

Hostage of Politics: Raphael Lemkin on "Soviet Genocide"

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This article summarizes Raphael Lemkin's views on Stalinist terror. To follow Lemkin's train of thought, I consider the evidence he had, the importance he attached to it, and the ends to which he used that evidence. I argue that the discussion of the ethnic deportations in the Soviet Union was part and parcel of the evolving Cold War. Raphael Lemkin resorted to anticommunism to convince the US administration to ratify the Genocide Convention, which was essentially his creation.

As the United Nations General Assembly was preparing to vote on the resolution against genocide, Lemkin approached the Soviet delegation through Jan Masaryk, the Czechoslovak Foreign Minister. Lemkin conveyed to the Soviets that the resolution was not a conspiracy against them. As a result, nobody in the Soviet bloc opposed the resolution, which was unanimously adopted on December 11, 1946. Five years later, however, Lemkin was claiming that the Soviet Union was the only country that could be indicted for genocide. How to explain such a dramatic transition?

Lemkin's concept of genocide covered Stalinist deportations by default. That concept, as outlined in his book *Axis Rule in Occupied Europe*, differed significantly from the wording of the UN Genocide Convention. Lemkin identified several forms of genocide: political, social, cultural, economic, biological, physical, religious, and moral. He interpreted genocide as an intention to annihilate a group of the population by destroying essential foundations of life such as: social and political institutions, culture, language, national feelings, religion, economic means, personal security, liberty, health, dignity and, finally life itself.³ Such a broad interpretation of the crime would make just any instance of gross human rights violation genocide. Indeed, from today's perspective, several cases that Lemkin deemed "genocidal" back in 1944 (for example: German policy in occupied Luxemburg, Alsace-Lorraine, or Slovenia) did not amount to actual genocide. Despite the fact that the UN Genocide Convention only deals with physical and biological destruction of life, Lemkin stuck to his original interpretation of genocide.

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Raphael Lemkin had numerous encounters with Soviet power. In 1926 and 1928, Lemkin published two works in which he analysed the Soviet Penal Code. The Soviet and Nazi delegations walked away from the memorable 1933 Madrid conference when Lemkin's proposal to ban what he then called the crimes of vandalism and barbarism was read. Andrei Vyshinsky, Soviet Deputy Foreign Minister and Chief Prosecutor at the infamous purge trials of 1936-1938, argued that by proposing to make the crime of barbarism punishable under international law the capitalist world intended to intervene in the affairs of the Soviet Union. 4 The two met at the International Military Tribunal in Nuremberg, where Lemkin unsuccessfully lobbied for charging the Nazi leadership, among other crimes, with genocide. The next meeting took place in the United States; as the Head of the Soviet Delegation to the United Nations, Vyshinsky took part in the drafting of the Genocide Convention. It does not mean though that Lemkin had a grudge against Stalin regime or that he was watching closely the developments in the Soviet Union in the 1930s and early 1940s. In fact, Lemkin spoke about Stalinist terror for the first time only in 1949.⁵ That might have something to do with the quantity and quality of information coming from behind the iron curtain.

Not even at the time of Lemkin's death in 1959 did the western world have a clear picture of the extent of political purges and ethnic deportations carried out by the Stalin regime. Most, if not all, information came from the recent emigrants from East Central Europe and from occasional journalist accounts. The evidence thus acquired was ridden with inaccuracies, exaggerations, and sometimes distortions. That was also the only kind of information Lemkin had at his disposal. Lemkin tended to substitute the word "Soviet" for Russian, implying that ethnic Russians benefited from deportations.⁶ Lemkin used to talk about the "Russian practice of genocide," which he explained through the Soviet fear of encirclement. He contended that the Russians decided to destroy a quarter of the population of East Central Europe for they were incapable of "digesting a great number of people belonging to a higher civilization."8 According to Lemkin, genocide was taking place in almost all East Central European countries. As a proof, he referred to the Vatican Radio broadcast from July 1950 that announced 10,000 priests missing in the territories overtaken by the Red Army. With regard to the Baltic States, Lemkin claimed that substitute husbands were imported from Siberia for the destitute widows whose spouses had been deported!⁹ An article in Pravda from spring 1941 supposedly exposed the Soviet intent to commit genocide against the Baltic people; the article cited the Russian Tsar Peter the Great who claimed a mistake for letting the inhabitants of the Baltic area stay there. 10 In the midst of the Cold War, fabulous stories like these found a receptive audience

