

THE DEFINITION AND PREVENTION OF GENOCIDE: A RHETORIAL ANALYSIS OF
THE UNITED NATIONS

A thesis presented to the faculty of the Graduate School of Western Carolina University in
partial fulfillment of the requirements for the degree of Master of Arts in English.

By

Shani-Leigh Searcy Christiansen

Director: Dr. Diane Martinez
Assistant Professor of English
English Department

Committee Members: Dr. Andrew Virtue, English
Dr. Beth Huber, English

April 2017

ACKNOWLEDGMENTS

I would like to thank my director, Dr. Diane Martinez, for her guidance throughout the thesis process. She has been with me every step of the way and my success would not be possible without her. I would also like to thank my committee members, Dr. Andrew Virtue and Dr. Beth Huber, for their encouragement and constant reminder that my thoughts and opinions matter.

I also extend my sincere appreciation to the wonderful friends I have made in my cohort. Together, we can conquer anything. We have been through some of the hardest years of our lives in this program, and I couldn't have asked for more of an amazing group alongside me. Between the singing, dancing, board games, and conference trips, your friendships will always be my most cherished.

I would also like to thank my parents for their patience and kind words throughout the process. You always told me that I could do anything I put my mind to. For once in my life, I believe you. Thank you for always pushing me. Thank you for always believing in me.

Lastly, I offer my best regards to my husband, Peter Christiansen, for keeping me sane by encouraging insanity. I could not have done this without you and I am so grateful for everything that you have done and will do for me.

TABLE OF CONENTS

LIST OF FIGURES	iv
ABSTRACT	v
CHAPTER 1: INTRODUCTION	1
Background of the United Nations	6
Theoretical Background	10
Research Questions	13
Methodology	13
CHAPTER 2: LITERATURE REVIEW	16
Defining Genocide	16
The United Nations and Genocide	21
CHAPTER 3: ANALYSIS RESULTS OF THE FRAMEWORK	31
Overview of the Document	31
Rhetorical Patterns	36
Results	38
CHAPTER 4: DISCUSSION	49
Implications in the Genocide of Rwanda	51
Implications in the United States	58
The Role of the Technical Communicator	60
Conclusion	62
REFERENCES	63

LIST OF FIGURES

Figure 1 Risk Factor 9.....	40
Figure 2 Risk Factor 3.....	43
Figure 3 Risk Factor 6.....	47

ABSTRACT

THE DEFINITION AND PREVENTION OF GENOCIDE: A RHETORIAL ANALYSIS OF THE UNITED NATIONS

Shani-Leigh Searcy Christiansen, M.A.

Western Carolina University (April 2017)

Director: Dr. Diane Martinez

The United Nations is an intergovernmental organization established in 1945 after World War II.

The United Nations helps to regulate international relations and also promotes peace and security, human rights, social and economic development, environmental safety, and humanitarian aid in disasters and conflicts. The United Nations has created documents that define the global standard of peace and security, as well as preventative measures to tragedies that have taken place across the world including the multiple acts of genocide that have occurred in various countries. I am interested in exploring how the United Nations defines genocide, and how the language in policy is implemented in order to prevent future acts of genocide around the world. My research uses a primary document of the United Nations in order to examine their ability to develop policy and action regarding security and the prevention of genocide.

Specifically, I use the *Framework of Analysis for Atrocity Crimes: A Tool for Prevention*. Using this document, I analyze how the United Nations uses language to discuss the importance of humanity, what they believe constitutes genocide, and how they will continue to promote peace and prevent acts of genocide throughout an international community that may have different definitions of peace and security. As I review this document, I also look at the importance of hierarchy in a global community. In order to analyze these documents, I have used the social

construction of knowledge theory, positivism vs. humanism, and cultural studies theory to determine if the language used in preventative documents and policy is ethical in its creation of a universal idea of peace and human rights, if it affects various cultures differently, and if the P5 members of the United Nations are affected by these documents.

CHAPTER 1: INTRODUCTION

You will be judged in years to come by how you responded to genocide on your watch.

–Nicholas D. Kristof

The history of the world helps us with a deep understanding of the human race, including our inherent need for community, culture, and expression. History has a tendency to repeat itself, even with the drastic measures taken to avoid the horrific and consequential acts that have occurred throughout. It is the job of the technical communicator to understand how the words we use, especially in official documents, affect human life. Our communities, both domestically and internationally, continue to expand as we become an internationally connected world. The events that affect nations around the world can and will affect others, both directly and indirectly. How we treat these events inevitably affects our global communities, as well. As the field of technical communication continuously strives to move towards creating language that allows for the interaction and acceptance of all human experience, we must be critical of language used in documents that are even created to produce a more peaceful society. As a technical communicator and an advocate for human rights, it is a responsibility to be aware of how international organizations, with the intent of creating a global society at peace, can easily be swayed by political, historical, and cultural implications that can be harmful to those that we try to help. Genocide, a crime that seems like a reality that is seldom experienced, is a reality that has plagued our international community throughout world history. As technical communicators, we can explore how language has affected the reality of genocide, understand why this crime has yet to be stopped, and advocate for the right for all humans, regardless of race, ethnicity, gender, religion, and background, to live in peace and security.

In the early 1940's with the rise of the fascist regime led by Adolf Hitler, a scholar, a humanitarian, and a victim of the of the Nazi occupation—Raphael Lemkin—delved into the true meaning of genocide, giving the term the definition of how it is understood in present day. It was his relationship to the word as a Polish Jew, his study of scholarship in humanitarianism and international law, his deeply entrenched awareness of his internal damage due to the horrific events of the Holocaust, and his fear that we, as a nation of humans, would not learn from the historical implications and the mistakes that were made which led us to the destruction of a nation that guided Lemkin to his understanding of genocide. In his earliest conception, Lemkin explains that genocide was the darker purpose of Hitler's war: "genocide is a new technique of occupation aimed at winning the peace even though the war itself is lost" (Ignatieff, 2013, pg. 1). This proved to be just the beginning of Lemkin's exploration of genocide.

Lemkin spent his life devoted to his historical studies and implications of genocide. He was described as a "human rights pioneer who quarreled with human rights advocates; a man who longed for company but had no time for small talk; a man who, as he ruefully confessed, always wanted to avoid three things in life— 'to wear eyeglasses, to lose my hair, and to become a refugee.' Now all three things, he said, 'had come to me in implacable succession'" (Ignatieff, 2013, p. 4). His personal relationship to genocide, however, gave Lemkin a unique view of his studies. Born a Polish Jew, Lemkin identified himself by his Polish, Russian, and Jewish heritage. It was his diverse ethnicities and culture that allowed him to explain why he was able to include the fate of all people affected by the Nazi occupation, rather than focusing on the Jewish fate. Ignatieff (2013) explains, "this is why, when other Jews who survived the Holocaust became Zionists and put their faith in a defensible state of their own, Lemkin put his faith instead

in international law, and in a convention that would proscribe the crime forever for every victim group” (p. 2).

During the fight of fascism throughout World War II, the United Nations was formed after the failed attempt to create an international government known as the League of Nations (Weiss et al, 2017). The League of Nations aligned with Lemkin’s idea that it was groups that required protection from a murdering state. For Lemkin, “the religious, ethnic, and national group was the bearer of individual’s language, culture, and self-understanding. To destroy the group was to destroy the individual” (Ignatieff, 2013, p.5). In 1933, during Lemkin’s work with the League of Nations, Lemkin proposed two international war crimes: barbarity and vandalism. Where barbarity was the destruction of collective groups, vandalism was the destruction of cultural heritage, which became the crux of his definition of genocide. With the progression of World War II and Lemkin’s refuge to the United States to continue his study and escape the fate of the ethnic cleansing occurring in his homeland, Lemkin understood the fate of his parents, his family, and his community. Feeling helpless, Lemkin states, “guilt without guilt is more destructive to us than justified guilt, because in the first case, catharsis is impossible” (Ignatieff, 2013, p. 9). It is in this moment where Lemkin truly expresses the unending pain that he, the thousands of families, and the world has endured knowing of the mass-murder of multiple ethnic groups without the ability to end it. This, along with his scholarship, allowed for Lemkin to determine his definition of genocide, and defend it for the remainder of his life.

After coining the term genocide and its definition, Lemkin explained its importance to history. To Lemkin, genocide was not just solely associated with physical extermination. Instead, he believed that “genocide could take also non-exterminatory forms, as in the determined attempt he had seen in his native Poland to crush Polish language, culture, and faith and turn a people

into slaves” (Ignatieff, 2013, p. 10). To Lemkin, genocide is the extermination of a people, physically, culturally, ethnically, and linguistically. Genocide is a form of political solutions and control, where violence displays itself physically and rhetorically.

The act of genocide, although horrific in nature, is not new to world history. After the events of World War II and Nazi Germany, the efforts made to prevent these crimes against humanity were implemented in ways that have proven to be ineffective in action. As we move towards more international communities and global societies, individual national histories become more interconnected. The slaughter of races, cleansing of ethnicities, and mass murder of humans no longer affects the singular nations where these crimes occur. Instead, nation-states must determine whether it is their civic duty to interfere in these crimes. On one hand, the answer should be obvious: it is our civic duty and human responsibility to protect others from violence due to their ethnicity, race, sexuality, or any determining factor that has allowed for a specific group to be exterminated. On the other, nations must be wary of the toll it takes on their own people. Interfering in international conflicts jeopardizes the lives of citizens, uses national funding, and creates internal conflict within the nation. As a global community, we have struggled with the need of (or avoidance for) international interference.

The necessity for international governance and law has been debated since the beginning of the World Wars. We can believe that to some, it is imperative to create an international community that insists on defining human rights for all, rather than looking at individual nations. To others, international governance infringes on basic rights of the individual nations. International governance creates an environment that some nations believe is not beneficial to their citizens by focusing on global issues rather than domestic ones. This adds conflict to entities formed specifically as a way to create standards for our global community. The United

Nations has been the leading entity for international governance dealing with global crises. The United Nations was at the forefront of defining genocide and creating ways to prevent it from happening again after World War II, however, as we have seen throughout history, their efforts have been unsuccessful.

As technical communicators, it is imperative that we understand how the language that we use in documents has very real and detrimental effects on our intended and actual audiences. Technical communication, although difficult to define, has shifted to emphasize the audience. As defined by David Dobrin, “technical writing is writing that accommodates technology to the user” (Dobrin, 1983, p. 118). He further explains the concepts of his key points of the definition, where “writing” should be understood as a way of thinking and establishing human relations in a group; “accommodate” explains the invasiveness of the quality of technology to the user which is highly dependent on the power structure between the technology and the user; “user” defines the audience in regards to technology, emphasizing that the purpose of technology is to be used and reflects on the idea that technical writing measures its effectiveness by the use of actions, people, and things; and “technology,” although traditionally defined a tools and procedures, reflects how technical writing uses the idea of technology to describe people, machines, concepts, and relationships (Dobrin, 1983, p.119). This definition of technical writing best illustrates the importance of the technical communicator in governmental and international entities. The technical communicator is able to understand and analyze the use of audience and rhetoric when presented in professional and technical documents. To understand the rhetorical implications of these documents allows for more humanistic and culturally effective language, benefiting the author, the organization, and the audience.

In 2014, the U.N. published *Framework of Analysis for Atrocity Crimes: A Tool for*

Prevention. This document discusses what our responsibility as citizens of a global community is to protect populations from international crimes. As discussed in the document, the international crimes are described as genocide, crimes against humanity, and war crimes. The purpose of this framework is to help illustrate warning signs of these atrocity crimes, as well as to be used as a guide for assessing a nation who may be at risk of genocide, crimes against humanity, and war crimes. Ban Ki-Moon, former U.N. Secretary-General, states, “with the help of the Framework, we can better sound the alarm, promote action, improve monitoring or early warning by different actors, and help Member States to identify gaps in their atrocity prevention capacities and strategies” (United Nations, 2014, p. iii). This Framework was published as a response to the multiple acts of genocide that have occurred since World War II, specifically those that the United Nations have defined including Rwanda, Sudan, and Libya (Weiss et. al, 2017). These acts of genocide, however, have been countlessly debated as to whether or not they are considered acts of genocide and what constitutes a crime to be genocide. The tools for prevention as well as the definition outlined in the Framework, in combination with the historical implications of the multiple crimes that have occurred internationally are inherently problematic. I will be focusing on the language used throughout the Framework used by the United Nations to understand how the United Nations takes into consideration culture, ethnicity, humanism, politics, and groupthink when defining and analyzing the act of genocide.

