Crimes Against Humanity

By Greg Feldmeth
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BY GREG FELDMETH

PASADENA, CALIFORNIA, 2017
Introduction

This book is intended to provide a brief overview and introduction to genocide and the ways in which the international community of nations has sought to punish its practice and prevent its future occurrence. It begins with an examination of the historical background of genocide, examines the reasons why people attempt to exterminate all or most of a people group, traces several of the major genocides of the 20th century, discusses the impact of the Nuremberg Tribunal and other efforts to prosecute genocidal behavior, and presents some measures to help prevent future genocides throughout the world.

Much of the material for this book was developed for use in two courses. One is Globalization & Human Rights, a senior elective I teach at Polytechnic School in Pasadena, California. The other is Genocide & Human Rights (formerly Crimes Against Humanity) which is offered through the Global Online Academy, a consortium of independent schools around the world. I want to thank the students in both courses who helped refine the content of this brief book with their suggestions, criticisms, and thoughtful considerations of genocide and justice.

Many of the actions depicted in this book are disturbing and cause one to wonder how people can be so cruel to those, often their neighbors, around them. There are elements of hope, justice, and reconciliation, however, even in the midst of such dark periods of human conduct. My hope is that by studying these dark periods, thoughtful individuals can find ways to prevent their occurrence in the future.

Greg Feldmeth
Pasadena, California
July 2013
# Crimes Against Humanity

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Throughout history, people have perpetrated horrible crimes against other individuals and groups. Sometimes entire tribes or people groups have been virtually wiped out by others. The name for this is genocide, a term which was coined in 1943 by Polish attorney Raphael Lemkin during the European Holocaust, one of the worst mass murders in history. Lemkin had been a witness at a trial of an Armenian in Berlin in 1923 accused of murdering a Turkish official who he felt was responsible for the 1915 massacre of Armenians in the Turkish Ottoman Empire. Lemkin, who later lost 49 relatives
during the Holocaust, wondered about the trial for the murder of one in relation to the crime of murdering millions.

**Early Occurrences of Genocide**

No one knows for sure when the first genocides took place. The Bible provides several accounts of mass killing. One, in the book of Joshua, describes the extermination of the Canaanite residents of Jericho by the Israelites in about 1400 B.C.

God ordered the Israelite leader Joshua to surround the city and then destroy it and all of its residents. The Israelites complied, as is chronicled in Joshua 6:21: “They utterly destroyed all that was in the city, both man and woman, young and old, and ox, and sheep, and ass, with the edge of the sword. …” Scholars estimate that 1000 Canaanites were killed. Joshua spared the family of one woman, Rahab, who had helped two Israelite spies.

Another notable early genocide took place in 146 B.C. when the Romans destroyed Carthage after a three-year siege. It is believed that perhaps 450,000 out of 500,000 Carthaginians were killed by Roman troops, with the survivors being enslaved. The Romans then destroyed the city.

The Mongol leaders Genghis Khan and Tamerlane were also considered genocidal killers and both ordered the extermination of groups they encountered during the 13th and 14th centuries.

**The Extermination of the Indians of the Americas**

Other genocides have taken place throughout history though perhaps the most thorough was that of the indigenous Indians of the Western Hemisphere. From the arrival of Columbus on the island of San Salvador in the Caribbean Sea in 1492 to the 1890 Battle of Wounded Knee in South Dakota, it is estimated that perhaps 95% of the Indian population was killed. In the fifty years following the arrival of Columbus, some native tribes on the islands were
virtually extinct. On the island of Hispaniola, the population dropped from approximately one million to just 500 by 1600.

The massacre of Indians took place in different forms by a variety of occupying forces. On at least one occasion, British troops distributed blankets from smallpox patients to Indian tribes, causing the disease to spread rapidly through the population. Many died on forced relocations and marches, such as the 1838 Trail of Tears when over 15,000 Cherokees died after the U.S. government ordered the entire tribe to be moved west of the Mississippi River.

**The Slave Trade**

Sometimes huge number of people have been killed as a result of other cruel practices, such as slavery. As many as 15 million Africans were transported as slaves to the Americas between the 17th and 19th centuries. But historian David Stannard contends in *American Holocaust: Columbus and the Conquest of the New World* that perhaps 60 million Africans died in the slave trade before they even became slaves in the Americas. Many died on transport to the west coast of Africa, while others perished in the holding pens awaiting the slave transport ship. Perhaps the largest portion died from malnutrition or disease on those ships as they crossed the South Atlantic.

**20th Century Genocides**

The 20th Century witnessed the largest number of genocides in regions throughout the world. Some have labeled it the “century of genocide” because of the high number of cases of genocide during that time period. Most famous, of course, is the Holocaust in Europe where six million Jews and perhaps five million others were killed by military and civilian representatives of the Nazi German government. But other genocides included the Herero people in Southwest Africa (80% of the population) by German colo-
nial forces in 1904, the Armenians (50% of the population) by Turks beginning in 1915, the Ukrainians (perhaps seven million) by the Soviet Union in 1932, as many as two million Cambodians by the Khmer Rouge army in the late 1970s, 80% of the Tutsi population in Rwanda in 1994, and over 500,000 in the Darfur region of Sudan. The current crisis in the Congo, which began over twenty years ago, may have already claimed five million victims. While there is no question that individuals and groups continue to commit horrible crimes against humanity, beginning in the 20th century a combination of nations, the United Nations, non-governmental organizations, and courageous individuals have taken action to publicize genocides and sometimes prosecute individuals who have been deemed responsible.

### Genocides in World History

<table>
<thead>
<tr>
<th>Genocide</th>
<th>Location</th>
<th>Years</th>
<th>Estimated Victims</th>
<th>Notes</th>
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<tr>
<td>Carthage</td>
<td>North Africa</td>
<td>146 B.C.</td>
<td>150,000</td>
<td>Carthage was destroyed following a two-year Roman siege</td>
</tr>
<tr>
<td>Genghis Khan</td>
<td>Central Asia</td>
<td>1300s A.D.</td>
<td>40 million</td>
<td>Entire tribes in Central Asia wiped out by Mongol invaders</td>
</tr>
<tr>
<td>Tamerlane</td>
<td>Central Asia</td>
<td>1400 A.D.</td>
<td>17 million</td>
<td>Tamerlane’s Mongol forces spread through central Asia destroying whole villages.</td>
</tr>
<tr>
<td>Carib Indians</td>
<td>Caribbean</td>
<td>1492-1600s</td>
<td>3 million</td>
<td>Disease, overwork, massacres</td>
</tr>
<tr>
<td>American Indians</td>
<td>Western Hemisphere</td>
<td>1492-1890</td>
<td>100 million</td>
<td>Disease, war, massacres, forced marches</td>
</tr>
<tr>
<td>Transatlantic Slave Trade</td>
<td>West Africa; Western Hemisphere</td>
<td>1500s-1800s</td>
<td>50 million</td>
<td>Forced emigration, execution, disease, starvation</td>
</tr>
<tr>
<td>Herero</td>
<td>Southwest Africa</td>
<td>1904</td>
<td>65,000</td>
<td>German colonial forces used poison water, forced marches, massacres</td>
</tr>
<tr>
<td>Armenian</td>
<td>Current Turkey</td>
<td>1915-1923</td>
<td>1.5 million</td>
<td>Mass shootings, forced marches, rapes</td>
</tr>
<tr>
<td>Genocide</td>
<td>Location</td>
<td>Years</td>
<td>Estimated Victims</td>
<td>Notes</td>
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<tr>
<td>Ukrainian Famine</td>
<td>Ukraine, USSR</td>
<td>1932-1933</td>
<td>7 million</td>
<td>Starvation, mass shooting, forced marches</td>
</tr>
<tr>
<td>Nanking</td>
<td>China</td>
<td>1937</td>
<td>300,000</td>
<td>Japanese soldiers murdered civilian and military Chinese in Nanking</td>
</tr>
<tr>
<td>Holocaust</td>
<td>Europe</td>
<td>1939-1945</td>
<td>6 million Jews, 500,000 Gypsies, millions of Slavs</td>
<td>A Nazi campaign to eliminate European Jews and other perceived enemies of Germany used poison gas, shootings, and overwork and starvation in concentration camps.</td>
</tr>
<tr>
<td>Indonesian Communists</td>
<td>Indonesia</td>
<td>1966</td>
<td>500,000</td>
<td>Massacres, executions, torture of mostly ethnic Chinese residents</td>
</tr>
<tr>
<td>Cambodia</td>
<td>Cambodia</td>
<td>1975-1978</td>
<td>1.9 million</td>
<td>Khmer Rouge forces evacuated cities and used forced marches, work camps, and mass executions in a brutal campaign.</td>
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<td>Rwandan Genocide</td>
<td>Central Africa</td>
<td>1994</td>
<td>800,000-1 million</td>
<td>In just 100 days, extremist Hutus killed Tutsis in executions and mass killings</td>
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<td>Bosnia</td>
<td>Balkan Peninsula</td>
<td>1995</td>
<td>8,000*</td>
<td>Bosnian Muslims in the town of Srebenica were killed in a campaign of ethnic cleansing</td>
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<td>Congo</td>
<td>Central Africa</td>
<td>1998-present</td>
<td>5,000,000</td>
<td>In Africa’s longest-lasting war involving seven nations and at least 20 militia groups, murders, rapes, forced marches, and child soldiers have all been documented.</td>
</tr>
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The Development of Human Rights

Human rights are rights belonging to individuals just because they are part of the human species. Economic background, race, sex play no role in inherent human rights. To understand genocide, one must know the origin and views of human rights. Over time, various cultures and nations have developed different lists of these rights. In addition, there is no agreement as to which should have priority. The Universal Declaration of Human Rights that was adopted by the General Assembly of the United Nations in 1948 distilled many of the ideas that emerged in previous statements, such as the 1776 American Declaration of Independence and the 1789 Declaration of the Rights of Man drafted by the French National Assembly.

Rene Cassin, one of the main authors of the Universal Declaration compared the declaration to the portico of a temple. Cassin identified the four pillars of the temple as “dignity, liberty, equality, and brotherhood” and divided the twenty-seven articles of the declaration among these four pillars. The first two articles represent the first pillar, human dignity. The next set, including articles 3-19, echo those 18th century Enlightenment goals of liberty. The third, articles 20-26, relate to political, economic, and social equity and fairness. The final pillar, brotherhood, points to those communal and na-
tional goals that became significant in the early twentieth century and post-colonial era.

One should not assume that declaring that human rights exist make them a reality for individuals or groups. Each advance in the campaign for rights has been matched in history by significant setbacks. The French Revolution was followed by repressive policies during Napoleon’s reign. The Bolshevik Revolution in Russia had high aspirations for creating a just and equal society which were brutally crushed with the rise of Stalinism. In more recent times, rising nationalism in Africa, the Balkan region, and the former Soviet Union has countered human rights progress in other areas.

**Sources of Human Rights**

The earliest known legal code is that of Urukagina, a ruler in Mesopotamia in the 24th century B.C. He instituted a number of reforms to fight corruption, including forbidding widows and orphans from paying taxes and preventing the rich from exploiting the poor. Hammurabi’s code, written around 1800 B.C., lists punishments for crimes, implying protection for the members of society.

Each of the major religious traditions established moral codes of conduct and definitions of right and wrong behavior. The Mosaic Law, most famously condensed in the Ten Commandments, prescribed behavior for the Israelites, while both Christianity and Islam developed their own rules, often including protection for the vulnerable in society, such as the poor, the widow, and the orphan.

Most authorities point to the 1215 Magna Carta as a significant source of human rights influence. It limited the rights of the king, most notably in the area of appealing unlawful imprisonment, which has become known as the writ of habeas corpus. The right to due process, a fundamental area of legal rights in many nations today, also is rooted in the Magna Carta.

**Enlightenment Influences**

The European Enlightenment contributed tremendously to our modern understanding of human rights. In the late 17th century, British philosopher John Locke identified life, liberty, and property as being essential rights of all humans. These rights were not determined by citizenship or limited to one religious or ethnic group. The English Bill of Rights, passed by Parliament in 1689, limited the power of the mon-
archy, guaranteed the rights of Parliament, and provided religious freedom to Protestants.

Two 18th century revolutions, the American and the French, provided opportunities for further expansion of the concept of universal rights. Thomas Jefferson’s contention in the 1776 Declaration of Independence “that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness” may be the single most important statement of human rights. Just 13 years later, the French National Assembly ratified the Declaration of the Rights of Man and of the Citizen, which identified a list of rights guaranteed to individuals of any citizenship.

The term “human rights” was probably first used in the 19th century. Abolitionist newspaper publisher William Lloyd Garrison informed his readers in 1838 that he was trying to “enlist them in the great cause of human rights.” Philosopher Henry David Thoreau’s *Civil Disobedience* relied heavily on the concept of natural rights and inspired many individuals seeking to promote human rights, including Mahatma Gandhi and Martin Luther King, Jr. In the 1860 Republican Party platform, slavery was referred to as “a crime against humanity,” perhaps one of the first times that phrase was used in association with a human rights issue. By 1867, Supreme Court Justice David Davis wrote in *Ex parte Milligan*, that “...by the protection of the law, human rights are secured; withdraw that protection and they are at the mercy of wicked rulers or the clamor of an excited people.”

**Geneva Conventions**

The Geneva Conventions, first adopted in 1864 and then amended several times in the 19th and 20th centuries, sought to protect the rights of individuals in combat situations. It specifically dealt with the sick and injured and developed rules for the fair treatment of prisoners of war. Most nations in the world have signed the Geneva Convention, but the inexact definition of what constitutes a war or an enemy combatant has limited its effectiveness in
certain situations.

**War Crimes Trials and the United Nations**

The devastating world wars of the 20th century, along with the failure of the League of Nations to prevent aggression, led to two important results for the history of human rights. War crimes trials took place in both Germany and Japan following World War 2. The Nuremberg Tribunals included “war crimes” and “crimes against humanity” as charges for which Nazi leaders were tried, convicted, and executed by a joint court established by the victorious nations (France, Great Britain, the Soviet Union, and the United States). While Japanese military leaders were tried and executed in the similar Tokyo War Crimes Trials, Nuremberg established an important precedent for international justice.

The second result of the world wars was the creation of the United Nations in 1945. It established forums and mechanisms to prevent aggression and also approved the Universal Declaration of Human Rights. The preamble to the Declaration states that “the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.” It then lists the rights and asserts that these rights need to be guaranteed by law.

Of course, listing a set of rights is no guarantee that they will be granted by a nation or political leader. Abraham Lincoln told a riddle: “How many legs does a dog have if you say its tail is a leg?” “Five?” “No,” he responded. “Calling a dog’s tail a leg doesn’t make it a leg.” Similarly, saying that individuals have human rights does not mean that they can’t be abridged or taken away. The challenge for the international community has been to find ways to make sure that human rights are truly available for all.

Since the adoption of the Universal Declaration in 1948, there have been a number of genocidal crises throughout the world. Following the Chinese Revolution led by Mao Tse-Tung, millions of Chinese were killed in the 1950s and during the Cultural Revolution of the 1960s. The rise to the power of the Khmer Rouge in the 1970s led to a horrific...
civil war in which millions of ordinary citizens were relocated from the cities to the countryside, with many killed. Saddam Hussein ordered the gassing of Kurds in the northern areas of Iraq in 1988 which killed as many as 5,000 and injured thousands more. In Africa, the Rwandan Genocide resulted in 800,000 deaths of Tutsis at the hands of the radical Hutu faction in just 100 days in 1994. In Europe, the mass killings of Bosnians in 1995 brought about the intervention of NATO military forces, but not before at least 25,000 were killed in an episode of ethnic cleansing.

The 1992 Rome Statute created the International Criminal Court to prosecute individuals for genocide, crimes against humanity, and war crimes. The ICC has investigated eight situations in Africa. To date only one individual, Congolese warlord Thomas Lubanga, has been convicted by the Court and sentenced to 14 years in prison. So progress in the international community in the area of collective responsibility in dealing with genocide and human rights abuses has been far from complete.