Lemkin subscribed to the then fashionable theory of totalitarianism, which capitalized on similarities between Soviet and Nazi terror. As Ray Madden, a Republican Congressman, stated in a radio interview: "Victims of Stalin equal to victims of Hitler plus all tyrants." Director of Anti-Defamation LeagueBenjamin Epstein took it even further, arguing that by fomenting anti-Semitism the Soviet

authorities were currying favour with German neo-Nazis. ¹² According to Lemkin, communists succeeded in applying techniques of genocide against the Baltic peoples because the Nazis had previously decapitated the political and intellectual leaderships of Estonia, Latvia, and Lithuania. ¹³ Needless to say, Lemkin's facts, as it often happened, were incorrect.

Lemkin was particularly sensitive to the persecution of Jews. He argued that anti-Semitic propaganda in the Soviet Union has matched the efforts of Streicher and Goebbels. The local population could be easily provoked to participate in a large-scale genocide, Lemkin said, for the Russian soil was saturated with the blood of hundreds of thousands of Jews. ¹⁴ In his interpretation, anti-Jewish pogroms and the conscription of Jewish teenagers into the active military service (which back then lasted 25 years) in the nineteenth-century Russian Empire was nothing less than a precursor of genocide. Lemkin contended that in 1949 and 1950 the Soviet authorities carried out a mass deportation of Jews from the western borderlands to Siberia. Lemkin drew that conclusion from the observation that some friends and relatives of the Soviet Jews received back their letters, marked "addressee not found." In addition, Lemkin called upon the western democracies to declare the Soviet Union guilty of inciting its satellites to commit genocide. According to Lemkin, in 1951 Hungary and Rumania started deporting their Jews, who were allegedly seen performing drainage work in the marshes along the Danube River. 15 Finally, he mentioned Czechoslovakia and the infamous Slansky trial.

At Stalin's instigation, state president Klement Gottwald initiated a purge within the Czechoslovak Communist Party. The most prominent among the 14 defendants that stood trial in November 1952 was Rudolf Slansky, secretary general of the Czechoslovak Communist Party. The Prague trial specifically targeted Jewish intellectuals and functionaries, who were accused of fomenting a "Trotskyist–zionist–titoist–bourgeois–nationalist conspiracy." Slansky and eleven other individuals were sentenced to death by hanging. Purge trials in Czechoslovakia continued even after Stalin's death, but the distinctive anti-Semitic tone was dropped. Lemkin insisted that Czechoslovakia violated Article 2 of the Genocide Convention by committing the following acts: murdering innocent Jews; administering drugs to extort confessions; inciting genocide by distributing posters that read "hang the Jews." The charges that Lemkin laid against Czechoslovakia were based on an article in the *New York Times*.

The last paragraph of the above-mentioned statement indicates where Lemkin was getting with his allegations of "communist genocide against the Jews." The present anti-Jewish campaign, Lemkin argued, was not an isolated phenomenon. Other nations under the Soviet control were subject to genocide as well. The nations in Asia and Africa should understand that communists would destroy them, too, unless all potential victims of Soviet genocide unite under the guidance of the free world. ¹⁸ It seems as if Lemkin borrowed his arguments from the then official doctrine of the US government; it was not coincidental.

To understand the kind of political rhetoric that Lemkin was increasingly using, one needs to go back to the period following the adoption of Genocide Convention

in December of 1948. To make the Genocide Convention a binding treaty required at least 20 signatures. To acquire those 20 ratifications turned out to be more difficult than anybody would expect. Lemkin worked tirelessly addressing foreign governments, public figures, and nonprofit organizations. That made one journalist proclaim Lemkin "the UN's most persistent salesman." To convince individual countries to ratify the convention, Lemkin often resorted to political rhetoric. In other words, Lemkin told his counterparts what they wanted to hear. He did so by discussing from the perspective of genocide historical grievances that one country or another had. Thus, he urged Japan to ratify the treaty by drawing attention to the plight of Japanese prisoners of war in China and the Soviet Union. In his letter to the Mayor of Dublin, Lemkin used the Irish famine of 1845–1850 as a reference point. In a memo prepared for the West German Parliament, Lemkin emphasized that the Genocide Convention covered the millions of ethnic Germans who have been expelled from East Central European countries. To secure the Austrian signature, Lemkin reminded State President Karl Renner that in his book, Axis Rule in Occupied Europe, he treated Austria as a victim of Hitler's aggression rather than as a Nazi ally. When advising Catholics to press their Senators on ratification, Lemkin spoke of the destruction of the Catholic religious groups behind the iron curtain. With the delegates of the Women's Commission in Chile he spoke about the plight of Greek children. 19

