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Racism, Genocide, and Resistance: The Politics of Language and International Law

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GENOCIDE IN THE WAR ZONES

Racism killed Malice Green, and if racism itself is not destroyed, it will destroy our nation. It got Malice Green at night. It will get you in the morning.

—Rev. Adams' 1992 funeral eulogy for Malice Green, who was beaten to death by Detroit police

Outside of a few communities, people rarely speak about racist state murders in a language that allows one to understand and mourn our losses. Atrocities can inspire a truth-telling competent to critique and condemn racist violence. This truth-telling most often happens in eulogies at funerals and memorials. The rest of the time, we usually hear and speak the semi-illiteracy of conventional rhetoric shaping the dominant discourse on “race.” This semi-illiteracy arises from severing racism from its logical culmination in genocide, and restricting the referent for human atrocities to holocaust(s) commodified for mass consumption. Resisting racist destruction and genocide requires demystifying contemporary racism, genocide, and fascism, and organizing to implement international human rights conventions in the United States.

This chapter is dedicated to the memory of: Fred Hampton, Anna Mae Aquash, Eleanor Bumpers, Yvonne Smallwood, Malice Green, Michael Stewart, Dulce September, Chris Hani, and the countless remembered and forgotten who died fighting racist violence.

African and Native American activists have long organized against genocide and human rights violations in U.S. domestic and foreign policy. In 1951, the African-American-led Civil Rights Congress petitioned the United Nations. With its document, *We Charge Genocide: The Crime of Government against the Negro People*, it interpreted and promoted the language and implementation of the 1948 U.N. *Convention on the Prevention and Elimination of Genocide*:

It is sometimes incorrectly thought that genocide means the complete and definitive destruction of a race or people. The Genocide Convention, however, adopted by the General Assembly of the United Nations on December 9, 1948, defines genocide as any killings on the basis of race, or in its specific words, as "killing members of the group." Any intent to destroy, *in whole or in part*, a national, racial, ethnic or religious group is genocide, according to the Convention. Thus, the Convention states, "causing serious bodily or mental harm to members of the group" is genocide as well as "killing members of the group."

We maintain, therefore, that the oppressed Negro citizens of the United States, segregated, discriminated against, and long the target of violence suffer from genocide as the result of the consistent, conscious, unified policies of every branch of government. (Patterson 1951, xi)

U.S. domestic genocidal policies, mirroring foreign policies of racial imperialism, have historically focused on Native and African Americans. The Senate delayed ratification of the Genocide Convention to 1986 because Congress feared Native and African Americans' use of the Convention against the United States in international courts (Boyle 1989). Currently, the International Indian Treaty Council and the Freedom Now Party use the U.N. Convention on Genocide to petition the U.N. and educate communities about U.S. domestic repression: upwards of one hundred U.S. political prisoners, the disproportionate imprisonment of African, Latin, and Native Americans, and the torture in U.S. prisons. Activists and writers also argue for the enforcement of the Convention, which prohibits involuntary sterilization of a targeted population. This occurs under the guise of "population control," as sexism and racism shape U.S. genocide to focus on Puerto Rican, African, and Native American women: For example, the U.S. Indian Health Service (IHS) of the Bureau of Indian Affairs has involuntarily sterilized approximately 40% of all Native American women. Children are not exempt from state racist policies: in 1990, the IHS inoculated Inuit children with HIV-correlated hepatitis-B vaccine which the World Health Organization had banned; in 1993, the HIV-correlated hepatitis-A vaccine was tested on Native Americans of the northern plains reservations (Churchill 1993, 24).

Implemented into law in 1988 with restrictive amendments, the Convention on Genocide *theoretically* criminalizes and outlaws such policies creating or inciting genocide. *In practice*, the United States has consistently positioned itself as an outlaw state; its crimes against humanity, targeting African and Native Americans for the most severe repression, shape the daily life of these populations. With African American infant mortality doubled that of whites, by the mid-1980s, life expectancy for whites had increased (from 75.3 years to 75.4), while life expectancy for African Americans had decreased (from 69.7 to 69.4 years) (National Urban League 1988). Native American life expectancy on reservations is 45 and 48 years for men and women, respectively (Churchill 1993, 46). Manning Marable's grim assessment of the possible impact of state policies on city residents applies to those who live on reservations:

