History Topic of the Month

Raphael Lemkin and the invention of the 'crime of crimes'

In the late 1940s, at a party in America, a bespectacled middle-aged man in a rather tatty suit asked the person he was talking to: 'Genocide. What's that?' Both people laughed because the person asking was the person who had created the word...and fought for it to be recognised as the 'crime of crimes' after the Second World War. In fact, it was all he had thought and talked about for much of his life. So, what is 'Genocide'? Who was this remarkable man? And why should we remember him today?

Raphael Lemkin

Lemkin's early life

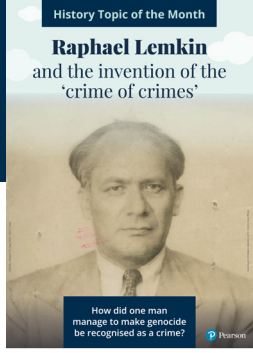
That middle-aged man at the party was called Raphael Lemkin. He was born into a Jewish family in Eastern Europe near a place called Bialystok at the turn of the twentieth century, in June 1900. Although the Lemkins were quite a poor family, young Raphael enjoyed his life on the farm where he lived. He had enough to eat, brothers to play with, animals to enjoy and books to read.

But Lemkin's childhood was not completely surrounded by peace and tranquillity. Antisemitism (anti-Jewish racism) swirled around and there were many unprovoked attacks on Jewish people in the area. These were called pogroms. From early age Lemkin read novels, like *Quo Vadis* about life in ancient Rome. As he read, Raphael wondered why the police hadn't stopped the Christians from being thrown to the lions by the Romans. It got him thinking...

Lemkin asks questions

In 1915 the Armenian people, who lived in the Ottoman Empire, were subjected to a campaign of ruthless persecution, deportation and killing by the Ottoman government under the cover of the First World War. It is estimated that more than a million Armenian Christian men, women and children perished.

While Lemkin was studying at university in the city of Lviv, he asked his professors why no one had been prosecuted for persecuting the Armenians in 1915 'for no other reason than they were Christian' [Lemkin quoted in *East West Street*]. His professors had no real answer to his question.



Lemkin's first ideas

After university Lemkin moved to Warsaw where he became a successful lawyer. He kept on thinking about why groups of people like the Armenians could be targeted without there being a law to prevent such atrocities.

He came up with ideas for laws banning the destruction of human groups and the cultures that gave their existence joy and meaning. He called these crimes 'barbarity' and 'vandalism'. Lemkin thought that he was in a race against time. His work was important and timely because he could see what was happening in Germany: Hitler and the Nazis had come to power and were imposing dreadful laws that discriminated against and persecuted Jewish Germans just because of their religion.

Lemkin's escape from the Nazis

Living in Warsaw was important for Lemkin's work as a lawyer – but it also put his life in danger. When Nazi Germany invaded Poland in September 1939, Lemkin knew that he had to flee. As the bombers rained terror down on Warsaw and the German Army closed in, Lemkin made his escape. After days on the road, hiding from soldiers and sleeping anywhere he could find, Lemkin arrived home. His mother and father were overjoyed to see him – but they wouldn't agree to his pleas that they should leave with him. Tragically, when he said goodbye to his mother and father it would be the last time that he would ever see them.

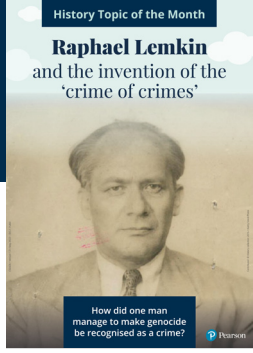
Lemkin as a refugee

Lemkin made it to Sweden, a neutral country. While in Stockholm, the capital of Sweden, he began to collect information about what the Nazis were doing in the countries they had conquered, like Poland. Documents were smuggled out of Poland by Swedish businessmen who travelled to the country – they gave Lemkin what they had managed to collect when they returned. Lemkin studied this material and began to realise the Nazis were intent on wiping out every single Jewish man, woman and child that they could find.

Lemkin moved on again. He travelled through the Soviet Union, across to Japan and finally reached the United States of America.

Coining the word 'Genocide'

Lemkin was able to find work and a place to stay at Duke University in the USA where he taught and tried to tell anyone who would listen about what was happening in Europe to people living under Nazi rule. He had managed to carry all the documents detailing what the Nazis were inflicting on the Jewish people with him. He used all this material to write a book, published in 1944, called *Axis Rule in Occupied Europe*. It was in this book that the first published mention was made of the word 'genocide'.



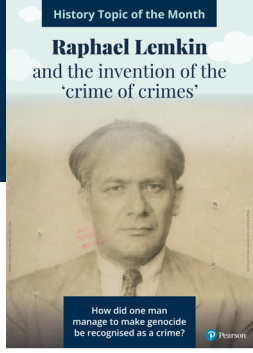
The 'blackest day' at the Nuremberg Trials

As the Second World War came to an end, the Allies (led by the Americans, Soviets and British) decided captured high-ranking Nazis should be put on trial for the crimes they had committed during the conflict. These trials would be held at Nuremberg, the city where the Nazis had hosted their rallies and named their antisemitic laws after.

Lemkin saw this as an opportunity for 'genocide' to be one of the crimes the Nazi leaders should be charged with. Lemkin did everything he possibly could to have 'genocide' featured in the trial and to join the legal teams prosecuting the Nazi leaders.

Lemkin was often treated as an outsider and worked so hard trying to convince the officials about his ideas that he made himself ill. In the end, although the idea of 'genocide' was mentioned during the Nuremberg Trials, it was not mentioned in the final verdicts. Adding more personal misery to disappointment for Lemkin was the news he received about his mother and father: both had been murdered by the Nazis in the Holocaust.