### Important Human Rights Documents

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<tr>
<th>Title</th>
<th>Year, Location</th>
<th>Summary</th>
</tr>
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<tr>
<td>Magna Carta</td>
<td>1215, England</td>
<td>Originally meant to benefit only the male elite as a form of protection from King John, it resulted in benefits to commoners, including women. This was the first dent in monarchical absolutism in Europe.</td>
</tr>
<tr>
<td>English Bill of Rights</td>
<td>1689, England</td>
<td>An effort to limit the power of monarchs, it reminded English citizens of the right to petition the king, to bear arms for their defense, to seek redress of grievances and amendments of laws, and that they need not face excessive bail, fines, or cruel and unusual punishments.</td>
</tr>
<tr>
<td>U.S. Declaration of Independence</td>
<td>1776, United States</td>
<td>The first document to meet the modern definition of human rights, it asserts that universal rights apply to the general population and that Americans possess “inalienable rights.” People can voice disapproval, limit government power, and alter or abolish government if their human rights are being violated.</td>
</tr>
<tr>
<td>U.S. Constitution</td>
<td>1787, United States</td>
<td>Asserts that the ultimate authority of government rests with the people. Divides power among three branches and between federal and local authorities. Amendments have been added to secure human rights for Americans.</td>
</tr>
<tr>
<td>Declaration of the Rights of Man and the Citizen</td>
<td>1789, France</td>
<td>Offers human rights guarantees which include: protection from arbitrary accusation, arrest, detention, and punishment; the presumption of innocence until declared guilty; freedom of thought speech, and religion; assurances that taxation would be equitable, based on means to pay, and that property would not be deprived unless by legally established necessity and means.</td>
</tr>
<tr>
<td>U.S. Bill of Rights</td>
<td>1791, United States</td>
<td>Opponents of the Constitution worried about monarchical absolutism if the federal government became too powerful. The first ten amendments became the Bill of Rights and included protections of individual freedoms, including religion, speech, assembly, petition, and legal protections.</td>
</tr>
<tr>
<td>Fourteen Points</td>
<td>1918</td>
<td>Proposed by U.S. President Woodrow Wilson, these included the right of national groups to self-determination. Served as the basis for the arguments of “rights for all.”</td>
</tr>
<tr>
<td>Universal Declaration of Human Rights</td>
<td>1948</td>
<td>The UDHR marks the foundation of international human rights. Unlike many of the previous documents which in practice may have excluded women or members of certain societal groups, the UDHR articulates rights for all humans.</td>
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</table>
Most people have a difficult time conceiving of individuals committing an atrocity like genocide, much less participating in genocidal actions themselves. Many sociologists and others who study genocide feel that it is not possible without the idea of dehumanization, that an individual has to become convinced that the victims of genocide are less human than the perpetrators and thus the killing individuals or even large numbers is not only not permissible, it is a positive action for society. A history of conflict
between groups, economic collapse, or political unrest can all be contributing factors in a genocide.

But before we delve too deeply into the causes of genocide, we need to understand its definition more thoroughly. Following the Nuremberg and Tokyo War Crimes trials (which we will study in depth in Chapter 6) after World War 2, the General Assembly of the United Nations asked the International Law Commission to develop statutes to deal with genocide. The Cold War tension between the United States and the Soviet Union made it politically impossible to create an international criminal court in the 1950s.

It was not until 1998 when the international Criminal Court was formed as a result of the Rome Statute that member nations of the international community agreed to prosecute cases of genocide and other serious crimes, no matter the position of authority of the individual accused of a crime.

Simply stated, genocide is the systematic mass killing or the attempted killing of an entire people or ethnic group. In the centuries before the Enlightenment, genocide was generally acceptable as a part of conquest in war. It was not something to be ashamed of or hidden. Rather, it was seen a source for ethnic or national pride. But Roger Smith contends in *Genocide and the Modern Age* that with the rise of the ideals of human rights during the American and French Revolutions, killing an entire ethnic group was seen by many as wrong and began to be covered up or hidden.

One difficulty with this broad definition is that it excludes political issues or civil war

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**UN Definition of Genocide**

In 1948, the UN developed the following definition of genocide: *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.
within a nation. If one political party seeks to destroy its opponents after it seizes power, is that genocide? It also does not deal with intent. If an invading nation did not intend to destroy an entire civilization but does want to exploit its natural resources or establish it as a colony, as occurred with the Spanish in Mexico, does that constitute genocide? Smith points out that “sometimes genocidal consequences precede any conscious decision to destroy innocent groups…” This indicates that genocide can be committed even before a clear reason or rationale for the action has been developed by the perpetrators.

**Sources of Genocide**

The sources of genocide vary with each occurrence, but scholars have attempted to identify common elements. While a dictator such as Josef Stalin or Adolf Hitler is sometimes identified as the cause of genocide, in most cases there are underlying reasons that create a climate in which genocide can occur.

Sometimes a government or an ethnic group may feel threatened by the presence of a competing ethnic group and want to eliminate it to purify the nation. This was the case in Rwanda in 1994 when Hutus organized the mass killing of Tutsis.

On other occasions, members of a group are perceived as occupying a desirable region or territory and are expelled or killed. This describes much of the reasoning behind the orders to remove American Indians from the southeast during the Trail of Tears in the late 1830s. It also occurred in the Germany colony of Southwest Africa (now Namibia) in 1904 when members of the Herero tribe were killed or forcibly removed from their lands.

Another cause of genocide can emerge from the desire to cleanse a nation of what are perceived as contaminating influences. In the 1930s, leaders of the German National Socialist (Nazi) Party continually identified Jews as rats and insects that needed to be eliminated for the purification of German society. During the Cambodian Genocide of the late 1970s, the ruling Khmer Rouge forces systematically elimi-
nated individuals that were seen as representing the old order, in an attempt to create a new society without the polluting influences of the past.

**Genocide During War and Times of Political Unrest**

Genocide often takes place during time of war. In some cases, it can be defended as a wartime necessity. This was the case for the Armenians in the Ottoman Empire in 1915. Following a series of defeats at the hands of Russia, Ottoman Turks accused Armenians of being traitors or supporters of the Russians. Thus killing or expelling Armenians on death marches were seen by some as patriotic acts in time of war. Many of the mass killings of Jews during World War were justified by the Nazi leaders as part of the invasion of Poland and the Soviet Union. To kill or work to death the Jews in those areas was to assist in the military campaigns against those nations.

Genocide may also occur during times of political upheaval. During a struggle for power or during a transition period between an authoritarian and a more democratic government, groups may target others and blame them for the political unrest or instability.

**Victims of Genocide**

The victims of genocide can fall into several different groups. Most common are those that are hated by the perpetrators. The Tutsis in Rwanda, the Armenians in Ottoman Turkey, and the Jews in Germany are all examples of despised groups. But supporters of the victimized ethnic group, such as the moderate Hutus in Rwanda, can also be subject to genocide. In many cases, the intellectual, political, or religious leaders of the victim group are the first to be targeted. They are seen as having the greatest ability to organize resistance to the perpetrators.

Often the victims of genocide are isolated or excluded from the mainstream of society. Beginning in 1933 and most clearly in the Nuremberg Laws of 1936, the Nazi Party classified Jews as second-class citizens and restricted their access to professions, the civil service, and the armed forces. Laws were passed to restrict Jewish businesses and schools and universities excluded Jewish students from enrolling. Sometimes subtly
and sometimes crudely, members of the targeted group are humiliated or dehumanized.

After being legally separated from the common society, victims may also be physically isolated in concentration camps or ghettos. The first concentration camps were established in South Africa by the British in 1899 during the Boer Wars. Civilian women and children were rounded up and isolated in camps, which had poor hygiene and inadequate food. Many of the children and some adults died in the camps. The Hereros and the Armenians were expelled from their homes and forced to participate in long marches on which many died. In German-occupied Poland during World War 2, walls were erected to isolate Polish Jews in ghettos. In more recent times, Cambodian cities were evacuated by the Khmer Rouge and the inhabitants forced to march to labor camps in the countryside. Many were starved or beaten to death on the marches. Residents of the Darfur region of Sudan had their homes burned and were forced into refugee camps by members of the Janjaweed, a Sudanese militia group during the crisis that began in 2003.

**Stages of a Genocide**

Genocide Watch, a non-governmental organization that monitors genocide-like crimes around the world, has identified genocide as resulting from a society progressing through ten stages. Gregory Stanton points out that preventative measures at each stage can stop the genocide and the stages do not necessarily have to proceed in an exact logical order. The stages are:
1. **Classification**: All cultures have categories to distinguish people into “us and them” by ethnicity, race, religion, or nationality: German and Jew, Hutu and Tutsi, etc. Bipolar societies that lack mixed categories, such as Rwanda and Burundi, are the most likely to have genocide. The main preventive measure at this early stage is to develop universalistic institutions that transcend ethnic or racial divisions, that actively promote tolerance and understanding, and that promote classifications that transcend the divisions. The Roman Catholic Church could have played this role in Rwanda, had it not been riven by the same ethnic cleavages as Rwandan society. Promotion of a common language in countries like Tanzania has also promoted transcendent national identity. This search for common ground is vital to early prevention of genocide.

2. **Symbolization**: We give names or other symbols to the classifications. We name people “Jews” or “Gypsies”, or distinguish them by colors or dress; and apply the symbols to members of groups. Classification and symbolization are universally human and do not necessarily result in genocide unless they lead to the next stage, dehumanization. When combined with hatred, symbols may be forced upon unwilling members of pariah groups: the yellow star for Jews under Nazi rule, the blue scarf for people from the Eastern Zone in Khmer Rouge Cambodia. To combat symbolization, hate symbols such as swastikas can be legally forbidden, as can hate speech. Group marking like gang clothing or tribal scarring can be outlawed, as well. The problem is that legal limitations will fail if unsupported by popular cultural enforcement. Though Hutu and Tutsi were forbidden words in Burundi until the 1980’s, code words replaced them. If widely supported, however, denial of symbolization can be powerful, as it was in Bulgaria, where the government refused to supply enough yellow badges and at least eighty percent of Jews did not wear them, depriving the yellow star of its significance as a Nazi symbol for Jews.

3. **Discrimination**: A dominant group uses law, custom, and political power to deny the rights of other groups. The powerless group may not be accorded full civil rights, voting rights, or even citizenship. The dominant group is driven by an exclusionary ideology that would deprive less powerful groups of their rights. The ideology advocates monopolization or expansion of power by the dominant
group. It legitimizes the victimization of weaker groups. Advocates of exclusionary ideologies are often charismatic, expressing resentments of their followers, attracting support from the masses. Examples include the Nuremberg Laws of 1935 in Nazi Germany, which stripped Jews of their German citizenship, and prohibited their employment by the government and by universities. Denial of citizenship to the Rohingya Muslim minority in Myanmar is a current example.

Prevention against discrimination means full political empowerment and citizenship rights for all groups in a society. Discrimination on the basis of nationality, ethnicity, race or religion should be outlawed. Individuals should have the right to sue the state, corporations, and other individuals if their rights are violated.

4. **Dehumanization**: One group denies the humanity of the other group. Members of it are equated with animals, vermin, insects or diseases. Dehumanization overcomes the normal human revulsion against murder. At this stage, hate propaganda in print and on hate radio is used to vilify the victim group. In combating this dehumanization, incitement to genocide should not be confused with protected speech. Genocidal societies lack constitutional protection for countervailing speech, and should be treated differently than democracies. Local and international leaders should condemn the use of hate speech and make it culturally unacceptable. Leaders who incite genocide should be banned from international travel and have their foreign finances frozen. Hate radio stations should be shut down, and hate propaganda banned. Hate crimes and atrocities should be promptly punished.

5. **Organization**: Genocide is always organized, usually by the state, often using militias to provide deniability of state responsibility (the Janjaweed in Darfur.) Sometimes organization is informal (Hindu mobs led by local RSS militants) or decentralized (terrorist groups.) Special army units or militias are often trained and armed. Plans are made for genocidal killings. To combat this stage, membership in these militias should be outlawed. Their leaders should be denied visas for foreign travel. The U.N. should impose arms embargoes on governments and citizens of countries involved in
genocidal massacres, and create commissions to investigate violations, as was done in post-genocide Rwanda.

5. **Polarization**: Extremists drive groups apart. Hate groups broadcast polarizing propaganda. Laws may forbid intermarriage or social interaction. Extremist terrorism targets moderates, intimidating and silencing the center. Moderates from the perpetrators’ own group are most able to stop genocide, so often they are the first to be arrested and killed. Prevention may mean security protection for moderate leaders or assistance to human rights groups. Assets of extremists may be seized, and visas for international travel denied to them. Coups d’état by extremists should be opposed by international sanctions.

6. **Polarization**: Extremists drive the groups apart. Hate groups broadcast polarizing propaganda. Motivations for targeting a group are indoctrinated through mass media. Laws may forbid intermarriage or social interaction. Extremist terrorism targets moderates, intimidating and silencing the center. Moderates from the perpetrators’ own group are most able to stop genocide, so are the first to be arrested and killed. Leaders in targeted groups are the next to be arrested and murdered. The dominant group passes emergency laws or decrees that grants them total power over the targeted group. The laws erode fundamental civil rights and liberties. Targeted groups are disarmed to make them incapable of self-defense, and to ensure that the dominant group has total control.

Prevention may mean security protection for moderate leaders or assistance to human rights groups. Assets of extremists may be seized, and visas for international travel denied to them. Coups d’état
by extremists should be opposed by international sanctions. Vigorous objections should be raised to disarmament of opposition groups. If necessary they should be armed to defend themselves.

**7. Preparation:** Victims are identified and separated out because of their ethnic or religious identity. Death lists are drawn up. Members of victim groups are forced to wear identifying symbols. Their property is expropriated. They are often segregated into ghettos, deported into concentration camps, or confined to a famine-struck region and starved. At this stage, a Genocide Emergency must be declared. If the political will of the great powers, regional alliances, or the U.N. Security Council can be mobilized, armed international intervention should be prepared, or heavy assistance provided to the victim group to prepare for its self-defense. Otherwise, at least humanitarian assistance should be organized by the U.N. and private relief groups for the inevitable tide of refugees to come.

**8. Persecution:** Victims are identified and separated out because of their ethnic or religious identity. Death lists are drawn up. In state-sponsored genocide, members of victim groups may be forced to wear identifying symbols. Their property is often expropriated. Sometimes they are even segregated into ghettos, deported into concentration camps, or confined to a famine-struck region and starved. They are deliberately deprived of resources such as water or food in order to slowly destroy them. Programs are implemented to prevent procreation through forced sterilization or abortions. Children are forcibly taken from their parents. The victim group’s basic human rights become systematically abused through extrajudicial killings, torture and forced displacement. Genocidal massacres begin. They are acts of genocide because they intentionally destroy part of a group. The perpetrators watch for whether such massacres meet any international reaction. If not, they realize that the international community will again be bystanders and permit another genocide.

At this stage, a Genocide Emergency must be declared. If the political will of the great powers, regional alliances, or U.N. Security Council or the U.N. General Assembly can be mobilized, armed international intervention should be prepared, or heavy assistance provided to the victim group to prepare for its self-defense. Humanitarian assistance should be organized by the U.N. and private relief groups for the inevitable tide of refugees to come.

**9. Extermination** begins, and quickly becomes the mass killing legally called “genocide.” It is “extermination” to the killers because they do not believe their victims
to be fully human. When it is sponsored by the state, the armed forces often work with militias to do the killing. Sometimes the genocide results in revenge killings by groups against each other, creating the downward whirlpool-like cycle of bilateral genocide (as in Burundi). At this stage, only rapid and overwhelming armed intervention can stop genocide. Real safe areas or refugee escape corridors should be established with heavily armed international protection. (An unsafe “safe” area is worse than none at all.) The U.N. Standing High Readiness Brigade, EU Rapid Response Force, or regional forces -- should be authorized to act by the U.N. Security Council if the genocide is small. For larger interventions, a multilateral force authorized by the U.N. should intervene. If the U.N. is paralyzed, regional alliances must act. It is time to recognize that the international responsibility to protect transcends the narrow interests of individual nation states. If strong nations will not provide troops to intervene directly, they should provide the airlift, equipment, and financial means necessary for regional states to intervene.

10. **Denial** is the tenth stage that always follows a genocide. It is among the surest indicators of further genocidal massacres. The perpetrators of genocide dig up the mass graves, burn the bodies, try to cover up the evidence and intimidate the witnesses. They deny that they committed any crimes, and often blame what happened on the victims. They block investigations of the crimes, and continue to govern until driven from power by force, when they flee into exile. There they remain with impunity, like Pol Pot or Idi Amin, unless they are captured and a tribunal is established to try them. The response to denial is punishment by an international tribunal or national courts. There the evidence can be heard, and the perpetrators punished. Tribunals like the Yugoslav or Rwanda Tribunals, or an international tribunal to try the Khmer Rouge in Cambodia, or an International Criminal Court may not deter the worst genocidal killers. But with the political will to arrest and prosecute them, some may be brought to justice. (Genocide Watch)
Beginning in 1915 the first major genocide of the 20th century took place in what is now Turkey. A large portion of the Armenian population, an ethnic group within the Ottoman Empire, was systematically evicted from their homes, expelled from the country after long marches, and killed by Turkish soldiers and civilians. While no exact numbers are available, some estimate that as many as 1.8 million Armenians, or perhaps 50% of the population, were killed. Yet because European nations were focused on their involvement in World War 1, the Armenian Genocide received little worldwide
response, though articles about atrocities did appear in newspapers throughout the world. When Adolf Hitler was addressing his German generals in 1939 when planning the invasion of Poland which resulted in the deaths of perhaps two million Jews, he is alleged to have asked “Who speaks today of the annihilation of the Armenians?” One might conclude from Hitler’s comment that while people were aware of the Armenian Genocide, they really did not care all that much.