Lemkin scored a personal victory when the Genocide Convention went into effect on January 12, 1951. The United States, however, had repeatedly refused to ratify the Genocide Convention. Among the reasons were concerns about sovereignty, general distrust of the UN, growing xenophobia, and anticommunism.²⁰ At the UN General Assembly meeting in Paris in December 1951, the Civil Rights Congress (listed by the US Attorney General as a subversive communist organization) urged delegates to investigate charges that US treatment of blacks violated the Genocide Convention. The Civil Rights Congress summarized its findings in a book called *We Charge Genocide*.²¹ At the same meeting, Eleanor Roosevelt, acting chief of the American delegation, received the question whether the US should bring up genocide charges against the Soviet Union, as urged by émigrés of East European descent. In response, Roosevelt said: "How could you prove it? I am not sure you can prove that. Unless you can prove it, there is no use bringing it up."²²

By ratifying the Genocide Convention or by indicting the Soviet Union for genocide, the United States would have exposed itself to similar allegations. In accordance with the basic principle of American diplomacy, the US opposed anything that the USSR favoured.²³ The fact that the Soviet Union ratified the treaty (in May 1954) ruled out a possibility of any serious discussion in the United States regarding the future of the Genocide Convention. The American Bar Association, an influential organization with a strong anti-Soviet agenda, felt apprehensive of frivolous allegations of genocide if the United States ratified the convention, and therefore recommended against it.²⁴ Lemkin realized that without the participation of the United States, the Genocide Convention remained a dead letter. In his desperate attempt to resuscitate the treaty, Lemkin resorted to

what he, correctly, recognized as the defining feature of American foreign and domestic policy at that time—anticommunism.

Lemkin went after the Soviet Union (also after Stalin's death) under the guise of Article 1 of the Genocide Convention that talked about prevention of genocide. Consider, for example, Lemkin's position on the Korean War. Lemkin urged to counteract the Soviet propaganda in Asia by demonstrating that the Soviet Union (Lemkin used the word "Russia") destroyed small nations rather than liberate them. To prove it, Lemkin argued for similarities of genocidal methods applied by the Soviet Union in the Baltic and Korea. Lemkin warned that a wave of genocide was bound to come in Cambodia, Laos, and Vietnam, the countries that "were given away to the communists in direct violation of the spirit of the Genocide Convention." ²⁵

Lemkin encouraged the United States to sponsor a UN special committee to investigate Soviet genocide. By indicting the Communist leaders, Lemkin argued, the United Nations would render "a verdict of which history will be proud":

The great and historic importance of the Genocide Pact lies in the fact that it permits us to meet the present Communist barbarity not on the level of a discussion of "dialectical materialism" of Karl Marx but on the level of common criminality of an Al Capone and his like.²⁶

Lemkin's efforts were futile. As William Korey wrote, "exploitation of cold war symbols, including a vituperative anticommunism, did not win Lemkin the politically meaningful rightwing support he sought." The United States did not ratify the Genocide Convention until after the ideological confrontation with the Soviet Union started fading away in the late 1980s, 29 years after Lemkin's death.

At the time when Lemkin and his ideas found little support in government offices, East European ethnic communities became Lemkin's most trusted allies. The 12 million émigrés of East European descent in the United States let their voice be heard through numerous ethnic-based organizations. Passionate in their negation of communism, those organizations were eager to see the Soviet dominance in Eastern Europe ended and their native countries free. The émigrés immediately incorporated the new term into their political lexicon. A little known fact: the very first charge of genocide submitted to the UN originated in the Lithuanian, Latvian, and Estonian legations-in-exile in Washington. In November 1947, that is, a year before the Genocide Convention was officially adopted, representatives of the three former Baltic States appealed to the General Assembly to indict the Soviet Union for genocide against their respective nations.²⁸ In November 1951, representatives of the so-called Captive European Nations appealed to the US Secretary of State Dean Acheson urging him to place an investigation of Soviet genocide on the agenda of the UN General Assembly. The motion was supported by 116 Republican Congressmen, who argued that by keeping those nations alive they would prevent the Soviet Union from unleashing World War III.²⁹ The émigrés realized that they could not afford the time to collect evidence attesting Soviet genocide. The further the delay with the

indictment of the Soviet Union before the bar of the UN, the less the political impact. ³⁰ The suppression of democracy in Hungary in 1956 was deemed "genocide," and so were arrests and deportations of ethnic Lithuanians. The number of people deported by the Soviets from Lithuania was estimated anywhere between 500,000 and one million, that is, about ten times more than the actual number.

