Justice after Genocide

“Justice must always question itself, just as society can exist only by means of the work it does on itself and on its institutions” (Michel Foucault). The idea of justice has taken many shapes and forms over the course of history, as a result of the evolution of society. Early philosophers have molded many core ideas of what justice means. Aquinas, a follower of Aristotle, says, “The general category to which justice belongs is that it is a moral habit of a virtuous character. What specifically distinguishes it from other moral virtues is that by justice, a person is consistently committed to respecting the rights of others over time” (Pomerleau). Augustine and his conception of justice is the familiar one of “the virtue by which all people are given their due” (Pomerleau). These ideas have helped develop the Judicial System, where people accused of wrongdoings have been given the respect of a fair trial and prosecuted to the full extent of the law. In cases of small crimes, justice is usually delivered by punishing the accused. These punishments may range from prison sentences to executions. However, in many cases, justice is not delivered through these punishments. Genocide is one of these cases. The United Nations Convention on Genocide (1948) defines genocide as “any of a number of acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group” (Genocide). The numerous genocides that have occurred throughout history, which include Darfur, Rwanda, the Native Americans, and the Nazi Holocaust, were so inhumanly severe that they scarred people for life and for them, justice can never be achieved.

A genocide that has been overlooked by many people happened in Darfur. The Sudanese government ordered militias, known as Janjaweed, to attack the African tribes that supported SLA and JEM. They slaughtered, raped, and tortured members of the African communities one by one showing almost no mercy. Millions of people fled to the outskirts of Darfur's large towns. “More than three hundred thousand people have died since the attacks began in 2003; officials were unsure how many villagers were murdered and how many died from starvation or illness. In 2004 former U.S. secretary of state Colin Powell was the first to describe the situation as a genocide. He stated, we concluded—I concluded—that genocide has been committed in Darfur
and that the Government of Sudan and the Janjaweed bear responsibility—and that genocide may still be occurring. This brought international attention to the situation. Millions of dollars worth of aid was sent to Darfur's villages, and many countries attempted to negotiate peace talks in Sudan. The following year, the United Nations ordered President Bashir's arrest” (Genocide). The aid that was given to the people of Darfur, along with the arrest of the perpetrators behind the genocide is what many countries considered justice. In the true sense of the word, the people who were caught in the crossfire have experienced pain and anguish that they can never forget. The severe physical and psychological traumas left behind by the genocide, cannot be healed. For these people justice can never be achieved.

Another genocide similar to Darfur, happened not too long ago in Rwanda. “Ethnic Hutu militias murdered between five hundred thousand and one million ethnic Tutsis and Hutu pacifists, often by hacking them to death with machetes. The United Nations Security Council set up a special International Criminal Tribunal for Rwanda to try those responsible for organizing the massacre. The genocide lasted only 100 days. 800thousand to 1 million people were killed. This genocide did not go unknown. The United Nations and the governments of the world were briefed on what was happening, but no one wanted to intervene. The world looked on and did nothing” (Spalding). This is a huge case of injustice. Many innocent people were being killed off and the moment the world decided to ignore them is the moment to realize those people would never receive justice. After the Genocide, the Rwandan government was left with the task to rebuild the country. They were also concerned with bringing the perpetrators to justice. Since not every killer could be caught and punished, the government turned its attention to the most notorious members. They were to be trialed with the help of testimonies from survivors.” Many survivors of the genocide have been killed as a result of their testimony. As it stands, about five hundred people have been executed for their role in the genocide, and over a thousand were imprisoned” (Spalding). Even after the genocide was over and the people responsible were brought to trial, justice was not achieved. Some survivors died as a result of their own testimony. The killers were arrested and some were executed, however, that does not mean justice was achieved for the hundreds of thousands of people who lost their lives and were mentally scarred for the rest of their lives. This example shows how justice cannot be achieved after a mass murder.
Many people know about the Native Americans. They have learned about them in a History class. Schools refrain from telling students that what the settlers did to the Native Americans was considered a genocide, which is, “killing members of the group or imposing conditions—not necessarily lethal—that would ultimately lead to the group’s extinction” (Genocide). “As 1837 approached, President Martin Van Buren ordered federal authorities to force the Cherokee to leave. They would live in temporary detention camps. They remained in these camps throughout the sweltering southern summer months, and soon their numbers were decimated by disease. More than two thousand died from measles, whooping cough, and other illnesses. In October, more than fifteen thousand men, women, and children began a six-month, thousand-mile journey to the unfamiliar territory that would be their new home. Most Cherokee went on foot from Georgia, across central Tennessee, western Kentucky, southern Illinois, southern Missouri, and northern Arkansas, to Fort Gibson in eastern Oklahoma. A smaller number were taken by boat. Those on foot lacked adequate food, shelter, and clothing. Around two thousand Cherokee died from disease, exposure, and exhaustion. The proud Cherokee buried their dead along the route that eventually became known as the Trail of Tears. This event is one of the most tragic in U.S.-Native American relations.” (Trail of Tears). Technically it was never considered as a genocide in the History books. Given the severity of these events which still haunt Native Americans to this day, this event was a genocide which the American government has tried to justify for years. In the spirit of justice, the government has given Native Americans certain privileges to atone for their sins. Although these privileges are unique, they failed to reach their intended goal of providing Justice for these people. The voids created in the hearts of the Native Americans by the genocide, has been passed down to their children and they can never find justice.

