Genocide and American Foreign Intervention

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Abstract

Genocide is not a new problem facing the international community that can and must be addressed. This thesis examines the problems with defining genocide and offers a working definition, which can be used to identify mass killings as genocide. There are numerous examples of genocides occurring in the past, though each for a different reason. International organizations such as the United Nations, the United States as the world’s premier super power, and non-state actors all play a key role in genocide intervention. The International Criminal Court was established as a permanent judicial body to preside over international cases of human rights offenses. The ultimate goal must be to provide a solution to prevent genocide from ever occurring again.
Genocide and American Foreign Intervention

The topics of genocide and foreign intervention elicit many issues. This thesis offers a working definition of what genocide really is, provides examples of past mass killings to bolster the reader’s understanding of that definition, and then examines the role that various groups play (or at least should play) in genocide’s prevention. These actors include foreign states (particularly the United States), the International Criminal Court, non-state actors, and the media. When examining both the United States and the ICC, a look will be taken at what options each has at its disposal, the potential legal ramifications of those options, and how certain problems relating to each can be resolved.

Defining Genocide

Defining genocide can be a difficult task that might not share a consensus throughout the international community. If an act is not one of genocide, then any sort of forceful intervention would be an act of war. Like any other decision that is made at that level, a consensus must be reached, which only adds to the confusion and difficulty in creating a working definition. If the international community cannot agree that what is occurring in a particular state is genocide, then no foreign state is able to intervene to stop the genocide. Such an intervention would be considered an act of war and the intruding state would be subject to retaliatory attacks from the rest of the world. Because the United Nations Security Council has members who hold very opposing interests (i.e. Russia, China, and the United States), it is very difficult for these states to come to an agreement. Establishing a definition that the entire international community can agree on is of utmost importance in the fight against genocide.
The term “genocide” did not exist until 1944 when Polish jurist Raphael Lemkin coined the term in response to the actions of the Nazi party. The term combines the Latin *genos* for race or tribe and *cide* for killing (Manaktala, 2012, p. 180). From the Latin root of the word, one can understand that Lemkin was very careful in choosing this word. To Lemkin not just any mass killing is a genocide, but there has to be a particular target. Lemkin offered an explanation for his choosing of the term as he called it, “a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves” (p. 180). Lemkin’s definition, and subsequent rationale, only specifically mentions “national groups.” Lemkin’s definition, however, raises even more uncertainty as it begs to question what defines a “national group.” If a state can argue that no specific “national group” was targeted, then the killings could not be labeled genocide, and, again, no foreign state could legally intervene. Lemkin attempted to clear up the confusion as he added to his justification by saying the goal of genocide:

would be disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups. (p. 180)

The second half of Lemkin’s reasoning does two things. First, it broadens the scope of what a “national group” can be by implying it could be a group that finds common ground in a particular area, i.e. language, religion, etc. Second, it broadens the activities that can be considered genocide. When most people hear the term “genocide,”
their mind immediately turns to killing. However, according to Lemkin’s definition, genocide includes any act that even threatens the freedom or well-being of a group.

In fact, Lemkin went well beyond just including killing in 1948 when he wrote that such a thing as “cultural genocide” existed. Lemkin said, “Cultural genocide can be accomplished predominately in the religious and cultural fields by destroying institutions and objects through which the spiritual life of a human group finds its expression” (as cited in Balakian, 2013, p. 60). To Lemkin, attempting to rid a group of the culture that makes it unique, ridding the group of its history, is on the same level with physically eliminating the group. Lemkin’s argument was that by destroying all that is unique and special to a particular group, one is effectively eliminating that group anyway by forcing them to assimilate into some other group. In his autobiography, Lemkin so eloquently wrote how cultural destruction is connected to genocide:

> When a nation is destroyed, it is not the cargo of the vessel that is lost, but a substantial part of humanity with a spiritual heritage in which the whole world partakes. These people are being destroyed for no other reason than they embrace a specific religion, or because they belong to a specific race. They are destroyed not in their individual capacity, but as members of a particular collectivity of which the oppressor does not approve. (as cited in Balakian, 2013, p. 60)

Since Lemkin first introduced the international community to this new term in his essay *Axis Rule in Occupied Europe* in 1944, many others have offered definitions in an attempt to bring further structure and a better interpretation to the discussion. In 1948 the United Nations got involved as it established the Convention on the Prevention and Punishment of the Crime of Genocide (hereafter referred to as the 1948 convention). The
1948 convention ran with Lemkin’s definition and in Article II defined genocide, first and foremost, as, “Any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such” (Quigley, 2009, p. 116). This beginning of the United Nations’ definition took Lemkin’s definition a step further by including specifics in their interpretation of “national groups.” The United Nations attempted to take away any confusion of what defined a “national group” by placing particular boundaries on that definition (i.e. nationality, ethnicity, race, or religion).

The second half of the 1948 convention’s definition states the specific acts toward a national group that bring the crimes into the category of genocide. These acts are killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or part; importing measures to prevent births within a group; forcibly transferring children of the group to another group. (Quigley, 2009, p. 116)

The convention’s definition, like Lemkin’s, includes more than just the oft thought of direct killing of a population. According to the United Nations, participating in any act that could have the end result of decreasing the population of a particular national group can be constituted as genocide.

Every definition that has been set forth has agreed on at least one thing: in order for an act to be genocide, it must be targeted at a specific group. Some definitions may differ in how they define that specific group, but it must be a specific group that is targeted, nonetheless. This qualifier, however, has still proven to cause problems, and has
not exactly ended the controversy regarding a definition of genocide. Certain world leaders have used this portion of the definition to argue that their mass killings are not genocidal in nature, simply because they have arbitrarily selected who is being targeted.

Using the 1948 convention’s definition, one can come up with a reasonable, working definition that can be used by the international community to identify genocide and swiftly take steps to stop it. Genocide can be regarded as any act directed at a group of people within a state who possess any unifying bond to each other, with the end goal of such an act being the eradication of said group. With this definition, it is impossible for any leader to maintain that his mass killings are not genocide.