The direction of America's political economy and social hierarchy is veering toward a kind of subtle apocalypse which promises to obliterate the lowest stratum of the Black and Latino poor. For the Right will not be satisfied with institutionalization of bureaucratic walls that surround and maintain the ghetto. The genocidal logic of the situation could demand, in the not too distant future, the rejection of the ghetto's right to survival in the new capitalist order. (Marable 1982, 253)

Conventional language's catchall term, "racism," which is virtually meaningless when severed from genocide, is more obscurantist than analytical. Most language mystifies racism to disconnect it from institutional white supremacy and genocide and privatize it as personal behavior and speech. Dismembered language distracts from the impact of racist state policies, since how we talk about racism determines what we do about genocide.

RACIST DISCOURSE, "WHITE RIGHTS," AND WHITE SUPREMACY

How do you get to be the sort of victor who claims to be the vanquished also.

—Jamaica Kincaid, *Lucy*

The race discourses of various ideologies distance racism from genocide. The result of this distancing is that issues of identity replace institutional analysis. Racialized identity and speech are endemic to the United States. Yet, a focus on these alone deflects from the political and economic aspects of structural racism and white supremacy: Whether or not anything is publicly said, policies perpetuate dominance and genocide.

Racism has come to be understood as "a form of discourse . . . that can be effectively blocked by means of linguistic taboos" (Freedman 1992,

26). Perversely, as racial epithets become taboo, so does antiracist terminology: "race" supplants "racist"; "multiculturalism" and "race relations" supplants "antiracism" in the language of conservatives and progressives alike; reformist policies such as affirmative action ("quotas") are denounced as "polarizing" and "antidemocratic."

The absence of racial epithets notwithstanding, supremacist language and racial mythology inspired the electoral campaigns of neo-Nazi David Duke and former presidents Ronald Reagan and George Bush. All shared the rhetoric of European neofascist movements, that is, the language of "white rights" and the redress of "white victimization." Neofascists' denunciation of "white victimization," allegedly stemming from "black racism" and equity programs, proves frighteningly compatible with the language of conservatives, moderates, and progressives. "White rights" provides the ideological ground for neoconservatives to advocate, and neoliberals to ignore, genocidal policies. The ascent from rightist racism to leftist racism is not as steep as one would like to imagine.

For example, in the "Whiteness" issue of the liberal national weekly, *The Village Voice*, Slavoj Žižek has a particular interpretation of Malcolm X that allows him to argue that the idea that whites should accept responsibility for white supremacy is a form of "racism": "Only by acknowledging that, ultimately, they can do nothing, that the emancipation of African Americans must be their own deed, only by renouncing the false self-blame of whites, which conceals its exact opposite, patronizing arrogance, can whites actually do something for African American emancipation" (Žižek 1993, 31). With no one (i.e., no white) to blame for truly horrific conditions, the overthrow of white supremacy is now a black thing, a struggle for which African Americans become solely responsible. Žižek's argument would move African Americans from a position of structural inferiority to one of equality, investing them with a special ability/power to effect social change. But the effect of this Horatio Alger mandate is that all genocide is reduced to autogenocide.

Tikkun's editor Michael Lerner wrote "Jews Are Not White" for the same issue of the *Voice*, which is a much more circumspect but nonetheless real exculpation of the power structure. Without differentiating between Ashkenazi, Sephardic, or Ethiopian Jews, or referring to the complicity of non-Wasps in white supremacy, Lerner argues that to achieve "the liberatory potential of multiculturalism" we must

reject the fantasized concept of "whiteness" and instead recognize the complex stories of each cultural tradition, not privileging one group over another. . . . [Today, however, multiculturalism] is merely the tool of an elite of minority intellectuals seeking to establish themselves inside an intellec-

tual world that has too long excluded them. And in that context, Jews must respond with an equally determined insistence that we are not white, and that those who claim we are and exclude our history and literature from the newly emerging multicultural canon are our oppressors. (Lerner 1993, 34)

Here, few other than Aryans qualify as members of a mythic construction of "whiteness." (Ironically, propaganda of European Jews as "deficient" in whiteness has fueled and still fuels antisemitic persecution.) However, the reality is that white supremacy accommodates non-Aryan "whites" in Israel and Palestine, Southern Africa, and throughout the Americas. Both Žižek's and Lerner's writings are indicative of the mystification of contemporary racism, institutional antisemitism and racialized state elites, promoting a conventional language that, with increasing aggressiveness, argues for white rights under white supremacy. The fundamental state and white right is to be not responsible for oppression. The ultimate white right is to claim to be victimized by those targeted for genocide who engage in resistance. Instructing that "minorities" oppress each other and *majorities*, conventional race language erases the role of state institutions and confuses ignorance and abusive chauvinism with systems of oppression.

