. Authored and edited several books on human rights and the Middle East. Co-edited *Civil Society and the Holocaust. International Perspectives on Resistance and Rescue* and published the large source collection *Oktober '43*.

**Wichert ten Have** is advisor to the International Holocaust Remembrance Alliance, IHRA. Previously director of Holocaust and Genocide Studies at the Netherlands Institute for War, Holocaust and Genocide Studies. He has taught at Amsterdam University. Holocaust-researcher, main topics include the history of the Netherlands during the German occupation in World War II, the history of the Holocaust and contemporary studies of countries occupied by the Third Reich.

**Ulrich Herbert** is a professor in history. From 1992 to 1995, he served as director of the Research Center for the History of National Socialism in Hamburg. He then accepted a position as professor for early modern and modern history at the University of Freiburg, where he has remained ever since. Ulrich Herbert's main area of expertise is contemporary history. Even in his dissertation on the role of forced labor for the war economy in the Third Reich, he did not just cover the economic and employment policies of the German authorities in the Reich or the occupied areas but also emphasized the specific, ideologically conditioned interrelationship between social policy and racism. Herbert established a wide reputation in academic circles with his monograph on Werner Best, in which he provides a contextualized analysis of the worldview of National Socialism and its rational implementation by the Nazi regime.

**Alexander Hinton** is a professor of anthropology, director of *Center for the Study of Genocide and Human Rights*, Rutgers University, Newark. He has authored *Why Did they Kill? Cambodia in the Shadow of Genocide* (2005), *Man or Monster? The Trial of a Khmer Rouge Torturer* (2016) og *The Justice Facade: Trials of Transition in Cambodia* (2018).

**Joos Hiltermann** is one Middle East and North Africa program Director at International Crisis Group, leading the organisation's research, analysis, policy prescription and advocacy in and about the region. Previously, he was Project Director for the Middle East (2002-2007). PhD, Sociology, University of California, Santa Cruz (1988); MA, International Relations, Johns Hopkins School of Advanced International Studies (1980). He has written for The New York Review of Books, Foreign Affairs, Foreign Policy, The Financial Times, The National Interest, Middle East Report, and other publications. In 2007, he authored *A Poisonous Affair: America, Iraq, and the Gassing of Halabja*.

**Morten Kjaerum** is a lawyer, and previously director of Danish Institute for Human Rights in Copenhagen and director of EU Agency of Fundamental Rights in Vienna. Now Kjaerum is director of the *Raul Wallenberg Institute of Human Rights and Humanitarian Law* in Sweden. Member of the board of Humanity In Action (Denmark)

**Ferenc Laczó** (PhD) is assistant professor in *European history at Maastricht University*. He is the author of three books, including *Hungarian Jews in the Age of Genocide. An Intellectual History, 1929-1948* (2016). He is also the co-editor, with Joachim von Puttkamer, of *Catastrophe and Utopia. Jewish Intellectuals in Central and Eastern Europe in the 1930s and 1940s* (2017) and editor of the special issue of the Hungarian Historical Review *The Holocaust in Hungary in Contexts* (2015/3). Laczó has published peer-reviewed articles, among others, in *Holocaust Studies. A Journal of Culture and History*, the *Journal of Modern Jewish Studies* and the *Leo Baeck Intitute Yearbook* and has released review essays in *Contemporary European History* and *Yad Vashem Studies*.

**Selma Leydesdorff** is a professor of oral history and culture. Her dissertation on the Jewish poor of Amsterdam, 1900-1940 introduced a critical revision of the then-dominant historiography of the modernization and assimilation of poor Jews. Publishing books and editing volumes that have shaped oral history is the

main thread running through her academic career, on the themes of totalitarianism, subjectivity, trauma, the transmission of stories. She interviewed on life in concentration camps and recorded interviews with survivors of Auschwitz and Mauthausen in international projects. In 2002, she started a project with survivors of Srebrenica, which brought a major international attention as an oral historian of trauma. She is public speaker on themes as ‘the holocaust’, ‘Jewish history’ and ‘trauma and memory’.

**Assumpta Mugiraneza** is co-founder and director of the IRIBA Centre for multimedia heritage, Rwanda. She is an educationalist, a socio-psychologist and a political scientist. For 20 years, she has worked on the topics of extreme violence and genocide, focusing particularly on the role of language and communication, for example comparing the Nazi and Hutu power discourses. She has written several book chapters and academic articles on the topic. She teaches about the history and the prevention of genocides, using multimedia archives.

**Michelle Sarfatti** is a Holocaust-researcher, author of several works on Jewish history and anti-semitism in Italy, among them *The Jews in Mussolini's Italy: From Equality to Persecution*. Previously she was director of Fondazione Centro de Documentazione Ebraica Contemporanea, CDEC. One of the founding editors of the e-journal Quest. Issues in Contemporary Jewish History.

**Abram de Swaan** (1959) is emeritus University Professor of Social Science at the University of Amsterdam. From 1969 to 1991, he was editor of the general cultural monthly magazine *De Gids*. Together with Paul van den Bos, he made a series of television documentaries. In 1971 a television movie appeared and a book with the title *Een boterham met tevredenheid; gesprekken met fabrieksarbeiders* (And a Pat on the Back to Boot: Conversations with Factory Workers) was published. De Swaan wrote short articles for the Dutch newspaper NRC/Handelsblad on a weekly basis, which have been published in three volumes. In 2001, ‘Words of the World: The Global Language System’ was published, together with a special edition of *De Gids: De woorden van de Swaan*. ‘Dutch Welfare Reforms in an Expanding Europe: The Neighbours’ View’ was published in 2004. De Swaan has been director of the Academia Europea de Yuste, España since 2004.