**History of the Armenian People**

The Armenians are an ancient people group, dating back to at least 200 B.C. They were the first nation to adopt Christianity as a state religion in 301 A.D. As most Armenians were Christian, they were somewhat set apart from others in the region of Anatolia or Asia Minor where they lived. They developed a unique language with its own grammar and alphabet.

When the Ottomans captured Constantinople in 1453, they established a multinational state. Armenians held some rights but were distinctly second-class citizens. They were allowed to practice Christianity, for example, but paid higher taxes than their neighbors, were limited in their rights to participate in the government and courts through the millet system, and experienced other forms of social discrimination.

In the late 19th century, some Armenian intellectuals and leaders began calling for the end of discriminatory practices. Very few called for removing themselves completely from the Ottoman government’s control. Instead, they called for the end of corruption and reforms in the government. As the Ottoman Empire began to decline and lose territory in both Asia Minor and the Balkans, Russian Armenians supported the quest for human rights among Ottoman Armenians. This support spurred protests against mistreatment, which resulted in the Hamidian Massacres beginning in 1894.

**Hamidian Massacres**

During the Hamidian Massacres, as many as 300,000 Armenians were killed by Ottoman Turks. Some fled to Europe or the United States to escape persecution. Others
converted to Islam, as the Christian nature of Armenian culture brought distrust and hatred from Muslim neighbors. The massacres gained the attention of missionaries working in the Ottoman Empire as well as newspaper reporters. The *New York Times* carried several articles depicting the attacks of Ottoman soldiers on unarmed Armenians. Aid for the Armenians became the first international mission of the Red Cross. In the United States, over $100 million was raised by the Near East Relief Society to assist displaced Armenians and orphans. Yet very little additional support was provided by outside groups.

Political turmoil led to the overthrow of the Sultan in 1908 by a group of reformers known as the Young Turks. Those Armenian leaders who had been seeking greater representation and civil rights hoped that the overthrow of the Sultan would mean first-class citizenship for the Armenian people. A new constitutional government was established which promised equal rights for all residents of the Ottoman Empire. Unfortunately, Turkish nationalism grew to be a strong force very quickly and Armenians once again saw themselves as a persecuted minority.

**Adana Massacre and the Armenian Genocide**

In 1909 a group of the Sultan’s supporters who hoped to re-establish his rule launched a massacre of Armenians in the city of Adana in south central Turkey. Over 30,000 Armenians were killed and the city of Adana, which was heavily populated by Armenians, was largely destroyed. The new Ottoman government did not prosecute the perpetrators of the massacre and a radical strain of Turkish nationalism became dominant.

When World War I broke out in 1914, the Ottomans found themselves opposed by Russia, long a troublesome neighbor. Because Armenians lived on both sides of the Russian-Ottoman border and some Armenians had joined the Russian army as it advanced against Ottoman troops, distrust of Armenians grew even stronger. A massive defeat of Ottoman troops by Russians in a campaign in the winter of 1914-1915 at
Sarikamish was blamed by many on the Armenians, who were characterized as a traitorous people within the Ottoman Empire.

The Ottoman ruling party, the Committee of Union and Progress, or CUP, began a systematic campaign against the Armenians on April 14, 1915. Armenian teachers, businessmen, artists, and doctors were rounded up and killed. Thousands of Armenian men were executed. Women and children were loaded onto trains or forced to march across the borders with Syria and Iraq as they were sent into exile. Occurrences of rape of women and girls by Turkish police coordinating the exile were common. The government formed militias specifically designed to cleanse Turkey of Armenians. Some Turkish and Kurdish convicts who were released from prison preyed on the caravans of exiled Armenians.

By 1918 when a new leader, Kemal Ataturk, took power, at least half of the Armenian population, perhaps as many as 1.8 million people, had been killed or expelled. Ataturk ordered the Armenians, along with Greeks and Assyrians living in Turkey, to leave the country. By 1923, an Armenian culture that had existed in Asia Minor for thousands of years existed only in dispersed communities through the Middle East, Europe, and the United States.

Since the 1920s many academic scholars and governments have denounced the actions of the Ottoman Turks during the Armenian Genocide. Turkey itself, however, has never acknowledged the genocide. Turkish students are taught a whitewashed version of this portion of Turkey’s history and a law passed in 2004 made it a criminal offense with sentences up to ten years in prison to discuss the Armenian Genocide. Very few survivors are still alive. Yet their Armenian descendants demand acknowledgment and apologies for the actions of both government officials and private citizens during the 1915-1923 persecutions.
## Armenian Genocide Timeline--1915

<table>
<thead>
<tr>
<th>Date</th>
<th>Events</th>
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<tbody>
<tr>
<td>January 5</td>
<td>The Turkish government publicly charges that Armenian bakers in the army bakeries of Sivas were poisoning the bread of the Turkish forces. The bakers are cruelly beaten, despite the fact that a group of doctors prove the charge to be false by examining the bread and even eating it. As this marks an attempt on the part of the government to incite massacre, the government does not rescind the charge.</td>
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<td>January 16</td>
<td>The last actions of the Battle of Sarikamish are reported. The Turkish army is totally defeated and almost destroyed with a loss of 70,000 men out of 85,000.</td>
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<tr>
<td>February 27</td>
<td>In Sivas Province a general attack is reported on many Armenian villages accompanied by raping, looting, and an increasingly larger number of killings.</td>
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<td>March 1</td>
<td>In Marash, the Armenians in the Turkish Army are deprived of their uniforms and arms.</td>
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<tr>
<td>March 12</td>
<td>Mass arrests of Armenians are carried out in Dortyol and a public announcement is made that those arrested would be sent to work on road construction near Aleppo. They are never heard from again.</td>
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<tr>
<td>March 29</td>
<td>In Aleppo, the capital of the province, Jemal Pasha falsely announces that the Armenians of Zeitun are in revolt and therefore he is instructing the military authorities, to the exclusion of the civilian government, to take measures to punish the Armenians.</td>
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<td>March 31</td>
<td><em>Azadamart</em>, the leading Armenian newspaper in Constantinople, is closed by an order of the government.</td>
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<tr>
<td>April 15</td>
<td>Armenian refugees from villages surrounding the city of Van arrive and notify the inhabitants that 80 villages in Van Province were already obliterated and that 24,000 Armenians had been killed in three days.</td>
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<td>April 24</td>
<td>250 Armenian intellectuals and community leaders are arrested in Constantinople. They are later executed.</td>
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<tr>
<td>May 29</td>
<td>630 Armenians arrested on May 10 in Diyarbekir are murdered in the village of Bisheri while in custody and their bodies are thrown in the Tigris River.</td>
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<tr>
<td>June 23</td>
<td>Massacres of Armenian Christians, Maronites, Nestorians, Europeans, Catholics, and other non-Muslim people in the city of Mardin are carried out under the direct order of the governor-general of Diyarbekir Province.</td>
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<tr>
<td>July 1</td>
<td>The governor-general of Sivas announces that the first convoy of deportees from the city are to leave by July 5 in groups according to street residence. A total of 48,000 persons are deported. The governor, commissioner of police, two parliamentary deputies, the qadi (the chief religious judge), and the mufti (the religious chief) tell the Armenians that they are being resettled for the duration of the war in order to forestall any resistance.</td>
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<tr>
<td>July 17</td>
<td>From June 22 to July 17, a period of 25 days, a steady stream of bodies of massacred Armenians floats down the Euphrates River.</td>
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<tr>
<td>August 3</td>
<td>In response to unofficial German protests about large-scale murders, rapes, and tortures inflicted on the Armenian deportees on the highways, which was creating a bad impression on the Americans, a circular telegram is sent advising against attacking and raping Armenians on the highways.</td>
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<tr>
<td>November 3</td>
<td>Doctor Schacht, a German army physician, stationed near the village of Der-el-Zor (Deir el-Zor) village, reports counting 7,000 severed Armenian heads (skulls) in Sabgha District near the Euphrates River.</td>
</tr>
</tbody>
</table>
The Holocaust that occurred in Europe in the 1930s and 1940s is the most famous genocide in history. While there is some dispute among historians about how many civilians died (estimates of six million Jews and five million others are common), there is no question that except for those who went into hiding, virtually all of the Jews in the nations of Europe under German control during World War 2 were executed, displaced, or forced to live in concentration and work camps until the end of the war in 1945.
We cannot point to a single cause of the Holocaust. A combination of anti-Semitic hatred and bigotry that existed in Europe for hundreds of years, the rise of nationalism in Germany in the late 19th century which fueled resentment against those who were considered outsiders, Germany’s defeat after a long and costly struggle in World War I, the humiliation following the harsh treatment meted out following the Treaty of Versailles, the inept government of the Weimar Republic, and the economic hard times brought on by the worldwide depression, all contributed to the Holocaust.

A common mistake made by many observers is to focus exclusively on the role Adolf Hitler played in motivating the German people in the campaigns of hatred against the Jews and others in Germany. While it would be wrong to underestimate his charisma, ability to inspire loyalty, and political skill, it is also inaccurate to place all of the blame for the Holocaust on Hitler. He could not have accomplished the goals of the Nazi Party in eliminating Jews from German life without assistance from many, including governmental officials, members of the military, religious leaders, and common citizens.

**The Legacy of World War I**

Following the long, difficult years of World War I, Germany was in poor economic shape even before the Great Depression of the late 1920s. The demand for reparation payments from the winners of the war and an ineffective infrastructure led to incredible inflation and unemployment. Large numbers of Germans were living in extreme poverty and some were starving. The feeling of global alienation as a result of being forced to accept total responsibility for the war and land seizures in the Treaty of Versailles added to social turmoil and left Germans seeking for someone to blame. The Weimar Republic, a weak democracy established after the abdication of Kaiser Wilhelm in 1918, ineffectively governed Germany and was easily swept aside when the Nazi Party gained popular support.

**Anti-Semitism’s Roots in European History**
Anti-Semitism was not limited to Germany and it would be a mistake to blame the Holocaust’s horrors on Germans alone. Jews were historically persecuted throughout Europe and served as scapegoats on numerous occasions. During the Middle Ages, Jews were blamed for the Black Plague, accused of sacrificing Christian children during religious ceremonies, and viewed as the killers of Christ. During the Crusades, some Jews were killed by Christians on the way to fighting Muslims in Palestine. Jews were frequently the subjects of attacks, prejudice, restrictive laws and murder. The Spanish Inquisition often forced Jews to convert, leave Spain or be executed, often by burning at the stake. Jews were forbidden from joining most labor guilds and because of restrictions of Christians charging interest to one another, Jews often took on the role of moneylenders, building further resentment.

The fact that the Jews were often wandering about without national roots made them even more alien, particularly when most Europeans born and died in the same region. The Protestant Reformation of the 16th century added to the alienation of Jews. At first, Luther hoped to convert Jews to Christianity. When those efforts largely failed, he wrote hateful criticism of the Jews and Judaism.

Even a literary fraud caused hatred of the Jews to increase. The Protocols of the Elders of Zion, published in 1900 and translated into dozens of languages, described a plot of Jewish world domination. Though later proved to be false, it was quoted by many as authoritative and led to suspicion and persecution.

**The Nazi Party and Anti-Semitism**

Nothing that the Jews experienced before could match the campaign of hatred and persecution launched by Hitler and the newly emerging Nazi Party in the late 1920s. Hitler was able to effectively exploit anti-Semitic feelings already present in the minds of many Germans. His arguments and plans were described in Mein Kampf in 1924. In a rambling rant against the political and economic influence of the Jews, Hitler placed the blame for all of Germany’s current problems on the Jews. Mein Kampf sold over a million copies. Today his ideas seem ridiculous. Even in the 1920s many international
observers were unconvinced by his arguments. But they underestimated the need for a scapegoat to blame for Germany’s social and economic ills.

Hitler used the popular concepts of Social Darwinism and eugenics to convince Germans that the Jews were a polluting influence and evil at the root of Germany’s problems and therefore should be eliminated. Hitler pounced on the assertion that Germany did not really lose World War 1 but was actually betrayed by an international conspiracy orchestrated by communists and Jews. The feelings of anger and humiliation could now be directed away from Germany itself and towards the Jews, an already despised group. This hatred, with its many root causes, led to the genocide that is the Holocaust.

**Nazis in Power 1933-1939**

Once in power, Hitler's plans for settling the struggle between the German people (some Nazis expanded the master race concept to Anglo-Saxons and other Aryans) and inferior races began to be implemented. Groups regarded as inferior people, such as Jews, Slavs, Gypsies, and others were characterized as a biological threat which needed to be exterminated, as one would pests or vermin. Hitler was greatly aided by an effective propaganda campaign launched by the Nazis. Headed by Joseph Goebbels, the Nazis filled newspapers, radio broadcasts, and theaters with anti-Jewish material. Any media outlet opposing the Nazi Party was censored or closed down. Nazis controlled virtually all magazines, book publishing, newspapers, movies, public meetings, and radio.

Books of Jewish and other authors were cast into bonfires in public ceremonies. Works of Jews such as Sigmund Freud and Albert Einstein were burned, but the Nazis also destroyed the writings of many non-Jews, including Helen Keller, Jack London, and John Steinbeck. Art produced by Jewish painters was removed from museum walls and orchestras were forbidden from performing music penned by Jewish composers.

In fact, the Jewish population of Germany was relatively small in the 1930s, perhaps around 600,000, and less than one percent of the population. Yet Nazi propagandists effectively convinced many Germans that the Jews, along with the unnecessary surrender in World War 1, were the sources of all the economic difficulties in Germany. Ignored in this was the fact that over 100,000 Jews served in the war and many were decorated with the Iron Cross for their heroism and courage in combat. Ironically, in
some ways Jews were becoming a more accepted part of German society in some areas before the Nazis came to power. Marriages between Jews and non-Jews increased during the 1920s and some Jewish professionals, such as doctors and lawyers, attained positions of respect in their German communities. In the area of academic life, 14 of the first 38 Nobel Prizes won by Germans went to Jews. But this trend of acceptance was about to change dramatically.

Almost immediately on taking power in 1933, Hitler and the Nazis put laws into place that forced Jews out of the civil service, university professorships, and other areas of public life. The first government-organized boycott of Jewish businesses took place on April 1, 1933. Jews were soon forced to label all exterior clothing with a yellow Star of David displaying the word *Juden*, (“Jew”). An elaborate set of classifying rules, known as the Nuremberg Laws, effectively rendered Jews as second-class citizens. One’s Jewishness was dependent on the ethnicity of a person’s grandparents, not a person’s beliefs or identity. Other laws were passed in the late 1930s that prevented Jewish children from going to public school. Parks, resorts, theaters, and beaches were divided into Jewish and non-Jewish sections. During the 1936 Berlin Olympics, the segregation and persecution of Jews was temporarily lifted to avoid international attention, though no German Jewish athletes were allowed to participate.

Between 1937 and 1939 economic hardship increased for German Jews. This led many to emigrate to other nations in Europe or the United States, though anti-Semitism was not solely a German attitude and some nations prevented Jewish immigration. Jewish businesses and properties were first boycotted or seized and frequently destroyed. In November 1938, *Kristallnacht* (“the night of broken glass”) occurred. In retaliation for a German diplomat being killed by a Jew in Paris, Jewish buildings were destroyed and Jewish men were arrested and murdered. Over 1000 synagogues were burned and perhaps 7,000 Jewish business were destroyed. More than 30,000 male Jews were arrested for no other crime than being Jewish. Further restrictions were placed on Jews who found it more and more difficult to lead public lives.

Although Jews were considered the main problem, they were not the only victims of persecution during the Nazi reign. Restrictions were extended to many groups consid-
ered racially inferior as some scientists and government officials proposed a eugenics program for the improvement of the German people, the Master Race. Laws in the 1930s were passed to reduce the number of "inferior" individuals through involuntary sterilization. Over 300,000 people deemed to be physically or mentally handicapped were sterilized surgically or by radiation. The program gained popularity among some Germans who viewed the handicapped as a drain on financial resources. The 30,000 Gypsies living in Germany were ruled criminal by a decree passed by the German legislature. Political opponents of the Nazis, communists, homosexuals, and Jehovah’s Witnesses were placed in newly established concentration camps, with children frequently sent to orphanages or detention centers.

By 1939 approximately one-half of the Jewish population of Germany had emigrated to other countries, mostly Palestine, though some ended up in Latin America, the United States, Great Britain, China, or other more tolerant European nations. Many of those Jews who remained in Nazi Germany either hoped conditions would improve or were unable to qualify for exit visas. Some were too poor to emigrate, as German officials often confiscated property or money from those attempting to leave. Some nations imposed strict immigration policies preventing large numbers of refugees from emigrating, particularly in the economic crises of the Great Depression.