That ethnic "minorities" lack institutional or state power to dominate dominant ethnic groups becomes irrelevant when racism is crassly reduced to all (real and alleged) ethnic chauvinism (that of European descent is universalized as the norm, and so conventionally does not appear chauvinistic). If oppressive state hierarchies are real, the critical distinction between chauvinism and racism must be maintained. Transforming odious ethnic chauvinism into a colorized version of white supremacy—which is the only racialized oppression we have known for half a millennium—trivializes white supremacy. (The different forms of ethnic pride and revolutionary nationalism among the newly colonized have often been reduced to the conservative ideologies of ethnic chauvinism in media representations.)

Colonized groups are granted the equal opportunity of being labeled "ethnic oppressors" or "reverse racists" when a false equality projects illusions of domination that deflect from real structures of oppression. This false illusion of domination, by fictionalizing state racism and complicitous populations, rationalizes an otherwise illogical concept: red, black, brown, or yellow "racists" or racial oppressors within a white supremacist state. Only when racism is severed from genocide does one argue that oppressed ethnic groups can implement policies creating racism and antisemitism. Here, denigrating structural critiques elevates debates of ethnic identity and innocence to degrade struggles against domestic genocide.

MEMORY AND MEANING

The present political chaos is connected with the decay of language.

—George Orwell, *Politics and the English Language*

However impossible it is to talk about racism meaningfully without discussing genocide, it is equally impossible to speak with moral opprobrium of genocide without reference to fascism. Genocide's meaning stems from the tribunals following the Nazi atrocities of World War II. Constructed as the antithesis and anathema to Western democracy and civilization, the concept has great political and ethical weight, which has rarely been brought to bear on the United States. The label "fascist" is even more infrequently applied to U.S. policies. Like most states, the U.S. denies that its policies are racist, with genocidal or neofascist consequences. However, it uses both terms in interventionist rhetoric to mobilize civilian support (e.g., for the bombings of Panama and Iraq, George Bush referred to Manuel Noriega and Saddam Hussein as Hitler-like personas or "fascists").

The term "fascism" is usually limited to specific historical events in Europe, leaving unexamined the phenomenon of fascism and neofascist aspects in state racism. Describing "fascism" as "a system of political, economic, social and cultural organization," Noam Chomsky rejects conventional restrictions:

If we want to talk about [fascism] reasonably we have to disassociate it from concentration camps and gas chambers. There was a fascism before there were extermination camps. . . . From a socio-cultural point of view, fascism meant an attack on the ideals of the Enlightenment. . . . on the idea that people had natural rights, that they were fundamentally equal, that it was an infringement of essential human rights if systems of authority subordinated some to others. (Barsamian 1993, 32)

Chomsky's argument demystifies fascism as a distant evil; yet it does not acknowledge that the Enlightenment ideals of the civilized, rational mind were (are) themselves premised on racism. The European Enlightenment's construction of the Western liberal individual as the standard for civilized humanity concurred with its reconstructing those enslaved or colonized by Europeans with an essentialist inferiority. This worldview placed and places "the colonized beyond the liberal equation of universal freedom and equality by rendering them in racist terms as qualitatively different. . . . Racism was, in short, basic to the creation of liberalism and the identity of the European" (Fitzpatrick 1990, 249). The Enlightenment legacy dulls recognition of the pervasiveness of racism's influence, just as the language of denial and rhetorical opposition hinder radical resistance to racism.

Given the racialization of the value of human life as an Enlightenment legacy in Europe and European settler states, and the narcissism of white supremacy, the presence of humanity, and abhorrence over its loss, is based on "whiteness," constructed as European. (This is reflected in Western European and U.S. indifference to the genocide of Bosnian Muslims as the "Other" Europeans.) It is difficult then to assess the conventional meanings of genocide within the context of state and social constructions of Nazi Germany's genocidal policies as *the* referent for memory and meaning concerning racist atrocities.