Background of the United Nations

In 1920, in response to the first World War, the League of Nations was created as an intergovernmental organization to help resolve international conflicts. Although this organization ultimately failed due to the rise of the Axis powers and the beginning of World War II, the League of Nations set the foundation for its successor, the United Nations (Weiss et al., 2017,

p.1). The United Nations, under the leadership of the United States and the United Kingdom, brought 26 countries together to fight fascism during World War II by signing the Declaration by United Nations in 1942. While the war on fascism was being fought and won, the U.N. signed their official Charter in 1945, creating the first successful international organization to promote world peace (Weiss et al., 2017, p.1).

According to the U.N., “the primary purpose of the U.N. is to maintain international peace and security, and addressing socioeconomic issues (such as human rights and development) is a way to indirectly prevent war by promoting economic prosperity at home and abroad” (Weiss et al, 2017, p.2). Although it was not originally intended to create a formal international government, the United Nations has become the largest and most recognized form of intergovernance. However, the United Nations is a complex organization that operates for a variety of reasons. The organization states,

It is a broad and complex system of policy making and administration in which some decisions are made by member states and others by professional civil servants who are not instructed by states. Moreover, nongovernmental organizations (NGOs), corporations, and private individuals pressure state and U.N. officials and seek to influence decision- and policy-making processes. Analytically, the U.N. is really three different, yet interactive entities that often cooperate but also can work at cross-purposes. Each of these entities represents complex interests, some of which strive to maintain the status quo and others which seek substantive change (Weiss et al, 2017, p.2).

The United Nations has created an organization that aims to create an international community that allows for cultural understanding, economic prosperity, security, and effective international

communication to develop a global community that focuses on national and international conflicts.

The three sectors of the U.N. help to form different aspects of the organization necessary for the institution. The first sector of the U.N. focuses on member-states' need for self-interest, as well as well as their collective interest to act multilaterally on problems that multiple member-states encounter. It is made up of various organs controlled by government officials from different member-states. These officials receive direction from their member-state and many of the actions performed by the organs are very political; however, decisions made through certain organs require the consent of the P5—the permanent members of the United Nations consisting of China, France, Russia, the United Kingdom, and the United States. The second sector of the United Nations focuses on policy-making by the secretary general and the international civil service. The diplomats of these entities are independent, creating a less politicized environment as they are not under the instruction of their member state. The third sector focuses on the individual experts, scholars, corporate executives, academics, and other representatives, along with the NGOs that are committed to the causes and values of the United Nations. This network of unaffiliated sponsors influences various organs of the United Nations by their prior work in related fields or with member-state representatives (Weiss et al, 2017, p.6). These three sectors, along with the power of the P5, follow the principles of the organization: “the sovereign equality of its member states, the peaceful settlement of disputes, the nonuse of force in international relations, and nonintervention in the domestic jurisdiction of member states” (Weiss et al, 2017, p.8). This creates the interconnected organization that has become the most influential international entity in history.

The organs and principles of the United Nations in matters of international and internal conflict can be difficult to maneuver. Although the emphasis is on international relations, the importance of national interests is one that remains a constant clash between member-states. The goal of the United Nations is to promote “good international citizenship” without the sacrifice of the sovereignty of member-states. However, as there are many who promote basic human rights, wider international security, and justice for lasting order, doing so does not happen without “convincing others of their case, their competence, and their motives” (Weiss, 2012, p. 133). This can be seen through the United Nations’ Convention on the Prevention and Punishment of the Crime of Genocide of 1948. After World War II and the crimes of Adolf Hitler, the General Assembly adopted the convention to define genocide in legal terms with the influence of Raphael Lemkin. The Convention was ratified with the intention to identify the crime, prevent the crime, and punish the action (Auron, 2014). Through the Convention, states the following:

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such:

- a) Killing members of the group;*
- b) Causing serious bodily or mental harm to members of the group;*
- c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;*
- d) Imposing measures intended to prevent births within the group;*
- e) Forcibly transferring children of the group to another group.*

The following acts shall be punishable:

- a) Genocide;*
- b) Conspiracy to commit genocide;*

- c) *Direct and public incitement to commit genocide;*
- d) *Attempt to commit genocide;*
- e) *Complicity in genocide.* (United Nations, 1948).

Although the convention was passed to ensure that the crimes of the Holocaust and World War II were outlawed, drafts of this convention were not passed. The first draft of the Convention stated that political killings constituted genocide, but many nations would not pass the Convention with this particular definition, stating that acts against groups with different political opinions or social status could not constitute as genocide (Staub, 1999, p. 8). The omission of that particular definition of what constitutes genocide, the mass murder of a group, illustrates the United Nations' history of a push towards human rights while attempting to keep the sovereignty of member-states.

The United Nations has been an effective global entity in regards to various international conflicts, but continues to struggle with global implementation. With the definitions of genocide provided by the convention, the Framework and its tools for prevention, and the history of acts of genocide after World War II, it is important to understand how the United Nations frames these concepts through language. This gives us insight on the implications that their language has on their actions while reflecting on where the disconnect occurs.

Theoretical Background

In my rhetorical analysis of the *Framework of Analysis for Atrocity Crimes: A Tool for Prevention*, I have used various theoretical frameworks to understand how the United Nations uses language. I discuss how the language in this document is used in a way that creates a hierarchy of power in an international community, creates a source of knowledge for its audience that has been created by the hierarchy that stems from a westernized way of thinking, and

disregards cultural implications of member-states. In order to illustrate these concepts, I have focused on the theoretical concepts of social construction of knowledge, cultural studies, and humanism vs. positivism.

The social construction of knowledge helps to explain the idea that the society around us forms our understanding of the world. Our realities are created by what we know, our experiences, and our relationships in and to the world. Language, then, is a direct correlation to our reality. Using Charlotte Thralls and Nancy Blyler (1993), I will be applying the concept of social construction where “knowledge results from a community’s consensus about what it will call true, rather than from a universal that will ensure truth” (p.128). Our definitions and ideas of the world stem from the community around us. This allows room for interpretation. An individual’s understanding of truth can be constructed completely by their surrounding communities. Further, as Thralls and Blyler (1993) state, “This focus on knowledge as consensual agreement and the means by which beliefs are incorporated into a community’s knowledge store has enriched the constructionists understanding of the functioning of communities by indicating how knowledge might be maintained and, to some extent, how it might grow” (p. 129). To understand the ability for an individual to form knowledge based on the society they identify with helps us analyze the underlying implications of the author. This also shows itself through collaboration. Bruffee (1984) describes collaboration as, “the conversation of mankind where thought is internalized public and social talk... and writing of all kinds is internalized social talk made public and social again” (p. 641). To this, Thralls and Blyler explain that “writing thus is not a solitary but a communal and collaborative act” (p. 130). Social construction of knowledge helps us to analyze not only the author as an individual, but the importance of the social construction that is needed to write collaboratively. As an organization,

the language throughout collaborative documents helps us understand the intentions and backgrounds of the authors.

Carolyn Miller's *A Humanistic Rationale* (1979) discusses the need for technical communication to move away from a positivistic approach to writing and move towards a humanistic approach. Positivism in regards to technical writing describes the historical concept that technical writing should always be scientific and objective. Miller gives an example of how technical writing is viewed by stating, "technical writing is expected to be objective, scientifically impartial, utterly clear, and unemotional... Technical writing is concerned with facts and the careful, honest interpretation of these facts" (p. 49). Our society has developed a need for unbiased, objective facts. However, to be bias does not equate with being false. Humanism helps to explain and reiterate that facts are human constructions. Our knowledge is not knowledge without our cultural, ethnical, political, and societal understandings. Miller states, "objectivity on the part of the observer minimizes personal and social interference, reducing observation to the accurate recording of the self evident" (p. 50). When analyzing technical and professional documents, humanistic theory helps to determine if the document is accessible to its audience. It is important to create documents that allow for the audience to be addressed using language with historical, political, and cultural contexts in mind, which creates a more effective and accessible document.

In technical communication, cultural studies analyze the author's role as they communicate with diverse audiences. The author must make decisions about what is effective or ineffective throughout their documents. When the author understands the culture of their audience, they are able to determine what would be most useful to their audience. Cultural studies analyze the inclusion and exclusion of concepts, people, and ideas in our global society.

As we become more interconnected in our communities, authors must continue be aware of the diversity of their audience, the cultural differences of themselves and those they are communicating with, and privilege in our global society. For example, using feminist theory, Mary M. Lay (1991) discusses the importance of the cultural roots of women and their inherent ability to make connections with others and encourage closeness. Lay outlines six strategies using feminist theory that encourage effective collaboration: celebration of difference, theory activating social change, acknowledgement of scholars' backgrounds and values, inclusion of women's experiences, study of gaps and silences in traditional scholarship, and new sources of knowledge (1991, p. 148). Using various cultural studies allows for an analysis of how effective the language used in professional technical document is, as well as where it can be improved and criticized. By using cultural studies, we can determine effective ways to implement prevention tools, as well as assess definitions and risk factors.

Research Questions

Using the theoretical concepts of social constructionism, cultural studies, and humanism, as well as the historical implications of recent international conflicts in relation to the Framework and the United Nations as an international organization, I am analyzing the following questions:

1. Do power structures of the United Nations affect the goals of the Framework? How are these power structures discussed in the document?
2. In what ways does the Framework use historical and cultural context to discuss the tools for prevention?

Methodology

In order to perform my rhetorical analysis of the Framework, I have used the theoretical concepts outlined in the Theoretical Background section (social construction of knowledge,

cultural studies, and humanism) and applied these theories to the language of the Framework. I began my rhetorical analysis by reading through the Framework document. I started by reading through part one of the Framework, "Introducing the Framework of Analysis." This section of the Framework explains how the U.N. defines genocide, war, and atrocity crimes. Throughout this section, I looked specifically for rhetoric used that described the victims and the nations where these crimes occurred. This section was useful in that regard, as the introduction discusses the victims of atrocity crimes and how atrocity crimes can be prevented. For example, the Framework defines genocide using the definition from the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, however it has not changed since. Although there have been multiple acts of genocide since the Convention, the U.N. has yet to expand or redefine how it views genocide. By using social construction theory, I am able to analyze how the U.N. has created their own ideas of genocide, ignoring the historical actions of past events. I also used this section to understand the intentions of the Framework in regards to how the U.N. plans on using this document for future acts of genocide. This section of the document discusses the importance of preventing atrocity crimes in the future and how one would use this Framework for future acts of genocide. The Framework states that "monitors and analysts will need to be flexible when considering and weighing all the elements in this Framework and situate them within a broader political, contextual, historical, and cultural analysis." This, taken at face value, can appear to be encouraging, however, when keeping in mind the historic actions of the U.N., this could in fact be more harmful than good. Using humanistic theory, I have analyzed how the language used throughout this section, although well-intentioned, fails to add humanistic values into their document. Although discussing the concept of political, contextual, historical, and

cultural analysis to further understand these crimes, it fails to do so in a way that directly correlates with the U.N.'s past and present history of determining when genocide is present.

The second section of the Framework analyses the common and specific risk factors of genocide and atrocity crimes. The Framework lists a total of 14 factors that help assess whether or not a nation is at risk or is experiencing genocide or atrocity crimes. While reading over these risk factors, I found the language to be problematic and subjective using cultural studies and social construction of knowledge theory. For example, there are risk factors listed that state “signs of a widespread or systematic attack against any civilian population” and “serious threats to those protected under international humanitarian law.” These risk factors are created to point at underdeveloped countries, as many of the risk factors are, however, these risk factors can be found in countries that would conventionally be thought of as developed countries with a great amount of power. Here, I have used cultural studies theory to analyze how risk factors can be overlooked depending on the ethnicity and economic status of nations that it could potentially apply to.

