Defining Genocide:

21st-century Genocides in Chechnya and Myanmar

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It has been exactly seventy years since the United Nations adopted the Convention on the Prevention and Punishment of the Crime of Genocide, which served as the first definition for the "crime with no name." While the convention itself was a groundbreaking victory for genocide victims, the United Nations' seventy-year-old definition is in desperate need of an update. As both warfare and bigotry adapt to an increasingly globalized, modernized world, the ways in which we conceptualize genocide must change, too—because if we cannot define something, how can we prevent it?

But before we can alter the old definition, we must first understand its shortcomings. The first flaw I'd like to address is the special emphasis placed on the "intent to destroy" a certain group of people (UN Genocide Convention art. II). Genocide perpetrators often make it very difficult to prove intent by destroying or hiding incriminating evidence, so some scholars argue instead for a "knowledge-based" understanding (Jones, 2017). For example, the Rome Statute of the International Criminal Court declares that "a person has intent where… in relation to conduct, that person means to cause that consequence or is aware that it will occur in the ordinary course of events" (Greenawalt, 1999).

Another fault of the Convention is its vague and exclusionary definition of possible groups—"national, ethnical [sic], racial or religious"—subject to genocide (UN Genocide Convention, art. II). It is vague because these (extremely dated) terms are not defined anywhere within the document. And it's exclusionary because these terms are not the only marginalized identities for which people have unfairly suffered genocidal violence. Furthermore, identities tend to overlap, which makes the motivation behind genocidal attacks more unclear. As Shaw writes, "When an *Einsatzgruppen* killer pulled his trigger, could the victims always tell… whether they were killed as Slavs, as communists or as Jews… Can we, historians and sociologists many decades later, make these distinctions with certainty?" (Shaw, 2007) These intersecting identities also mean that different people experience genocide in different ways: for example, women and LGBTQ+ people may see more sexual assault during periods of mass violence.

The Genocide Convention also overlooks cultural genocide, or the practice of destroying or replacing one group's culture. Cultural genocide can include acts like vandalism of culturally significant items and institutions, prohibiting certain customs, banning certain languages, and forcing members of a culture to be "re-educated," i.e., indoctrinated with the prevailing cultural norms. While the Genocide Convention makes note of the culturally genocidal act of kidnapping and "rehabilitation," it does not forbid other acts of cultural genocide (UN Genocide Convention, art. II). This was in part due to the influence of colonial regimes like the United States and England; settler states wanted to block its inclusion because they practiced cultural genocide (Jones, 2017).

A number of new definitions for genocide have been put forth as a result of the debate surrounding the UN Genocide Convention. My own definition is as follows: "Genocide is any

attempt, however successful, to directly and/or indirectly destroy any stable, permanent cultural group as it is defined by the perpetrator." It is based primarily on the lectures from this class as well as the works of Helen Fein and Steven Katz. I admire Katz's 1994 definition as it makes clear the role of the perpetrator in defining their victims; however, the categories he lists for group identities are incomplete, and I believe anyone who tries to definitively list every possible group identity (race, class, gender, etc.) will inevitably produce an obsolete definition, as new identity classifications pop up every day (Katz, 1994). Instead, I chose the word "cultural." Although it is vague, but as identity grows more and more niche, I want to leave some room for interpretation. I like Fein's because it notes how genocide can be direct or indirect; but the emphasis on intent disturbs me, as this definition could allow perpetrators to walk free on the basis that their efforts were not "purposeful" (Fein, 1993). Finally, our class definition: a "recognized, stable, permanent group" is an excellent way to comprehensively define victimized groups, but I excluded the term "recognized" due to the possible interpretations of its meaning (J. Cox, personal communication, Aug. 27, 2018). Whose recognition matters here? Is it the perpetrator, or the UN, or the group itself, or some other entity? Recognition of certain groups is entirely subjective, so including that caveat can lead to the exclusion of certain genocidal acts simply because an involved party doesn't see the victims as a coherent group.

How does this definition hold up when applied to modern genocides? One tragedy that has been dominating the news recently is the state-sanctioned murder of queer men in Chechnya. In April 2017, Russian newspaper *Novaya Gazeta* reported that about 100 Chechen men suspected of homosexuality had been rounded up and detained by state authorities (Walker, 2017). Survivors came forward with harrowing stories of torture, neglect, and murder. While this particular attack was led by the state, the violence continued after the men were released.

Chechnya is infamous for being an extremely religious society with strict gender roles. For many

of its inhabitants, having a gay family member is a "stain" on the reputation of the entire

extended family; invariably, this attitude leads to social ostracism, abuse, and even "honor"

killings of LGBTQ+ people, especially gay men (Estemirova, 2017).

As appalling as these anti-gay purges are, according to the UN definition, the state-

sanctioned torture and murder of Chechen gay men would not be considered to be a genocide.

The Chechen government has not admitted intent—in fact, they have not even admitted the fact

that queer men even exist within their borders (Walker, 2017). Plus, queer Chechen men do not

qualify as a "national, ethnical [sic], racial, or religious" body (UN Genocide Convention, art.

II).

However, these abuses do meet the requirements set by the definition I constructed.

Chechnya, the perpetrator, carried out these arrests in order to target queer men. While this group

can be seen more as a network rather than a concentrated group, this population is stable and,

even in the midst of a dangerously conservative environment, permanent. These purges directly

led to the death, injury, and psychological trauma of queer and transgender Chechens, which

contributed to their destruction. They also indirectly contributed to the influx of LGBTQ+

Chechen and Russian refugees fleeing their oppressive states, destroying the population's sense

of statehood and cultural belonging (Gessen, 2018). While this attempt was not wholly

successful—despite the claims of Chechnya's authorities, there are almost certainly still queer

and transgender people in their country—it was still an attempt to "cleanse" the state of

LGBTQ+ individuals. Therefore, by my measure, this tragedy is so much more than just a series

of purges—it is, in fact, a genocide.

