

Evaluation of the Roles of NGOs in Preventing Genocide

—A Theoretical Approach and its Evaluation¹

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Introduction

The purpose of this paper is to examine the expected and/or unexpected roles of Non-governmental Organizations (NGOs) in preventing genocide. Discussion over the roles of NGOs in preventing genocide is inevitably important, particularly within Japan. There exist no NGOs in Japan which are specialized in efforts of preventing genocide, while a number of Japanese humanitarian or human rights NGOs are operationally active in the fields over the world. From this point of view, it is important to examine whether or not the activities of NGOs truly contribute to the prevention of genocide.

My paper is divided into two sections. The first section briefly examines the meaning of the term genocide. The term genocide remains a deeply contested concept². Therefore, I firstly introduce the debate on the meaning of genocide, particularly physical destruction and social destruction. In this paper, I will take the position that the meaning of genocide should be recognized not as physical destruction but social destruction: physical killing is just one of a range of genocidal violence.

The second section reviews the discussion related to the evaluation of a role of NGOs. Until recently, NGOs were regarded as ‘good’ actors who always acted not for themselves, but for others who were deprived, excluded, neglected, and oppressed. However, as the roles of NGOs have been increasing, the perceptions of observers on their roles have gradually changed. To wit, NGOs do not only act for others but may also do any ‘harm’ to others. Given this change, this section briefly examines how we evaluate their roles and what the criteria are if evaluated.

1. Meaning of genocide

In this section, I briefly examine the meaning of genocide. As Christopher Powell indicates in his book *Barbaric Civilization*, the term genocide is an essentially contested concept³. Since Raphael Lemkin coined the term genocide in his book *Axis Rule in Occupied*

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² Dirk Moses, “Conceptual blockages and definitional dilemmas in the ‘racial century’: genocides of indigenous peoples and the Holocaust”, *Patterns of Prejudice*, 36 (4), 2002, 28.

³ Christopher Powell, *Barbaric civilization : a critical sociology of genocide* (McGill-Queen’s University Press, 2011), 66

Europe in 1943⁴, and since the United Nations Convention on the Prevention and Punishment of the Crime of Genocide (hereafter, Genocide Convention) was adopted on 9 December 1948, numerous scholars offered their own definitions, although some scholars such as Leo Kuper argued that ‘the UN definition should be maintained as useful’⁵. Because the three core elements of the term genocide—“intent”, “group”, “destruction”—are all contested, scholars are more likely to disagree than to agree about the meaning of this term. Given the contested nature of this term, however, such disagreement is healthy to some extent.

Although there remains a sharp debate about the meaning of the term genocide, the position of scholars basically can be divided into two directions: physical destruction and social destruction. What is destroyed in genocide? The answer of this question is different from each position. For scholars who adopt physical destruction, the destruction of a human group means physical killing. In other words, the essence of the genocide is physical killing of individual members of a human group. On the other hand, scholars who adopt social destruction argue that the destruction of a human group should not reduce to physical killing. They point out that physical killing is just one of a range of genocidal violence.

For example, sociologist Martin Shaw indicates in his book *What is genocide?* as such: ‘The aim of “destroying” social groups is not reduced to killing their individual members, but is understood as destroying groups’ *social power* in economic, political and cultural senses’⁶. Thus, the essence of the genocide is to destroy a social power of a human group. According to him, social power is ‘embodied in their ownership of land, houses and other property, their schools, religious institutions, cultural and political organizations, and all the other ways in which their presence in given social spaces and territories is manifested’⁷.

While Shaw stresses *social power* to be destroyed in genocide, other scholars who also adopt the position of social destruction argues that the essence of the genocide is the destruction of *social identity or social vitality* of a human group. For example, Claudia Card writes in her essay that ‘specific to genocide is the harm inflicted on the victim’s social vitality’⁸. For Card, ‘social vitality exists through relationships, contemporary and intergenerational, that create an identity that give meaning to a life’, and ‘major loss of social vitality is a loss of identity and consequently a serious loss of meaning for one’s existence’⁹. She concludes that the specific evil of genocide is *social death*, ‘producing a consequent meaninglessness of one’s life and even of its termination’¹⁰.

However, as Larry May writes in the book *Genocide*, the term social death is too strong,

4 Lemkin coined this term in 1943, but the book was delayed for a year by contractual negotiations with the publisher. Dirk Moses, “Raphael Lemkin, Culture, and the Concept of Genocide”, in Donald Bloxham and Dirk Moses (eds.), *The Oxford Handbook of Genocide Studies* (Oxford University Press, 2010), Ch.1, 22.