CHAPTER 2: LITERATURE REVIEW

So let us call genocide, genocide. Let us not minimize the deliberate murder of 1.5 million people. Let us have a moral victory that can shine as a light to all nations.

-Adam Schiff

Although genocide became a topic of conversation after World War II, the significance of the issue continues. After the *Convention on the Prevention and Punishment of the Crime of Genocide* was published in 1948 after the events of the Holocaust, genocide became a term that defined the horrific crime that took the lives of groups for their race, ethnicity, gender, religion, and other societal factors that they identified as and with. As the international community continues the highly controversial discussions about how to resolve international conflicts and when to intervene, it is important to understand when the conversation started, where these conversations are impactful, and why they are still being discussed. The concept of genocide, although consistently debated, has been an occurrence in our international community since the end of World War II. The purpose of this literature review will help to define genocide and explain the definition's historical impact, as well as illustrate the significance in present-day history.

Defining Genocide

Dr. Raphael Lemkin, a Polish lawyer and scholar, authored *Axis Rule in Occupied Europe* (1944) through the beginnings of World War II and the fall of the Axis powers. Published by the Carnegie Endowment for International Peace, Lemkin's work was the gateway for the initial definition of genocide, as well as genocide in relation to international law. This work was rather personal to Lemkin, as many of his family members were victim to the

Holocaust and German occupation. It was important to Lemkin to create a tangible concept of genocide, even the acts that were considered non-physical or psychological.

Lemkin explained that he created the term “genocide” by using the Greek word *genos*, meaning race or tribe, and the Latin *cide*, meaning to kill or killing (Lemkin, 1944, p. 79). Genocide, according to Lemkin, then takes on a similar definition to words like homicide, tyrannicide, and infanticide. The similarity to these more common words used to describe the elimination of a person or group allows for the term genocide to be recognizable as a normalized action that can occur, and has occurred prior to World War II and the rise of the Nazi regime. Lemkin further explains that although the definition itself describes the killing of a group, this does not mean that the destruction is immediate. Lemkin states, “(genocide) is intended rather to signify a coordinated plan of different actions aiming at the destruction of essential foundations of life of national groups, with the aim of annihilating the group itself” (1944, p. 79). This, then, includes the culture, language, national feelings, social institutions, politics, and economic existence of these groups. Genocide, although traditionally thought of as the physical removal of a group, is in fact extended into more theoretical aspects of extermination. This makes the concept of genocide more difficult to indicate.

In order to describe the techniques of genocide, Lemkin divides the various forms of genocide into eight categories: political, social, cultural, economic, biological, physical, religious, and moral. Each of these categories have distinct actions that distinguish them from one another. Using the German occupancy, Lemkin describes how the genocide was enacted during the era of Nazi Germany.

Political. Throughout the German occupation, local and self-governed institutions were removed and replaced with German administration. Any inscription on localized buildings,

streets, commercialized signs, and communities that were not written in German were automatically changed to the German language. This included communities with Polish, Hebrew, and various languages as the primary language for the majority of the individuals who lived there. If a family name was changed from a German origin and was not changed back to the original German form, individuals were penalized and had German names given to them. German culture, or “Germanism,” was imposed on various communities that were not traditionally German, while promoting a nationalist culture of Germanism to those who were German or married to individuals who were German. These individuals were given special cards to distinguish them from non-Germans and were registered on the Volksliste—a list of registered Germans and non-Germans who were married to Germans who applied to be on the Volksliste—that gave them special privileges in rationing, employment, and political hierarchy (Lemkin, 1944, p. 81). With the rise of the Nazi Party in several locations, other political parties began to vanish. The Nazi Party in occupied countries were given special protection by the courts, as well as the ability to order non-German occupants out of their home to make room for German settlers. These settlers received privilege such as the ability to have political pull, as well as financial privileges such as tax exemptions (Lemkin, 1944, p.83).

Social. Lemkin illustrates that the social destruction by the German occupation resulted in the eradication of local law and courts. The German law and courts overtook local norms, as well as continued the Germanization of the judicial system (1944, p.83). Lemkin explains, “The social structure of a nation being vital to its national development, the occupant also endeavors to bring about such changes as may weaken the national spiritual resources” (1944, p.83). As the Nazi regime was able to create more power in their occupied nations and weaken the social

norms of non-Germans, they were able to create a social structure more aligned with their goal of Germanization.

Cultural. The German occupants were able to silence cultural pride through education and creative expression. In schools, German was the exclusive language spoken and taught. In occupied nations, German teachers were brought in and were required to teach according to the principles of National Socialism (Lemkin, 1944, p. 84). Specifically, in Poland, Polish children were not offered the chance to engage in a liberal arts education. Lemkin explains that the German occupants, “apparently believes that the study of the liberal arts may develop independent national Polish thinking, and therefore... prepares Polish youths for the role of skilled labor, to be employed in German industries” (1944, p. 84). As for creative expression, in occupied nations, those who participated in activities such as painting, drawing, sculpture, music, literature, and theater had to obtain a license in order to continue with their craft. This allowed for the culture of occupied nations to dwindle, and disappear (Lemkin, 1944, p. 84). National monuments were destroyed, libraries were burned, and galleries of art were carried away.

Economic. The ability of the German occupants to create an economically failed group promoted the success of the Nazi party. The German occupancy deprives groups from economic resources by taking away these resources and/or shifting them from the marginalized group to the German national group. Groups were banned from trade, banks, and even their own property, allowing for the German national group to continue their success, while others became impoverished (Lemkin, 1944, p. 85). Lemkin states, “The lowering of the standard of living creates difficulties in fulfilling cultural-spiritual requirements. Furthermore, a daily fight literally for bread and for physical survival may handicap thinking in both general and national terms”

(1944, p. 85). Creating economic struggles allows for groups to become blind to the systematic oppression they are facing, and instead focus on survival.

Biological. In order to pursue a nation that focuses on bloodlines, the German occupants were able to decrease the birthrate of groups of non-German blood while increasing the birthrate of German blood. In order to do so, marriages between non-Germans had to be approved by the governor, which did not happen very often. Also, with the economic turmoil that these individuals faced due to financial hardships, the survival of the parents seemed to be difficult enough, as well as the growing number of infancy deaths because of lack of nourishment (Lemkin, 1944, p. 86).

Physical. Lemkin describes the physical form of genocide in three ways: 1) Racial discrimination in feeding; 2) Endangering of health; and 3) Mass killings. Racial discrimination in feeding illustrates how rationing food favors the superior race. The idea that “the German people come before all other peoples for food,” declared by the Reich Minister Goring in 1942, shows how easily a group can be deprived of food necessary for their physical health (Lemkin, 1944, p. 87). In addition to the deprivation of food, the endangering of health of the group includes the deprivation of necessities for healthy living. For the undesired national group, this could be anything from lack of heat in homes throughout the winter, lack of access to clean water and medication, and when available to them, exposure to infected meats and other foods (Lemkin, 1944, p. 88). Mass killings, then, describes the organized murder of the undesired national group.

Religious. Laws that are enacted to keep a group from practicing the non-national religion helps to define how the religious concept of genocide can be put into place. It was punishable by the law to practice or resist the national religion or to renounce the religious

affiliation. This, again, could be seen in the education system, where the national religion was taught to all groups, including those who did not affiliate with the religion (Lemkin, 1944, p. 89).

Moral. In order to demoralize the undesired national group, acts thought to dehumanize individuals were highly encouraged by the German occupants. People were encouraged to drink more alcohol, view more pornographic material, and commit crimes like adultery and theft in order to distract from the genocide that was occurring (Lemkin, 1944, p. 90).

As the first person to define genocide, Raphael Lemkin's work helps us illustrate the complexity of what genocide is. His ability to see the multiple sides of genocide, rather than the singular form of mass killing, as well as his deep connection and experience with genocide has allowed for a better understanding of what the definition can and should encompass. The original definition of genocide also helps to recognize what role this definition has played in the acts of genocide that have occurred since World War II, the present international political climate, and what should be done in regards to efforts taken to prevent genocide.

The United Nations and Genocide

The United Nations, an attempt at an international government, was formed during World War II as an effort to defeat the Axis powers. Although not the first attempt at an international government, the United Nations was the first lasting, established form of inter-governance. The United Nations was formed after the failed League of Nations, the first attempt at an international government in 1920 in order to end the first World War. The purpose of the League of Nations was to ensure the atrocity that was the first World War would not repeat itself in history; however, the League of Nations failed to do so after proving to be incapable of resisting the Axis powers and the beginning of World War II. Nations such as Germany, the Soviet Union, the Empire of Japan, Brazil, and Spain were expelled or withdrew their memberships by the

early 1940's due to disagreements of governance, armed forces, and policy, as well as the rise of the Axis powers (Tomuschat, 1995, p.77). Although the League of Nations ultimately dissolved in 1946, it was replaced by the United Nations who adopted many of the organs and policies that were installed by the League of Nations.

The primary purpose of the United Nations—maintaining international peace and security—can be described as “collective security.” Weiss defines collective security as “the idea that security is in the interest of all states, and threats to security often require a coordinated response” (Weiss et. al, 2017, p. 25). This means that under the concept of collective security, the security of one nation is the security for all nations, and all nations are not secure if there are nations that are experiencing insecurity and conflict. However, collective security through the United Nations has proved to be complicated, where nations must agree what insecurity looks like in different nations, when to get involved with those nations, and when it is necessary to use force or act in armed conflicts. According to Weiss, since 1945, “states have not been consistently willing to characterize all uses of force, outside of self-defense, as a threat to or breach of the peace” (2017, p. 26). To further complicate collective security, Weiss continues to explain the process of the action that can be taken by the United Nations:

If and when member states agree that some use of force is unacceptable, they must then agree on what to do about it... This is where commitment factors in: Once a course of action has been decided, then states must be committed to that course of action and have contingency plans if it falters. They must be willing to bear the costs and sacrifice their national interests for the collective good—or define their national interest as coterminous with general peace and stability (Weiss et al, 2017, p. 26).

The steps needed to be taken by the United Nations in order to provide collective security for the nations who need it must be moved forward by nations that may have their own stake in the conflict. This means if there are those who are not willing to take those steps, actions cannot be taken to pursue the conflict. Weiss continues explaining these complications by stating,

Finally, if the first two conditions can be met, then there must be organization. That is, agreed-on mechanisms, rules, and procedures must exist for carrying out a course of action. If sanctions are imposed, how will member states enforce them, detect cheating, or evaluate their political and social impact? If military force is approved, which states will conduct the operations, and how will they be monitored? ...The record of the world organization in collective security is determined in large part by its ability to meet the conditions of consensus, commitment, and organization in practice (Weiss et al, 2017, p. 26)

Collective security, in theory, is the best, inclusive way to create an international organization focused on peace and security; however, with economic, political, social, and cultural backgrounds that need to be considered, collective security does not always benefit nations in need.

Throughout World War II, the United Nations continued to contemplate best ways to put an end to genocide and war crimes. With the help of Raphael Lemkin, the Convention on the Prevention and Punishment of the Crime of Genocide was adopted by the General Assembly of the United Nations in 1948. Drafts of the Convention were created beginning in 1946, but were ratified by the members of the General Assembly after the finalization of the definitions and punishments of the war crime. The Convention declared that genocide “is a crime under international law, contrary to the spirit and aims of the United Nations, and condemned by the

civilized world” (United Nations, 1948). This claim made by the Convention illustrates the general understanding that genocide has been a crime that has been committed against humanity throughout history. According to the Convention, it is the responsibility of the United Nations, and the states who ratified the Convention, to recognize and punish those who have committed acts of genocide, as well as prevent these acts in the future.

