



# THE IMPLICATIONS OF GENOCIDE DESIGNATIONS

Carrie Booth Walling

Definitions matter in politics. They help policymakers understand causes of political problems, contextualize their dynamics, and identify appropriate policy responses. The Polish lawyer Raphael Lemkin created the term genocide in 1944 to describe a horrendous crime that had no name. Lemkin argued that the intentional destruction of groups by people with power had to be named before it could be prevented, stopped, or punished through law or policy. Research by contemporary policy experts like Deborah Stone, demonstrate there is a direct connection between how a political problem gets defined by decision-makers and the policy options that follow. Carrie Walling's research on United Nations Security Council responses to mass atrocity suggests that how decision-makers characterize the causes and possible solutions of mass violence shape the Council's willingness to respond to it. Yet naming a situation genocide alone does not substitute for effective policy response. And debates about whether mass atrocity crimes meet the legal definition of genocide can detract from substantive policy debate about how to stop the killing. Whenever populations are at risk of atrocity, governments and multilateral organizations should quickly make an atrocity crime designation and pursue robust preventive and responsive action to save lives. When appropriate, genocide designations can follow.

## The Inherent and Instrumental Value of Genocide Designations

Genocide designations have both inherent and instrumental value. Genocide is about group destruction and genocide designations recognize the inherent value of groups under threat. Governmental and multilateral genocide declarations acknowledge the human dignity of victims, bear witness to their suffering, and communicate solidarity with those targeted while simultaneously condemning perpetrators and their atrocities. For the issuing entity, it communicates opposition to genocide and intolerance for its practice. Genocide designations strengthen the anti-genocide norm and offer a moral imperative for action. Silence in the face of genocide signals support for perpetrators and their atrocities and denies the human rights and dignity of victims.

Genocide designations also have instrumental value. The use of the term genocide effectively communicates the severity of the violence. The Genocide Convention raises the perception of a legal imperative for governments and multilateral organizations to respond. When a government or multilateral organization makes a genocide designation it raises awareness about the atrocities, focuses the attention of publics on distinctively heinous crimes, and can mobilize otherwise inattentive governments and publics to action. Its historical connection with the Holocaust gives the term genocide special resonance, singling it out for special condemnation. Genocide designations increase the political and moral costs of governmental and multilateral inaction.

# The Limits of Genocide Designations

Debate whether systematic killings qualify as genocide, like occurred with Rwanda, can distract from substantive debate on preventive and responsive policy action. By the time sufficient evidence supports a designation of genocide, prevention has failed, and crimes are well underway. In some cases, genocide designations have substituted for responsive policy.

Atrocity crimes are far more common than those that qualify legally as genocide. There is no established hierarchy of gravity for international crimes. Crimes against humanity and war crimes can be equally shocking and egregious. Acting as if genocide designations alone require governmental and multilateral response minimizes other forms of heinous violence, unnecessarily narrows the cases governments feel compelled to address, and perpetuates the idea that victims of other mass atrocities are not deserving of equal protection.

## An Alternative: Atrocity Crime Designations

Atrocity crime designations are a simple and compelling alternative to the limitations of genocide designations. The risk factors for genocide, crimes against humanity, and ethnic cleansing are the same. Legally there is no hierarchy between genocide, crimes against humanity, and war crimes – all qualify as international crimes. The widespread commission of any heinous, large-scale, and elite-directed crimes suitable for criminal prosecution warrant response. In 2021, the Global Centre for the Responsibility to Protect identified 20 countries with populations at risk of atrocity crimes (genocide, war crimes, crimes against humanity, and ethnic cleansing). Genocide was alleged in only 1 of these situations. Other mass atrocity crimes were underway in 13 countries and in 6 countries populations faced serious risk of mass atrocity.

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The term atrocity crime is powerful, accurate, and quickly communicates the need for an effective response by governments and multilateral organizations. Making an atrocity crime designation encourages policy makers to move more quickly to debating appropriate policy responses. Atrocity crime designations also reduce public confusion over technical legal distinctions between genocide and other crimes that are necessary for criminal prosecutions but unnecessarily distract from effective policy responses. Research by Benjamin Valentino and Ethan Weinberg finds that using the word genocide to describe the widespread killing of civilians had negligible effect on the substance of American public opinion relative to other characterizations of mass killing.

# Recommendations

- Genocide designations focus public attention and generate pressure on decision-makers to respond; but naming alone does not save lives. Only effective policy saves human lives.
- Governments and multilateral organizations should consider making atrocity crime designations as soon as evidence of atrocities exist. Atrocity crime designations are simpler, cover more populations at risk, and allow governments to move to substantive debate more quickly about appropriate policy responses. Early action on atrocity may prevent escalation to genocide. When sufficient evidence supports a genocide designation, governments should make that additional designation public. The appropriateness of issuing an atrocity crime designation, a genocide designation, or both in sequence is situation-specific, but the gravity of these crimes requires a rapid determination.
- Preventing and responding to all mass atrocity crimes, including the crime of genocide, is more important than naming the crimes underway. Definitions matter in politics but should be secondary to preventing and stopping mass killing of all kinds.
- Following atrocity crime designations with preventive and responsive governmental and multilateral action saves lives. It also strengthens anti-atrocity norms and increases the saliency of those designations. Failure to respond effectively to atrocity crimes weakens human rights and justice norms, diminishes the legitimacy of multilateral organizations, and reduces faith in democratic governance.

## About the Author

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Carrie Booth Walling is a Professor of Political Science and Faculty Director of the Gerald R. Ford Institute for Leadership in Public Policy and Service at Albion College. Walling specializes in human rights, the United Nations, mass atrocity crimes, and transitional justice. Her publications include *Human Rights and Justice for All: Demanding Dignity in the United States and Around the World* (Routledge, forthcoming February 2022) and *All Necessary Measures: The United Nations and Humanitarian Intervention* (University of Pennsylvania Press, 2013). She is a Security Fellow with the Truman National Security Project. Contact: [cwalling@albion.edu](mailto:cwalling@albion.edu)

## Recommended Reading:

1. Stone, Deborah. *Policy Paradox: The Art of Political Decision-Making*, 3rd. W.W. Norton, 2011.
2. Scheffer, David. *All the Missing Souls: A Personal History of the War Crimes Tribunals*. Princeton: Princeton University Press, 2012.
3. Simon-Skjoldt Center for the Prevention of Genocide. *By Any Other Name: How, When, and Why the US Government Has Made Genocide Determinations*. Washington DC: United States Holocaust Memorial Museum, 2019.
4. Valentino, Benjamin, and Ethan Weinberg. "More than words? "Genocide," Holocaust analogies, and public opinion in the United States." *Journal of Human Rights* 16, no. 3 (2017): 276-292.
5. Verdaja, Ernesto. "Critical Genocide Studies and Mass Atrocity Prevention." *Genocide Studies and Prevention* 13, no. 3 (2019): 111-127.
6. Walling, Carrie Booth. *All Necessary Measures: The United Nations and Humanitarian Intervention*. Philadelphia: University of Pennsylvania Press, 2013.