A conference in Evian, France in 1938 was attended by representatives from 38 nations to discuss the treatment of the Jews in Germany. No real solutions were offered and few immigration restrictions were lifted. This proved to be a great source of amusement for Nazi propagandists who noted the hypocrisy of nations criticizing the German treatment of the Jews but being unwilling to let Jews join their population.

**World War 2 (1939-1945)**

World War 2 erupted on September 1, 1939, when Germany invaded Poland. It took mere days for Germany to emerge victorious, and the Nazis began to enslave the Poles and destroy their culture, deemed "subhuman." The first step was to eliminate the leaders. Nazis massacred many Catholic priests, university professors, musicians,
writers, and politicians. Poles were forcibly resettled and Germans were moved into the recently-occupied regions. Many Poles, both Jews and non-Jews, were sent to concentration camps. Most occupants were required to work under harsh conditions.

A concentration camp, modeled after ones set up by the British in the Boer Wars at the end of the 19th century, had first been established for political prisoners at Dachau in southern Germany in 1933. At first used as large prison camps or detention centers, the concentration camps eventually became death camps, as the Nazi goal of eliminating Jews began to be accomplished. When the war began in 1939, Hitler authorized the transfer of handicapped and mentally retarded patients to concentration camps where many were killed by poison, lethal injection, or starvation. Because of public objection to this practice, particularly when it involved children, German authorities continued the program in secret and had the bodies of victims burned in ovens.

This euthanasia (or mercy-killing) program was utilized by Germans as they began the mass murder of German and then other European Jews. As with the handicapped patients, a decision was made to kill, specially trained personnel carried out the orders, equipment was designed to efficiently kill the victims, and the criminal nature of the murders was hidden from the public as the bodies were burned.

Germany’s campaign of conquest in a desire for *lebensraum* (“living room”) resulted in the successful invasion of the Netherlands, Denmark, Belgium, Luxembourg and France in 1940. The Soviet Union was invaded in 1941 despite a German-Soviet treaty that allowed Germany to invade Poland without interference from the Soviets. As German troops conquered large swaths of Soviet territory, political leaders, communists, and ordinary citizens, mostly Jews, were executed.

Specially trained mobile killing units, called *einsatzgruppen*, followed German troops and were assigned responsibility for these mass murders throughout German-occupied Soviet territories. The most famous mass murder took place near Kiev in a village named Babi Yar, where as many as 35,000 people, mostly Jews, were executed. These executions were referred to as “special treatments” or “special ac-
tions” to allow the killers to emotionally and psychologically distance themselves from the acts. Many of those involved were German soldiers who had been trained to act honorably and respectfully towards civilians. The revulsion of some soldiers at the act of shooting unarmed civilians led to a desire to find a less personal and more efficient way to carry out this horrible task. Entire communities in the Soviet Union were basically erased. German execution of the handicapped and institutionalized took place in the Soviet Union as well. In total, more than three million Soviet private citizens were murdered.

Major changes in the concentration camp system took place during World War 2. Large numbers of prisoners were sent from Germany and German-occupied countries to camps that were scattered throughout Germany and Poland. Ghettos and forced labor camps were created in addition to concentration camps to imprison victims. Conditions were usually inhumane, food was kept scarce on purpose, and diseases spread. Some inmates committed suicide just to escape the situation, though very few attempted to escape. Most of the over three million Jews that lived in Poland at the time of the German invasion in 1939 were forced into the more than 400 ghettos established by the Germans. Often using local Polish or Jewish leaders as organizers, the ghettos served as holding areas until Jews could be sent to labor or killing camps. Some of the larger ghettos, such as the ones in Warsaw and Lodz, were eventually sealed, and thousands of Jews died from starvation, disease, and exposure. During these harsh times, Jews attempted to preserve their religion, culture, and family life. Groups of ghetto residents would frequently be sent to camps to serve as laborers. Few returned, as they were worked or starved to death.

In 1942 the German authorities changed tactics, eliminating the ghettos and deporting all of the residents to extermination camps, killing centers equipped with gassing facilities in Poland. This was "the final solution to the Jewish question," put into place following a meeting of 17 German officials in January 1942 at a residence in Wannsee outside Berlin. Thus the killing of an entire people became official state policy, perhaps
for the first time in history. It was also the first time non-Nazi leaders were provided information of the Nazi plan.

Six killing sites were chosen according to their locations close to rail lines and for their location in remote rural areas. The locations were Belzec, Sobibor, Treblinka, Chelmno, Majdanek, and Auschwitz- Birkenau. Chelmno was the first camp where mass gas executions took place. At Chelmo mobile gas vans piped in the lethal gas, killing over 300,000 people (mostly Jews) in 1942 and 1943. Belzec used gas vans and later gas chambers, with over 600,000 people being murdered in little over a year. In 1942 Sobibor was opened. It did not cease killing until a one-day revolt of the prisoners occurred in October 1943. By that time it is estimated that 200,000 people had already died of gassing. Treblinka, the largest of the extermination camps, was responsible for at least 750,000 deaths.

Living conditions in the camps were inhumane. Over 500 inmates were often crammed into non-insulated barracks with no bathrooms available--buckets were often the only form of waste disposal. The typical barrack contained about 36 bunks, with five or six inmates often squeezing onto one wooden plank. Food was scarce and often disgusting. Malnutrition made prisoners easy targets for disease and dehydration. In fact, one goal of the camps was to work or starve the inmates to death.

Auschwitz was the camp responsible for the largest number of European Jews and Gypsies murdered. An early experiment of gassing of about 800 Polish and Russian prisoners eventually grew into daily routine mass murder. More than 1.25 million people were killed at Auschwitz, ninety percent of them being Jews. Each of its gas chambers could hold 2,000 victims at a time. Escape was virtually impossible, due to the barbed wire and watch towers. In just three months of 1944, over 430,000 Hungarian Jews were deported to Auschwitz on 48 trains. This is probably the single largest deportation of the Holocaust. Most of them were killed within days of arrival.

The SS operated the killing operations at the camps. Railroad cars would bring in victims. Men were separated from women. Clothes and valuables were confiscated.
They then were forced into the gas chambers, which the victims were told were showers, where carbon monoxide or Zyklon-B asphyxiated them in a matter of minutes. The bodies were then stripped of hair, gold fillings and teeth, and either burned in ovens or buried in mass graves. Those chosen for labor were sent to barracks and sometimes to factories outside the camps where they worked as slave labor to assist the German war effort. Some were subjected to medical experiments. Many died from overwork, brutal mistreatment, or starvation.

There is no way the extensive and systematic murders of the Holocaust could have taken place without the assistance of local collaborators and the silent acceptance of many bystanders who observed the brutal treatment of prisoners. While organized resistance was found in some areas, such as Denmark, it was rare and usually ineffective, as the Nazi and SS troops maintained a reign of fear and terror. But in one notable exception, a small resistance movement in Denmark, with the support of many of the local Danish residents, rescued nearly the entire Jewish population of Denmark from deportation by smuggling them in fishing boats to Sweden. Some individuals such as Oskar Schindler also risked their lives to save the persecuted. Perhaps the most successful was a Swedish diplomat, Raoul Wallenberg, who saved tens of thousands of Hungarian Jews in 1944.

By the end of 1944, the momentum of the war had turned against the Germans. Allied troops had established a beachhead in Normandy on the north-west coast of France and Soviet forces had pushed German troops from Soviet soil, across Poland, and into the eastern section of Germany. The SS evacuated outlying concentration camps on both the east and the west and marched the inmates to camps in Germany in an attempt to cover up the existence of extermination camps. Many Jews died on the marches to the camps and others would be executed upon arrival.
During the last days of the war in 1945, conditions in the remaining camps deteriorated, resulting in a large loss of life. Some camps such as Bergen-Belsen in northern Germany where Anne Frank was imprisoned and died, were never intended for extermination, became death traps as diseases like typhus spread through them. As many of the camps were liberated as Allied troops moved into German-occupied territory, soldiers found that many of the freed prisoners were so weak they couldn't eat or digest the food they were given and sometimes died.

The Nazi government collapsed in May 1945 as Hitler committed suicide. SS guards fled and the camps ceased to function as killing centers, labor sites, or concentration camps. But the horrible record of discrimination, imprisonment, and killing that took place from the ascendancy of the Nazis in 1933 until the end of World War 2 in 1945 provided perhaps the most vivid and disturbing example of genocide, man's ultimate inhumane treatment of others.
# Holocaust Timeline, 1933-1945

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 1933</td>
<td>Adolf Hitler is asked to be German Chancellor in coalition government.</td>
</tr>
<tr>
<td>March 1933</td>
<td>Dachau is established as the first Nazi concentration camp.</td>
</tr>
<tr>
<td>April 1933</td>
<td>All Jews are removed from the German civil service.</td>
</tr>
<tr>
<td>September 1935</td>
<td>Nuremberg Laws are enacted at Nazi Congress. Jews are deprived the right to vote. Marriages between Jews and non-Jews are outlawed.</td>
</tr>
<tr>
<td>July 1938</td>
<td>Evian Conference in France as 32 nations meet to discuss Jewish refugees. Few Western nations are willing to accept Jewish refugees.</td>
</tr>
<tr>
<td>November 1938</td>
<td>Kristallnacht. Throughout Germany and Austria, Nazis destroy Jewish property and deport 30,000 Jews to concentration camps.</td>
</tr>
<tr>
<td>December 1938</td>
<td>All Jewish business are ordered to cease activity.</td>
</tr>
<tr>
<td>September 1939</td>
<td>Germany invades Poland. World War 2 begins.</td>
</tr>
<tr>
<td>May 1940</td>
<td>Germany invades Holland, Luxembourg, Belgium, and France.</td>
</tr>
<tr>
<td>June 1941</td>
<td>More than 16,000 Jews have died of starvation in the Warsaw Ghetto since January.</td>
</tr>
<tr>
<td>September 1941</td>
<td>First gassing experiments at Auschwitz.</td>
</tr>
<tr>
<td>January 1942</td>
<td>At Wannsee Conference, Nazi leaders explain the plan for the extermination of all European Jews.</td>
</tr>
<tr>
<td>March 1942</td>
<td>240,000 Ukrainian Jews are massacred.</td>
</tr>
<tr>
<td>July 1942</td>
<td>Germans begin deportation of Jews from Holland and France.</td>
</tr>
<tr>
<td>May 1943</td>
<td>Germans liquidate the Warsaw ghetto.</td>
</tr>
<tr>
<td>October 1943</td>
<td>Danish citizens help over 7,000 Jews escape to Sweden.</td>
</tr>
<tr>
<td>June 6, 1944</td>
<td>Allies land in Normandy, begin land assault on German troops.</td>
</tr>
<tr>
<td>January 1945</td>
<td>Death marches from concentration camps to central Germany begin. 250,000 Jews die in the process.</td>
</tr>
<tr>
<td>May 1945</td>
<td>Germany surrenders unconditionally to Allies.</td>
</tr>
<tr>
<td>November 1945</td>
<td>Nuremberg War Tribunal begins.</td>
</tr>
</tbody>
</table>
Historian Hannah Arendt, in covering the trial of former Nazi Adolf Eichmann in Israel, referred to “the banality of evil.” Banality means ordinariness. The Nuremberg Tribunals, which tried the German officials responsible for the Holocaust, were remarkable in the ordinariness of the defendants. They did not appear to be monsters, though the evidence the prosecution provided to a stunned world indicated the actions they took were monstrous in nature. The trials, which lasted from 1945 to 1949, provide insight into how a genocide can be planned and implemented. Most Nuremberg defen-
dants did not aspire to be villains. Instead, they loyally followed political leaders and an ideological cause without carefully considering the consequences of their actions.

The twelve trials involved over 100 defendants and mountains of written and filmed evidence. The first Nuremberg trial involved the top Nazi leaders who had not been killed or committed suicide and focused on the major genocidal actions, such as the murder of millions of Jews and others in concentration camps. At subsequent tribunals, German judges who had enforced immoral laws, doctors who had conducted experiments on live subjects, and the _einsatzgruppen_ who had organized and implemented mass killings in Poland and the Soviet Union, were all put on trial for their actions.

**The Morgenthau and Stimson Plans**

The idea of bringing war criminals to justice was discussed by Allied leaders long before the war was concluded. Secretary of Treasury Henry Morgenthau proposed to President Franklin Roosevelt that a large number of prominent Nazi leaders should be summarily executed and the others banished to nations far from Germany. He envisioned establishing Germany as an agricultural nation that would not present a military or economic threat in the future. German prisoners of war would be used to rebuild Europe. In 1944, when eventual victory over the Axis powers seemed likely, President Franklin Roosevelt asked the War Department to devise a plan for bringing war criminals to justice.

Secretary of War Henry Stimson viewed the situation in Germany very differently than Morgenthau. Stimson proposed to try responsible Nazi leaders in court. The Stimson Plan labeled atrocities and waging a war of aggression as war crimes. It also proposed treating the Nazi regime as a criminal conspiracy. Roosevelt chose to support the Stimson and not the Morgenthau plan. British Prime Minister Winston Churchill reportedly told Soviet Premier Josef Stalin that he favored executing captured Nazi leaders. Stalin responded, "In the Soviet Union, we never execute anyone without a trial." Churchill agreed saying, "Of course, of course. We should give them a trial first." The three leaders issued a statement at the Yalta Conference in February, 1945 that some sort of judicial process for captured enemy leaders would be put in place when the war was concluded.
In April, 1945, two weeks after the sudden death of President Roosevelt, Supreme Court Justice Robert Jackson was asked by President Truman to serve as the chief prosecutor for the United States at a war crimes trial to be held in Germany soon after the war ended. Truman wanted a man of integrity and a first-rate public speaker to represent the interests of the United States as prosecutor. But who Jackson and the other Allied justices would be prosecuting, under what authority, and of what crimes still needed to be answered.

Several Nazi leaders escaped trial and punishment. Two days before Jackson's appointment, in an underground Berlin bunker, Adolf Hitler shot himself. Heinrich Himmler took a cyanide tablet while undergoing a medical exam and died within minutes. Propaganda minister Joseph Goebbels was also dead and longtime Nazi leader Martin Bormann was missing.

But many important Axis leaders fell into Allied hands, either through surrender or capture. Deputy Führer Rudolph Hess had been held in England since 1941, when he had parachuted behind British lines in a bizarre effort to convince British leaders to make peace with the Germany. Reichsmarschall Hermann Goering surrendered to Americans on May 6, 1945. Hans Frank was forced to run through a seventy-foot line of soldiers who kicked and punched him the entire way. Other suspected war criminals were rounded up by British forces in Flensburg, site of the last Nazi government. The Flensburg group included Karl Doenitz (Hitler's successor as Führer), Field Marshall Wilhelm Keitel, Nazi Party philosopher Alfred Rosenberg, General Alfred Jodl, and Armaments Minister Albert Speer. Eventually, 22 of these captured major Nazi figures would be indicted.

On June 26, Robert Jackson met in London with delegates from France, Great Britain, and the Soviet Union to discuss how to proceed with the captured German leaders. Because every nation had its own criminal statutes and its own views as to how the trials should proceed, some form of compromise of legal systems and approaches needed to be reached. One of the first problems to resolve was how to legally prosecute individuals who committed actions that were not against the law when committed. Jackson devoted considerable time to explaining why the criminal statutes relating to wars of aggression and crimes against humanity that he proposed drafting would not be **ex**
post facto laws. Jackson argued, "What we propose is to punish acts which have been regarded as criminal since the time of Cain and have been so written in every civilized code." The delegates also debated whether to proceed using the Anglo-American adversarial system with defense lawyers for the defendants, or whether instead to use the judge-centered inquisitional system favored by the French and Soviets.

After ten days of discussion, the shape of the proceedings became clearer. The trying court would be named the International Military Tribunal (IMT) and it would consist of one primary and one alternate judge from each nation. It was decided that the adversarial system preferred by the Americans and British would be used. The indictments against the defendants would prohibit defenses based on superior orders, as well as tu quoque (the "so-did-you" defense). The London Conference negotiators did not want to let the defendants and their German lawyers turn the trial into a forum on the conduct of Allied forces.

Jackson felt that the war crimes trials should be held in Germany. Few German cities in 1945, however, had standing courthouses in which a major trial could be held. One of the few cities that did was Nuremberg, site of some of Hitler's most spectacular rallies. It was also in Nuremberg that Nazi leaders proclaimed the infamous Nuremberg Laws, stripping Jews of their property and basic rights, so that location would have an ironic sense of justice for observers and participants. While the city was over 90% destroyed, the Palace of Justice was spared.

On August 6, the representatives signed the Charter of the IMT, which established the laws and procedures that would govern the Nuremberg trials. The defendants were flown into Nuremberg from throughout Germany and imprisoned for the 14 months of the trial proceedings.