The Convention outlines the definition of genocide that should be used for condemning and punishing persons who have committed these crimes against humanity. The following articles illustrate the United Nations definition of genocide, what acts are punishable by international law, and the role of nations who have ratified the Convention:

Article I. The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

Article II. In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious groups as such:

- a. Killing members of the group;
- b. Causing serious bodily or mental harm to members of the group;
- c. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- d. Imposing measures intended to prevent births within the group;
- e. Forcibly transferring children of the group to another group.

Article III. The following acts shall be punishable:

- a. Genocide;

- b. Conspiracy to commit genocide;
- c. Direct and public incitement to commit genocide;
- d. Attempt to commit genocide;
- e. Complicity in genocide.

Article IV. Persons committing genocide or any of the other acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials, or private individuals.

Article V. The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present convention and, in particular, to provide effective penalties for persons guilty of genocide or of any of the other acts enumerated in Article III (United Nations, 1948).

The United Nations crafted the Convention to not only condemn the actions that took place during World War II, but to prevent future acts of genocide from happening in the international community; however, as shown throughout history since the end of World War II, acts of genocide have been committed without the condemnation of the United Nations, or defined as genocide after hundreds and thousands of people suffered from what the Convention has outlined as genocide. It is important to understand how language can affect how organizations define terms, and how critical language is when creating policy, laws, and standards. With the theory of positivism, Carolyn Miller explains that technical writing throughout history has traditionally called for scientific and objective language. She states, “the most uncomfortable aspect of this non-rhetorical view of science is that it is a form of intellectual coercion: it invites us to prostrate ourselves at the windowpane of language and accept what Science has demonstrated” (Miller, 1979, p. 50). When using non-rhetorical forms of language,

specifically when creating laws, policies, and definitions that directly affect the health and well-being of humans on an international scale, it is imperative that the language used to create these definitions are humanistic in concept—maintaining a definition that allows for the exploration of cultural, ethnical, political, and social background information.

Kenneth Bruffee explains the importance of social context in technical writing. He writes, “...we must learn to think well collectively—that is, we must learn to converse well. The first steps to learning to think better, therefore, are learning to converse better and learning to establish and maintain the sorts of social context, the sorts of community life, that foster the sorts of conversation members of the community value” (Bruffee, 1984, p. 5) The emphasis of writing should highlight the needs of the audience, or the individual, rather than the organization. The importance of conversation with the group that the writing or document affects directly is critical to the development of more humanistic writing of law and policy. When reading the Convention, the United Nations has created a definition that does focus on the importance of the context surrounding the crime, as well as the individual measures that have been inflicted on human groups that are destructive to individuals within. However, because of the language used in articles 8, 9, and 10, these definitions are left up to interpretation. The articles state the following:

Article VIII. Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article III.

Article IX. Disputes between the Contracting Party relating to the interpretation, application, or fulfillment of the present Convention, including those relating to the

responsibility of a State for genocide or for any of the other acts enumerated in article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

Article X. The present Convention, of which the Chinese, English, French, Russian, and Spanish texts are equally authentic, shall bear the date of 9 December 1948 (United Nations, 1948).

By using the Convention as the primary way to condemn genocide, the contracting parties that are stated in the articles (nations that have signed and have agreed to the Convention) are the nations that determine what genocide is, who it affects, and whether or not these acts are punishable under international law. The use of “Contracting Party,” in this case, leaves out the unmentioned nations from the Convention. This is seemingly problematic since many of the nations that are not included in the Contracting Party are from regions of the world that have historically suffered from genocide since the Convention was ratified, including nations in Africa such as Darfur and Rwanda. This also is shown through Article 9, where Contracting Parties are likely to dispute charges of genocide due to interpretation. As it is understood through the history of the United Nations, the organization and the nations within can be very political. Claims can be ignored, avoided, or put on hold due to interests in countries where genocide is occurring. This, in turn, leaves the nations that are not within the Contracting Party voiceless, unable to defend or speak for themselves in regards to crimes occurring in their country. Article 10, which describes the languages that the Convention can be interpreted, disenfranchises others who will not be able to have access to the document due to their inability to speak one of the five aforementioned languages.

The social construction of knowledge, as defined by Tharon W. Howard, is the idea that a text is a product of the community that the writer exists, making the writing of the text communal property, rather than individual property (1996, p. 400). The social construction of knowledge implies that all knowledge is local knowledge that we acquire by our surroundings, allowing ourselves the ability to create and eliminate definitions depending on our own communities, social structures, and background. Bruffee (1986) states that, “social construction understands reality, knowledge, thought, facts, texts, selves, and so on as community-generated and community-maintained linguistic entities” (p. 774). This further illustrates the importance of communal entities when creating documents collaboratively, rather than individually. The Convention, drafted and adopted by the General Assembly, created a definition of genocide that was inaccessible to those who were not involved in the drafting or ratification of the document. We can assume, then, that the knowledge that appears in the Convention is knowledge created by those who drafted and adopted the document. This does not include any knowledge from uninvolved nations. It is important for us to question the definitions and policies that come from the Convention, when the scope of the Convention leaves out nations that have different ethnicities, social structures, political background, and historical understanding of genocide.

The definition of genocide used by the United Nations remains unchanged since the Convention of 1948. However, current research in the definition of genocide broadens how it is necessary to move from a legal definition of the term to a definition that is inclusive to societal occurrences. As a crime that is solely based on a created definition, it is important that this definition changes and develops with history and time. As Martin Shaw (2007) points out:

The study of genocide has generally been framed by legal and historical, rather than sociological perspectives. Law provided the impetus to the definition of the crime,

through the pioneering efforts of Raphael Lemkin and the drafters of the United Nations Convention; it has continued to provide much of the drive towards recognition of recent genocides, in the work of the international criminal tribunals for former Yugoslavia and Rwanda (p. 2).

Genocide, although a term defined by the events of the Holocaust, has occurred throughout recent history with little effort by the United Nations to create a more informed, current definition that allows for the acknowledgment of various sociological concepts. As Daniel Feierstein (2012) states, “A legal definition of genocide—beyond what has been achieved so far by international law—needs to be based on the concept of genocide in its widest sense, namely, the implementation of a massive and systematic plan intended to destroy all or part of a human group as such” (p. 20). Feierstein discusses the history of the Convention defining protected groups as “national, ethnical, racial, and religious,” which, as defined by the United Nations, protects some groups and not others (2012, p. 20). In order to provide a true, effective, an accurate definition of genocide, international law must draw on historical events, as well as developing societal factors, to be universally inclusive in the language and in action. As the United Nations is an international organization that aims for diversity and inclusion, the unchanged definition allows for ambiguity when labeling occurred events. Particularly with the exclusion of political and social groups. Helen Fein (1991) illustrates three popular problems that critics of the Convention have with the 1948 convention:

1. The gaps in groups covered;
2. The ambiguity of intent to destroy a group “as such,” and;
3. The inability of non-state parties to invoke the Convention and the failure to set up an independent enforcement body (p. 74).

The definition provided by the United Nations allows for the denial of protection for groups that are not included in the 1948 definition. However, these criticisms have still not been addressed by the United Nations. In order to truly assess the nature of genocide and prevent the crime from occurring again, it is imperative that the United Nations broadens its definition to more inclusive societal and sociological factors.

The various concepts above help to illustrate how complicated genocide truly is in its definition and in its ability to be prevented. As the United Nations acts as the primary form of an international governance, their documents that provide insight on the crime should be examined for effectiveness and accuracy. The Framework of Analysis for Atrocity Crimes is the most current published document by the United Nations that discusses the definition of genocide and ways to prevent genocide from occurring in our communities. The Framework, then, is the most accurate way to determine if the United Nations upholds their standards in promoting international peace and security.

CHAPTER 3: ANALYSIS RESULTS OF THE FRAMEWORK

There aren't just bad people that commit genocide; we are all capable of it. It's our evolutionary history.

– James Lovelock

Throughout our history, it is apparent that genocide remained an occurrence that repeated itself, illustrating the actions that the United Nations wanted to prevent. With the Convention on Genocide, the idea was to make sure that the terrors of World War II and the Holocaust would cease to exist, creating an event that could be determined as an individual occurrence committed by an evil individual, rather than a common human act. The Convention on Genocide outlined the definition of genocide, as well as highlighted the consequences of those who commit the atrocity crime. As the Convention on Genocide created a more practical application due to the recent events of World War II, the results seemed to show a lack of success with acts of genocide occurring across the world in nations such as Darfur, Iraq, Syria, Rwanda, and Bangladesh, among others, that have suffered from countless crimes of genocide between 1945 and the present. As we've seen throughout history, the United Nations as a global governing entity have not been successful in their goal to create a genocide-free international community by using the Convention on Genocide. The Framework of Analysis for Atrocity Crimes, however, was created as a tool for prevention. As a result, the Framework of Analysis for Atrocity Crimes outlines another step in the direction of determining how to define, prevent, and punish genocide as a criminal act.

Overview of the Document

The Framework Analysis for Atrocity Crimes was published by the United Nations in 2014. With a foreword written by the Secretary-General of the United Nations, Ban Ki-moon,

the Framework is divided into two sections: Introducing the Framework of Analysis and the Framework of Analysis for Atrocity Crimes. Introducing the Framework of Analysis answers the following questions within the section:

1. What do we mean by atrocity crimes?
2. Who are the victims of atrocity crimes?
3. Why is it important to prevent atrocity crimes?
4. Is there a legal responsibility to prevent atrocity crimes?
5. How can atrocity crimes be prevented?
6. What are the roles of the Special Advisers on the Prevention of Genocide and on the Responsibility to Protect?
7. What is the Framework of Analysis?
8. What are the risk factors and indicators?
9. How do you use the Framework of Analysis?
10. How accurate are risk assessments of atrocity crimes?

These questions are answered using various terms that have been defined specifically by the United Nations using the Convention on the Prevention and Punishment of the Crime of Genocide (1948), the Geneva Conventions (1949) and their Additional Protocols (1977), the Rome Statute of the International Criminal Court (1998), as well as the Interim Report of the Commission of Experts Established Pursuant to Security Council Resolution 780 and the Final Report of the Commission of Experts Established Pursuant to United Nations Security Council Resolution 780 (1992). These treaties and documents give concrete and legal definitions of ethnic cleansing, genocide, crimes against humanity, and war crimes (United Nations, 2014, p.

3). Each of these legal definitions allows for the reader to fully understand the answers to the previously stated questions given by the United Nations.

The Framework of Analysis for Atrocity Crimes outlines common and specific risk factors of nations that may experience genocide, war crimes, or crimes against humanities. The risk factors are as follow:

Common Risk Factors

1. Situations of armed conflict or other forms of instability
2. Record of serious violations of international human rights and humanitarian law
3. Weakness of State structures
4. Motives or incentives
5. Capacity to commit atrocity crimes
6. Absence of mitigating factors
7. Enabling circumstances or preparatory action
8. Triggering factors

Specific Risk Factors

9. Intergroup tensions or patterns of discrimination against protected groups
10. Signs of an intent to destroy in whole or in part a protected group
11. Signs of a widespread or systematic attack against any civilian population
12. Signs of a plan or policy to attack any civilian population
13. Serious threats to those protected under international humanitarian law
14. Serious threats to humanitarian or peacekeeping operations.

Each risk factor that has been defined in the Framework is followed by a definition, indicators of the risk factor, and an explanation of the risk factor in terms of the definitions given in the

introduction, as well as in comparison to related risk factors. These risk factors do not give prior examples, but do identify why each risk factor is crucial in the act of prevention and punishment.

Ban Ki-moon explains the reasoning for the Framework in his foreword where he states,

All of us have a responsibility to ask ourselves what we can do to protect populations from the most serious international crimes: genocide, crimes against humanity, and war crimes. These crimes continue to be perpetrated in many places across the world.

Although calls for accountability are now the norm when such crimes are committed, impunity is all too common. We can and must do more, much earlier, to save lives and prevent societies from collapsing and descending into horrific violence (United Nations, 2014, iii).