For example, if the killings were directed at political opponents, then even if all those who were being targeted were of a different race, ethnicity, language, etc.; they would all still have the connection of the particular political party. According to the 1948 convention and using the above proposed definition, even burning the houses of those in the above example would be genocide because the goal is to cause severe psychological distress (per the convention definition) to the point that those in the target population change their political allegiance, thus eradicating the population.

Now, one could argue that the population does not really disappear. Whereas killing a race, ethnicity, etc. does truly eliminate a complete population, the original population of the political party still exists. However, the population of that political party does disappear. That particular party, and any ground it had made for its cause, ceases to exist. Therefore, the act would be, touching on Lemkin’s original definition, an attempt to eliminate a “national group.” Also, the 1948 convention established that killing is not the only act required for genocide to occur; so any argument that, due to the nature
of political parties, the individuals in this example would actually have to be killed for it to be genocide is nullified.

**Examples of Genocide and Other Mass Killings**

Now that a working definition has been established, it is important to examine a few notable mass killings of the past in order to see how they fit into that definition.

Despite the horrors associated with killing a large number of people, not all mass killings are necessarily genocide. In fact, some world leaders have actually used the argument that not all mass killings are genocide to say that their own destruction is not genocide because it is arbitrary and does not fall within the bounds of genocide.

**Armenia**

One of perhaps the most controversial examples of genocide is the elimination of the Armenian population by the Turkish government in the early part of the 20th Century. The controversy does not come from debate that a genocide did occur, but from the fact that it was decades before anyone acknowledged that a genocide had actually taken place. In fact, Raphael Lemkin, the same man who gave rise to the term genocide, first called what happened in Armenia a genocide in the mid-1940s and publicized it in 1949 (Balakian, 2013, p. 60).

The Armenian genocide has been considered by many to be the first modern genocide (Balakian, 2013, p. 61). Balakian discusses the different aspects of what happened in Armenia that really aid in providing a definition for modern genocide as he describes, “the focused use of a government apparatus … and ideological propaganda and mobilization (nationalist, racist, and Islamist), to target, isolate, and rapidly eliminate
entire ethnic or cultural groups” (p. 61). Balakian’s description of the events in Armenia provides proof that what happened there was a genocide.

As discussed above, part of Lemkin’s definition of genocide included cultural destruction. Armenia offers prime evidence in support of this idea. Armenian churches were burned and razed, Armenian intellectuals were killed, Armenians were forced to convert to Islam, and then the final solution of the Ottoman government (like the final solution of the Nazi party) was to massacre the Armenian population (Balakian, 2013, p. 61). The genocide began to occur before the first Armenian was ever killed. From the time the Ottoman government first began its campaign to purge the culture of the Armenians, the genocide had started.

Though the genocide in Armenia can be traced back to the early 1890s, the primary time period was roughly 1913-1918. The Committee of Union and Progress used the cover of World War I to adopt a program aimed at the destruction of Armenia. The Committee’s program can be viewed as extremely successful. Not only did the government succeed in virtually eliminating an entire population, but twenty years later, no one was talking about Armenia anymore. Adolf Hitler is also reported to have looked at the successes of the Ottoman government when deciding how to go about his plan for world domination. According to the Associated Press chief in Berlin, right before invading Poland Hitler told his generals, “Who today, after all, speaks of the annihilation of the Armenians?” (Balakian, 2013, p. 61). Hitler looked at how quickly the world forgot about the atrocities that occurred in Armenia and decided he could take a similar course of action, if necessary, and get away with it.
The Armenian genocide is unique in the sense that the guilty government, even long after the fact, officially refused to admit it happened, and numerous foreign governments refused to recognize it as a genocide (Avedian, 2013, p. 79). Many have said that denial is the final stage of genocide, meaning that the genocide does not end with extermination; it ends with denial (p. 79). Once the media and foreign states back off, then the genocide is complete; the government has eliminated the unwanted population and gotten away with it, even in the court of public opinion.

In order to get the world to avert its eyes, the Ottomans did not have to think up some elaborate scheme to say a genocide had not occurred. All the government had to do was simply deny any genocide had happened, and the world was more than happy to accept that for decades. Richard G. Hovannisian writes, “Following the physical destruction of a people and their material culture, memory is all that is left and is targeted as the last victim” (as cited in Avedian, 2013, p. 79). If a government can successfully remove what happened from the world’s memory, not only will it not be subject to any sort of punishment, but it can resort to the same tactics again in the future with nothing acting as a deterrent.

**Stalin’s Purges**

One of the most famous periods of mass murder preceding the Holocaust was Josef Stalin’s reign of terror. Stalin seemed to kill arbitrarily, with no real target population. For this reason, many do not consider the reign of terror to be a reign of genocide (Kramer, 2012, pp. 169-171, 173-175). However, closer examination into whom Stalin targeted, coupled with the working definition provided above, shows that Stalin was, in fact, guilty of genocide.
Josef Stalin was an extremely paranoid man (Kramer, 2012, p. 162). From the beginning of his reign, following the death of Vladimir Lenin, Stalin was plagued with fears that all around him were enemies plotting to assassinate him and establish a new government. Stalin took matters into his own hands as he began to arrest and assassinate anyone who he thought was a dissenter. In fact, Stalin even went so far as to arrest anyone who was even accused of being a dissenter by a neighbor or even their children and many times the accusations were not true (Kramer, pp. 152, 156; Kuromiya, 2014, p. 673). The horrors of the gestapo that was utilized by Hitler in Germany during the Second World War has its roots in the secret police used by Stalin during his purges.

Stalin’s primary goal during his purges, instituted in the latter part of the 1930s, was to rid the Communist Party in Russia of all those who he perceived as a threat to his power regardless of whether or not those accusations were actually true (Kuromiya, 2014, 673). It was not as if Stalin was randomly (though at times it did appear random) selecting individuals to arrest and kill. He had a very specific group that he was targeting: anyone who was not ideologically in sync with him.