The Nuremberg Trial, 1946. Here the leading surviving Nazis were placed on trial for their crimes.



The final fight for recognition: The Genocide Convention

But Lemkin would not give up. He continued to speak to every powerful person he could find to persuade them to make 'genocide' a crime. He constantly wrote letters, made phone calls, sent telegrams and cajoled officials, diplomats and anyone who would listen to him. Through his remarkable tenacity and resilience Lemkin finally succeeded: on December 9th 1948, the United Nations passed the 'Convention on the Prevention and Punishment of the Crime of Genocide'. It was a triumph for Lemkin.

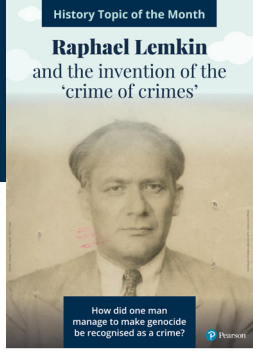
Lemkin continues his mission

However, Lemkin did not rest. He wanted to try and persuade as many countries as possible to sign-up to the Genocide Convention and make sure it was implemented properly. He was so committed to this, that he rejected well-paid jobs to commit more time to this mission. Often, he went without eating because he felt it was a waste of time when he had important people to try and persuade. All of this, of course, meant that he was soon very poor and in ill-health. Undoubtedly, Lemkin's commitment to his cause contributed to his early death, from a heart-attack, in 1959 in New York.

Lemkin's Legacy

Today, unfortunately, the whole world understands what 'genocide' is. While Lemkin would be pleased the importance of his work was recognised, he would have been heartbroken that the destruction of groups of people has not ended.

Kigali Genocide Memorial
Centre Rwanda Africa



The genocides in Cambodia in the late 1970s, of the Tutsi people in Rwanda in 1994 and Muslims in Srebrenica in 1995 and the genocide in Darfur, Sudan in the early twenty-first century all show that the lessons of history have not been learned. Today, people debate whether genocide is being committed against the Rohingya people in Myanmar, the Tigrayans in Ethiopia and the Uyghur in China.

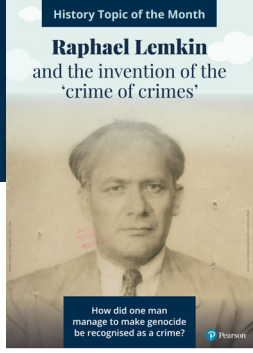
It is depressing to think that more than a century after Raphael Lemkin started campaigning to recognise the destruction of groups of people as a crime, that genocides are still being committed. Nevertheless, the fact that the people who carry out such acts appear in court at all – such as former Yugoslavian President Slobodan Milosevic and former Rwandan Prime Minister Jean Kambanda – is testament to his intellect, resilience and tenacity in trying to prevent the 'crime of crimes'.

The Genocide Convention

The Genocide Convention was agreed to by the United Nations on December 9 1948. It consists of nineteen different parts or 'Articles'. The most important are Articles I and II. Article I states countries who sign the Convention promise to prevent genocide and punish those who commit it. Article II defines the crime of 'Genocide'. Crucially, it says the crime is the 'intent' to destroy a group of people because of their nationality, ethnicity, race or religion.

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 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.

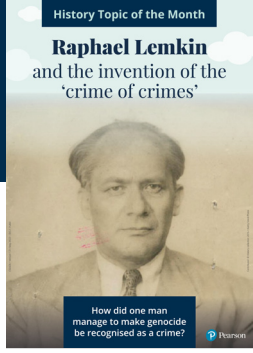


Discussion points

- Do you think that Lemkin was a great person?
- Why do you think it was so hard for Lemkin to turn his ideas into reality?
- Why do you think the idea of genocide wasn't recognised before 1948?
- Do you think Lemkin would consider the Genocide Convention to be a success?
- The Nuremberg Trials were one of the first times that the leaders of a country were put on trial for war crimes and crimes against humanity. How do you think the publicity of these trials changed how people thought about Lemkin's ideas?
- What happened next in places like Cambodia, Rwanda, Bosnia and Darfur?
- What is happening today to the Rohingya, Uyghur and Tigrayan people?
- The UK government does not accept that the massacres of Armenians by the Ottoman authorities should be called a 'genocide'. What do you think?
- Who has been prosecuted for genocide since 1948?
- Why do you think that genocides persist in the world today?
- How do you think Lemkin would feel about his legacy today? Do you think he would feel he was a success?

About the author

Andy Lawrence is a secondary school History teacher and is interested in Holocaust and genocide education.



Further reading and resources

Books

Totally Unofficial: The autobiography of Raphael Lemkin (Edited by Dr Donna Lee-Freize) (2013)

East West Street by Philippe Sands (2017)

Raphael Lemkin and the Concept of Genocide by Douglas Irvin-Erickson (2016)

A Problem From Hell by Samantha Power (2002)

Films, videos and links

Watchers of the Sky (2014)

Raphael Lemkin: The man who coined the word 'genocide'

The man who coined the term genocide

Articles

Convention on the Prevention and Punishment of the Crime of Genocide

Nuremberg Trials Project

National Security Archive: The Genocide Documentation Project

Legacy website of the International Criminal Tribunal for Rwanda

Srebrenica: Genocide in Eight Acts

Useful organisations who educate about genocide

Holocaust Memorial Day Trust

Wiener Library

Waging Peace

Remembering Srebrenica

Take a look at Pearson's Diversity and Inclusion in History webpages for more great content.