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## Round Table (Part 3): *The Limits of Lemkin*

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*Raphaël Lemkin and the Concept of Genocide*

Douglas Irvin-Erickson

Philadelphia, University of Pennsylvania Press, 2017

320 pages; Price: \$46.95 Paperback

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### **The Limits of Lemkin**

by Scott Straus

Douglas Irvin-Erickson has written an excellent book, filled with insight. The work is an academic biography, one that situates Raphaël Lemkin within historical and intellectual context. Irvin-Erickson excels in weaving Lemkin's ideas into biographical developments in his life. The reader grasps how Lemkin's first conceptualizations of genocide came into being, how those ideas were situated within legal debates of the day, and how the reception of his ideas propelled Lemkin to refine, innovate, and resist. I learned a lot from the book, and I suspect that most scholars of genocide will as well.

Irvin-Erickson is at his best in presenting the nuances of Lemkin's thinking. The author also makes a number of compelling arguments that deserve wide readership in the genocide studies literature. One is that Lemkin unquestionably saw genocide as a transhistorical phenomenon that was delinked from the Holocaust, or at least not always tied to it. Many scholars of genocide will know that the Armenian genocide captured Lemkin's imagination and fury, and that his first efforts at creating an international law against mass violence against civilians was formulated before the Holocaust. Yet because the coinage and full articulation of "genocide" was embedded in a book documenting Nazi crimes, some may surmise that the Holocaust really was the main referent for the new term. Irvin-Erickson's book dispels that interpretation.

A second argument that Irvin-Erickson threads through the book was the importance of culture in Lemkin's thinking. I took away two main conclusions. First, Lemkin saw cultural destruction as integral to genocide. Perpetrators destroyed groups, or attempted to, in part through the destruction of intellectuals, religion, language, arts, and symbols. Second, a central argument for the need for a convention on genocide concerned the intrinsic value of groups as expressed through culture. Irvin-Erickson frames the issue around the concept of "cultural autonomy," in the sense that different groups have independent cultures and, if destroyed, humanity loses something crucial.

I learned a great deal more from the book. Almost every chapter brought to light revelations about Lemkin's thinking, his struggles, his journeys, and his rivalries, real and imagined. The book is well worth a read from scholars who teach Lemkin or want to understand Lemkin's thinking in nuanced and careful ways. I found the book really helpful, as I prepared a lecture on the origins of the concept of genocide.

In the spirit of exchange, I want to raise several questions that the book provoked. One question is: what place should Lemkin have in genocide studies? Clearly, Lemkin invented the

term, and he developed a concept around the deliberate destruction of groups, which remains the core idea for what genocide is. Yet as scholars in the field we know that “genocide” remains a contested concept. There remain serious differences in understanding what the term encompasses and whether the term is primarily a legal, academic, or normative concept. Those differences have shaped and constrained the field of study since its beginnings, and continue to do so.

The question is: should we turn to Lemkin to help to solve those problems? Many scholars do. The problem is that different scholars see different Lemkins, so to speak, and thus they emerge wielding Lemkin to defend different concepts of genocide. I come away from Irvin-Erickson’s book less convinced that we should look to Lemkin to find a way out of the conceptual differences. Lemkin was not always consistent. He also was an advocate. He wanted there to be an international law against genocide, and he seemed willing at different stages in his formulation and defense to articulate different arguments in order to advance that cause. It is also possible that he was not always a clear thinker. After reading Irvin-Erickson’s thoughtful account, I emerge an admirer of Lemkin—of his persistence and determination, as well as his intellectual creativity. But I also do not find him intellectually reliable, and hence I am not convinced that deeper dives into his thinking will resolve the problems with the concept of genocide. In other words, I am increasingly convinced that we should look beyond the concept’s intellectual origins to understand it.

What should, for example, be the place of culture in understanding genocide? Irvin-Erickson defends Lemkin as having a non-essential understanding of culture and of groups. Yet in reading more about Lemkin I remain perplexed as to what his views on culture were. “Lemkin saw diversity as the wellspring of human creativity,” writes Irvin-Erickson in the concluding paragraph. At one level, the point resonates—cultures are a source of diversity. But what does this really mean? What is a group’s culture? Can a group be said to have a culture? Lemkin’s views continue to strike me as being not being especially sophisticated on this question.

The importance of groups (collectivities or cultures) is fundamental to the etymology and conceptualization of genocide. In my work, I have made the argument that genocide is a form of “group-selective” violence, and hence we can connect genocide to other forms of group-selective violence and distinguish it from both truly indiscriminate violence and individually-selective violence. I believe my conceptualization is consistent with Lemkin’s coinage and conceptualization of genocide as the deliberate destruction of groups.

But what kinds of groups fall under a genocide rubric? These questions remain fundamental for the field and have divided it since the Genocide Convention came into being. I do not come away from this book—that is, from a deeper engagement with Lemkin—with clear answers to these questions. If culture is central to group formation, and that is a justification for having a law on genocide, should political groups (or other non-culture bearing groups) be considered within a rubric on genocide? Should groups marked by a disability be considered protected groups under the Convention? Should regional groups or gender groups? Do these groups have a culture? I conclude from the book that Lemkin was not clear on these questions.

Another key question that Lemkin leaves me confused on: is destroying culture equivalent to destroying groups? Even more fundamentally, what does it mean to destroy a group? Irvin-Erickson is persuasive that culture is central to Lemkin’s thinking. But where I remain unclear is whether cultural destruction is usually, or always, part of a group’s destruction, but alongside other, more physical forms of destruction or whether cultural destruction is sufficient for a process to be called genocide? This is not an idle question. The issue has again resurfaced in relation to the Uyghur populations in China, and the question remains central for the ways in which different indigenous and colonized people were treated over long periods of time.

One last question that the book generated: what does the obligation to prevent, as articulated in the Convention, mean? I was surprised that this question did not receive more attention from Lemkin. I conclude from the book that Lemkin was somewhat naïve about the

power of international law. He seemed to think that a law against genocide, and stated commitments to prevent it, would engender state commitments. But the Convention is deliberately vague on this question, and Lemkin did not develop a clear understanding—at least judging from this book—on what prevention means and how it would take place.

I have argued over the years that ambiguities, hierarchies, and disagreements embedded in the concept of genocide are significant limiting factors on the field of genocide studies. However, unlike some other scholars, I still think “genocide” is a useful concept, and I think so because deliberate attempts to destroy groups is an empirical phenomenon in the world. Genocide is a real form of violence. That statement does not absolve scholars of wrestling with questions like: to what family of cases does genocide belong, what is a group, what does group destruction mean, what kinds of groups are subjected to genocide, is the concept an academic one to define types of violence, a normative one to signal terrible outcomes, or a legal one bound by the Convention? I wish Lemkin could help us answer these questions. Alas, after reading this book, I am not convinced he can. Maybe genocide studies needs greater distance from Lemkin studies, or I stand to be corrected.