The 1993 dedication of the U.S. Holocaust Memorial Museum in Washington, D.C. legitimizes the historical reality of Nazi Germany's genocidal policies against Jews, which an estimated one fifth of the U.S. population denies (Solomon 1993). Yet, the Museum, the state, and corporate donors promote a consciousness in which this tragedy, abstracted from historical, concurrent, and contemporary genocides, manifests as the only real expression of genocide. No national poll is likely to be conducted to see what percentage believes indigenous and African holocausts happen(ed) in the Americas. The national museum, dedicated to preventing future holocausts, with no mention of American genocides or U.S. national racism and antisemitism, valorizes the U.S. government and ignores its genocidal policies. It calls us to awaken to, or to be anesthetized by, the horrors of holocausts as past "events," occurring outside of this nation, which is now reconstructed as the protector against genocide. The contradictions of the U.S. national museum suggest that the spectator was never intended to be an actor:

[The museum narrative] suggests an outcome that isn't really possible. . . . It strains toward completeness and closure and understanding; these dramatic reassurances are evoked, but never satisfied. Except to the extent that the museum hints at a moral to the story: American democracy. Press materials explain, "the charter of the Museum is to remind visitors of the importance of democratic values and to underscore our national commitment to human rights." On the way out of the exhibit one practically walks into a wall bearing the seal of the United States. Arched over the eagle and "E Pluribus Unum" are the words "For the dead and the living we must bear witness." (Solomon 1993, 35)

Bear witness to what? The German holocaust is presented as "a discourse, a representation forever being deconstructed, a spectacle, an industry" that promises comforting closure to and containment of human barbarism and tragedy: "The Nazis came to power, committed atrocities, and were defeated. The end" (Solomon 1993, 36). Whoever tells this particular story omits information on collaborators and contemporaneous European genocides (Solomon 1993, 36). Collective memory of selective holo-

causts, remembered in fragmented fashion, reveal the depoliticizing aspects of race language: The language of the horrified spectator is not necessarily the language of the antiracist activist. "Identification" through viewing a spectacle, no matter how horrific, does not necessarily lead to analysis, moral commitment, or political organizing. Ongoing genocidal practices diminish before the symbolic, as national memory is shaped more by marketing than by regret for racist policies and philosophies that (inevitably) culminate in genocide.

State-constructed memory and meaning obstruct confronting racism as genocide. Calls to consciousness, relying on mystified and Eurocentric constructions of humanity and suffering, are conditioned by the surrealism and hypocrisy of regret. With the loss of European life as the only common and binding referent for atrocities, no conventional language denounces the genocide of Native and African Americans as inherently meaningful and significant, with its own moral and political value. To the extent that resistance is tied to this language, Native, African, and European American writers use the German Nazi atrocities (as the recognized referents for "holocaust" and "fascism") to make U.S. genocidal practices "meaningful."

LAW AND RESISTANCE

First the law dies and then people die.
 —1993 sign in Solingen, Germany, protesting the neo-Nazi arson murders of five Turkish girls and women and parliament's amending the German constitution to restrict asylum for foreigners.

To prevent atrocities, we are told, we have law. U.S. constitutional law gave us slavery, broken indigenous treaties, suppression of political dissent, codified sexism and homophobia, and opened doors for monopoly capitalism. In addition, constitutional law, as an Enlightenment project, exists within a worldview that posits "law's innocence," as law first "marks out the areas" within which racism is allowed to operate legally, and then rationalizes its operation (Fitzpatrick 1990, 250–251).

The limitations of constitutional law stem from its malleability by dominant elites and structures that define rights and their enforcement, and a universalizing Western worldview excluding the contributions to law of traditional Native American and African cosmologies. These limitations also shape the frailties of international law. However, the language of U.N. conventions provides specific norms to address the classism, racism, and sexism of U.S. constitutional law, oppressive policies, and obscurantist language. Understanding that law in itself is insufficient for

political change, activists organize for the implementation of international human rights conventions, working for the language of the conventions as an educational and political strategy to resist genocidal policies, by expanding and redefining the conventional concept of rights and entitlements within the United States.