As the Framework discusses how we prevent these crimes and why tools for prevention are detrimental to the peace and security of our international community, it is important to understand the audience for the Framework. The Framework as a tool is intended specifically for nation-states. Ki-moon (2014) states in the foreword the intention of the of the Framework by explaining,

As affirmed at the 2005 World Summit, States have the primary responsibility for protecting their own populations from genocide, war crimes, ethnic cleansing, and crimes against humanity. The international community has committed to support each State in this endeavor and, should States manifestly fail in meeting their responsibilities, to take collective action in a timely and decisive manner in line with the United Nations Charter. I therefore urge the widest possible use of this Framework to support prevention strategies at the national, regional, and international levels. Prevention means acting early; to do that, we need to know what to look for. Together with a commitment to

accountability, we owe this to the millions of victims of the horrific international crimes of the past – and those whose lives we may be able to save in the future (United Nations, iii).

Although this sentiment resides in a place of genuine consideration, the Framework fails to explain whose responsibility within the international community, whether it is up to the state, allies, or state member, to act on these risk factors; it also fails to explain how the international community should prevent these crimes from occurring. It also neglects the politics of the United Nations, as well as the affiliated member states. The risk factors, as explained by the United Nations, remain to be up for interpretation. Without each State's ability to identify concrete factors, interpret and understand concepts in similar ways throughout the international community, and provide the document in an accessible way to all nation-states, the Framework remains to be an optional tool for prevention for States that choose to use it, allowing for these crimes to repeat themselves.

With historical context, we are able to understand the exigency of these crimes. With countless acts of atrocity crimes occurring in the history of our international community, the importance of prevention tools is critical. The United Nations, as an organization that is motivated by human rights and international peace, continues to show their well-meaning intentions and actions to the international community. With the ability to reach a wide-range of States, the United Nations' influence on the international community is crucial. However, with the power the United Nations holds in regards to international humanitarian laws and rights, it is important to be critical of the language in documents that are being used to assess the peace and security of international states. If the United Nations continues to be a global entity, it is

important to take into consideration the vast number of cultures, ethnicities, religions, and identities that the document will encounter through interpretation.

Rhetorical Patterns

The Framework of Analysis for Atrocity Crimes uses the first section to explain definitions, concepts, treaties, and rulings for the various crimes that are used throughout the document. These definitions arise from specific legal documents authored and published by the United Nations. These definitions, then, are the basis of the tools for prevention. According to the intention of the Framework, Member-States have the responsibility to their individual States, as well as the international community, to use these tools for prevention as an effective way to protect the citizens across the world (2014, iii). The Framework, however, uses language that allows for assumptions and exemptions to the risk factors stated earlier. The Framework also allows for various interpretations by using pointed language, which can lead to the stereotyping and indoctrination of States that can be harmful to those who are not politically aligned with the five major states in power of the United Nations (P5) which include China, Russia, France, the United Kingdom, and the United States. The language used throughout the document favors more western culture and ideologies by the explanation of risk factors discussing what to look for in order to determine who is at risk. States that may traditionally be viewed as “less than” are automatically stigmatized into being at risk for these crimes. However, because of the lack of concrete understanding of these risk factors, States that could potentially be at risk must also battle the politicized values of the States that will be analyzing their risk factors. It is important to analyze throughout the document the intended audience of the Framework and the actual audience for the Framework. Although the United Nations promotes international peace, we must be critical of who the document is written for.

The Framework uses language that can be interpreted on the surface as humanistic. For example, in reference to the individuals victimized by genocide, the United Nations explains, “because they are targeted because of their membership, real or perceived... when speaking about potential victims of genocide, the Framework will refer to them as ‘protected groups’” (United Nations, 2014, p. 2). However, the use of “protected group” without any context or cultural understanding on what those groups can potentially entail can be problematic to victims of these crimes by allowing the reader to interpret these groups in a way that can be assumptive and divisive. The Framework also discusses the importance of preventing atrocity crimes by using the primary reason as the necessity to preserve human life, followed by various reasons such as cost and sovereignty. Although it is important to outline the need for human life, we must be honest about the States that are affected by the ideas of costs and sovereignty, and if they remain an issue that truly affects the core value of humanity, or if it delves into political territory.

The Framework also lacks any historical context throughout the document. With this, it is up to the reader to know past and current occurrences of these crimes, rather than the explanation that these crimes have happened often throughout history. With many of the acts of genocide that have occurred, the United Nations has been hesitant to name it. Therefore, by using vague and theoretical language throughout the Framework, the United Nations allows a distance between actual acts of genocide that were intervened and crimes that have occurred that the United Nations did not take a stance on.

By using humanistic and positivistic theory, the social construction of knowledge, and cultural theory, I will be analyzing specific instances throughout the Framework that addresses the following problems:

- Assumption that atrocity crimes only occur in unstable states;
- Political interests and power structures within the United Nations;
- Lack of historical and cultural context throughout the Framework.

Results

The following is a rhetorical analysis of various sections of the Framework of Analysis for Atrocity Crimes outlining the problems listed above. This section is organized by each problem, using specific instances throughout the document to illustrate where these problems are prominent in the Framework.

Problem: Assumption that atrocity crimes only occur in unstable states.

The United Nations, as a global organization, promotes diversity internationally and domestically. However, their promotion of diversity can seemingly fall through when discussing the idea that certain States are at risk for atrocity crimes. Throughout the section, “Why is it important to prevent atrocity crimes?” the United Nations states the following:

Atrocity crimes tend to occur in countries with some level of instability or crisis.

Consequently, measures taken to prevent these crimes are likely to contribute to national peace and stability. Prevention also serves the larger agenda of regional and international peace and stability. Atrocity crimes and their consequences can spill over into neighboring countries by, for example, creating or reinforcing tensions between groups that are defined along religious or ethnic lines rather than national borders (2014, p. 2).

Theresa M. Harrison (1987) explains that what we define as knowledge is produced through he interaction between an environment and a knower. The acquired knowledge of an individual directly correlates with their surroundings. We are taught various forms of truth depending on our background. The same can be said about groupthink. Harrison continues by explaining that

“individuals share such assumptions about the world in communities of thought that establish standards for determining what counts as knowledge and thus define reality for their participants” (1987, p. 258). As the United Nations grows as an international organization, their ability to create knowledge for their audiences continues to expand. With the idea that atrocity crimes more frequently occur in unstable or crisis stricken countries, the audience can assume what these countries look like. The audience for the Framework are those who are in position of power, whether that be within the United Nations or privileged individuals. With the understanding that many of these individuals thrive in western culture that tend to have more financial stability and stable environments, the audience can assume that these crimes only affect poverty stricken, underdeveloped countries. By stating that these crimes most likely occur in nations experiencing conflict, the United Nations, in some ways, allows for more developed countries to exempt themselves from the stereotype promoted by this idea that only underdeveloped countries can experience atrocity crimes.

This section also illustrates a divisive concept in defining which countries can experience atrocity crimes by specifically mentioning the implications of atrocity crimes on the international community. By emphasizing the idea that religious or ethnic lines in countries are more likely cause turmoil rather than national borders, the United Nations allows for the interpretation that countries who are at higher risk have current and recognized conflict between “protected groups.” Figure 3.1 lists the indicators for risk factor: intergroup tensions or patterns of discrimination against protected groups. These indicators explore historical, cultural, and national factors that may contribute to countries experiencing atrocity crimes.

RISK FACTOR 9	
GENOCIDE	Intergroup tensions or patterns of discrimination against protected groups⁵
	Past or present conduct that reveals serious prejudice against protected groups and that creates stress in the relationship among groups or with the State, generating an environment conducive to atrocity crimes.
	Indicators
	9.1 Past or present serious discriminatory, segregational, restrictive or exclusionary practices, policies or legislation against protected groups.
	9.2 Denial of the existence of protected groups or of recognition of elements of their identity.
	9.3 History of atrocity crimes committed with impunity against protected groups.
	9.4 Past or present serious tensions or conflicts between protected groups or with the State, with regards to access to rights and resources, socioeconomic disparities, participation in decision making processes, security, expressions of group identity or to perceptions about the targeted group.
9.5 Past or present serious tensions or conflicts involving other types of groups (political, social, cultural, geographical, etc.) that could develop along national, ethnical, racial or religious lines.	
9.6 Lack of national mechanisms or initiatives to deal with identity-based tensions or conflict.	

Figure 1 Risk Factor 9. Reprinted from United Nations. From Framework of analysis for atrocity crimes: A tool for prevention, by United Nations, 2014, retrieved from

http://www.un.org/en/preventgenocide/adviser/pdf/framework%20of%20analysis%20for%20atrocity%20crimes_en.pdf

Copyright 2014 by United Nations. Adapted with permission.

However, in response to the concept that atrocity crimes can be rooted in differences between national, ethnical, racial, or religious groups, as well as other differences such as those of a political or geographical nature, the document states the following,

However, the risk factor is not the existence of diversity within the population of a country, nor is it those differences per se that cause conflict between groups. Instead, it is discrimination based on such differences, and persistent with patterns of it, that establish divisions within society which serve as both a material cause and a perceived justification of group violence. Without group-level discrimination, even deeply seated grievances are unlikely to transform into the patterns of abuse that give rise to genocide (2014, p. 18).

By adding this caveat, the United Nations has effectively allowed its audience to eliminate more developed countries by using the idea that unless the discrimination is recognized by the United Nations and on an international scale, it is not genocide. That, however, does not comply with the definition of genocide given by the United Nations that solely states according to international law that genocide is “a crime committed against members of a national, ethnical, racial, or religious group” (2014, p. 1). Thus, the United Nations has allowed their preventive tool to instead be used as a way to deflect genocidal risk factors in various nations.

Problem: Political interests and power structures within the United Nations.

As stated previously, the United Nations consists of five permanent members known as the P5. These members include China, Russia, France, the United Kingdom, and the United States. These five powers are the only veto-wielding members, where decisions on international conflicts must be approved by the P5 and consent must be provided. The idea that five of the 193 member states of the United Nations maintain permanent control is seemingly problematic. As it is impossible to separate politics from countries, the P5 have been known to disagree on multiple occasions which ultimately prevents international progress. It is no coincidence that the five permanent members are very developed, wealthy countries.

In order to further explain the importance of preventing atrocity crimes, the document states the following about cost provisions:

A further key reason for focusing on the prevention of atrocity crimes lies in the fact that prevention is much less costly than intervening to halt these crimes, or dealing with their aftermath. Wars, humanitarian crises, the rebuilding of nations, and the building of sustainable peace after conflict require high and sustained levels of international support, often over many years. The political cost and challenges of early engagement by the

international community are also less than when crises are imminent or ongoing, by which time options for preventive action are much more limited and there is a greater likelihood of political stalemate and failure (2014, p. 2).

This section of the importance of prevention illustrates another assumption by the United Nations—the underdeveloped countries that will experience these atrocity crimes must be protected by more developed countries. In doing so, the economic aid for these underdeveloped, poverty-stricken countries is an economic inconvenience for the more developed States.

Throughout the Framework, the United Nations has illustrated the necessary reasons to account for individuals and groups that are affected by atrocity crimes. However, in a section that specifically discusses financial and economic inconveniences for countries providing aid, which are more likely to be developed countries, the individual nor the group is mentioned throughout. The use of humanistic language throughout this document is critical. Carolyn Miller (1979) explains that with positivistic thinking, we forget that “some audiences are capable of seeing some aspects of reality; others are more capable and see more” (p. 51). The humanistic language is lost not because of the language used, but rather the lack thereof. By focusing primarily on the economic affects of the international community, the Framework further assumes its audience. As these financial inconveniences are discussed in a way that illustrates the affects these crimes will have on countries providing aid, we can assume that the Framework was written specifically for Member-States that are deemed to be successful and developed through the lens of the United Nations. However, as we are aware that the main powers of the United Nations (the P5) are some of the most economically powerful countries in the world, we can assume that there will be direct affects economically when they intervene. This section illustrates that by preventing atrocity crimes, more developed countries will not experience them because of

their low risk factors; however, according to the Framework, developed and economically successful countries will be affected by these atrocity crimes just as much as the nations that are experiencing them. In this case, the idea that the financial deficits that could occur when a nation intervenes can be just as detrimental as the act of genocide itself.