Stalin did not only target political opposition, but other groups as well. If one is not convinced that Stalin’s purges of opposition was genocidal in nature, all he must do is turn to Stalin’s collectivization plan. In December of 1929, Stalin was speaking to a group of Marxist students and proclaimed, “that it was time to begin ‘eliminating the kulaks as a class’” (Gellately, 2008, p. 169). The kulaks were peasants who worked on the farms but did not buy into Stalin’s idea of collectivization. Instead, these farmers refused to be collectivized and continued to operate as a private enterprise. Stalin reacted
by arresting all of these kulaks and either killed them, or sent them to gulags where they eventually died anyway.

Stalin’s very own words were that he wanted to begin a campaign aimed at eliminating an entire class of people, which very much fits within the boundaries of just about every definition of genocide that has been put forth. As Gellately (2008) points out, the kulaks were not a particular race or ethnic group but rather could be anyone, meaning that even though it appeared to be arbitrary, it was still a genocide (p. 170). The goal behind the “dekulakization” was to rid the Soviet Union of any of the “rich” peasants and to, once again, eliminate any group that posed any sort of opposition to Stalin’s regime.

Even though only a small percentage of the kulaks were directly executed, the other actions that Stalin took still constitute the entire occurrence as a genocide. The 1948 convention mentions that imposing detrimental physical conditions on a population to bring about that population’s destruction is genocide. Stalin caused the death of, at minimum, hundreds of thousands of peasants (kulaks) by literally working them to death in gulags and withholding food. With no food, kulaks starved, ate things unfit for human consumption and were poisoned, or simply committed suicide to end their suffering (Gellately, 2008, p. 233). Stalin did not have to directly order the killings of the kulaks because his policies led to their destruction indirectly. Millions of kulaks were forced from their homes and hundreds of thousands were executed (Kramer, 2012, p. 159). Whether the policies were an indirect killer is irrelevant, however, because Stalin’s intention was to ultimately destroy the kulaks as a national group and that is genocide.
The Holocaust

When someone mentions the word “genocide,” the first thing that comes to mind for most people is the Nazi Holocaust. Over the years the two have almost become synonymous. The entire world, except for a few conspiracy theorists and former Iranian President Mahmoud Ahmadinejad, recognizes the atrocities that took place under the rule of Adolf Hitler as genocide. Raphael Lemkin coined the term “genocide” in response to the Holocaust. The United Nations held a convention on genocide (the 1948 convention) after World War II. The Holocaust may not have been the world’s first genocide, but it is the most infamous.

After World War I, Germany found itself in the depths of despair from the punishments that had been levied on it by the Treaty of Versailles. Adolf Hitler, a charismatic leader, was able to rise to the office of chancellor amid promises to return Germany to her former glory. To do this, Hitler did two things. First, he claimed Germany possessed the master race, the Aryan race, and this race would take over the world and repopulate it. Second, Hitler needed a scapegoat for Germany’s problems and found it (or multiple) in all the groups that were not part of the master race: Jews, blacks, gypsies, Poles, etc. Hitler’s plan became extermination of all these national groups that were not part of the Aryan race.

Hitler not only targeted those outside of the Aryan race, but he then took steps to “purify” the Aryan race by eliminating those who may have been part of the master race, but would have “dragged it down” such as the handicapped, mentally deficient, and homosexuals (Hannum, 1989, pp. 88-89). Hitler wanted to rid the world of everyone who he did not see as the ‘ideal person.’
Cambodia

From 1975-1979 Cambodia (known as Democratic Kampuchea during this time) found itself under the rule of Pol Pot and the Khmer Rouge. It was not until the Vietnamese defeated the Khmer Rouge in 1979 that the devastation was truly realized by the rest of the world. Early reports of what was happening were “dismissed as only the rumors of refugees” (Hannum, 1989, p. 84). Many did not believe the level of human rights violations that was being reported by Cambodians at the time. Once the Vietnamese came in, the world finally realized just how far Pol Pot had gone.

The Khmer Rouge was another name for the Communist Party of Kampuchea. This group gained control of Cambodia in 1975 when they seized the capital after five years of civil war (Hannum, 1989, p. 85). The goal of the Khmer Rouge was to create an entirely new social order. In order to do this, they had to expel all foreign influences and any others who represented the old social order. The beginning of the process toward this new social order was called “Khmerization,” where, like in Armenia, the Khmer Rouge forced those in their area of control to assimilate. “Khmerization” was a process of cultural destruction and was the first step in the genocide that followed.

The first step taken after the process of “Khmerization” began was to separate the population into two groups: the “base people” and the “new people” (Williams, 2005, p. 449). The “base people” were those who resided in the country: the peasants. The “new people” were the wealthier, city-dwellers that were mostly comprised of ethnic foreigners such as the Chinese, Vietnamese, Cham (a Muslim sect), and anyone else who was sympathetic to their cause. The Khmer were peasants, and therefore it was the “new people” who were treated harshly and seen as enemies. Similarities can be drawn here to
the Holocaust in the sense that the national groups were discriminated against based on race; however, the difference lies in the reason that the various races were discriminated against. In the case of the Nazis, the Jews, blacks, Poles, gypsies, etc. were seen as inferior to the Aryan race and Hitler wanted to rid the world of those he did not see as fit to populate the earth. In Cambodia, discrimination was based on socioeconomic status and political opposition (p. 451). In the eyes of the Khmer Rouge, the peasants had been mistreated for so long; but, now that they had the power, they were simply going to return the favor in order to establish this new social order (pp. 449-450).

The Khmer Rouge targeted not only ethnic groups, but other groups as well. Intellectuals, religious institutions, and former regime leaders were also seen as threats to the party and were marked for elimination. One could argue that, like the Holocaust, this was actually many genocides wrapped up into one. Each targeted group was its own genocide. For example, the elimination of the Vietnamese was a genocide, the Chinese was another genocide, the intellectuals were another genocide, etc. (Williams, 2005, pp. 449-450). It was not just the genocide of those in opposition to the Khmer Rouge, a category which all sub-groups could be lumped into, but was the intentional eradication of the members of a number of different “national groups.”

