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Genocide by Leo Kuper

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BOOK REVIEW

GENOCIDE. By Leo Kuper. New Haven & London: Yale University Press, 1981. Pp. 255. \$15.00.

Reviewed by Daniel C. Turack*

The horror of genocide, inflicted by man against his fellow man, has been handed down from antiquity until the present. Despite post-World War II legal restraints on states' sovereignty, forms of genocide have continued unchecked by the world legal order. Kuper's emphasis in this book is upon the political use of genocide in this century.

The author introduces the subject by aptly illustrating that although the word "genocide" is new, coined by the Polish Jewish legal scholar, Raphael Lemkin, the crime is ancient. He points to various stimuli that have acted as warrants for genocide: religious ideas, conquest, European colonization and the struggle for political power.

Kuper then turns to the Convention on the Prevention and Punishment of the Crime of Genocide (1948), discussing its background, some of the political controversies in the drafting stages, the shortcomings of the final text and the author's anger at what was bargained away in order to achieve the Convention's birth. He is particularly unhappy about the Convention's deficiencies, such as the exclusion of cultural and political genocide from the definition of genocide. Another principal disappointment is the elimination of the principle of universal repression from the Convention, as he analogizes, "I do not doubt that if pirates had been represented at the international convention on piracy, they too would have voted against the principle of universal repression."¹

Kuper highlights the theories behind genocide, however, his attention to the social structures of plural societies with their identifiable minor collectivities is more pragmatic and germane to the causes of genocide. Furthermore, the author explains the relationship of colonization, decolonization and successor states to genocide. Various ideologies of dehumanization are set forth, with emphasis on the role of Marxist and German national socialist doctrine in preparing perpetrators with the "proper" image of expendable groups.

In successive chapters, the reader is led through the Turkish genocide against the Armenians and the German genocidal holocaust of the

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1. L. KUPER, GENOCIDE 36 (1981).

Jews. The organizational element is stressed to demonstrate the systematic efficiency of planned annihilation. Under the title "Related Atrocities," the author uses the examples of government sponsored mass killings in Indonesia, Stalin's Russia and Cambodia to raise the question of whether these "purely" political or economic class massacres constitute a distinctive category of crime from that of genocide.

The question is then posed whether a state has the right to commit genocide as part of its sovereignty. Through documented cases, Kuper indicates that it is not explicitly claimed to be a sovereign right, but instead, is exercised under the acceptable rubric of the state's duty to maintain law and order. The shabby record of the United Nations and the Organization of African Unity is recounted and found to be deeply disillusioning. Neither the existence nor the presence of universal or regional organizations have been an obstacle to commission of the crime. The author concludes that these organizations have condoned the crime by delay, evasion and subterfuge.

Northern Ireland with its religious difference and South Africa with its racial difference are discussed as prototypes of the probability of an extreme type of genocidal conflict in plural societies. Kuper's conclusion is, unfortunately, that the list of genocide cases is likely to continue. The dominance of the state within the present world legal order will have to change if genocide is to pass into desuetude.

Genocide is an excellent, well-written book on a depressing topic. The author easily conveys his thoughts, accounts and assessment. Not to be overlooked is the text of the Genocide Convention in an appendix, and an extensive bibliography.