Risk factor 3, as pictured in figure 3.2, outlines the indicators of weakness of state structures.

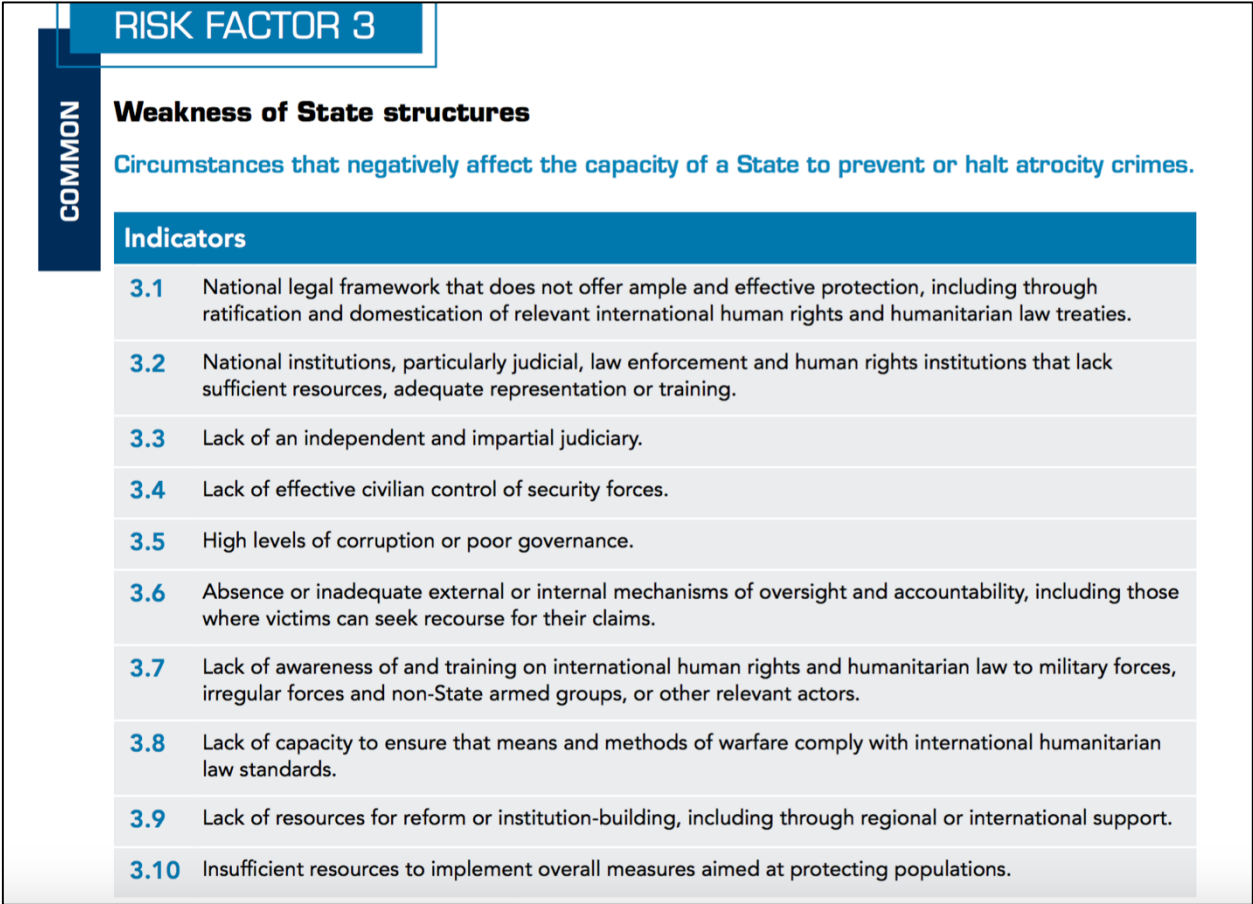


Figure 2 Risk Factor 3 Reprinted from United Nations. From Framework of analysis for atrocity crimes: A tool for prevention, by United Nations, 2014, retrieved from http://www.un.org/en/preventgenocide/adviser/pdf/framework%20of%20analysis%20for%20atrocity%20crimes_en.pdf.

Copyright 2014 by United Nations. Adapted with permission.

These indicators outline flaws in a national State structure that are common risk factors for atrocity crimes. Although many of these indicators are concepts that are useful in their ability to suggest that there are political disturbances that could potentially be alarming, the language used for the indicators suggest a universal understanding of effective governance. These indicators use language that are objective in nature. Phrases such as “adequate representation,” “effective civilian control,” and “poor governance” can only be defined by the audience and the United Nations. The idea that a nation is determined to be at risk by the standards of the countries in power of the United Nations does not allow for the States in question to speak for themselves. Instead, they must adhere to the idea of international human rights, which may or may not be beneficial to their individual State. Instead, by using definitive phrases, the United Nations limits the State in question to follow the governance, laws, and national framework the countries in power portray—which does not take into consideration whether these nations in power have adequate governance and framework themselves. The explanation of risk factor 3 states the following,

The risk of atrocity crimes can be increased by a State’s lack of capacity to prevent these crimes. A State protects its population through the establishment of frameworks and institutions that are guided by the rule of law and good governance principles. However, when such structures are inadequate or simply do not exist, the ability of the State to prevent atrocity crimes is significantly diminished (2014, p. 12).

By using such definitive language—good governance principles, inadequate structures—the United Nations is limiting individual States to adopting political and governmental ideologies of those in power.

Problem: Lack of historical and cultural context throughout the Framework.

Although the Framework does explain the importance of the document as well as the risk factors of atrocity crimes to be aware of in various States, the Framework approaches this tool as theoretical, rather than practical application. While none of these risk factors can definitively determine which States are at risk, multiple acts of genocide have occurred throughout history when using the definition given to us by the United Nations. However, instead of using these occurrences to better understand how these acts have happened in the past, mistakes and successes that were made by the United Nations in regards to these acts, and consideration of various cultural aspects of these crimes, the Framework leaves the audience unaware of the true significance of this tool for prevention.

When the Framework discusses the accuracy of the risk assessments of atrocity crimes it states,

Although it is impossible to draw a direct causal relation between the presence of particular risk factors and the occurrence of atrocity crimes, these crimes are rarely committed in the absence of all or most of the risk factors identifies (2014, p. 7).

Without historical context throughout the document, the language used to determine the accuracy of the Framework can be ineffective to the reader. Particularly readers who may read through the Framework and find various contradictions due to their individual, cultural, or historical experiences. Without historical or cultural context in the Framework, the United Nations explores a territory that creates a universal understanding of these atrocity crimes—privileged, developed nations will not experience atrocity crimes due to their “strength of local sources of resilience, outside assistance that mitigates risk, lack of motivation of the leadership to commit or permit atrocity crimes, or simply the absence of a triggering factor or event” (United Nations, 2014, p. 7).

Without cultural context, the interpretation of the Framework is decided by the reader, but the language creates a universal understanding of what cultures are appropriate and not at risk. Risk factor 6, shown below in figure 3.3, outlines absence of mitigating factors, defined as the absence of elements that, if present, could contribute to preventing or to lessening the impact of serious acts of violence against protected groups, populations, or individuals (2014, p. 15). Each indicator precedes with either the term “lack” or “limited.” This includes lack of or limited presence of the United Nations, INGOs or other international or regional actors in the country with access to populations; limited cooperation of the State with international and regional human rights mechanisms; and lack of exposure, openness, or establishment of political or economic relations with other States or organizations (2014, p. 15).

RISK FACTOR 6

COMMON

Absence of mitigating factors

Absence of elements that, if present, could contribute to preventing or to lessening the impact of serious acts of violence against protected groups, populations or individuals.

Indicators

- | | |
|------|--|
| 6.1 | Limited or lack of empowerment processes, resources, allies or other elements that could contribute to the ability of protected groups, populations or individuals to protect themselves. |
| 6.2 | Lack of a strong, organized and representative national civil society and of a free, diverse and independent national media. |
| 6.3 | Lack of interest and focus of international civil society actors or of access to international media. |
| 6.4 | Lack of or limited presence of the United Nations, INGOs or other international or regional actors in the country and with access to populations. |
| 6.5 | Lack of membership and effective participation of the State in international or regional organizations that establish mandatory membership obligations. |
| 6.6 | Lack of exposure, openness or establishment of political or economic relations with other States or organizations. |
| 6.7 | Limited cooperation of the State with international and regional human rights mechanisms. |
| 6.8 | Lack of incentives or willingness of parties to a conflict to engage in dialogue, make concessions and receive support from the international community. |
| 6.9 | Lack of interest, reluctance or failure of United Nations Member States or international or regional organizations to support a State to exercise its responsibility to protect populations from atrocity crimes, or to take action when the State manifestly fails that responsibility. |
| 6.10 | Lack of support by neighbouring States to protect populations at risk and in need of refuge, including by closure of borders, forced repatriation or aid restrictions. |
| 6.11 | Lack of an early warning mechanism relevant to the prevention of atrocity crimes. |

Figure 3 Risk Factor 6 Reprinted from United Nations. From Framework of analysis for atrocity crimes: A tool for prevention, by United Nations, 2014, retrieved from

http://www.un.org/en/preventgenocide/adviser/pdf/framework%20of%20analysis%20for%20atrocity%20crimes_en.pdf

Copyright 2014 by United Nations. Adapted with permission.

Using language that ignores cultural, political, and historical context does a disservice to the States that the United Nations attempts to assist. By stating that a lack of or limited presence in international organizations puts a State at risk assumes that those individual States are in need of assistance due to economic hardship or conflict. As the Framework states in the introduction, the prevention of atrocity crimes primarily comes from individual states (2014, p. 4). However, with

this set of indicators, it appears that according to the United Nations, there are States that cannot thrive without the help of international organizations. This also ignores cultural context such as pre- and post-colonialism, where many States did not have a choice in the government systems, conflicts, international organizations to belong to. Instead, the language used in these indicators assumes that all countries have had a choice in the state of their nation.

As we look at the specifics of the language used in the Framework, we can see how although the United Nations means well, it can be harmful to those they are meaning to protect. The Framework ignores background information that is critical to understanding how and why genocide, as well as other atrocity crimes, has occurred throughout history and the necessary steps it takes to prevent the crime from happening again. Genocide is not a crime that is theoretical. It is a crime that has affected millions of human lives throughout our international community. In order to understand the harmful affects the Framework can have when discussing the crime of genocide, we can use historical events to analyze the how these definitions and preventative measures have affected various nations in our global society.

CHAPTER 4: DISCUSSION

Genocide is not just a murderous madness; it is, more deeply, a politics that promises utopia beyond politics—one people, one land, one truth, the end of difference. Since genocide is a form of political utopia, it remains an enduring temptation in any multiethnic and multicultural society in crisis.

– Michael Ignatieff

I began my thesis through a historical lens. Raphael Lemkin’s background, leading to his definition of genocide, has set the standard for how we as an international community define genocide. The definitions that Lemkin provides for us set a precedent for the United Nations to take a stance on genocide, leading to the in-depth definitions of atrocity crimes. It is important to understand where these definitions come from, why it was necessary to provide definitions, and how they affect the international community moving forward. By understanding the effects of World War II and the Holocaust as one of the first recognized acts of genocide as a global community, we can further analyze its importance in defining acts of genocide in situations afterwards. The history and background of the United Nations also helps us understand how the international community operates. Although States do have sovereignty and the right to govern their own nations individually, the United Nations shows us how interconnected the world truly is. What happens in various countries around the world does affect how the global community operates, and according to the United Nations, we have a responsibility to our global citizens to ensure peace and security. However, the political nature of individual states does have an affect on how the international community operates. It is almost impossible to separate domestic and international politics in global issues. The permanent 5 members, or the P5, of the United

Nations are the only powers with veto-power. Therefore, if any one of the 5 members do not agree or consent to provide aid or action to a country in need, the United Nations cannot legally do so. By providing the original language of the documents in the Convention on the Prevention and Punishment of the Crime of Genocide, ratified by the United Nations in 1948, I am able to set a foundation for my analysis of the Framework of Analysis for Atrocity Crimes. The Convention is the first official document created by the United Nations that defines genocide and the punishments for the crime; the Framework of Analysis for Atrocity Crimes uses these definitions as their primary foundation for definitions of genocide and atrocity crimes, as well as their indicators that countries may experience if they are at risk of experiencing an atrocity crime.