Judges for the IMT met for the first time on October 13. The American judge was Francis Biddle, who was appointed to the job by Harry Truman. Jackson pressured Biddle to support instead the British judge, Sir Geoffrey Lawrence as president of the IMT, even though Biddle very much wanted the role for himself. Jackson thought the selection of
a Brit would reduce the criticism that the Americans were playing too large a role in the trials. Lawrence was elected chief judge.

The prosecutorial staff of over 600 Americans plus additional hundreds from the other three powers began interviewing potential witnesses and identifying documents from among the 100,000 captured. German lawyers, some of whom were themselves former Nazis, served as defense attorneys.

The Trial

On the opening day of the trial, the 21 indicted war trial defendants were seated in the dock at the rear of the room in the Palace of Justice. At 10 a.m., the marshal shouted, "Attention! All rise. The tribunal will now enter" and one of the most unique and important trials in world history began. Lawrence announced: "This trial, which is now to begin, is unique in the annals of jurisprudence."

The trial began with the reading of the indictments concerning four counts. All defendants were indicted on at least two of the counts; several were indicted on all four counts. Count One, "conspiracy to wage aggressive war," addressed crimes committed before the war began. Count Two, "waging an aggressive war (or "crimes against peace"), dealt with the undertaking of war in violation of international treaties and assurances. Count Three, "war crimes," concerned more traditional violations of the laws of war such as the killing or mistreatment of prisoners of war and the use of outlawed weapons. Count Four, "crimes against humanity," addressed crimes committed against Jews, ethnic minorities, the physically and mentally disabled, civilians in occupied countries, and other persons. The greatest of these crimes against humanity was, of course, the mass murder of Jews in concentration camps—the so-called "Final Solution." For an entire day, 40 defendants listened as prosecutors read a detailed list of the crimes they stood accused of committing.

Prosecution Case

On the next day Jackson delivered his opening statement for the prosecution. Jackson spoke eloquently for two hours. He told the court, "The wrongs which we seek to condemn and punish have been so calculated, so malignant, and so devastating that
civilization cannot tolerate their being ignored because it cannot survive their being repeated."

The prosecution case was divided into two main phases. The first phase focused on establishing the criminality of various components of the Nazi regime, while the second sought to establish the guilt of individual defendants. The first prosecutorial phase was divided into parts. The prosecution presented the case that the 1938 annexation of Austria constituted an aggressive war, then proceeded over the course of two weeks to show the same for the invasions of Czechoslovakia, Poland, Denmark, Norway, Belgium, the Netherlands, Luxembourg, Greece, Yugoslavia, and the Soviet Union. Prosecution proof on the counts of conspiring to wage and then waging an aggressive war consisted mainly of film documentary evidence.

A second part of the prosecution case dealt with the Nazi use of slave labor and concentration camps. Evidence introduced during this part of the prosecution case demonstrated the horrible nature of the Nazi regime. One exhibit was of tanned human tattooed skin from concentration camp victims. The wife of the commandant of the Buchenwald concentration camp liked to have the flesh fashioned into lampshades and other household objects for her home. Another exhibit was the shrunken head of an executed Pole, used by the Buchenwald commandant as a paperweight.

The prosecution also presented evidence establishing the criminality of the Nazi party leadership, the Reich Cabinet, the SS, the Gestapo, and members of the military leadership. Some of the evidence resulted in cries and gasps of horror from spectators. One affidavit introduced by a British prosecutor described an experiment conducted to determine what method to use to save German flyers pulled out of freezing North Sea waters. Inmates were stripped naked and then thrown into tanks of freezing water. Chunks of ice were added, as workers repeatedly thrust thermometers into the rectums of unconscious inmates to see if they were sufficiently chilled. Then the inmates were pulled out of the tanks to see which of four methods of warming might work best. Experimenters dropped most inmates into either tanks of hot water, warm water, or tepid water. One quarter of the inmates were placed next to the bodies of naked fe-
male inmates. (Rapid warming with hot water was determined to be most effective.) Most of the inmates used in the experiment went into convulsions and died.

In addition to testimony about medical experiments, a series of concentration camp victims testified about their experiences. Marie Claude Vallant-Couturier, a 33-year-old French woman, provided powerful testimony about what she observed at Auschwitz in 1942. She described how a Nazi orchestra played as soldiers separated those chosen for slave labor from those who would be gassed. She also described being "awakened by horrible cries. The next day we learned that the Nazis had run out of gas and the children had been hurled into the furnaces alive."

Soviet prosecutors introduced a film entitled *Documentary Evidence of the German Fascist Invaders*. The film, which consisted mostly of captured German footage, showed Nazi atrocities. In one scene a boy is shown being shot because he refused to give his pet dove to an SS man. In another scene, naked women are forced into a ditch, then made to lie down as German soldiers--smiling for the camera--shoot them.

The prosecution rested on March 6. After the thirty-three witnesses and hundreds of exhibits had been produced, it was impossible to deny that crimes against humanity had been committed in Europe.

**Defense Case**

Hermann Goering proved to be an effective witness for his own defense. Speaking without notes, he proudly proclaimed about the Nazi political takeover: "Once we came to power, we were determined to hold on to it under all circumstances." Goering offered no apologies and answered every question. He testified that it was firmly believed that the concentration camps were necessary to preserve order: "It was a question of removing danger." Janet Flanner of the *New Yorker* described Goering as "a brain without a conscience."

Robert Jackson cross-examined Goering. Goering at first effectively deflected Jackson’s accusations, often providing lengthy answers that reinforced the arguments made on direct examination. But on the third day of cross-examination, Jackson began effectively challenging Goering’s responses. He asked Goering whether he signed a series of decrees depriving Jews of the right to own businesses, ordering the surrender of their gold and jewelry to the government, and disallowing compensation claims for damage.
to their property caused by the government. Goering was forced to admit the truth of Jackson’s assertions. After describing the awful events of Kristallnacht, November 9, 1938, when over 800 Jewish shops were destroyed and 20,000 Jews were summarily arrested, Jackson asked Goering whether he told a group of German insurance officials (concerned about the loss of non-Jewish property on consignment at the Jewish shops) "I demand that German Jewry shall for their abominable crimes make a contribution of a billion marks...I would not like to be a Jew in Germany." Goering admitted that he said it. Despite these admissions, most observers believed Goering had shown himself to be a brilliant combatant during the trial.

Over the course of the trials, lawyers for each of the defendants presented their evidence. Most of the defendants themselves took the stand, trying to put their actions in as positive a light as possible. Most claimed to have no knowledge of the existence of concentration camps or the mass killings. British Prosecutor Maxwell-Fyfe displayed a map showing a number of concentration camps located near one defendant’s home. Other defendants used their testimony to emphasize that they were merely following orders. This was in spite of the fact that the IMT had disallowed the defense of superior orders, as the defendants hoped it might affect sentencing.

One unusual element of the trial occurred when the attorney for Gestapo Chief Ernst Kaltenbrunner called Colonel Rudolf Hoess to the stand. Hoess had been the commandant of Auschwitz. Hoess's factual account of mass executions using Zyklon-B gas—with as many as 10,000 inmates killed in one day--left many in the courtroom stunned and doomed Kaltenbrunner’s case. A few of the defendants confessed their mistakes and offered apologies for their actions. Wilhelm Keitel regretted "orders given for the conduct of war in the East, which were contrary to accepted usages of war." Hans Frank, Nazi Governor of Poland, answered "Yes" when asked whether he ever participated in the annihilation of the Jews. "My conscience does not allow me simply to throw the responsibility simply on minor people....A thousand years will pass and still Germany's guilt will not have been erased." Most willing and almost eager to accept blame was Albert Speer, Minister of Armaments and one of Hitler’s closest friends. "This war has brought an inconceivable catastrophe," Speer stated, "There-
fore, it is my unquestionable duty to assume my share of responsibility for the disaster of the German people."

**The Verdicts**

The courtroom in the Palace of Justice, which had largely emptied for the defense summations, was full again on July 26, 1946, for the eagerly awaited closing argument of Robert Jackson. Jackson made strong accusations against each of the defendants, but saved his harshest attacks for Goering. The defendants who had expressed remorse for their actions were given the lightest sentences. Jackson closed his impassioned address by quoting Shakespeare: "[T]hese defendants now ask this Tribunal to say that they are not guilty of planning, executing, or conspiring to commit this long list of crimes and wrongs. They stand before the record of this Trial as bloodstained Gloucester stood by the body of his slain king. He begged of the widow, as they beg of you: 'Say I slew them not.' And the Queen replied, 'Then say they were not slain. But dead they are...' If you were to say of these men that they are not guilty, it would be as true to say that there has been no war, there are no slain, there has been no crime."

The last stage of the trial included final statements by each of the defendants. Goering disgustedly told the court that the trial had been nothing more than an exercise in victor’s justice, which in reality was no justice at all. Rudolf Hess who had at one point claimed amnesia and then changed his mind, said it had been his pleasure to work "under the greatest son which my people produced in its thousand-year history." Albert Speer warned of the destructive weapons now being produced and the imperative need to eliminate war for all time. "This trial must contribute to the prevention of wars in the future," Speer said. "May God protect Germany and the culture of the West."

On the day of sentencing, October 1, 1946, Lawrence read the verdicts. Beginning with Goering: "The defendant, Hermann Goering, was the moving force for aggressive war, second only to Adolf Hitler....He directed Himmler and Heydrich to 'bring about a complete solution of the Jewish question.’” Goering was found guilty on all four counts. In all, eighteen defendants were convicted on one or more count, three (Schact, Von Pa-

![Map of Germany](image.png)

Dozens of German concentration camps were built to house prisoners and laborers.
pen, and Fritzsche) were found not guilty. The three acquitted defendants were immediately arrested by policemen to next be tried in German courts for violations of German law.

Sentences were then announced for the convicted defendants. Again, Lawrence started with Goering: "The International Military Tribunal sentences you to death by hanging." Ten other defendants (Ribbentrop, Keitel, Rosenberg, Frank, Frick, Kaltenbrunner, Streicher, Sauckel, Jodl, and Seyss-Inquart) were also told they would die by hanging. Life sentences were handed down to Hess, Funk, and Raeder. Von Schirach and Speer received 20-year sentences, Von Neurath a 15-year sentence, while Doenitz got a 10-year sentence. The ten-month trial, which redefined international justice and helped define the crime of genocide, had ended.

On October 15, the day before the scheduled executions, Goering wrote a note to the Allied Control Council: "I would have had no objection to being shot. However, I will not facilitate execution of Germany's Reichsmarschall by hanging! For the sake of Germany, I cannot permit this. Moreover, I feel no moral obligation to submit to my enemies' punishment. For this reason, I have chosen to die like the great Hannibal."

Then Goering removed a smuggled cyanide pill and committed suicide.

A few hours later, Joachim von Ribbentrop walked to the gallows constructed in the gymnasium of the Palace of Justice. A black hood was pulled down across his head and the noose was slipped around his neck. A trapdoor opened. Two minutes later, the next in line, Field Marshal Keitel, stepped up the gallows stairs. By 2:45 a.m., it was all over.

The Results of Nuremberg

Though the International Military Tribunal was done with its work, subsequent trials of former Nazis and other German officials continued in Nuremberg for over two more years. The judges for the continuing Nuremberg trials were all Americans. The extent to which justice was done at Nuremberg was a matter of debate during the trials and is still debated today.

But what is the legacy of the Nuremberg Tribunals?
The evidence of atrocities presented at Nuremberg was one important contribution. The photographs, films, and testimony offered by the prosecution continue to shock people today and are an important counter to the deniers of the Holocaust. Another important result of Nuremberg was the description of the criminal behavior of many of the Nazi leaders. Allied leaders were concerned that the trial and subsequent executions might turn into an opportunity for martyrdom for the defendants. Following the hangings, the bodies of the defendants were burned and their ashes scattered at an unknown site. Nuremberg may have also helped develop democracy in Germany.

On one level, however, the Nuremberg trials did not succeed. Wars of aggression still take place. Genocidal behavior has taken place on several continents, including Europe. Crimes against humanity still take place.

**The Nuremberg Verdicts**

On October 18, 1945, the opening session of the Nuremberg Trial (also known as the International Military Tribunal) began and on November 20, the indictments were read. Though 24 men stood accused, only 21 were at the trial. (Robert Ley had committed suicide before the trial began; Gustav Krupp was considered too frail to stand trial; and Martin Bormann was missing but tried in absentia.)

Each of the accused were charged with one or more of the following:

- **Count I**: Conspiracy to Wage Aggressive War
- **Count II**: Crimes Against Peace
- **Count III**: War Crimes
- **Count IV**: Crimes Against Humanity

The following chart indicates the individual’s role in the German government or military, the count of their indictment, and their sentence.
<table>
<thead>
<tr>
<th>Defendant</th>
<th>Role</th>
<th>Guilty of Count #</th>
<th>Sentence</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Martin Bormann</td>
<td>Deputy Führer</td>
<td>3 &amp; 4</td>
<td>Death</td>
<td>Tried in absentia. He disappeared, though some feel he committed suicide in 1945.</td>
</tr>
<tr>
<td>Karl Donitz</td>
<td>Supreme Naval Commander</td>
<td>2 &amp; 3</td>
<td>10 years imprisonment</td>
<td>Served all 10 years. Died in 1980</td>
</tr>
<tr>
<td>Hans Frank</td>
<td>Governor-General of Poland</td>
<td>3 &amp; 4</td>
<td>Death</td>
<td>Hanged</td>
</tr>
<tr>
<td>Wilhelm Frick</td>
<td>Foreign Minister of the Interior</td>
<td>2, 3, &amp; 4</td>
<td>Death</td>
<td>Hanged</td>
</tr>
<tr>
<td>Hans Fritzsche</td>
<td>Head of the Radio Division, Propaganda Ministry</td>
<td>Not Guilty</td>
<td>Acquitted</td>
<td>Later sentenced to 9 years in work camp. Served 3.</td>
</tr>
<tr>
<td>Walther Funk</td>
<td>President of the Reichsbank</td>
<td>2, 3, &amp; 4</td>
<td>Life in prison</td>
<td>Released after 12 years</td>
</tr>
<tr>
<td>Hermann Goering</td>
<td>Reichsmarshal</td>
<td>All four</td>
<td>Death</td>
<td>Committed suicide hours before he was about to be executed.</td>
</tr>
<tr>
<td>Rudolf Hess</td>
<td>Deputy Führer</td>
<td>1 &amp; 2</td>
<td>Life in prison</td>
<td>Died in prison in 1987</td>
</tr>
<tr>
<td>Alfred Jodl</td>
<td>Chief of Staff, Armed Forces</td>
<td>All four</td>
<td>Death</td>
<td>Hanged</td>
</tr>
<tr>
<td>Ernst Kaltenbrunner</td>
<td>Chief of Security Police</td>
<td>3 &amp; 4</td>
<td>Death</td>
<td>Hanged</td>
</tr>
<tr>
<td>Wilhelm Keitel</td>
<td>Armed Forces High Command Chief</td>
<td>All four</td>
<td>Death</td>
<td>Hanged, though he requested to be shot</td>
</tr>
<tr>
<td>Konstantin von Neurath</td>
<td>Minister of Foreign Affairs</td>
<td>All four</td>
<td>15 years imprisonment</td>
<td>Released after 9 years</td>
</tr>
<tr>
<td>Franz von Papen</td>
<td>Chancellor (1932)</td>
<td>Not Guilty</td>
<td>Acquitted</td>
<td>Later sentenced to 8 years in a work camp</td>
</tr>
<tr>
<td>Erich Raeder</td>
<td>Supreme Naval Commander</td>
<td>2, 3, &amp; 4</td>
<td>Life in prison</td>
<td>Released after 10 years</td>
</tr>
<tr>
<td>Joachim von Ribbentrop</td>
<td>Reich Foreign Minister</td>
<td>All four</td>
<td>Death</td>
<td>Hanged</td>
</tr>
<tr>
<td>Alfred Rosenberg</td>
<td>Party Philosopher</td>
<td>All four</td>
<td>Death</td>
<td>Hanged</td>
</tr>
<tr>
<td>Fritz Sauckel</td>
<td>Labor Allocation Chief</td>
<td>2 &amp; 4</td>
<td>Death</td>
<td>Hanged</td>
</tr>
<tr>
<td>Hjalmar Schacht</td>
<td>Minister of Economics</td>
<td>Not Guilty</td>
<td>Acquitted</td>
<td>Later sentenced to 8 years in a work camp</td>
</tr>
<tr>
<td>Baldur von Schirach</td>
<td>Hitler Youth Leader</td>
<td>4</td>
<td>20 years imprisonment</td>
<td>Served all 20 years</td>
</tr>
<tr>
<td>Arthur Seyss-Inquart</td>
<td>Minister of the Interior</td>
<td>2, 3, &amp; 4</td>
<td>Death</td>
<td>Hanged</td>
</tr>
<tr>
<td>Albert Speer</td>
<td>Minister of Armaments</td>
<td>3 &amp; 4</td>
<td>20 years imprisonments</td>
<td>Served all 20 years</td>
</tr>
<tr>
<td>Julius Streicher</td>
<td>Founder of <em>Der Sturmer</em></td>
<td>4</td>
<td>Death</td>
<td>Hanged</td>
</tr>
</tbody>
</table>
From 1975 to 1979, one-quarter of the Cambodian population was killed by other Cambodians. In addition to the estimated 1.9 million Cambodians, perhaps the entire Vietnamese population living in Cambodia at the time was wiped out. Other ethnic groups were targeted as well. Just as one cannot fathom the Holocaust without a background knowledge of European anti-Semitism in the period before World War 1, it is impossible to understand how the Cambodian Genocide of the 1970s could have occurred without a familiarity with the circumstances that led up to it.
Background to the Cambodian Genocide

People have lived in the nation now known as Cambodia since at least 4000 B.C. The earliest known kingdom, Funan, controlled the area from the first to fifth century A.D. It was succeeded by the Chenla Kingdom and then by the Khmer from the 9th to the 13th centuries in what is known as the golden age of Cambodian civilization. Cambodia declined in power and territory in the succeeding centuries and was eventually taken over by France in 1863. It had been ruled by France as part of French Indochina and then by Japan during World War 2. Young King Norodum Sihanouk was established in power by the Japanese in 1945 and although the French reclaimed authority after the conclusion of World War 2, Sihanouk was able to establish Cambodian sovereignty.