5 Scott Straus, “Contested Meanings and Conflicting Imperatives: A Conceptual Analysis of Genocide”, *Journal of Genocide Research*, 3 (3), 2001, 362.

6 Martin Shaw, *What is Genocide?* (Cambridge ; Malden, Mass. : Polity, 2007), 156.

7 Ibid. 34.

8 Claudia Card, “Genocide and Social Death”, *Hypatia*, 18 (1), 2003, 73.

9 Ibid. 64.

10 Ibid. 73.

because ‘it implies that the entire social part of a person has died as a result of the genocide’¹¹. In reality, after surviving genocide, ‘people will normally be able to form new social relationships and social roles’¹². So, we need to choose a more modest term not to miss these reformations.

Daniel Feierstein, the Director of the Center for Genocide Studies at the National University of Tres de Febrero in Argentina, adopts a more appropriate position. He argues the genocide is a distinctly modern phenomenon and is qualitatively different from earlier mass annihilation processes, although the meaning of ‘distinctly’ and ‘qualitatively’ is not necessarily clear in this essay¹³. For him, the essence of the modern genocide is ‘a deliberate attempt to change survivor’s identities by modifying relationships within a given society’¹⁴. From this point of view, He repeatedly stresses that the genocide is not a spontaneous incident but ‘a process that starts long before, and ends long after’¹⁵. It implies that we need to look at the multiple causes of genocide.

Up to this point, I briefly examine the debate on the meaning of genocide, paying attention to physical destruction and social destruction. I will take the position that the meaning of genocide should be recognized as social destruction, because this position can lead us to consider the causes of genocide from a broader perspective as well as to adopt a proactive approach in preventing genocide.

2. Evaluation of the Roles of NGOs

This section reviews the discussion related to the evaluation of a role of NGOs. NGOs lack a generally accepted definition in international law¹⁶. As a result, different observers use this term in different ways. Volker Heins criticizes in his book *Nongovernmental organizations in International Society* that most observers use this term as a label¹⁷. He argues that we need to distinguish labels from terms. For this purpose, He proposes a working definition as such:

NGOs are voluntary associations that neither struggle for a share of governmental power nor have a mandate from the government or the state for their existence and activities. They stand up and speak out not for themselves, but for others who are symbolically represented as innocent, oppressed, deprived, neglected,

¹¹ Larry May, *Genocide: A Normative Account* (Cambridge [U.K.] ; New York : Cambridge University Press, 2010), 88.

¹² Ibid.

¹³ Daniel Feierstein, “The Concept of Genocidal ‘Social Practices’”, in Adam Jones (ed.), *New Directions in Genocide Research* (Taylor & Francis Ltd, 2011), Ch.2, 18-19.

¹⁴ Ibid. 19.

¹⁵ Ibid.

¹⁶ Anne Peters, “Membership in the Global Constitutional Community”, in Jan, Klabbers, Peters, Anne, and Ulfstein, Geir, *The Constitutionalization of International Law* (Oxford ; New York : Oxford University Press, 2009), ch.5, 219.

¹⁷ Volker Heins, *Nongovernmental Organization in International Society: Struggles and Recognition* (Palgrave Macmillan, 2008), 15.

underrepresented, dispossessed, disdained, excluded, disenfranchised, and forgotten. The activity on behalf of others is closely intertwined with systematically cultivating alliances across international borders and is, at least to a large extent, inspired by universalistic ideas¹⁸.

This working definition has three features: aloofness from conventional politics; the prevalence of other-regarding orientations; and non-territoriality¹⁹. The prevalence of other-regarding orientations means that NGOs stand up and speak out not for self-regarding interests, but for other-regarding ones. For Heins, this feature is a hallmark of contemporary NGOs.

Until recently, NGOs were regarded as ‘good’ actors because they always acted for others who were deprived, excluded, neglected, oppressed, and so on. However, as the roles of NGOs have been increasing, the perceptions of observers on their roles have gradually changed.

Today, the roles of NGOs are diverse: to assist to strengthen the rule of law; to help to correct abuse of the justice system; to help to oversee the implementation of relevant international human rights and humanitarian standards; to support and encourage survivors to tell their stories fully, without fear of retribution or stigmatization; and to facilitate the development of national and transnational networks of survivors, so that their stories can be more widely heard²⁰.