By using social construction of knowledge theory, humanism and positivism theory, as well as cultural studies theory, I was able to analyze the specific language used in the Framework. In my analysis, I find that although the United Nations truly believes in a world of peace, we must be wary of “othering” cultures that do not fit the standards of countries that have more power economically, technologically, and politically; we must also be honest about the politicized nature of the United Nations. An organization that operates in a structure that allows five of the 193 Member-States to determine the outcome of global issues will inevitably have political undertones in decision making. The Framework provides solid insight on what to be cautioned of in States that may be at risk to experience an atrocity crime; however, with the historical record of acts of genocide that have occurred, the Framework fails to address how genocide is not as cut and dry as it seems. The act of genocide itself, as well as the definition, can be interpreted in various ways depending on cultural, political, and economical factors. Acts

of genocide that have occurred, and continue to occur, have not been labeled as genocide. The Framework, then, must be explored through the lens of these various factors.

In this final chapter, I will be looking at the following questions:

1. How do we apply the definitions of genocide, as well as the information provided in the Framework, to international and domestic events?
2. How is this research applicable to the field of technical communication?

By using the genocide in Rwanda as an example, I will be looking at police brutality in the United States as a way to explore if, how, and when the United Nations chooses to define genocide. I will also discuss why I am interested in this research.

Implications in the Genocide of Rwanda

In 1884, Rwanda was colonized during the Berlin Conference. With the harmful effects of colonization, the three ethnic groups of Rwanda—the Hutu, the Tutsi, and the Twa—who once lived amongst each other, were divided. Rwanda was occupied by Belgian colonists in 1916 and given to Belgium as a Trust Territory in 1946 by the United Nations, which began the division of the ethnic groups. Belgian colonists reinforced the ethnic divide, favoring the Tutsi and their political control before the end of World War II. At the time, because of the European interest in Eugenics, Belgian colonists measured physical attributes of the Hutu and the Tutsi, determining the difference in ethnicity. With smaller features, bigger skull sizes (attributing to larger brains), and lighter skin, Belgian colonists determined that the Tutsi had European origins, making them the superior ethnicity (Straus, 2008). The colonists required the people of Rwanda to carry classification cards which clearly stated their ethnicity, making the divide between the Hutu and the Tutsi more evident. However, as the Belgian colonists continued to reinforce the idea that the Tutsi were the superior race, the Tutsi embraced their superiority. The Tutsi

deliberated revolting against the Belgians, but feared the power of the Belgians. In 1946, when Rwanda became a mandated Trust Territory by the United Nations, the country went through major reform. As Belgium powers began to question the mistreatment of the Hutu by the Tutsi, the Tutsi were removed from their majority power in government and military by the enactment of democratic political institutions. With the rising power of the Hutu, as well as the independence given to Rwanda as a republic in 1961, Tutsi citizens began to flee the country to the surrounding borders in order to escape the violence and discrimination among them. The Tutsi were even banished and exiled by Hutu government and military forces (Straus, 2008).

As tensions rose and hostility continued to develop between the Hutu and the Tutsi, a tragic event occurred which is thought of as the turning point to the genocide in Rwanda in 1994. On April 6, 1994, the President of Rwanda, Juvenal Habyarimana of Hutu ethnicity and Cyprien Ntaryamira, Hutu President of Burundi, were shot down in their aircraft, killing both presidents (Straus, 2008). This major event can be analyzed in various ways. With the ambiguity of the assassination of these presidents, the Hutu were able to use this as the “end all be all” of the Tutsi. Rumors escalated throughout the community that the assassination was carried out by the Tutsi; others believed that the Hutu planned this assassination in order to provide a way to carry out their plans of the mass murder of the Tutsi. However, both theories have not been proven, and the assassination remains a mystery.

The genocide in Rwanda, although the murder of the Tutsi people had occurred many years prior, has its official start day of April 6, 1994, the same day as the presidential assassinations. The massacre of the Tutsi was perpetuated by the division of the ethnic groups that had occurred for years on end due to the acts of the colonization of Rwanda. Hutu military asked for proof of citizen’s ethnic background by looking at identification cards provided by the

Belgian colonists. The Tutsi were murdered en masse. The Hutu used machetes, grenades, guns, and their bare hands to murder the Tutsi people with the only reason being their othered ethnicity. The Hutu even called for the massacre of moderate Hutu, murdering their own if they sympathized or aided the Tutsi in any way. However, the massacres were not only carried out by Hutu military; ordinary Hutu citizens were called upon to continue the murder of the Tutsi people. The citizens of Rwanda were killing old colleagues, neighbors, friends, and family as a cry of fear and hatred towards the Tutsi. During the “official” 100-day massacre of the Tutsi, an estimated 800,000 to 1,000,000 people were brutally murdered; an estimated 250,000 to 350,000 women were raped, resulting in up to 20,000 children born as a product of rape; and more than 67% of women who were raped throughout the genocide were systematically infected with HIV, using the infection as a weapon (Survivors Fund, 2011). The genocide was considered officially over on July 18th, 1994, as a result of the Tutsi led military, The Rwanda Patriotic Front (RPF), defeating the Hutu regime and capturing Kigali and the rest of Rwanda thereafter (Barnett, 2002, p. 187).

The role of the United Nations is critical when analyzing the genocide of Rwanda. During the time of the genocide in Rwanda, the United Nations failed in its duty to ensure international security. As tensions rose in Rwanda before the massacre officially began in April of 1994, the UN was aware of the conflict in Rwanda, where they sent peacekeeping troops to the country in order to monitor the conflict in case it escalated. As the troop of the United Nations were in Rwanda during the time before the genocide began, they were informed that the Hutu were planning on killing the Tutsi en masse; however, the UN ignored any evidence that genocide was being planned. Instead, the UN monitored a cease-fire between Hutu and Tutsi military forces and were not allowed to use military forces (Barnett, 2002, p. 59).

After the genocide began, the United Nations continued their efforts in enacting a cease fire from both military forces; this, however, was considered impossible by both parties. While the United Nations had no military power to intervene, they relied heavily on their ability to protect the Tutsi and moderate Hutu refugees during the killings by sending military troops from other nations to provide security for the protected groups. This was also seen as a failure when Belgian military troops guarding over 2,000 Rwandans were asked to assist with the evacuation of foreign nationals. All 2,000 Rwandans were massacred by the Hutu as soon as the military forces evacuated. With the efforts of the few members of the United Nations' troops that were left, they were able to save about 1,000 Rwandans, even though their request to send troops was denied. It was not until May 17th, 1994 that the United Nations released an official statement saying that acts of genocide *may* have been committed and agreed to send troops and assistance to Rwanda. These troops did not arrive until June of 1994 (Grünfeld & Huijboom, 2007).

The United Nations, in their responsibility to promote peace and security, as well as their responsibility to define and prevent genocide, failed to do so by risking the lives of thousands of innocent civilians. Although the genocide in Rwanda aligned directly with several aspects of the definition of genocide used by the United Nations—killing members of the group; causing serious bodily or mental harm to members of the group—the United Nations was hesitant to label it. Kurt Mills (2015) explains that “the United States had little interest in Rwanda, which was strategically unimportant. It did not want to send in its own troops, and it did not want to fund yet another expanded peacekeeping operation with a much more robust enforcement mandate...The UK, too, was little interested” (p. 57). As we look at power structures of the United Nations, we can determine how politicized interests can be, even in regards to humanitarian aid, international peace, and security. Mills (2015) further explains the politicized

background on the United Nations' inability to label the events in Rwanda as genocide. He states,

This is a clear indication of the force of the word. If one uses awkward verbal constructions such as “acts of genocide,” or refuses to use the “G” word altogether, one is obviously trying to avoid the implications of using the word. To use the word would be to acknowledge responsibility—which would bring one under pressure to act. Indeed, as a paper prepared by the Office of the U.S. Secretary of Defense stated on May 1st: “*Be careful. Legal at State was worried about this [using the term genocide] yesterday—Genocide finding could commit [the U.S government] to actually ‘do something’*” (p. 59)

The language we use, or neglect to use, has detrimental affects. In this case, the members of the United Nation's political interests and lack of response to their mission as an organization—to protect human rights—allowed for the mass murder, the genocide, of an entire ethnicity.

The Framework does not discuss the true political implications that surround the prevention of genocide. Risk factor two of the Framework states that “record of serious violations of international human rights and humanitarian law” are common risk factors for countries that may experience atrocity crimes. This includes indicators such as past acts of genocide, crimes against humanity, war crimes, or their incitement; continuation of support to groups accused of involvement in serious violations of international human rights and humanitarian law, including atrocity crimes, or failure to condemn their actions; and justification, biased accounts or denial of serious violations of international human rights and humanitarian law or atrocity crimes. In December of 1990, just four years prior to the genocide in Rwanda, Kangura, the anti-Tutsi newspaper, published a document titled, “The Hutu Ten Commandments,” or, “Ten Commandments of the Bahutu” (Berry & Berry, 1999). These

commandments were thought of as the mantra of the Hutu people as they were dispersed throughout the community. The commandments, however, were continued to use as a form of anti-Tutsi propaganda throughout the Hutu community in order to further the agenda of the hatred of the Tutsi. The ten commandments are listed as follows:

1. *Every Hutu should know that a Tutsi woman, whoever she is, works for the interest of her Tutsi ethnic group. As a result, we shall consider a traitor any Hutu who – marries a Tutsi woman, befriends a Tutsi woman, or employs a Tutsi woman as a secretary or concubine.*
2. *Every Hutu should know that our Hutu daughters are more suitable and conscientious in their role of woman, wife, and mother of the family. Are they not beautiful, good secretaries and be more honest?*
3. *Hutu women, be vigilant and try to bring your husbands, brothers, and sons back to reason.*
4. *Every Hutu should know that every Tutsi is dishonest in business. His only aim is the supremacy of his ethnic group. As a result, any Hutu who does the following is a traitor – makes partnership with Tutsi in business, invests his money or the government’s money in a Tutsi enterprise, lends or borrow money from a Tutsi, and gives favors to Tutsi in business.*
5. *All strategic positions, political, administrative, economic, military, and security should be entrusted only to Hutu.*
6. *The education sector (school pupils, students, teachers) must be majority Hutu.*
7. *The Rwandan Armed Forces should be exclusively Hutu. The experience of the October 1990 war has taught us a lesson. No member of the military shall marry a Tutsi.*

8. *The Hutu should stop having mercy on the Tutsi.*
9. *The Hutu, wherever they are, must have unity and solidarity and be concerned with the fate of their Hutu brothers.*
10. *The Social Revolution of 1959, the Referendum of 1961, and the Hutu Ideology, must be taught to every Hutu at every level. Every Hutu must spread this ideology widely. Any Hutu who persecutes his brother Hutu for having read, spread, and taught this ideology is a traitor.* (Berry & Berry, 1999)

These commandments were published throughout the community, however, this did not trigger aid from United Nations. Instead, the United Nations did not have an active role in the conflict until 1993, when Rwanda and Uganda requested the deployment of military observers along the common border to prevent the military use of the area by the Tutsi-led Rwandese Patriotic Front (RPF) (UNAMIR, 1999). Although the Framework clearly states the indicators that are illustrated throughout the years leading up to the “official” start date of the genocide, the United Nations was still hesitant to name the events as genocide. And as the Framework was written years after the genocide in Rwanda, it is imperative that the United Nations explains within the Framework how these indicators were ignored in the past.