Although officially neutral during the Vietnam War, Cambodia became a base for North Vietnamese activity, causing the United States to begin more than a year of intense bombing of Cambodian territory beginning in 1969. More bombs were dropped on Cambodia by the U.S. than had been dropped on Japan during all of World War 2. This led to a number of Cambodian casualties in addition to opposition to Sihanouk’s rule. The strongest opposition group that developed was the Khmer Rouge, Cambodian communists who had been largely educated in France. Sihanouk was ousted in a military coup in 1970 and Lon Nol took power, though it was over a greatly disunited Cambodia. A civil war developed in Cambodia between Lon Nol’s forces and the Khmer Rouge, led by Pol Pot.

By 1975, the Khmer Rouge had taken control of Cambodia and began a deurbanization campaign in which most of the major cities were cleared of all inhabitants. Believing that the farmers were the source of all that was good in Cambodia, the Khmer Rouge forced the former urban residents to relocate to the countryside and become rice farmers. They completely restructured Cambodian society, largely eliminated Buddhist and Roman Catholic influences, and formed huge collective farms. During the evacuations, thousands starved or died of disease. Most of those who evacu-
ated the cities were resettled in newly created villages, lacking food, agricultural equipment, and any level of medical care. Many Cambodians starved to death and others were severely malnourished. In an attempt to create a new Cambodia, the Khmer Rouge wiped out entire families and groups. Citizens were rounded up and executed for speaking a foreign language, wearing glasses, and scavenging for food. Businessmen and government bureaucrats were killed along with their entire families; the Khmer Rouge feared that old beliefs could lead them to oppose their regime. Over 20,000 mass graves throughout Cambodia have been excavated to this date.

The period of intense violence against the Cambodian people by its own government ended in 1979 when Vietnam forces invaded and Khmer Rouge troops fled, mostly to neighboring Thailand. Over 600,000 refugees lived in camps along the Thai-Cambodian border. After a period as the Democratic Republic of Kampuchea, which was a client state of Vietnam, the United Nations brokered a cease-fire and resettlement plan in 1991 that led to elections of new leaders.

**Khmer Rouge Ideology**

Cambodia has been described as “our time’s arguably most murderous, brutal, inhuman small country” by Daniel Goldhagen. What were the central elements of the Khmer Rouge’s philosophy that led to such disastrous consequences?

1. **Veneration of peasant farmers and anti-urbanism.** Most of the support for the Khmer Rouge came from rural areas in a context quite different from the Soviet communist experience. Peasants were seen as the guardians of the true Cambodia against the foreign-influenced and cosmopolitan city dwellers. As in the Roman siege of Carthage, the residents of Cambodian cities were ordered to abandon urban life for the countryside. Unlike Carthage, the cities were then left stand-
ing with little destruction. Caravans of refugees were sent to rural camps and then collective farms. On these forced marches, the Khmer Rouge brutally murdered or starved to death as many as 400,000 people.

2. **Hatred of enemies of the people.** While enemies were loosely defined, almost all professionals, the educated classes, and ethnic groups within Cambodia fit the definition and were subject to persecution, beatings, and murder. Even wearing eyeglasses was seen as a mark of wealth and individuals were executed for having glasses’ indentations on their noses.

3. **Nationalism.** The Khmer Rouge looked back to Cambodia’s golden age and sought to reclaim territories in Vietnam that had long ago been part of previous empires. This led to the virtual annihilation of Vietnamese living in Cambodia and several invasions into Vietnamese territory in 1977 and 1978. The concept of racial purity was also an element of nationalism, though among the Khmer Rouge it became intertwined with class resentment, so that upper and middle class Cambodians were considered not to be true citizens.

**The Killing Fields**

These beliefs of the Khmer Rouge led to one of the worst genocides, in relation to population, in world history. From 1975 to 1978, executions and mass killings became common throughout Cambodia. Anyone perceived as an enemy was liable to be murdered. Indirect killings, through starvation, disease, and overwork took many more lives, in a manner similar to the work camps established by the Nazis that resulted in the deaths of hundreds of thousands of Jews and other perceived enemies of the German state. In a population of eight million in 1975, scholars estimate between 1.7 and 1.9 million Cambodians were killed. Thousands of mass graves have been identified with eyewitnesses describing the areas of the executions as “the Killing Fields.” The worst period was probably just before the 1978 invasion by Vietnam with 250,000 believed killed. In addition to killing those considered
enemies of the Khmer Rouge, internal purges took place several times, with those considered disloyal sent to detention and torture centers. One camp, Tuol Sleng, held 14,000 prisoners during the Khmer Rouge reign. Only 10 individuals are thought to have survived.

司法对柬埔寨大屠杀

司法对柬埔寨大屠杀

With many of the Khmer Rouge leaders living in exile in Thailand following their defeat by Vietnam, bringing them to justice for the Cambodian Genocide proved difficult. Khmer Rouge leader Pol Pot died in his jungle exile in 1998. The United Nations and the Cambodian government had major disagreements over the form and methods of any human rights tribunals. In 2003 a compromise mixed tribunal, named the Extraordinary Chambers in the Courts of Cambodia, was established with local and international judges and lawyers conducting the trials. A total of five individuals have been tried, with only three convicted to date. Others have died or had their cases dismissed.

Some historians have contended that the Cambodian catastrophe of the 1970s, while horrendous, does not fit the definition of genocide, as the main target was not an ethnic or religious group, but an element of the general Cambodian population, mainly the urban and middle and upper class elements. Some have used the term autogenocide to describe what took place in Cambodia in the 1970s. Whatever the definition, the Cambodian Genocide set a horrible example of inhumanity towards one’s own citizens.
**Timeline of the Cambodian Genocide 1965-2007**

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. escalates Vietnam War</td>
<td>1965</td>
<td>Vietnamese communists seek refuge in Cambodia</td>
</tr>
<tr>
<td>Bombings and incursion into Cambodia by U.S. troops</td>
<td>1969</td>
<td>Massive bombing campaign and an invasion by U.S. and South Vietnamese troops kills many Cambodians and destabilizes government.</td>
</tr>
<tr>
<td>Prince Sihanouk overthrown</td>
<td>1970</td>
<td>Lon Nol deposes Sihanouk who becomes aligned with Khmer Rouge forces</td>
</tr>
<tr>
<td>Khmer Rouge control Phnom Penh</td>
<td>1975</td>
<td>Forced removal of urban dwellers to rural centers begins; Force unpaid agricultural labor, in conjunction with the Khmer Rouge's agrarian utopian ideologies begins. All dissidents, intellectuals, and Buddhist monks begin to be executed.</td>
</tr>
<tr>
<td>Cambodian invasion of Vietnam</td>
<td>1978</td>
<td>Anti-Vietnamese campaign leads to Vietnam-Cambodian War, eventually won by Vietnam in 1979</td>
</tr>
<tr>
<td>Paris Agreement</td>
<td>1991</td>
<td>Opposing factions agree to ceasefire and political solution to end civil war. United Nations send a mission to Cambodia (UNTAC) to oversee return of refugees and free elections.</td>
</tr>
<tr>
<td>Pol Pot dies</td>
<td>1998</td>
<td>Genocidal leader dies in his jungle exile and thus escapes criminal prosecution for his actions</td>
</tr>
<tr>
<td>Court created to prosecute Khmer Rouge leaders</td>
<td>2001</td>
<td>The Cambodian National Assembly agrees to a mixed tribunal of local and international judges, prosecutors, and defense attorneys.</td>
</tr>
<tr>
<td>First trials begin</td>
<td>2007</td>
<td>Commander of infamous Tuol Sleng detention center where thousands were killed is first to be tried. Sentenced to life in prison.</td>
</tr>
</tbody>
</table>
Over 800,000 people were killed in just 100 days. That was the gruesome death toll in the central African nation of Rwanda in the spring of 1994. Most of those killed were Tutsis and most of the killers were Hutus, but the political and ethnic situation in Rwanda is too complicated to reduce to a simple explanation. In fact, a number of moderate Hutus were killed. Reprisal killings of Hutus by Tutsis took place after the main crisis had passed and the unrest led to one of the largest refugee populations in history as hundreds of thousands of Rwandans fled to surrounding nations.
While the United Nations had a small peacekeeping force present before and during the crisis and French troops helped evacuate Europeans during the height of the killing, the Western powers for the most part chose not to become involved, even though some, like the United States, are legally committed to assisting groups within a foreign nation when genocide occurs. Because the U.S. suffered casualties in the previous year in the east African nation of Somalia during an attempt to assist in a humanitarian effort, there was a hesitation to become involved in another African internal fight that seemed to have no clear outcome. This hesitation probably allowed many innocent Rwandans to be killed.

**Background to the Rwandan Genocide**

What were the factors that caused this genocide? The immediate cause was a plane crash in April 1994 which killed the presidents of Rwanda and neighboring Burundi. To this day, no one knows who shot down the plane as it approached Kigali Airport, but many have suggested that extremist Hutus, who were frustrated with peace efforts extended to Tutsis by moderate President Juvenal Habyarimana, launched the missiles that caused the crash.

Soon after the crash, roadblocks were set up throughout the capital city of Kigali and individuals were forced to present their identity cards which designated every Rwandan as a Hutu, Tutsi, or Twa, the three tribal or ethnic groups that comprised the Rwandan population. Many Tutsis were forcibly taken from their homes and executed by members of the Interahamwe, an extremist Hutu militia organization supported by the Rwandan government. That began the period of killings that horrified observers and eventually attracted the world’s attention.

Untangling the different elements that led to the Hutu-Tutsi tension of 1994 requires some background in Rwandan history. From 1919 to its independence in 1962, Rwanda was a colony of Belgium. French was the language used by Belgian officials ruling the country and Roman Catholicism was the largest Christian denomination. Three African people groups comprised the Rwandan population. The Tutsis (perhaps nine percent of the population), who had probably emigrated from Ethiopia, were mainly cattle owners. The Hutus (close to 90 percent of Ugandans), who had a longer history in the region, were mainly peasant farmers and came to be dominated by the Tutsis. The third group were the Twa people, who accounted for less than two percent of the population. Prior to the colonial era, Tutsis generally occupied the higher strata in the social system and the Hutus the lower. However, social mobility was possible. A
Hutu who acquired a large number of cattle or other wealth could be assimilated into the Tutsi group and impoverished Tutsi would be regarded as Hutu.

Belgian colonial officials favored the Tutsis over the Hutus, providing more educational and occupational opportunities to them. Beginning in the 1930s identity cards were provided to all Rwandans, indicating the citizen’s tribal status as Hutu, Tutsi, or Twa. As the independence movement began to sweep through Africa in the late 1950s and early 1960s, the Belgian colonial authorities began transferring power to the Hutu majority. Some Hutus used their newly-established power to attack Tutsis, who were resented for their long period of control over the majority Hutus. In November 1959, a violent incident sparked a Hutu uprising in which hundreds of Tutsi were killed and thousands displaced and forced to flee to neighboring countries. This marked the start of the so-called ‘Hutu Peasant Revolution’ or ‘social revolution’ lasting from 1959 to 1961, which signified the end of Tutsi domination and the sharpening of ethnic tensions. Many Tutsis (over 120,000) fled to surrounding nations, including Burundi, Uganda, and the Congo.

A large group of Rwandan Tutsis living in Uganda hoped to return to their homeland and in 1987 organized an army, the Rwandese Patriotic Front (RPF), to make that a reality. Meanwhile overpopulation and economic distress caused by falling coffee prices around the world led to unrest and opposition to moderate Hutu President Habyarimana, who had taken power in 1973 in a military coup. The RPF used a period of unrest in 1990 to launch an invasion of Tutsi exiles. Habyarimana asked for help from the French government, which assisted in the arming and training of the Rwandan army.

As the political and economic situation continued to get worse, several outside groups, including the World Bank and the International Monetary Fund, began pressuring the Hutu ruling class to become more democratic. In the Arusha Accords signed by President Habyarimana in 1993, Rwanda agreed to allow multiparty elections and
to include RPF troops in the Rwandan army. In addition, 2,500 United Nations troops were assigned to Rwanda to assist in the democratization efforts.

**Anti-Tutsi Propaganda**

Some Hutus were strongly opposed to these conciliatory moves towards the Tutsi minority and began spreading anti-Tutsi propaganda via a newspaper, the *Kangara*, and a radio station, Milles Collines. The Tutsi were denounced as “cockroaches” who planned to regain the dominant position over the Hutus which they enjoyed during Belgian rule. The “Hutu Ten Commandments” were circulated in the early 1990s and included such edicts as

”1. We shall consider a traitor any Hutu who
   •marries a Tutsi woman
   •befriends a Tutsi woman
   •employs a Tutsi woman…

4. Every Tutsi is dishonest in business…Any Hutu who does the following is a traitor:
   •makes a business partnership with a Tutsi
   •invests money in a Tutsi enterprise
   •lends or borrows money from a Tutsi

5. All strategic positions, political, administrative, economic, military and security should be entrusted to Hutu…

8. The Hutu should stop having mercy on the Tutsi.”

The assassination of President Habyarimana on April 4, 1994, unleashed the massacre of the Tutsi population of Rwanda. Plans were in place long before the plane crash, which was reported on the radio along with a call to Hutus to “take your spears, clubs, guns, swords, stones, everything—hack them, those enemies, those cockroaches, those enemies of democracy.” Throughout Rwanda Hutu local leaders and common citizens joined the Interahamwe in identifying and killing Tutsis. Men, women, and children were killed, often horribly hacked to death with machetes. The killings—800,000 are estimated to have perished—shocked the international community and were clearly acts of genocide. An estimated 150,000

[Image: President Habyarima’s death in a plane crash in April 1994 triggered the Rwandan Genocide.]
to 250,000 women were also raped. As Tutsis fled to local churches and hospitals hoping for protection, Hutus engaged in mass killings.

A provisional government was established in Kigali during the campaign of terror, but it was unwilling or unable to halt the escalating violence. Members of the RPF began fighting against Hutu armed forces. Fearful of revenge, many Hutus left their homes and attempted to flee to neighboring nations. This became one of the largest mass movements of people in history. In one day in May 1994, over 250,000 Hutus fled to Tanzania, forming the world’s single largest refugee camp. In July at least one million Tutsi fled to Zaire (now the Democratic Republic of the Congo) and settled near the city of Goma. Conditions in the hastily-assembled camp were horrible, with at least 60,000 people dying of cholera in the first several days. In one two-day period, over 14,000 refugees died in Goma.

**International Responses**

The international response to the tragedy in Rwanda in the spring of 1994 was limited and late. Although Romeo Dallaire, the United Nations commander of the peacekeeping forces, asked for an increase in troops as the tensions rose, UN officials refused to strengthen his force and in fact reduced the number of UN troops from just over 2,000 to 270 for the entire nation of Rwanda. A French-led mission, Operation Turquoise, saved hundreds of civilians in southwest Rwanda, but also allowed a number of Hutus involved in earlier killings to escape.