The Nazi Genocide was the most tragic event that happened in World War II. “After Germany's capitulation in 1918 and the subsequent signing of the humiliating Treaty of Versailles in 1919, Hitler was one of a great many Germans left searching for a scapegoat to blame for the defeat. From 1933 to 1945, under the leadership of Adolf Hitler, Germany waged an increasingly hostile campaign of hatred, exclusion, and systematized murder against its own Jewish population and the Jewish populations of its conquered territories” (Holocaust). The Nazis planned various ways to apprehend and kill all Jewish people. “In 1942 Germany's Final Solution to what they considered to be the "Jewish problem" involved exportation of Jews to
extermination camps in eastern Europe. Following the invasion of Hungary in the spring of 1944, the Nazis deported close to half a million Jews to Auschwitz, Poland, in just under two months. At each of the death camps, victims were gassed, and cremated. Many more died of disease, starvation, and forced labor; their bodies were later deposited in mass graves. Thousands more perished even after their liberation; when allied forces reached Dachau, Germany, in 1945 to liberate the people in the camps, they found railcars filled with dead bodies” (Genocide). The methods and crimes committed by the Nazis were inhumane in the fact that they negatively affected the whole world. They were responsible for some fifty million deaths and additional millions of injuries, as well as immeasurable personal and collective suffering and economic, social, and moral devastation. The end of the war revealed the extent and nature of the Holocaust. The Third Reich's vast and systematic genocide shocked the world and cast a large shadow over the Allied victory. In November 1945 the Allies conducted the Nuremberg War Trials with the intent on establishing justice. “Surviving Nazi leaders who had not escaped from Germany were tried for war atrocities and crimes against humanity. Some received death sentences, while others went to prison. Many of the latter group were released in the 1950s due to old age or poor health. Still others were put on trial in Israel after the establishment of that country as a Jewish state” (Nazi Germany).The trials “defined three different types of crimes: war crimes, crimes against peace, and crimes against humanity; such crimes against humanity do and should demand justice for their victims” (The Nuremberg Trials). With the executions and persecution of most of the Nazi leaders and followers were carried out in the name of justice. However, many Nazis had escaped. Furthermore, even if all of the perpetrators behind the holocaust were captured and tried, it would not be enough to relieve the mental, physical, and psychological traumas of the people who survived. Many people even in the present feel the echo of the holocaust and they are haunted by nightmares of their loved ones who lost their life. The genocide governed by the Nazis was horrific, and for the people part of it, justice was not achieved because their lives were lost for good.

In conclusion, justice cannot be achieved in the aftermath of any genocide. The situations that happened in Darfur, Rwanda, the Native Americans, and the Nazi Holocaust have proven to leave severe, unhealable scars on humanity. The writer William Golding, who liberated a death camp from the holocaust, could not fathom the evil that people can display upon others. His novel *Lord of the Flies*, portrayed the inner evil that exists in all humans, even the ones that look
pure. Justice cannot be established because of the darkness of human nature. The attempts mentioned in these cases simply could not bring back the people who lost their lives, or fill the voids of the people who continue to mourn for their lost kin.

Works Cited