Its status as a genocide is supported by the similarities it has to other genocides, particularly more contemporary ones. The state-sanctioned slaughter of the Rohingya Muslims and other ethnic minorities living in Myanmar is another modern genocide that has captured the world's attention. Myanmar's military, known as the Tatmadaw, initiated a violent crackdown on Rohingya villages in what its commander-in-chief Min Aung Hlaing characterized as an effort to solve "the long-standing Bengali problem" (Ellis-Petersen, 2018). The Rohingya were subjected to brutal sexual abuse, indiscriminate killing, and horrific torture; in just one year, an estimated 25,000 Rohingya were killed and 700,000 Rohingya were forced to flee to Bangladesh (Ellis-Petersen, 2018). The Chechen anti-gay genocide and Rohingya genocide are different on the basis of scale and location. But the perpetrator propaganda, the methods of destruction, and the motives of each genocide follow very similar patterns.

Both the Chechen genocide and Rohingya genocide have received considerable media attention for shocking human rights abuses. Despite this, the perpetrators of both genocides have responded to this international outrage with cool disinterest or false accusations. Alvi Karimov, the spokesman for the head of the Chechen Republic, characterized the purges as "absolute lies and disinformation," claiming that there were no LGBTQ+ people in Chechnya. "You cannot detain and persecute people who simply do not exist in the republic" (Walker, 2017). Officials in Myanmar made similar claims, with a spokesman for the ruling party, the National League for Democracy, calling the UN's findings "exaggerated" (Cockburn, 2017). Neither country has opened investigations into these genocides; some go so far as to state that victims should "go to the authorities" for help, though the "authorities" would in fact be the perpetrators in these cases (Walker, 2017). And both states have used "dog-whistles," or political messages indirectly encouraging genocidal actions, to signal widespread violence towards the victims. Karimov also

stated that if there were LGBTQ+ Chechens, there would be no need for state violence, because

"their relatives would send them somewhere from which there is no returning" (Walker, 2017).

These kinds of statements reinforce the homophobic beliefs held by most Chechens that lead to

the rejection, abuse, and honor killing of LGBTQ+ people. And by refusing to refer to the

Rohingya as anything but "Bengalis," the Myanmarese government strengthens the oft-told myth

that Rohingya Muslims are invasive outsiders—even though many can trace their roots in

Myanmar back several generations.

      The ways that the perpetrators of these genocides enacted violence were fairly dissimilar.

Since the Rohingya tended to live together in villages and neighborhoods within the Rakhine

State, it was fairly easy to target them "at the source" and not only kill them, but destroy their

homes. But since LGBTQ+ people were spread throughout Chechnya, the military had to round

them up and bring them to a central location to kill and torture them. However, in both cases

their methods for initiating the violence both involved expert use of modern technology. Several

years before the Rohingya genocide, the Tatmadaw launched a Facebook propaganda campaign

that used fake accounts to spread false information about the Rohingya to a total of 1.3 million

followers (Mozur, 2018). Chechen authorities were able to capture so many queer men in part

because they broke into the detainees' phones and discovered other LGBTQ+ acquaintances in

their contacts. In an interview with the *Guardian*, one survivor discussed how the government

arranged set-ups among queer friends. "[My friend] called me, and in a very calm and normal

voice suggested meeting. I've known him for a long time, so I didn't suspect a thing." But upon

arrival, the survivor found out that his friend was not coming to meet him—that instead, six

officials were detaining him because he was gay. Social media and the Internet were essential

facets of these genocidal tactics, and helped the perpetrators both spread hateful propaganda and find their future victims.

The ideologies and motives of the perpetrators were also different, but shared a common root in religion. Chechnya is deeply patriarchal nation, founded in ultra-traditional Muslim thought and conservative family values. In a society where the greatest possible insult to a man is calling him a "woman," being openly gay is tantamount to "self-emasculation" (Estemirova, 2017). Being queer or trans is seen as completely antithetical to Chechen and Muslim values, so it must follow that LGBTQ+ Chechens do not "belong" in Chechen and Muslim society. Myanmar harbors similarly religious fears. The majority of Myanmar's inhabitants are Buddhist, but the Rohingya and several other minority ethnic groups practice Islam. Much of the state propaganda peddled Islamophobic falsehoods, such as fake stories of Muslim men raping Buddhist women, or photos of corpses supposedly killed in anti-Buddhist massacres by the Rohingya (Mozur, 2018). And this propaganda worked: as one Buddhist living in the Rakhine state put it, "the difference between Rakhine and Muslim is that Rakhine Buddhists are kind and feel for others" (Ayed and Jenzer, 2018). Religion played a key role in the genocidal motivations of the perpetrators and in differentiating the victims as "others."

Though the purges of gay Chechen men and attacks on the Rohingya Muslims have their differences, they share a number of important traits that solidify their statuses as genocides. They also demonstrate how genocide has evolved since the turn of the century to become, in some cases, more thorough and more successful. While the means have changed, the spirit of these atrocities has not: the perpetrators of these modern genocides are just as small-minded and murderous as were the Hutu extremists, the Nazis, and the Ottomans. The many faces and

methods of genocidal murderers will both continue to evolve; in order to combat these enemies,

our definition of genocide must also evolve.

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