Cambodia is a prime example of genocide as it offers glimpses of every category that the 1948 convention delineates as genocide. Hannum (1989) provides an in depth look at how every category is touched on in the Cambodian experience as he writes, “more people died as a result of the conditions to which they were deliberately subjected than from execution and massacre” (p. 93). The 1948 convention noted that deliberately inflicting conditions on a group in order to bring about their physical demise is also
genocide, not just directly killing the group. Most estimates for the overall destruction caused by the Khmer Rouge under the direction of Pol Pot claim around three million lives were slain (p. 94). With a total loss of life that high, Cambodia is one of the deadliest genocides the world has ever seen.

**Rwanda**

Rwanda is unique from the other examples that have been examined due to the rationale behind the killings. In Armenia the goal of the Ottoman government was to eliminate the Armenians (Balakian, 2013, p. 58). Stalin’s goal was to eliminate potential political opposition. Hitler wanted to destroy anyone who was not part of the master race. In Cambodia the goal was to eliminate various ethnic groups and establish a new social order. In Rwanda, which is one of the most recent examples, the reason one group resorted to killing another was based on economic reasons.

In the span of just over a decade, beginning in the late 1970s through the early 1990s, Rwanda slipped deeper and deeper into poverty. Rwanda was an agrarian society and, during the aforementioned time period, saw a rise in population that caused resources and land to become much scarcer (Magnarella, 2005, p. 802). Competition for resources fell to two groups: the majority Hutu who wanted land for growing crops, and the minority Tutsi who were primarily cattle grazers. This fight for resources has been described as the cause of the genocide as Paul Magnarella says, “the ultimate cause of Rwandan genocide was the increasing imbalance in land, food and people that led to malnutrition, hunger, periodic famine and fierce competition for land to farm” (p. 821). Had the economy of Rwanda been stable, and had sectors other than agriculture existed
to rely on, there is a very good chance that pressures between the two groups could have been relieved.

Magnarella (2005) also explains that tensions between Hutu and Tutsi go back centuries to the time Tutsis first arrived as he writes:

More aggressive and better organized for military purposes than the Hutu farmers, the Tutsi eventually conquered much of Rwanda and established their rule there, despite the fact that they represented only about 10-14 per cent of a population that was over 80 per cent Hutu. (p. 802)

For centuries, despite having a significant minority in terms of population size, the Tutsi dominated Rwanda in every area, especially the economy, military, and in politics.

Another author attributes ethnic tensions, in part, to Western colonialism as he writes, “the objective was to fuel inter-ethnic rivalries as a means of achieving political control as well as preventing the development of solidarity between the two ethnic groups which inevitably would have been directed against the colonial regime” (Chossudovsky, 1996, p. 938). When the Belgians controlled Rwanda, they ensured that the two Hutu and Tutsi populations remained at odds with each other so they would not band together and revolt. The desire of the Belgians to maintain colonial control can be seen as an underlying cause of the events in 1994.

The plot of the Hutu revenge began as early as 1957 when a group of Hutu scholars “published the so-called Hutu Manifesto, which complained of the political, economic and educational monopoly of the Tutsi ‘race’ and characterized the Tutsi as foreign invaders” (Magnarella, 2005, p. 809). This idea of Tutsi being “foreign invaders” was carried all the way through to 1994 when the genocide began.
The year 1973 marked an important year in Rwanda as Major-General Juvénal Habyarimana, a Hutu, overthrew the government and declared himself president. Habyarimana began to fill government positions with Hutus to gradually gain control of the country. Throughout Habyarimana’s regime, only a total of four Tutsi held government positions (Magnarella, 2005, p. 811). The Hutu gradually began to engrain in the mind of the public that the Tutsi were foreign invaders who had to be dealt with in order to fix the economic disaster that Rwanda was.

The mounting instability became uncontainable on April 6, 1994. The tipping point came that day when President Habyarimana’s airplane was shot down, killing him and everyone on board (Magnarella, 2005, p. 815). The call to annihilate anyone who had any association to the Tutsi or was a part of any Hutu opposition group was an immediate response. The killing only lasted about 3 months, yet in that time period it is estimated that 800,000 Tutsi were killed, and in total about 11 percent Rwanda’s population, before a new government was formed that was multiparty and “publicly committed to discontinuing the ethnic classification system utilized by the previous regime” (pp. 816-17). The new government made it a point that they would no longer force people to distinguish between Hutu and Tutsi. The goal was to unify the country and bring the people together as one in order to prevent something like what happened in 1994 from ever happening again (p. 817).

**Intervention**

Genocide is not usually an international event. With the exception of the Holocaust, genocides generally occur within the borders of a single state. Actions may be directed at foreigners within that state, but the killing itself is isolated to the confines of
that individual state. The isolation of the event raises questions about the role that the international community plays in combatting genocide when it occurs. State sovereignty poses the biggest threat to those who wish to intervene in the face of genocide.

The design of the nation-state system is that states are to have total control over what happens within their borders, without the meddling of foreign states. In fact, the United Nations has, “codified the customary norms of ‘state sovereignty’ and ‘non-intervention’” (Gulati & Khosa, 2013, p. 400). The debate, however, is how far that sovereignty stretches. Some argue that states have absolute sovereignty over what occurs within their borders and should not be subject to foreign interference in internal affairs (Balakian, 2013, p. 58). Simply stated, a state can do whatever it wishes to its citizens (without any repercussions from the international community) in the name of sovereignty. Lemkin replied to this idea with a view that seems to be in the majority around the world today. He said the policies, both foreign and domestic, of a state should be carried out to ensure the welfare of the people and “assert[ed] that ‘sovereignty cannot be conceived as the right to kill millions of innocent people’” (Balakian, p. 59). Lemkin was one of the first individuals to propose the idea that states could be held accountable for how they treated their citizens.

Lemkin is not the only one who holds the view that the government’s role is to maintain the welfare of its people. The view is based on John Locke’s social contract between the government and the people. In the simplest of terms, Locke’s idea states that the government and the people have entered into a contract in which the government renders services unto the people (protection of their rights) in exchange for the people giving up their power and allowing the government to rule. In 2001 the International
Commission on Intervention and State Sovereignty drafted a report called “The Responsibility to Protect” which, according to Adam Jones (2013), “return[s] [the concept of sovereignty] to its social–contractual roots, and impl[ies] that its protections against outside interference are rendered void when a government abandons the responsibility to protect its own population” (p. 38). Whenever a state begins to violate the rights of its citizens, it loses the claim to sovereignty that would prevent other states from intervening.