In a now-famous press conference during the crisis, a United States State Department official refused to characterize the Rwandan situation as a genocide, commenting only that “acts of genocide had occurred.” Acknowledging genocide would have required U.S. intervention, which the Clinton Administration at that time opposed. To his credit, President Clinton later returned to Rwanda in 2009 and apologized for the lack of an international response: “The international community, together with nations in Africa, must bear its share of responsibility for this tragedy, as well. We did not act
quickly enough after the killing began. We should not have allowed the refugee camps to become safe haven for the killers. We did not immediately call these crimes by their rightful name: genocide. We cannot change the past. But we can and must do everything in our power to help you build a future without fear, and full of hope.”

**Rwanda Following the Genocide**

The killings continued in Rwanda until July 1994 when the RPF took control of the country. Government officials, soldiers, and members of the Interahamawe fled, with many going to the Democratic Republic of the Congo.

The Rwandan government began trials of Hutus at the end of 1996. The country had lost most of its judicial personnel, not to mention its courts, jails and other infrastructure. By 2000, there were over 100,000 genocide suspects awaiting trial. In 2001, the government began implementing a participatory justice system, known as Gacaca, (pronounced ga-cha-cha) in order to address the enormous backlog of cases. Communities elected judges to hear the trials of genocide suspects accused of all crimes besides planning of genocide or rape. The defendants in Gacaca courts were released provisionally awaiting trial, though this caused resentment among Tutsi survivors who saw this as amnesty. Up until today, Rwanda continues to use the national court system to try those involved in planning genocide or rape. The Gacaca courts give lower sentences if the person is repentant and seeks reconciliation with the community. These courts are intended to help the community participate in the process of justice and reconciliation for the country.

At the international level, the UN Security Council established the International Criminal Tribunal for Rwanda, currently based in Arusha, Tanzania, in November 1994. The first suspects were brought to the court in May 1996 and the first case began in January 1997. The UN Tribunal has jurisdiction over all violations of international human rights that happened in Rwanda between January and December 1994. It has the capacity to prosecute high-level members of the government and armed forces that may have fled the country and would otherwise have gone unpunished. The court has
since convicted Jean Kambanda, the Prime Minister during the genocide, to life in prison. It was also the first international court to convict a suspect for rape as a crime against humanity and a crime of genocide. The court also tried three media owners accused of using their respective media to incite ethnic hatred and genocide. By April 2007, it had handed down 27 judgments involving 33 accused.

**The Legacy of Rwanda**

What good could come of a tragedy like the Rwandan Genocide? The local Gacaca courts were one positive result. In addition, following both Rwanda’s tragedy in 1994 and the ethnic cleansing in Bosnia in 1995, the international community began to seriously debate how to react effectively when citizens’ human rights are systematically violated. The central issue is whether nations have unconditional sovereignty over their affairs or whether the international community has the right to intervene militarily in a country for humanitarian purposes.

Following the tragedies of the 1990s in Somalia, Rwanda, and Bosnia, the discussion of a “right to humanitarian intervention” evolved into the concept of a “responsibility to protect (R2P).” In his Millennium Report of 2000, then Secretary-General Kofi Annan, recalling the failures of the Security Council to act in a decisive manner in Rwanda and the Balkans, put forward the challenge to Member States:

“If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica, to gross and systematic violation of human rights that offend every precept of our common humanity?”

Following the Millennium Report, the International Commission on Intervention and State Sovereignty issued a report entitled “The Responsibility to Protect”. The report found that sovereignty not only gave a state the right to “control” its affairs, it also...
conferred on the state primary “responsibility” for protecting the people within its borders. It proposed that where a nation fails to protect people—either through lack of ability or a lack of willingness—the responsibility shifts to the broader international community. The Commission’s report stated that the responsibility to protect (R2P) includes three specific responsibilities:

1) responsibility to prevent by addressing both the root and immediate causes of conflicts within countries, as well as other man-made crises;

2) responsibility to react by responding appropriately to situations of massive human rights violations by, for example, imposing sanctions, bringing international prosecution; and, in extreme cases, intervening with military force;

3) responsibility to rebuild by providing full assistance with recovery, reconstruction and reconciliation particular after any military intervention

The scars caused by the Rwandan Genocide will take a long time to heal. While many Rwandans favor the process of reconciliation symbolized by the Gacaca courts, others feel that reconciliation is not possible at this time. When the Hutus fled following the killings, many returning Tutsi exiles moved into deserted areas and towns. Hutus seeking to reclaim their lands and possessions have led to further legal disputes. It will probably take several generations for the pain of the Rwandan Genocide to be relieved.

**Rwandan Genocide Timeline April-July 1994**

<table>
<thead>
<tr>
<th>Date</th>
<th>Events</th>
<th>Death Toll</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 7</td>
<td>Hutu gunmen systematically start tracking down and killing moderate Hutu politicians and Tutsi leaders. The deputy to the U.S. ambassador in Rwanda tells Washington that the killings involve not just political murders, but genocide. The U.S. decides to evacuate all Americans Canadian General Romeo Dallaire, head of the U.N. peacekeeping force in Rwanda, is told by headquarters not to intervene and to avoid armed conflict.</td>
<td>8,000</td>
</tr>
<tr>
<td>April 9-11</td>
<td>Evidence mounts of massacres targeting ordinary Tutsis. Front page stories newspaper stories cite reports of &quot;tens of thousands&quot; dead and &quot;a pile of corpses six feet high&quot; outside a main hospital. Gen. Dallaire requests a doubling of his force to 5,000. Nearly 3,300 Americans, French, Italians and Belgians are evacuated by troops sent in from their countries.</td>
<td>32,000</td>
</tr>
<tr>
<td>Date</td>
<td>Events</td>
<td>Death Toll</td>
</tr>
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</tr>
<tr>
<td>April 19</td>
<td>By this date, Human Rights Watch estimates the number of dead at 100,000 and calls on the UN Security Council to use the word &quot;genocide.&quot; Belgian troops leave Rwanda; Gen. Dallaire is down to a force of 2,100. He will soon lose communication lines to outlying areas and will have only a satellite link to the outside world.</td>
<td>100,000</td>
</tr>
<tr>
<td>April 21-22</td>
<td>The U.S. and the entire UN Security Council vote to withdraw 90% of the peacekeepers in Rwanda. At the urging of Human Rights Watch, the White House issues a statement calling on four Rwandan military leaders to &quot;end the violence.&quot; It is the only time during the three months of genocide in which high-level U.S. attention is directed at the genocide leaders.</td>
<td>112,000</td>
</tr>
<tr>
<td>April 25</td>
<td>Gen. Dallaire is down to 450 ill-equipped troops from developing countries. He works to protect some 25,000 Rwandans who are at places guarded by the UN forces. He still hopes the Security Council will change its mind and send him forces while there is still time.</td>
<td>144,000</td>
</tr>
<tr>
<td>May 13</td>
<td>Horrified by the scale of the killings, some members of the UN Security Council are ready to increase Gen. Dallaire's force. Dallaire's plan is for 5,000 more troops to secure Kigali and create safe havens in the countryside. But the State Department instructs UN Ambassador Albright to work to modify the plan. The U.S. wants to create protected zones at Rwanda's border areas, a less risky option for intervening troops.</td>
<td>296,000</td>
</tr>
<tr>
<td>May 17</td>
<td>Six weeks into the genocide, the UN and U.S. finally agree to a version of Gen. Dallaire's plan: nearly 5,000 mainly African U.N. forces will be sent in and the UN requests that the U.S. provide 50 armored personnel carriers (APCs).. Few African countries offer troops for the mission.</td>
<td>328,000</td>
</tr>
<tr>
<td>June 22</td>
<td>Eleven weeks into the genocide, with still no sign of a UN deployment to Rwanda, the U.N. Security Council authorizes France to unilaterally intervene in southwest Rwanda. French forces create a safe area in territory controlled by the Rwanda Hutu government. But killings of Tutsis continue in the safe area.</td>
<td>616,000</td>
</tr>
<tr>
<td>July 17</td>
<td>By this date, Tutsi RPF forces have captured Kigali. The Hutu government flees to Zaire, followed by a tide of refugees. The French end their mission in Rwanda and are replaced by Ethiopian UN troops. The RPF sets up an interim government in Kigali. Although disease and more killings claim additional lives in the refugee camps, the genocide is over.</td>
<td>800,000</td>
</tr>
</tbody>
</table>
Darfur and the Congo: these two regions in two of the largest nations of Africa have both experienced genocide in recent years. In Darfur much of the violence against citizens has come from the government’s soldiers and from the Janjaweed militia supported by the government. In the Democratic Republic of the Congo, a corrupt and ineffective government has been unable to protect its citizens and the huge refugee population from Rwanda from armed militia groups, including the
Lord’s Resistance Army headed by Joseph Kony, named by some as the most dangerous man in the world.

**Darfur: The Janjaweed and the Rebels**

The large eastern desert region of Sudan known as Darfur has long been plagued by conflict between Arab cattlemen in the north and African farmers in the South. The long years of drought in that region of Africa have pushed Arab northerners into agricultural regions. Feeling marginalized and excluded by the largely Arab government in the capital of Khartoum, two rebel groups, the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM) led armed rebellions against the Sudanese government forces beginning in 2005. The rebels attacked government offices and police headquarters, which led to a violent and widespread response from General Omar al-Bashir, who heads the military dictatorship of Sudan. Bashir’s government armed the Janjaweed (literally, “evil men on horseback”) and along with the Sudanese army, violently attacked villages and towns in Darfur. Adult males were rounded up and executed in large-scale massacres. Women were raped by the Arab invaders. Large numbers of civilians had their homes burned, were starved, and were forced to flee to neighboring nations, usually Chad.

According to the Public International Law and Policy Group, “government and Janjaweed forces destroyed everything that made life possible. Food that could be carried away was; the rest was burned. Animals that could be taken away were; the rest were killed. The simple straw buildings that served as clinics and schools were destroyed…and everything in them was stolen or torched. Pumps were smashed and wells

Over one million residents of Darfur have been forced to live in refugee camps to escape the violence.
polluted—often with corpses. “Over 2,000 villages were destroyed or abandoned following these raids, causing over two million people to leave in fear. Outside food aid became indispensable to prevent starvation as the agricultural sector collapsed.

Is it Genocide?

Though there were clearly political forces at work in what was a civil war, many non-governmental organizations concluded that the situation in Darfur was genocide. The Aegis Trust in Great Britain explained: “Was the killing intentional? Yes. Was it systematically organized by the al-Bashir regime using government-armed Janjaweed militias, bombers and helicopter gunships? Yes. Were the victims chosen because of their ethnic and racial identity? Yes. This, in short, is genocide.”

The United States government, which had been slow in the past to attach the label of genocide to violent action by a government against its own and did not acknowledge the Rwandan Genocide as such until years after it had taken place, eventually acknowledged the actions in Darfur as genocide. Secretary of State Colin Powell declared in 2005 “I concluded that genocide has been committed in Darfur and that the government of Sudan and the Janjaweed bear responsibility and genocide may still be occurring.” This did not mean, however, that the U.S. would commit troops to the region, as the focus of the military was then on the deteriorating situation in Iraq and Afghanistan.

International Interventions

Following the international attention generated by the horrific images of burning and starvation in Darfur, the African Union dispatched a peacekeeping force in 2005. But its size of only 6,700 soldiers and the desire to avoid offending al-Bashir made it less than effective. Its troops did little to prevent violence against the civilian population and were accused by some NGOs of merely observing the violence against citizens. In August 2006, following much international pressure,
the United Nations sent a peacekeeping force of 20,000 troops. Opposition from the Sudanese government changed it to a joint UN-AU force which once again had a limited mandate to protect refugees.

One interesting aspect of Darfur has been the controversy that has arisen over the nature of the struggle. Several NGOs have characterized it as a Holocaust-like struggle, with the evil al-Bashir in the role of Hitler and the citizens of Darfur in the role of the Jews. Others have noted that the situation is much more complicated and that significant violence by the rebel groups in Darfur make it far from a good guy vs. bad guy struggle. Julie Flint and Alex De Wohl detail this simplistic view of the situation in *Darfur: A New History of a Long War* and point out that while in the first years of the conflict most of the killings came from the Janjaweed, “from 2005 onward most of the violence was caused by fighting among rebel groups and competition for pasture land among Arab militias—both of whom often fought with weapons supplied by the government.” The International Criminal Courts indicted three rebel leaders in 2008.

While violence occasionally flares up and humanitarian workers have occasionally been attacked with eleven aid workers killed and many more held for ransom beginning in 2008, a fragile calm currently exists in the region. Over a million people live in refugee camps in Sudan and Chad and are fearful of returning to their homes. Whether or not the situation in Darfur fits the formal definition of genocide, it is clearly one of the most tragic situations in the world today. Outside pressure from NGOs, nations, and international organizations such as the African Union and the United Nations have not been sufficient to eliminate the violence that has transpired there.
## Darfur Genocide Timeline 2003-2011

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government of Sudan and Darfur rebel groups begin fighting</td>
<td>2003</td>
<td>Peace talks between Sudan and the Sudan People’s Liberation Movement end the civil war in South Sudan, which has raged since 1983</td>
</tr>
<tr>
<td>U.S. declares genocide is taking place in Darfur</td>
<td>2004</td>
<td>Secretary of State Colin Powell accuses the janjaweed of acts of genocide and the United Nations passes several resolutions with little effect</td>
</tr>
<tr>
<td>UN refers Darfur situation to International Criminal Court</td>
<td>2005</td>
<td>ICC begins assembling evidence against al-Bashir; Violence increases as over 2,000 villages are burned</td>
</tr>
<tr>
<td>Refugee crisis begins</td>
<td>2006-2007</td>
<td>Janjaweed and Sudanese army attacks on Darfur villages intensify and thousands escape to Chad</td>
</tr>
<tr>
<td>ICC declares al-Bashir an international criminal</td>
<td>2008</td>
<td>Al-Bashir is accused on 10 counts, including crimes against humanity and war crimes</td>
</tr>
<tr>
<td>Arrest warrant issued for ICC</td>
<td>2009</td>
<td>In first-ever action against a sitting head of state, ICC’s warrant means his arrest if he leaves Sudan.</td>
</tr>
<tr>
<td>Peace accord signed between Sudan and JEM</td>
<td>2010</td>
<td>Justice and Equality Movement (JEM) signs first treaty with Sudan but violence continues by both Sudan military and rebel groups</td>
</tr>
<tr>
<td>South Sudan secedes</td>
<td>2011</td>
<td>South Sudan becomes world’s newest nation. Sudan and a newly-formed rebel coalition sign the Doha Document for Peace in Darfur (DDPD).</td>
</tr>
</tbody>
</table>

### The Congo’s Continuing Catastrophe

The longest-lasting war in Africa that has claimed perhaps five million lives and spread over seven countries is still being waged with no end in sight. The violence is currently centered in the Democratic Republic of Congo (DRC).

Like most of the nations that obtained their independence as the European colonial era ended in Africa in the late 1950s and early 1960s, the nation now known as the DRC had few individuals trained or experienced to run the government. The leader who took
over rule in the former Belgian Congo was Mobutu Seso Soko. Mobutu mismanaged the country’s economy so that inflation rose 6.3 billion percent from 1990 to 1995, accumulated power for himself, and surrounded himself with corrupt officials. He was overthrown in 1997 largely as a result of the Rwandan Genocide. As over a million Hutus fled across the Rwandan border and settled in refugee camps near the Congo city of Goma, millions of dollars of aid flowed in as a result of the humanitarian crisis. Unfortunately, much of that aid was used by Hutu militia members to once again launch attacks on Tutsis, this time both inside Rwanda and the Congo.

The Tutsi government that had taken power in Rwanda assisted Laurent Kabila in his successful efforts to overthrow Mobutu’s government. In the process, Rwandan and Kabila’s troops killed as many as 200,000 Hutus in the DRC. Kabila fell out of favor with the Rwandan Tutsi leaders, who led an invasion of the DRC in 1996 that almost reached the capital of Kinshasa before being repelled by troops from Angola and Zimbabwe. Central Africa was in the midst of war as Rwanda, Uganda, and Burundi supported anti-Kabila rebels while other African nations supported Kabila’s regime.