Lemkin was actively involved with émigré organizations: he attended their meetings, participated in their lobbying campaigns, and even edited their public appeals. For example, on December 20, 1954, the Assembly of Captive European Nations adopted a resolution which had the following line: "Communist puppet governments have suppressed all freedoms and all human rights." Lemkin augmented that sentence by adding: "By resorting to genocide they are threatening our civilization and weaken the forces of the free world." For his planned three-volume *History of Genocide* Lemkin intended to write a chapter on Soviet repression in Hungary. The chapter was to be drawn from the "UN report" on the Soviet invasion of the country. 32

At a certain point, Lemkin decided to quit his teaching job so as to focus on lobbying in behalf of the Genocide Convention. Without a permanent source of income, however, Lemkin could not sustain himself. (Lemkin kept all the notes his creditors sent him.) At that critical moment, East European émigrés came to his rescue. Occasionally, organizations like the Lithuanian American National Council and the Ukrainian Congress Committee of America provided up to two-thirds of Lemkin's annual income. Thus, Pius Grigaitis, executive secretary of the American Lithuanian Council, notified Lemkin that:

In appreciation of your increasing efforts on behalf of millions of people subjugated to the unscrupulous Soviet policy of genocide, the Council is sending you a check for \$250 to help defray some of your expenses.³⁴

Within a decade since Lemkin coined the word "genocide," it became a household word for various forms of communist oppression, such as forced collectivization, mass deportations, the breaking up of families, inhuman working conditions and standard of living. ³⁵ Violations of minority rights, forced assimilation, racial discrimination, the infringement on freedom of religion—all those notions blended into an unintelligible rumbling about genocide meant to discredit political adversaries. It is hard to disagree with Peter Novick, who argued that back in the 1950s genocide became a generic category that was evoked to fit the needs of the moment. ³⁶

The genocide rhetoric was by no means confined to western countries. For example, Josip Broz Tito used the "G" word to counterattack Josef Stalin and his East European clients. The Yugoslav authorities condemned Czechoslovakia, Poland, and the Soviet Union for "forcibly transferring children," and Hungary and Rumania for discriminating against Slavic minorities.³⁷

The stronger the effort in behalf of the Genocide Convention, the more eroded the notion of genocide became. Like King Midas, whatever Lemkin touched turned into "genocide." But when everything is genocide nothing is genocide! What started as an innocent idea to pull political strings to make an important

international treaty work ended with blatant accusation of the Soviet Union of committing genocide on a global scale.³⁸ Lemkin explicitly stated that for him "Soviet genocide" was just an expedient: "genocide is a concept that carries the highest moral condemnation in our cold war against the Soviet Union."³⁹ Indeed, politically charged slogans like "genocide is the communists' favorite outdoor sport" have little value to them.⁴⁰

Political reality pushed Lemkin into a vicious circle. He had a noble idea, which he wanted to see implemented. But he had to fight for his idea. As the fight dragged on, more and more compromises had to be made. Along the way, he had to influence a good many individuals and countries. To win the support for the Genocide Convention, Lemkin was resolved to demonstrate its contemporary relevance. He did so by drawing parallels between contemporaneous politics and examples from the recent past. However, to make that comparison, Lemkin needed to shape the notion of genocide accordingly. And that was exactly what he did. As Lemkin explained:

I study my men and I use the approach that fits them best. I might flatter them or I might argue with them. If they like music, I talk about music, but we always get around to genocide in the end. If it will accomplish the purpose, I am even willing to bore them until they say "yes" just to get rid of me. 41

In the end, Lemkin not only failed to make the Genocide Convention work, but also diluted the meaning of genocide beyond recognition. We now know that his tactics were bound to fail. No matter what Lemkin did, he would have been crushed by the Cold War anyway. Fortunately, the Genocide Convention outlived the postwar ideological battles. Whatever we call Soviet deportations of whole nations (which could most accurately be described as "ethnic cleansing"), Lemkin forced us to think in legal terms about the Stalinist crimes. Lemkin was probably the first scholar who introduced a comparative method into the study of mass violence. That achievement alone is enough to put Raphael Lemkin on a list of the twentieth-century visionaries.

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