As discussed earlier, the Framework also does not use any historical or cultural context. In the risk factors illustrated in chapter 3, indicators such as lack of effective civilian control of security forces; high levels of corruption or poor governance; and lack of resources for reform or institution-building, including through regional or international support are named as common risk factors in a nation that may experience an atrocity crime. However, the Framework does not take into consideration how States showing signs of these risk factors developed. Rwanda, as a colonized State, suffered from post-colonialism, as many States that have been colonized do.

After the Belgian rule of Rwanda and their evacuation in 1962, Rwanda was left with a disorganized government, as well as a distorted view of ethnicity within the country. As an independent nation, racist rhetoric towards the Tutsi that had been originally used primarily by party officials, leaders, and propagandists moved towards a constructed knowledge that was created in state institutions, print and radio media, and schools (Kimonyo, 2016, p. 36). It is important for the Framework to truly consider the reasons behind these risk factors. Although it is important to understand how these risk factors are significant in understanding these atrocity crimes, it is also important to analyze their existence. Would Rwanda have experienced genocide if it were not for Belgian colonists? How does post-colonialism affect these risk factors and indicators? The Framework fails to place these historical and cultural questions in context, leaving gaps of knowledge for the audience.

Implications in the United States

The Framework illustrates specific risk factors and indicators of the presence of an atrocity crime. However, with the Framework, there is not a definitive way to denote genocide. When discussing the accuracy of the risk assessments, the following is stated:

The presence of risk factors of atrocity crimes in a particular situation does not directly or inevitably lead to the occurrence of those crimes—risk is not equated with inevitability. In fact, some of the risk factors identified in the Framework will be present in many situations or societies around the world where atrocity crimes have not taken place. Why is that? The absence of atrocity crimes in these societies can be linked to the strength of local sources of resilience, outside assistance that mitigates risk, the lack of motivation of the leadership to commit or permit atrocity crimes, or simply the absence of a triggering factor or event (2014, p. 7).

This caveat allows for nations experiencing crimes against humanity to avoid calling it such. In order to illustrate this idea, I will be looking at the United States and its treatment towards people of color. In the year 2015, 1,146 people were shot and killed by the police. Per million, 7.69 black people were killed in comparison to the 2.95 white people who were killed (Swaine et al, 2017). In 2010, 40% of the incarcerated population was black, with only 13% of black people making up the US population. This in comparison to the 39% incarcerated population consisting of white people and their 64% US population rate does not accurately represent ethnicity in prisons compared to the general population (Swaine et al, 2017). Black people are incarcerated at nearly six times the rate as whites with arrest disparities in sexual assault and drug cases (NAACP, 2017).

Black Americans have endured decades of physical violence and racist discourse throughout American history. Although the institution of slavery was officially deemed unconstitutional in 1863, the Civil Rights Act which ended all state and local laws requiring segregation was enacted 1964, only 53 years ago. This, however, has not been the end of racial discrimination in the United States. With state-wide policies for gerrymandering, people of color are redistricted and disempowered in political and educational systems. Black people in America have experienced numerous years of hate and discrimination, which is an internationally known concept.

Using the definitions of genocide provided by the United Nations in the Convention on the Prevention and Punishment of Genocide, the treatment of Black Americans could be defined as genocide. For example, the Convention states that “imposing measures intended to prevent births within the group” is an act of genocide. From 1929 to 1973, the state of North Carolina endorsed a forced sterilization program for people who were deemed “unfit.” This forced the

sterilization of more than 7,600 people of color (Richardson, 2014, p. 9). However, these events are often overlooked in American history, as well as international history. The Framework also outlines similar risk factors that could place black people in America as a “protected group” and the United States as an “at risk” country. Risk factor 4—motives or incentives—state the following as indicators

- Other interests, including those aimed at rendering an area homogenous in its identity;
- Ideologies based on the supremacy of a certain identity or on extremist versions of identity;
- Politicization of past grievances, tensions, or impunity;

Black Americans have experienced social trauma, political and cultural disenfranchisement, and physical violence from the beginning of American history. These risk factors, as well as the definitions of genocide, all provided by the United Nations, could place the United States as a country in at risk of and experiencing genocide. However, the question of genocide in the United States is unspoken of in state institutions. The United States serves a permanent member of the United Nations and is a developed, economically successful country. As the Framework states, these risk factors and actions can simply be ignored. Due to the highly politicized nature of the United Nations and their favor and trust of more developed countries, the United Nations can continue to overlook their defined acts of genocide that have occurred in the United States, and choose to never label it so.

The Role of the Technical Communicator

As technical communicators, it is our responsibility to understand our audience—actual and intended. The documents discussed throughout this paper are easily accessible, as well as accessible to an international audience. The United Nations is an organization that exists to

incorporate a global community; however, the language used does not reflect that. In order to truly understand an audience, we must look at more than just the surface. Culture, economics, race, gender, class, and many other factors are critical to writing effective documentation that creates language that is accessible to a wide-range of people. When we leave out context, whether it be cultural, historical, economical, or racial, we continue to “other” groups of people. Technical communication has distanced the field away from positivistic language and universal truths, and moved forward to language that encompasses all that it means to be human.

As technical communicators, it is our job to be analytical of influential organizations allowing the politicization of documents that are meant to promote peace and security. We must use our practical knowledge to create documents that are inclusive to our audiences and our theoretical knowledge to continue to be critical of how our communities and our employers use language in documents that have the potential to affect various individuals. By understanding the push towards humanism in technical communication, as well as the concepts of the social construct of knowledge and cultural studies, I have been able to thoroughly analyze documents that can have life-threatening affects on individuals and groups throughout our international community. Humanism allows us to understand the layers of humanity that are critical to acknowledge when creating documents. Without it, we omit the backgrounds of our audiences, furthering the divide between the audience and the author. If we do not try to understand our audience, we have failed in creating accessible documents. The theory of social construction of knowledge helps us to be critical of truth. As a technical communicator, we must be weary of assuming the knowledge of others, as well as our own, in order to make sure our documents are inclusive to people of all societal backgrounds. Using cultural studies, we can create documents that allow us to begin to understand our diverse audiences. As the world continues to get smaller,

our audiences will continue to grow. To ignore the diverse backgrounds of others is to ignore our responsibility to produce documents that reach a number of communities other than the ones that we may identify with. The field of technical communication encompasses a variety of concepts, as it is already difficult to define. To limit ourselves and our audiences to positivistic language and universal truths is to limit our field to areas that resist to be human.

Conclusion

As we continue to expand our global community, we must reflect how power structures, even within organizations with the best intentions, affect how our language can be used to empower and disempower groups. As Miller (1979) states, “to write, to engage in any communication, is to participate in a community; to write well is to understand the conditions of one’s own participation—the concepts, values, traditions, and style which permit identification with that community and determine the success or failure of communication” (p. 52). It is important to continue to understanding various cultures and ethnicities, and how imperative it is to remember that specific words affect us in different ways because of our diverse backgrounds. If we are to define such a significant word like genocide, must continue to try to depoliticize it. If we truly want to prevent these crimes from reoccurring, it has to start with how we choose to use our language, and understanding the power that words carry.

REFERENCES

- Barnett, M. (2002). *Eyewitness to a genocide*. Ithaca and London: Cornell UP.
- Berry, J.A. & Berry, C.P. (eds.) (1999). *Genocide in Rwanda: A Collective Memor.* Washington, D.C.: Howard University Press.
- Bruffee, K.A. (1984). Collaborative learning and the “conversation of mankind.” *College English*, 46(7), 635-652. Retrieved from https://www.uni-bielefeld.de/exzellenz/lehre/docs/Bruffee_Collaborative_Learning.pdf
- Dobrin, D.N. (1983). What’s technical about technical writing?. In J. Johnson-Eilola & S.A. Selber (Eds.), *Central works in technical communication* (107-123). New York & Oxford: Oxford UP.
- Fein, H. (1991). A sociological definition. In J. Meierhenrich (Eds.), *Genocide: A reader*. Oxford: Oxford UP.
- Grunfeld, F. & Huijboom, A. (2007). *The failure to prevent genocide in Rwanda: The role of the bystander*. Boston: Brill-Nijhoff Publishers.
- Harrison, T.M. (1987). Frameworks for the study of writing in organizational contexts. In J. Johnson-Eilola & S.A. Selber (Eds.), *Central works in technical communication* (255-267). New York & Oxford: Oxford UP.
- Howard, T.W. (1996). Who “owns” electronic text?. In J. Johnson-Eilola & S.A. Selber (Eds.), *Central works in technical communication* (397-408). New York & Oxford: Oxford UP.
- Feierstein, D. (2012). The concept of “genocidal social practices.” In A. Jones (Eds.), *New directions in genocide research*, (18-33). New York: Routledge.
- Kimonyo, J.P. (2016). *Rwanda’s popular genocide: A perfect storm*. Boulder: Lynne Reinner Publishers.

- Lay, M.M. (1991). Feminist theory and the redefinition of technical communication. In J. Johnson-Eilola & S.A. Selber (Eds.), *Central works in technical communication* (146-159). New York & Oxford: Oxford UP.
- Lemkin, R. (1944). *Axis Rule in Occupied Europe*. New York: Howard Fertig.
- Miller, C.R. (1979). A humanistic rationale for technical writing. In J. Johnson-Eilola & S.A. Selber (Eds.), *Central works in technical communication* (47-54). New York & Oxford: Oxford UP.
- Mills, K. (2015). *International responses to mass atrocities in Africa*. Philadelphia: University of Pennsylvania Press.
- NAACP. (2017). *Criminal justice fact sheet*. Retrieved from <http://www.naacp.org/criminal-justice-fact-sheet/>.
- Randall, A.E. (Eds.). (2015). *Genocide and gender in the twentieth century: A comparative survey*. London and New York: Bloomsbury Academic.
- Richardson, F. (2014). The eugenics agenda: Deliberative rhetoric and therapeutic discourse of hate. In M.F. Williams & O. Pimentel (Eds.), *Communicating race, ethnicity, and identity in technical communication*, (7-22). New York: Baywood Publishing Company, Inc.
- Shaw, M. (2007). War and genocide: A sociological approach. *Online encyclopedia of mass violence*. Retrieved from http://www.massviolence.org/Article?id_article=45.
- Staub, E. (1999). The origins and prevention of genocide, mass killing, and other collective violence. *Peace and conflict: Journal of peace psychology*, 5(4), 303-336. Retrieved from <http://people.umass.edu/estaub/opcm.pdf>.
- Straus, S. (2008). *The order of genocide: Race, power, and war in Rwanda*. Ithaca: Cornell UP.
- Survivors Fund. (2011). *Statistics – Survivors Fund*. Retrieved from <http://survivors-fund.org.uk>.

- Swaine, J., Laughland, O., Lartey, J. & McCarthy, C. (2017). *The counted: People killed by police in the United States*. Retrieved from <https://www.theguardian.com/us-news/ng-interactive/2015/jun/01/the-counted-police-killings-us-database>.
- Thralls, C. & Blyler, N.R. (1993). The social perspective and professional communication: Diversity and directions in research. In J. Johnson-Eilola & S.A. Selber (Eds.), *Central works in technical communication* (124-145). New York & Oxford: Oxford UP.
- Tomuschat, C. (1995). *The United Nations at age fifty*. Boston: Brill-Nijhoff Publishers.
- UNAMIR. (1999). *International tribunal for Rwanda: Independent inquiry*. Retrieved from <http://www.un.org/en/peacekeeping/missions/past/unamirS.htm>.
- United Nations (1948). *Convention on the prevention and punishment of the crime of genocide*. New York: United Nations.
- United Nations (2014). *Framework of analysis for atrocity crimes: A tool for prevention*. New York: United Nations.
- U.S. Department of Justice. (2016). *Prisoners in 2015*. Retrieved from <https://www.bjs.gov/content/pub/pdf/p15.pdf>.
- Weiss, T.G. (2012). *What's wrong with the United Nations and how to fix it* (2nd ed.). Cambridge: Polity Press.
- Weiss, T.G., Forsythe, D.P., Coate, R.A., & Pease, K.K. (2017). *The United Nations and changing world politics* (8th ed.). Boulder: West View Press.