**International Organizations**

The primary players when it comes to intervention are international unions such as the United Nations and the North Atlantic Treaty Organization (NATO). Being the world’s largest international coalition, the United Nations plays the biggest role when it comes to international affairs. The United Nations’ Security Council has the final say on most any action taken by a state as to whether or not it is an act of aggression and how the recipient state can respond. On this same note, it is the United Nations who can deem the actions of a state genocide and pull forces together to intervene.

Due to the size and nature of international organizations, they have many different resources at their disposal when intervening. The most useful in terms of genocide intervention is the ability to establish a coalition peacekeeping force, drawing troops from many different countries to combat the offenders. One of the problems that arises from coalition forces like this is that some troops may be fighting, and therefore sacrificing their lives, for a cause in which their country does not have a security interest in. Gerlach says, “If the United States abandons its own security interests as the standard by which to decide whether to use military force…there is virtually no limit to the possible arenas in
which American lives might be sacrificed” (as cited in Lewy, 2012, p. 182). The United States cannot necessarily commit troops to every single humanitarian venture that the United Nations undertakes. The primary concern of the United States must continue to be the protection and well-being of its own citizens.

The United Nations, on the other hand, in order to fulfill the role it was designed to perform, must organize coalitions of troops representing states that have a vested interest every single time humanitarian intervention is needed. If no threat to the lives of the troops exists, then even states which do not have an immediate vested interest can provide troops. However, when the lives of troops are at risk, then no state that does not have an immediate security interest can be required to provide troops for the coalition. States can, if they wish, offer troops for the coalition, but they cannot be required to do so. Genocide is different from other humanitarian intervention in the sense that citizens’ lives are in immediate danger. This is where the United States can, and should, play a role even if it does not have an immediate security interest at stake.

The United Nations, or any intervening state, has other options at its disposal besides just deploying troops. States and the United Nations can impose economic sanctions, expel countries from the United Nations, close embassies, impose an embargo, and use technical capabilities to prevent the offenders from broadcasting propaganda (Power, 2002, p. 94). For many, military power should be the last resort and the above measures should be used first. The goal is to choke off the killing while limiting the loss of life even for the offenders. If non-forceful means are not effective, then military force is warranted and should be used to stop the genocide.
The United States

The idea of America as the world’s police force is a relatively new phenomenon. President Theodore Roosevelt said in 1901 that the United States’ foreign policy should be to “speak softly and carry a big stick.” The motivation behind this idea was that the United States should not get involved with other countries, but should always be ready to intervene with force when necessary.

The only place that America has exerted its power and played a larger role internationally for an extended period of time is its immediate sphere of influence in the Americas. The Monroe Doctrine made it very clear to the United States’ European and Asian counterparts that any meddling in the Americas would bring a direct response from the United States with very negative repercussions. As Kaplan (2013) points out in his book *Revenge of Geography*, the United States has pretty much stayed out of the global politics game unless forced to enter the international stage. Kaplan writes:

Indeed, except in its own sphere of influence in the Americas, the United States zealously resisted the great power politics for almost two hundred years: even the breakdown of the European state system in 1940 failed to bring America into World War II. It took an attack on Pearl Harbor in 1941 to do that. (p. 33)

For the majority of its history, the United States adopted a policy of isolationism concerning international disputes. Even at the beginning of the Second World War, the United States refused to officially choose a side until Pearl Harbor forced the government to make a decision. Kaplan attributes America’s isolationist mentality to its geographic location as he says:
Following the war, the United States once more withdrew from the world, until the aggression of the Soviet Union and North Korea’s attack on South Korea forced its troops back to Europe and Asia. Since the end of the Cold War, American foreign policy elites have oscillated between quasi-isolationism and idealist-minded interventionism: all of this at root because of two oceans. (p. 33)

Because the United States has a unique location on the globe, it has had the privilege of being able to pick and choose when to remain isolated from the rest of the world and when to use its power to intervene. This luxury is not awarded to the other world elite that must react to the actions of the many states immediately surrounding them.

Up until the Cold War, the United States really only intervened when American interests were directly affected. The United States had previously held a noninterventionist position pertaining to global affairs (Garcia, 2010, p. 691). After the rise of the Soviet Union, America began to change its tone and the new cry was to step in and assert power in the name of democracy. The argument, for some, became that the United States was to act as the world’s police force, stepping in and stopping any perceived injustice (Restad, 2012, p. 56). Some argue that the United States has a responsibility as the world’s premier super power to utilize military force wherever necessary to promote democracy and the well-being of the world (p. 60). Others propose that the United States should go back to the pre-Cold War era and play no interventionist role in the affairs of other countries unless America’s national security is directly at risk.

The larger debate relating to how the United States handles the events around the globe comes down to whether the acting administration will adopt a realist or idealist perspective on foreign policy. For realists, the sole goal of the state is to survive and this
is done by gaining as much power as possible (Weber, 2004, p. 16). Since realists argue that the state should gather as much power as possible, they are naturally opposed to a collective security system and any international organizations that seek to achieve collective security such as the United Nations (Serban, 2013, p. 57). Joining such an organization would require a state to give up some of its power as it would have to follow the regulations of the organization it joined, which would, according to realists, actually make the state less secure and more vulnerable. In regard to intervention, realists would only intervene if they believed that such an action would increase the power of their state.

The desire of any state that adopts a realist perspective is to become a hegemon and all intervention would be carefully directed toward this goal. When states operate under a realist mindset, a balance of power system naturally occurs because, “when one state sees another state trying to increase its power to increase its security, it gets scared, feels threatened, and recognizes that it too must increase its power” (Weber, p. 22). Weber also points out that, “[b]ecause there is no one to enforce state cooperation, states will act in their own self-interests rather than in the interests of the state system” (p. 19). In the case of genocide, a realist state may not intervene just to bring peace, order, and justice back to the world of international politics. Intervention would only occur if bringing back peace, order, and justice would also bring more power to the intervening state.