However, due to the diversity of their roles, some observers began to realize the perceptions of their roles should change since NGOs do not only act for others but may also do any ‘harm’ to others. For example, while environmental NGOs such as Greenpeace are mindful of the undesirable side effects of modernization processes, their own activities have sometimes damaged a way of life of indigenous peoples²¹. Also, whereas NGOs in America such as Save Darfur and the Genocide Intervention Network (GI-Net) promoted strong civilian protection campaign in their anti-genocide movement, it was unclear that the consequences of their activities really contributed to the protection of the Darfurians²². That said, the activities of NGOs and the consequences of those activities are ‘not automatically beneficial to everybody’²³.

Given this change, some observers try to put a question related to the *legitimacy* of NGOs. In this paper, I use the legitimacy as a normative sense, and to be legitimate means to be worthy of being recognized²⁴. Regarding the legitimacy, there are generally two questions: (1) who should evaluate? ; and (2) how should we evaluate?

Some NGOs develop self-policing to improve the legitimacy and the accountability of their activities. For example, humanitarian NGOs such as The International Red Cross developed several mechanisms of accountability: a code of conduct (Ex. *The Code of Contact*:

18 Ibid. 19.

19 Ibid. 17-20.

20 Report of the Secretary-General, Implementing the responsibility to protect, A/63/677, 12 January 2009.

21 Heins (2008), 77-79.

22 Cf. Rebecca J. Hamilton, “Creating the Outcry: Citizen-Driven Political Will for Genocide Prevention in the US Context”, in Provost, Ren and Akhavan, Payam (eds.), *Confronting Genocide* (Springer, 2011), Ch.15.

23 Heins (2008), 11.

24 Peter (2009), 235.

Principles of Conduct for The International Red Cross and Red Crescent Movement and NGOs in Disaster Relief); a humanitarian charter; a set of technical standards; a new emphasis on the quality and transparency of evaluations; and so on²⁵.

As I explained earlier, while NGOs basically stand up and speak out for other-regarding interests, some NGOs may also do some ‘harm’ to others. From this point of view, some researchers argue NGOs need to justify not only what/how they perform, but also whose voice they represent. For example, Hugo Slim introduces ‘Voice Accountability’ in the 2002 essay. For Slim, the voice ratio determines the key matters of the accountability in the 21st century²⁶. ‘Voice Accountability’ is divided into two questions: the veracity of what they said; and the authority with which they spoke. Slim indicates that the latter is more complicated. According to the relationship with others, there are four patterns of voice: speaking as; speaking with; speaking for; and speaking about²⁷. For example, NGOs such as Save Darfur and GI-Net may be regarded as speaking for or speaking about the Darfurians, because a large majority of these NGOs are not the Darfurians. Thus, the weaker the relationship with the persons who they represent is, the more NGOs need to justify the representation.

Up to this point, I looked at the discussion of self-evaluation. Many researchers realize that self-evaluation is not sufficient, and some of them propose another choice. For example, Heins indicates that “members of the critical public” should evaluate the activities of NGOs, although who the most appropriate members are is not clear at all²⁸. According to him, the criteria of the evaluation need to differ from the ones that NGOs adopt for themselves. Following Weber, He proposes two criteria: ethic of principled convention; and ethic of responsibility²⁹.

In sum, since the perceptions of NGO’s roles have gradually changed, they have needed to work together to achieve the legitimacy. Although some NGOs developed self-policing, this is not sufficient. As Slim stresses, NGOs also have to justify the representation. In addition, a third party may need to develop their own criteria and evaluate whether the activities of NGOs meet this criteria.

Conclusion

Throughout this paper, I have (1) examined the meaning of the term genocide, and (2) reviewed the discussion related to the evaluation of a role of NGOs. As I described in the second section, our perceived role of NGOs has gradually shifted to the actor who is the subject to be evaluated. Japanese NGOs are no exception. Given that evaluation mechanisms of NGOs are not developed enough, however, there remain adequate rooms for Japan to become involved in the initiatives of genocide prevention.

25 Hugo Slim, “By What Authority? The Legitimacy and Accountability of Non-Governmental Organizations”, 2002, 4.

26 Ibid. 6.

27 Ibid. 7.

28 Heins (2008), 158.

29 Ibid. 155-158.