Although the conservative nature of the U.S. Supreme Court makes the enforcement of conventions unlikely, according to the U.S. Constitution's "supremacy clause," treaties are part of the "supreme law of the land," and preempt national law (just as federal law prevails over state laws). Calling for the enactment of treaties challenges U.S. foreign and domestic policies. For example, the Convention on the Suppression and Punishment of the Crime of Apartheid supersedes the weak Congressional bills and prevents further U.S. support for the destabilization of Southern Africa. The Geneva Conventions (1949) and Nuremberg Principles war crimes or "crimes against humanity," covering the treatment of military, civilians, and political prisoners during times of war, would criminalize CIA-directed/U.S.-funded contra wars and internal, domestic wars waged against U.S. activists.

These conventions are also supported by the U.N. Charter. When the United States signed the U.N. Charter it agreed to uphold: "equal rights and self-determination of peoples . . . higher standards of living, full employment . . . universal respect for, and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion" (Article 55, United Nations Charter). If accountable to that Charter, the United States would discontinue in the 1990s its policies of the 1980s, during which it spent approximately \$1 billion a year on the Pentagon and engaged in covert operations to destabilize governments and liberation movements. Also, if international law prevailed, there would be a conventional understanding of the criminality of the U.S.-dominated financial institutions, which structure economic exploitation so that, for example, each year African, Caribbean, and Latin American nations transfer \$20 billion or more to their historic colonizers, more than they receive in aid and loans; 14% of the world's population consume 70% of its resources; and an estimated half million young children die (UNICEF 1988). The Charter would remand domestic "austerity" programs in which millions live below a whimsically set poverty line, and over one million are estimated to be homeless; African Americans are poorer today than a generation ago; two out of three adults in poverty are women; and women of color are twice as likely to be poor than white women. The enforcement of human rights law would decrease the number of war zones.

The Charter and other conventions also prohibit state repression, illegal surveillance and imprisonment, increasing police powers through

the U.S. preventive detention law, the 1984 Bail Reform Act, and the criminalization of radical political dissent. It also makes illegal "The Federal Violence Initiative," which criminalizes an entire population. Approved by the National Mental Health Advisory Council, the "Initiative" is federally funded "to identify at least 100,000 inner city children whose alleged biochemical and genetic defects will make them violent in later life. . . . Treatment will consist of behavior modification in the family, special 'day camps,' and drugs" (Center for the Study of Psychiatry 1992).

Various organizations seek the enforcement of the U.N. conventions and Charter as *the* language of rights in the United States. At the 1985 U.N. Conference on the Decade on Women in Kenya, the Women's Coalition for Nairobi, organized by U.S. Women for Racial and Economic Equality, obtained over 2,000 U.S. delegates' signatures on a petition calling for the U.S. government to obey the U.N. conventions and Charter. The petition demanded nuclear disarmament; equal pay and full employment; full rights for undocumented workers; "quality of life measures" to eliminate economic, racial, and sexual violence and discrimination; quality reproductive choice and child care; and aid to women in independence struggles in Southern Africa and the Middle East. In 1986, Marcia Walker, Mayor Pro-Tem, and Kathleen P. Salisbury, City Clerk, signed ordinance No. 2807 of the Burlington, Iowa City Council to bring the city's human rights ordinance into compliance with the *U.N. Convention on the Elimination of All Forms of Racial Discrimination* (Boyle 1989). In 1993, New York Assemblyman's Roger Greene formed an independent party, "The Children First Party," based on the U.N. conventions on the rights of children, to focus on legislation dealing with children's needs and rights. Also, in 1993 the New York-based Center for Constitutional Rights used international law in arguing its case for Diana Ortiz, the U.S. nun tortured and raped by U.S.-funded death squads in Guatemala.

CONCLUSION

Racism in U.S. foreign and domestic policy culminates in genocide. The inability of conventional language to confront the devaluing and destruction of human life based on white supremacy creates a silence around U.S. "race wars" and struggles for survival and liberation. The reduction of "racism" to speech, social manners, or the incivility of aberrational minorities ignores state racist violence and the massive increase in white supremacist hate group activities. Rendering racism an abstraction and its attendants, genocide and fascism, social fictions, racialized language's obscurantism transcends ideology and ethnic, class, and gender identity.

By rejecting this language, activists create, with international human rights conventions, a literacy in political and moral language adequate to convey and confront the devastation of genocidal policies. Demystifying racialized speech and organizing to implement human rights treaties as "law," simultaneously enforceable for national and international communities, might be our most important forms of resistance to racism as genocide.

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