Idealists follow a different approach to international politics than the realists. Those who hold the view of idealism champion the idea of an international community system of collective security. Idealists believe that proper organizations will bring out the inherent goodness in man and prevent international conflict from occurring (Weber, 2004, p. 38). It was with an idealist perspective that Woodrow Wilson proposed his
Fourteen Points and developed the League of Nations (Serban, 2013, p. 55). This same idealism then led to the establishment of the United Nations after World War II. Idealism requires the giving up of some power and autonomy (in direct conflict the views of the realists) in order to establish some harmony in the international community through “international law, international organizations, political integration, and democratization” (Lasan, 2012, p. 41). Idealist states believe that, by giving up some of their power, they will become more secure by submitting to the agreements and collective security of the international organization they choose to join. Whereas realists believe war is a foregone conclusion and a useful tool to increase the power of the state, idealists aim for a world without war, where states are working together toward peace and the welfare of all states.

Idealism has been criticized by many realists, including Hans Morgenthau, as being a utopian fairy tale that will never actually be realized because of its view that humans are naturally good and its goal of world peace where every state gets along and works together for the welfare of the nation state system (Tabensky, 2007, p. 99). Idealists are also more prone to intervene as a result of their goal of world peace, even if intervening will not increase their power or even if no immediate strategic interests of their state are at stake. In any case of genocide idealists would immediately want to get involved. One potential problem for idealists is that resources can get stretched too thin. Intervening in every case where “world peace” is threatened can lead to a case of imperial overstretch and waste the resources of a state making some intervention attempts ineffective and potentially making the situation even more dangerous.

The world continues to grow in complexity and the increasing power struggle between the West and the Near East will continue to cause problems for those who hold
an idealist perspective. Numerous variables are at play that naturally cause states to be at odds with each other and a global government that can smoothly and successfully operate a collective security system seems to be more and more a utopian dream. As more countries grow anti-Western, the United States cannot rely on organizations such as the United Nations to be a buffer and a collective security partner. It is time that the United States return to a realist perspective of international relations and operate under policies that are targeted at increasing American power in the game of global politics. The United States can still hold on to their “world peace” ideals and intervene in cases of genocide by utilizing a realist method of operation. By intervening and helping those who cannot help themselves, then leaving the situation to give those peoples autonomy, the United States can enhance their global reputation and continue to grow allies that will in turn increase the overall power of the nation.

The questions that rise here, particularly in the discussion of genocide, are how far the promotion of democracy goes and what it entails. One option is for the United States to step in militarily, stop whatever violations may be occurring, and promptly leave with the promise to return if violations subsequently recommence. Another, perhaps costlier and much more difficult option, is to not only intervene to stop the human rights violations, but to continue to occupy the country and aid in establishing a democratic style of government. The problem facing the latter of the two options is that democracy has not proven to work everywhere. While most dictators and monarchs, or any other position that retains sole authority in a state, tend to become authoritarian and despotic, some states operate better under the rule of a single individual. When democracy is introduced for the first time in a state, the potential for corruption is
extremely high and allows for a despotic regime to rise to power “legally” and now gives that regime a supposed mandate from the people to rule and a claim of legitimacy in the international community.

The United States does hold a unique role in the international community. Having the world’s finest military force brings with it a greater responsibility across the globe. Part of this responsibility is not only providing protection for those residing in the homeland, but also protecting allies in every corner of the globe. According to the NATO charter, when one member is threatened, all members are threatened and are held accountable to respond to the aggressors (Binnendijk, 2013, p. 47). The United Nations operates under a similar agreement. The underlying theme behind both NATO and the United Nations is to be strong together and help those who cannot help themselves. The idea of collective defense must be applied to events and crimes within states. When the citizens of a state are being victimized by their own government and cannot defend themselves, the integrity of the entire foundation that the United Nations was built on is threatened. No government can claim it desires peace around the globe if it is not willing to intercede when another state commits human rights atrocities, even if those violations occur within the sovereign bounds of that state. Lewy (2012) argues: “humanitarian intervention in certain specific situations is demanded by the traditions and values to which the United States stands committed” (p. 182). As a proponent of the right to life, liberty, and the pursuit of happiness, the United States cannot sit idly by and allow a foreign state to blatantly deny its citizens every single one of these rights.

If the actions of a state can be clearly identified as genocide, the United States has the duty, as a proponent of world peace, to intervene with force to put an end to the
genocide. As soon as the threat is mitigated, the United States should remove itself from the situation and allow the state to begin rebuilding from within. It is not the obligation of the United States to establish and maintain a foreign government; however, it is the responsibility of the United States to protect innocent life wherever it cannot protect itself.

The problem comes when debate arises on whether or not to classify the actions of a state as genocide. If the international community cannot come to even a simple majority decision, the United States must tread carefully when policy makers are deciding how to proceed. This debate is where non-state actors come into play. Relief organizations, such as the Red Cross, are not bound by the same bureaucratic red tape that delays governments. These organizations can begin to provide aid to refugees usually much quicker than a government can come to a decision, create a plan, and actually execute any sort of intervention strategy. Most relief organizations do not have the ability to address the root of the problem, and bring about and end to what is going on; but they can limit the destruction and also limit the needs that any intervening government must address so that government can focus on addressing the problem.

**American intervention and Just War Theory.**

The United States examines the principles of Just War Theory (JWT) anytime it is going to intervene. Thomas Aquinas, the originator of the theory, set forth specific guidelines that must be met in order to be able to justify going to war. Due to the fact that any act of aggression toward another state (i.e. physically deploying troops, implementing an embargo, etc.) can be considered an act of war, the United States must
act cautiously and ensure that they are acting within the confines of JWT when responding to genocide.