Traditional battles between armed forces in this struggle have been rare. Instead, warlords and paramilitary groups compete for control of land and natural resources. Both diamonds and coltan, an element used in cell phones, are mined in the DRC and neighboring nations. Two groups have received significant interna-
tional attention. One is led by Laurent Nkunda, a Tutsi operating in the northeast region of the DRC. Nkunda’s “record of violence in eastern Congo includes destroying entire villages, committing mass rapes, and causing hundreds of thousands of Congolese to flee their homes,” according to an article by Howard French. The second group, the Lord’s Resistance Army (LRA), is headed by Joseph Kony, a murderous warlord who began his campaigns of terror in Uganda and is now thought to have a base of operations in the DRC or the Central African Republic. Kony has abducted at least 70,000 children to serve as child soldiers in his army. His troops often forced children to kill others, including their own family members. He was indicted for war crimes and crimes against humanity by the International Criminal Court in 2005 but has eluded capture, despite being pursued by military units from several nations, including the United States. A third set of actors are soldiers of the Congolese army who have sporadic support and pay from the central government in Kinshasa. Figuring they have more to gain by looting than by serving as disciplined members of the Congolese army, these soldiers engage in terror in villages and refugee camps. The DRC government is unable to protect its citizens, deliver services, or enforce laws. As a result, refugees in huge numbers are often on the move to avoid violence. In Africa’s World War, Gerard Prunier notes “civilians died partly because the soldiers had killed them but, more often, because their living conditions (absence of health care, impossibility of steady cultivation, impossibility of trade, lack of shelter during the rainy season, constant displacement) caused their death.” Disease and starvation have led to millions of deaths in the conflict in the Congo, with hundreds of thousands also being killed by government troops and rebel militias.

While the situation in the Congo continues to be unstable in a very poor country (average income is $400 per year) with virtually no functioning infrastructure, there is some cause for hope. The United Nations has applied the R2P (Responsi-
bility to Protect) mandate to its troops which have taken a more assertive role in protecting citizens from militia groups and the Congolese army. In addition, the first conviction by the ICC of a war criminal took place in 2012 when Thoma Lubanga was convicted of crimes against humanity. Though his conviction is being appealed, this marks the first time since the Nuremberg Tribunal convictions that an international court has convicted an individual for genocide.

**Congo Wars Timeline 1960-2012**

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>Congo receives independence</td>
<td>1960</td>
<td>Former Belgian Congo gains independence as Republic of Congo</td>
</tr>
<tr>
<td>Mobutu takes power</td>
<td>1965</td>
<td>Mobutu Sese Seko takes power and renames nation the Democratic Republic of Congo</td>
</tr>
<tr>
<td>Hutus flee Burundi</td>
<td>1972</td>
<td>First massive influx of Hutu refugees follows an unsuccessful attempt to take over Burundi government</td>
</tr>
<tr>
<td>Regional governor calls for death to Tutsis</td>
<td>1993</td>
<td>Governor Kalumbo orders extermination of Tutsis in a region. 14,000 killed in two weeks</td>
</tr>
<tr>
<td>Rwandan Genocide</td>
<td>1994</td>
<td>800,000 Tutsis and moderate Hutus killed by Hutu-led Rwandan forces and Interhamawe militia. Largest refugee settlement in the world established near Goma, Congo</td>
</tr>
<tr>
<td>Rwanda invades Congo</td>
<td>1996</td>
<td>Rwandan troops enter Congo to protect Tutsis under attack and destroy Hutu militia</td>
</tr>
<tr>
<td>Congo civil war breaks out</td>
<td>1998</td>
<td>Rwanda, Uganda, and Burundi back Tutsis while Zimbabwe, Namibia, and Angola send troops to support Congolese army in civil war</td>
</tr>
<tr>
<td>UN sends peace-keeping force</td>
<td>1999</td>
<td>UN Security Council authorizes 5,500 force to monitor situation, but violence continues</td>
</tr>
<tr>
<td>Nkunda-led rebels lead revolt</td>
<td>2006</td>
<td>Rebels clash with UN-backed government forces. 50,000 refugees flee</td>
</tr>
<tr>
<td>Thomas Lubanga trial begins</td>
<td>2008</td>
<td>Trial of militia leader by International Criminal Court begins</td>
</tr>
<tr>
<td>Kony and Lord’s Resistance Army begin massacres</td>
<td>2008</td>
<td>Kony’s army destroys Congolese villages, captures children, rapes women in brutal campaign</td>
</tr>
<tr>
<td>Extremist Hutu FDLR attack villages</td>
<td>2009</td>
<td>Violent attacks, murders, rapes are widespread in Congo. UN increases presence, using R2P principles to actively protect citizens.</td>
</tr>
<tr>
<td>Lubanga convicted by ICC</td>
<td>2012</td>
<td>First individual convicted of crimes against humanity by ICC</td>
</tr>
</tbody>
</table>
One of the most difficult questions confronting individuals, nations, and international organizations when evidence of genocide emerges is this: when do we get involved? When does a nation’s problem become the world’s problem? At what point is military intervention needed? And by whom? And what are the steps that need to be taken to punish those who have been involved in genocide? It turns out that it is much easier to define genocide than to punish its perpetrators and prevent its occurrence in the future. These complicated questions presented them-
selves briefly during the Armenian Genocide, but focus on the post-World War 1 world quickly drew attention away from administering justice for those who planned and implemented the actions against the Armenians. Complicating the situation even further was that the government of Turkey denied (and denies to this day) that a genocide even occurred.

**Should the Allies Have Bombed Auschwitz?**

But beyond the question of punishing perpetrators, taking action against a nation engaged in genocide is controversial. During the closing months of World War 2, strong visual and eyewitness evidence was presented to Allied leaders of the extermination chambers at the Auschwitz-Birkenau prison complex in Poland. The decision was made to focus on military targets rather than to attempt to disrupt the murderous process of the Nazis, even though planes could have easily bombed the railroad tracks leading to the camps. The rationale most frequently used by those defending the decision not to bomb the train tracks was that the goal of the Allies was to militarily defeat the Germans, that any delay in bringing the war to an end was not a good use of Allied resources. Others contend that a bombing raid would have not had a major effect on the gas chambers’ operation, even if it was interrupted for a few days.

Those who argue for the bombing of the rail lines contend that preventing the killing of innocent Jews and others should have been a priority for the Allies. In *Why Auschwitz Wasn’t Bombed*, David Wyman asks "How could it be that the governments of the two great Western democracies knew that a place existed where
2,000 helpless human beings could be killed every 30 minutes, knew that such killings actually did occur over and over again, and yet did not feel driven to search for some way to wipe such a scourge from the earth?” In 2008, former President George W. Bush, in speaking of Auschwitz, said "We should have bombed it.”

While the bombing of Auschwitz proved to be a complicated question and causes historians and ethicists to debate its wisdom even today, since World War 2 a number of genocidal actions have taken place that confront the world’s governments and citizens with two perplexing questions:

• When do we intervene? and

• How do we intervene in the most effective manner?

In Somalia in 1993, in Rwanda in 1994, in Serbia in 1998, in Darfur in 2009, and in the Congo for the past 20 years, nations and international organizations such as the United Nations have been forced to ask themselves these questions. Kofi Annan, former Secretary General of the United Nations who refused to send more UN troops to Rwanda as the situation deteriorated into genocide, has stated “I long for the day when we can say with confidence that, confronted with a new Rwanda or a new Srebrenica, the world would respond effectively.”

Obstacles to Intervention

One of the key reasons preventing action is the need for some systematic evidence of intervention's effectiveness in stopping or reducing the severity of mass killings. Another is distinguishing between civil war and genocide. A third is whether outside intervention might increase the level of genocide by a govern-
ment or a group. And underlying all of these discussions is the problem of when does a persecuted group’s problem become a world problem.

The United States has a strong tradition of taking moral stands on human rights issues. In the Declaration of Independence, Thomas Jefferson stated that “all men are created equal,” perhaps the single most powerful statement of human rights philosophy ever written. The Civil War, which resulted in 700,000 deaths, was fought mainly because of the issue of slavery. Americans have proudly pointed to other nations in the Western Hemisphere and elsewhere looking to the U.S. as a model and guide as they have sought independence and an end to colonial rule. But American foreign policy has not been concerned with stopping genocide when it is discovered. Samantha Powers, an important commentator on genocide and formerly the U.S. Ambassador to the United Nations, wrote “Since the Holocaust, the United States has intervened militarily for a panoply of purposes -- securing foreign ports, removing unpalatable dictators, combating evil ideology, protecting American oil interests, etc. -- all of which provoke extreme moral and legal controversy. Yet, despite an impressive postwar surge in moral resolve, the United States has never intervened to stop the one overseas occurrence that all agree is wrong, and that most agree demands forceful measures. Irrespective of the political affiliation of the President at the time, the major genocides of the post-war era -- Cambodia (Carter), northern Iraq (Reagan, Bush), Bosnia (Bush, Clinton) and Rwanda (Clinton) -- have yielded virtually no American action and few stern words.”

Military Intervention: When and Why?

Philip Roth, executive director of Human Rights Watch, feels that military intervention should “be reserved as an option only in situations of imminent or ongoing mass slaughter.” Roth sets out five conditions for a nation becoming involved in using its military for humanitarian intervention:
1. Military action must be the last reasonable action.
2. The intervention must be guided by a humanitarian purpose.
3. It should be conducted to promote respect for human rights law.
4. It must be reasonably likely to do more good than harm.
5. It should ideally be supported by the United Nations or another international authority.

While military intervention may be effective and its threat a deterrent to leaders or groups considering genocide, it also has serious drawbacks. Sometimes even with a clear goal, such as the U.S. plan to remove Saddam Hussein and the Baath Party from power in Iraq, nations can become mired in complicated internal political situations and find it difficult to discover an exit strategy. Or military intervention may backfire entirely, such as in the Battle of Mogadishu in Somalia when the U.S. attempted to militarily overthrow a warlord withholding food supplies in the midst of a famine. The intervention, which was taken unilaterally by the U.S. despite the presence of UN troops in the country, ended in disaster as two helicopters were shot down and 18 American soldiers were killed.

**Preventing Genocide**

Some observers contend that the focus of individual nations and the international community should be on preventing genocide, rather than trying to intervene after it has begun. A consortium of non-governmental organizations, the Genocide Prevention Task Force, in 2007 issued a report, *Preventing Genocide: A Blueprint for U.S. Policymakers*. Asserting that “preventing genocide is an achievable goal,” they noted that preventing genocide requires planning and systematic implementation. The blueprint include five major intervention strategies:
1. **Early Warning Assessing Risks and Triggering Action.** “Acute warning of potential genocide or mass atrocities must be made an ‘automatic trigger’ of policy review.”

2. **Early Prevention.** “With international partners, we must engage leaders, develop institutions, and strengthen civil society within high risk countries.”

3. **Preventive Diplomacy.** “Even when signs of preparation for genocide are apparent, there are opportunities to alter leaders’ decisions, interrupt their plans, and reverse escalation toward mass atrocities.”

4. **Employing Military Options.** “U.S. leaders must consider how to leverage instruments of national power to prevent and halt genocides and mass atrocities, including military assets.”

5. **International Action. Strengthening Norms and Institutions.**
   Strong global norms need to be established so that “sovereignty cannot be used as a shield.”

**International Organizations & R2P**

One of the main reasons both the League of Nations and the United Nations were created was to deal with conflict between nations. After the horrors of the Holocaust during World War 2, the UN added a focus on protecting human rights and punishing those engaged in genocide. The Cold War tensions between the U.S. and the Soviet Union effectively disabled the UN’s ability to intervene in any situation that had a political overtone. Although the Cold War is over, there is still resistance on the part of many UN members, particularly Russia and China, from intervening in internal affairs, even when genocide may be occurring.

But following the tragedies in Somalia and Rwanda, a new UN initiative, The Responsibility to Protect (R2P) has been in place since 2005. It consists of a set of principles, based on the idea that sovereignty is not a right, but a responsibility.
R2P focuses on preventing and halting four crimes: genocide, war crimes, crimes against humanity, and ethnic cleansing, which it places under the generic umbrella term of Mass Atrocity Crimes. The Responsibility to Protect has three "pillars".

1. A state has a responsibility to protect its population from genocide, war crimes, crimes against humanity, and ethnic cleansing;

2. The international community has a responsibility to assist the state to fulfill its primary responsibility;

3. If the state manifestly fails to protect its citizens from the mass atrocities and peaceful measures have failed, the international community has the responsibility to intervene through coercive measures such as economic sanctions. Military intervention is considered the last resort.

The R2P initiative was first used by the UN in Libya in 2011. The Security Council reiterated the responsibility of the Libyan authorities to protect the Libyan population and demanded "an immediate ceasefire in Libya, including an end to the current attacks against civilians, which it said might constitute 'crimes against humanity'.... It imposed a ban on all flights in the country’s airspace, a no-fly zone, and tightened sanctions on the Gaddafi regime and its supporters. While the UN did not commit troops to Libya, the subsequent NATO bombing campaign and assistance to Libyan rebel forces helped topple the Gaddafi regime.

Non-Governmental Organizations

While humanitarian organizations such as the Red Cross have been in existence since the 19th century, it is only since the 1960s that non-governmental organizations (NGOs) with an interest in preventing genocide and publicizing its occurrence have become an important factor in international relations. Some of the

The UN Responsibility to Protect doctrine helped lead to NATO air strikes against Libyan leader Gaddafi, whose regime collapsed in 2012.
most prominent are Human Rights Watch, Amnesty International, Genocide
Watch, and United to End Genocide. Each of these groups prepares reports on in-
ternational situations, pressures governments to place sanctions on oppressive
states, seeks to publicize human rights abuses, and offers support to individuals
and groups within nations. Other groups focus on refugees, who are often the vic-
tims of unrest and get caught between warring groups within a nation.

NGOs have been very effective in publicizing human rights abuses and geno-
cides. One of the most recent campaigns of several significant NGOs provided in-
formation to the world about the genocide in Sudan’s region of Darfur, which led
to a number of individuals and groups providing humanitarian aid and nations
placing economic sanctions on Sudan. But there is a potential downside to NGO
activism. Human Rights Watch severely criticized Sudanese President Bashir, ac-
cusing him of being a war criminal and committing crimes against humanity.
Bashir responded by preventing NGOs from providing food and medical assis-
tance to refugees in Darfur.

**Prosecuting Genocidal Behavior**

One of the most disappointing legacies of Nuremberg is the lack of further in-
ternational tribunals of the scale demonstrated in Germany in 1945 and 1946. Fol-
lowing the Cambodian Genocide, in which 1.9 million people were killed, only five individuals
were tried by the mixed tribunal created by the UN. Only three have been convicted. The Inter-
national Criminal Tribunal for Rwanda, estab-
lished to prosecute Hutu leaders in the Rwan-
dan Genocide was somewhat more successful
and has convicted 29 individuals. Following the
Bosnian War in 1995, the International Crimi-
nal Tribunal for the former Yugoslavia, brought
charges against 161 members of the Yugoslav
government and military. Slobodan Milošević, former Prime Minister of Yugoslav-
ia, was the first sitting head of state indicted for war crimes. He died while await-
ing trial. Many of the other defendants are still in the process of being tried.
Another organization, the International Criminal Courts (ICC) was established as a result of the Rome Statute of 2002. While 122 nations have ratified the Statute and support the ICC, several nations, including Russia, Israel, and the United States have not. The ICC has opened investigations into eight situations in Africa: the Democratic Republic of the Congo; Uganda; the Central African Republic; Darfur, Sudan; the Republic of Kenya; the Libyan Arab Jamahiriya; the Republic of Côte d'Ivoire and Mali. One individual, Thomas Lubanga of the Democratic Republic of the Congo, has been found guilty of crimes against humanity, though currently his conviction is under appeal.

In addition to the international tribunals that have been set up along the lines of the Nuremberg model, other judicial procedures and systems have been used to deal with genocidal actions. In Cambodia, a mixed court of local and international judges, prosecutors, and defense attorneys are continuing to deal with evidence and defendants from the Cambodian Genocide, though it occurred over 40 years ago, making convictions difficult.

**Gacaca Courts: Local Justice**

One of the most interesting and effective models is that of the gacaca (pronounced ga-cha-cha) courts in Rwanda. Following the Rwandan Genocide of 1994, over 100,000 individuals, mostly Hutu, were imprisoned for serious crimes, including rape, murder, and torture. It would have taken decades to process all the cases. Recognizing that while accountability and justice are important but that Rwandans need to move on to create a future for themselves and their children, the gacaca courts were established in villages in informal settings without high-ranking judges or governmental oversight. The villagers listen to evidence, question witnesses, and determine sentences for their neighbors, some of whom committed murder during the Rwandan Genocide. The goal is to let the village courts resolve
these issues, providing some reconciliation for the victims and the perpetrators. The trials are designed to promote both reconciliation and justice.

After coalition (mostly American) forces invaded Iraq, took control of the government, and then captured Saddam Hussein, Iraqi courts established by the interim government put him on trial in 2005 for war crimes, crimes against humanity, and genocide. He was convicted and executed. This is an example of a nation dealing with its own history of genocide through a legal process.

It is somewhat discouraging that sixty years after the Nuremberg Tribunals, only a few individuals have been convicted of crimes against humanity. Whether the threat of prosecution has deterred genocide is impossible to know, but one hopes that people in power have thought twice before engaging in crimes against humanity. But there is no question that the combined efforts of nations, international organizations, NGOs, and concerned individuals who write letters to pressure governments, raise money to aid victims, and publicize the plight of those suffering help to create a world that may some day be free from genocide.