

# Raphael Lemkin and the Genocide Convention

After World War II was over, the world was attempting to come to grips with the atrocities that occurred in Nazi Germany and how to promote peace and cooperation between all countries moving forward. The world was looking for new international law, standards, and procedures to create and enforce to ensure that what happened in Nazi Germany would not be able to happen again (“Raphael Lemkin”).

Raphael Lemkin, a Polish-Jewish lawyer, had been working on an answer to the question of how to get the world to recognize mass murder as an international crime for many years. He was originally shocked and appalled that there was no legal system or laws in place in which to prosecute the Ottoman leaders who massacred the Armenians during World War I (“Raphael Lemkin”).



Lemkin raised a very important question in his work: *“Why was killing a million people a less serious crime than killing a single individual?”*



## JOURNAL PROMPT:

Looking at the quote in the orange box above by Lemkin, write a brief journal response responding to the quote. Why did Lemkin say this? What did he mean by it? How do you interpret this quote?

Lemkin wrote, “By ‘genocide’ we mean the destruction of a nation or of an ethnic group. This new word, coined by the author to denote an old practice in its modern development, is made from the ancient Greek word *genos* (race, tribe) and the Latin *cide* (killing) .... Generally speaking, genocide does not necessarily mean the immediate destruction of a nation, except when accomplished by mass killings of all members of a nation. It is intended rather to signify 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. Genocide is directed against the national group as an entity, and the actions involved are directed against individuals, not in their individual capacity, but as members of the national group” (“Coining a Word”).

Lemkin’s contributions to naming this phenomenon were vital. “The word had to be short and not capable of mispronunciation. And it could not resemble or be associated with anything; Lemkin needed a word that could not be used in other contexts. It has to chill listeners and invite immediate condemnation... *Genocide* was short; it was novel and was not likely to be mispronounced” (Power 41-42).

Genocide was declared an international crime on December 11, 1946 by the United Nations General Assembly. On December 9, 1948, in the shadow of the Holocaust, and in no small part due to the tireless effort of Lemkin himself, the UN approved the *Convention on the Prevention and Punishment of the Crime of Genocide*. The convention was entered into force on January 12, 1951. More than 130 nations ratified (the United States did not ratify the convention) the Genocide Convention, and over 70 nations made provisions for the punishment of genocide in domestic criminal law. The convention established “genocide” as an international crime, which signatory nations “undertake to prevent and punish.”

**It defines genocide as:**

**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;**

American ratification of the convention was blocked for decades and nearly forgotten, until William Proxmire, a senator from Wisconsin, got involved. For nineteen of his thirty-one years as a U.S. senator, William Proxmire made repeated and frequent speeches calling for Senate ratification of the United Nations (UN) Genocide Convention. Representing Wisconsin in the Senate from 1957 to 1989, Senator Proxmire began his prolonged campaign for the Convention in January 1967 at the urging of Milwaukee lawyer Bruno Bitker (1899–1984). Calling the Senate's failure to approve the treaty a "national shame," Proxmire committed himself to "speak day after day in this body to remind the Senate of our failure to act and of the necessity for prompt action" (Power 79). From this point forward he took a personal responsibility for this issue and persisted for two decades, giving over 3,000 speeches, until he prevailed ("William Proxmire").

President Reagan would sign the Genocide Convention Implementation Act of 1987 in Chicago, in a hangar at O'Hare airport, on November 4, 1988.

Despite the Convention, history tells us it is far from perfect, and reminds us that law and treaties are not enough. It has not led scores of nations to stop genocide, and even more so has made them more cautious about using the term. Furthermore, sadly preventing genocide, the other major obligation of the convention remains a challenge to this day as well.



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## DISCUSSION QUESTIONS:

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1. Why was it important to Lemkin to name the term “genocide”?
2. Why was it important for Lemkin to make genocide an international crime?
3. Through your own research, articulate what some of the challenges are for the prevention and prosecution of genocide.
4. Through your own research, discuss why the United States was so hesitant and slow to sign the *Convention on the Prevention and Punishment of the Crime of Genocide*.

### Sources:

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