Multiple components make up Just War Theory and all must be met in order for a war, or in this case intervention, to be justified. Acts of war also come in two categories: *jus ad bellum*, which are reasons for going to war and *jus in bello* or actions within war. The principles of *jus ad bellum* are just cause (generally it is a response to an act of aggression); just intent (i.e. to restore peace); ordered by the proper authority (such as the president); reasonable probability of success; and last resort. The tenets of *jus in bello* are proportionality (i.e. using an embargo instead of dropping a nuclear bomb) and distinction or non-combatant immunity (Fisher, 2012, p. 158). Wars have to not only have just causes for starting, but also have just conduct within them. Wars are only justly started if *jus ad bellum* is completely followed and only justly conducted if all of *jus in bello* is followed (Holmes, 2015, p. 5). For a war to truly be just both aspects must be satisfied.

One major point of JWT is that war should be a last resort after all other possible solutions have been exhausted. Intervention falls under this same category and some theorists argue that this too should only be considered as a last resort (Pattison, 2015, p. 936). Different views of the last resort argument have been proposed. One view is a literal view in that intervention should only take place after all other possible options have failed, while another view says that intervention could be used if possible alternatives have a low probability of success or intervention would result in less overall harm.
In normal intervention scenarios, states generally have the luxury of time and have the option to run through various other possible intervention methods. Economic embargos, cutting diplomatic ties, getting the United Nations Security Council and other foreign states to formally condemn and criticize the offending state can all have an effect of forcing that state to succumb to the will of the mediator. However, due to its urgent nature, genocide does not necessarily allow states to take their time with diplomacy and other interventionist means. When lives are at stake and are being slaughtered, states need to intervene in quick fashion and may need to bypass the idea of last resort.

Military intervention satisfies the other rules of JWT as well. A state’s murder of its own citizens can be seen as an act of aggression, thus giving an intervening state just cause. Just intent can be satisfied so long as the goal of the United States is to restore order and save lives. If the United States is intervening in order to gain political control of the state in crisis and further its own empire, then just intent is not met. A military as strong as the United States is going to have a reasonable probability of success just about anywhere it would choose to intervene. In order to satisfy the proper authority stipulation, either the president would have to issue an executive order or congress would have to agree to commit troops. Any United States intervention in a case of genocide could be justified on the basis of JWT without any great difficulty. The aforementioned debate about last resort is the biggest discussion that would have to take place. Policy makers must take into account to gravity of the situation at hand and determine if utilizing actions other than forceful intervention could be effective.
Non-State Actors

Governmental organizations such as the United Nations, NATO, and sovereign states are not the only bodies that can intervene in the case of genocide. Getting rid of the offending party is not the only necessary step. Victims must be cared for and provided with food, water, and many times shelter as they have been forced to flee from their homes. Non-state actors play a vital role in the aid aspect of foreign intervention. Action from non-state actors is referred to as “humanitarian assistance” as it comes with the consent of the government but without the use of force (Gulati & Khosa, 2013, p. 399). Groups like the Red Cross and Oxfam are able to provide the necessary care for victims and are often times viewed as less threatening by the party in power, thereby giving them access to the victims that other organizations may not be able to get.

Many non-state actors have a Christian association, due in large part to the fact that Christians are called to care for the needy. Missionaries can play a significant role in providing for the needs of the victims (Omaka, 2014, p. 428). Unless the group that is targeted for genocide is a Christian group, missionaries are likely to have very good access to the country as well as a solid base of support back home to aid in providing financial support. Individuals like Corrie Ten-Boom have the ability to provide a huge impact by doing things such as hiding those who are targeted and pointing the killers in other directions.

The media can also have an impact when it comes to intervention. The media controls what the public sees and in what detail. By broadcasting the atrocities for everyone to see, the media can cause the public to call on the government and demand that the government do something about what is going on. Based on how the media
portrays the events, the public can be swayed to believe what is going on is just a civil war or a tribal conflict and not an act of genocide. It is vital that the media understands how to appropriately define genocide so that it can properly apply pressure on the government to act when it is necessary. The media must avoid being influenced by the press releases and comments of government officials who are quick to call genocide something other than what it truly is so that they do not have a responsibility to intervene, but can leave that job to somebody else.

**The International Criminal Court**

Even if the international community does get involved, no set of troops can stay occupying the guilty state forever. At some point the United Nations mission, NATO coalition, or whatever other peacekeeping group was sent would have to pull out and allow the state to run itself again. The problem is that because every state has different laws, it would be impossible to extradite the responsible parties to another state for trial. There has to be some sort of judicial body that has jurisdiction to try, convict, and punish those responsible for genocide. That body is the International Criminal Court (ICC).

The court was created in 1998 in an attempt to create “a forum in which to carry out trials of [international criminal law] violators” (Schiff, 2012, p. 74). With Rwanda still on the mind of those at the United Nations, world leaders decided some some body was needed to hold accountable those responsible for the destruction. The goal of the ICC is, “to end impunity for the atrocity crimes of genocide, crimes against humanity, war crimes, and, eventually, crimes of aggression” (p. 73). Before the creation of the ICC, no permanent, international judicial body had been established to preside over crimes against international law.
Prior to the 1998 Rome Conference, the international community would organize short-term tribunals to try war criminals such as in Nuremburg post-World War II. In these trials the defendants were tried for a series of offenses that were not recognized under international law. Justice Robert Jackson, the chief American prosecutor, made his case against the Nazis based on natural law, that the right to life was an inherent, unalienable right and there is no way that the Nazi perpetrators could not know that this is a natural right (C. Martin, Lecture, October, 2014). The only charge that was recognized under international law at the time was “war crimes” and yet Jackson was still able to get a conviction, showing just how powerful the notion of natural rights was held.

The tribunals demonstrated that international justice was not out of reach, but did come with some weaknesses. One of the biggest weaknesses of the tribunals was that they, “depended, every time, on the political will of the international community at the time…As a result their ability to punish perpetrators of international crimes and to deter future perpetrators has been limited” (Kirsch, 2007, p. 540-41). The need for a permanent body was quickly recognized and in the summer of 1998 the Rome Statute was approved. Because the ICC operates outside of the Security Council or any other monitoring body, it becomes involved whenever it chooses, not only when there is a unanimous agreement that its services are needed. For instance, if crimes against humanity were occurring in Russia, the ICC would still hold a tribunal even though the Russians, who hold a Security Council seat, would likely disapprove of the court’s involvement.

One important note is that, despite being a creation of the United Nations, the ICC does not have jurisdiction across the entire globe. The court can only take on crimes committed within states that have agreed to its jurisdiction; however, under the Rome
Statute the Security Council has the authority to refer cases to the court in non-consenting states so that it no longer has to create tribunals (Kirsch, 2007, p. 542). This power was first exercised when the events in Darfur (Sudan did not recognize the Rome Statute) were referred to the court. The ICC also does not necessarily take on every major crime within recognizing states. Franceschet (2012) says the ICC has the power to, “prosecute and punish individuals for committing genocide, crimes against humanity, and, eventually, aggression, but only when states are genuinely unable or unwilling to do so” (p. 93). Most cases of genocide and other crimes against humanity are usually perpetrated by the government, meaning no judicial body within that state is able or willing to hold them accountable. The ICC then steps in and assumes responsibility for punishing those responsible. The ICC has the power to carry out an investigation, prosecution, and conviction, but still must rely on the help of the state involved. The first wanted individual to be surrendered to the ICC came in March of 2007 in the Congo and in Uganda arrest warrants were issued for Joseph Kony and four other members of the Lord’s Resistance Army for crimes against humanity (Kirsch, p. 544-545).

Complementarity, as this cooperation is called, requires the assistance of the state to execute arrest warrants, supply the court with evidence, and enforce the sentences that are handed down from the court (p. 546). Without the help of the state where the crimes can be committed, the trials cannot even take place.

The creation of the ICC was a step toward unifying the globe against crimes against humanity. Not all problems facing the court have been worked out, but the groundwork is laid for a stronger opposition against these crimes and a greater deterrent in the fact that those who would commit crimes against humanity will recognize that they
will be held responsible for their actions. The court does not address the underlying problem that leads individuals and governments to commit genocide, but it is a small step toward preventing the occurrence of future genocides.

**Conclusion**

Genocide is not a new phenomenon and is not a problem that has an easy solution. Throughout time there have been numerous mass killings that have not always fallen under the category of genocide. Part of the problem is that genocide has proven to be a difficult act to define, with no attempt at an internationally recognized definition until 1948. In fact, the word “genocide” did not even exist until after World War II when Raphael Lemkin came up with a new word to describe the atrocities of the Nazi regime during the Holocaust.

Genocide can simply be defined as any act that attempts to destroy any group of people who possess some unifying bond. In order for an act to be genocide it does not just have to be directed at some race, ethnicity, etc., but can even be directed toward a political group. This definition encompasses acts other than just killing such as forced abortion, starvation, and other acts that will eventually lead to the extinction of some group. Because it also includes groups such as those who identify with a particular political party, killings that appear to be arbitrary, such as Stalin’s purges, also fall into the category of genocide.

The first modern genocide is seen by many to have occurred in Armenia in the early 20th century. It took decades for the international community to recognize what happened in Armenia because direct killing was not the only method used by the Ottoman government when conducting their “ethnic cleansing” of the Armenians. Since
Armenia numerous other genocides have been conducted for a variety of reasons. Stalin killed millions through murder and starvation in order to rid the Soviet Union of anyone who opposed him politically. Adolf Hitler killed out of feelings of racial superiority as he murdered anyone who was not a member of his so called “master race.” The Khmer Rouge in Cambodia killed for social reasons as they wanted to create a new social order in Cambodia and expel from the country any foreign influences that would oppose this order. In Rwanda the genocide occurred due to increasing tensions between the Hutu and Tutsi due to a devastating economic crisis as there was a fight for resources.

Whenever a case of genocide can be identified, it is the role of the international community to step in and intervene to protect the lives of those who cannot protect themselves. International organizations such as NATO and the United Nations play the biggest role in combatting crimes such as genocide and should take steps as soon as genocide is identified to stop the crisis. Formal condemnations from the Security Council and approval of sanctions are just a couple of the alternatives to forceful intervention that the United Nations has at its disposal.

As the world’s premier super power, the United States plays a pivotal role in global affairs and intervention. If and how the United States intervenes depends on whether the acting administration takes on an idealist, collective security approach or a realist, balance of power approach. Regardless of which theory of international relations is utilized, all intervention must stay within the bounds of Just War Theory. Forceful intervention should not necessarily be the first step taken. Expulsion of the diplomats of the offending state, closing of American embassies and consulates in the offending state, economic sanctions, and embargos are a few of the alternatives to military intervention.
that the United States can utilize. As the poster child of human rights, the United States has an obligation to intervene and protect those who cannot protect themselves. However, this does not mean that the United States should occupy a country. Quick and effective use of force should be taken to stop the crimes that are occurring and then the United States should remove itself from the situation to return autonomy to the state where the genocide occurred.

Sovereign states are not the only ones who can intervene in times of crisis. Non-state actors such as organizations like the Red Cross can step in and provide humanitarian aid (i.e. food, shelter, water, clothing, etc.) to the victims. Non-state actors are generally more accepted and granted more access than foreign governments are. Christians can also play a role here by volunteering for different organizations and stepping in to provide for not just physical, but spiritual needs as well. The media can also help bring awareness to the situation by educating the public on what is happening around the world and exposing the actions of those who are committing genocide. Media coverage can incite the public to call on the government to intervene and stop the atrocities that are occurring.

Genocides are generally perpetrated by governments which means many times no body within that state that is able or willing to prosecute the offenders. This lack of accountability led to the creation of the International Criminal Court in 1998 by the United Nations. The ICC is a permanent body which means that criminal tribunals that are convened in the case of genocide are not subject to the current political climate of the globe. The ICC is still limited in both its jurisdiction and actual punishing authority, but is a step in the right direction of an international agreement on combatting and preventing genocide.
To deter states from committing genocide in the future, the international community and the United States need to take a hardline approach so that any state that would consider genocide, would recognize that any such act would bring about the full force of the rest of the globe along with stiff punishments, including the death penalty. Without harsh retaliation acting as a deterrent, no state is going to fear any consequences stemming from their genocide and will go through with the killing. However, the only true fix for genocide is to address the sin problem in the hearts of all mankind.
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