

THE *World Without Genocide* OP-ED COLLECTION



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Preface

'Op-eds,' shorthand for 'opposite from the editorial page,' are newspaper commentaries written by members of the public who have interesting, expert, or controversial opinions on key issues of the day. A 2018 study in the *Quarterly Journal of Political Science* found that readers' views are shaped and influenced by a paper's op-ed pieces.

At World Without Genocide, we use this important public forum to inform people about mass atrocities and other human rights challenges occurring locally, nationally, and globally. This book is a compilation of our many commentaries over the past few years that raise awareness about the genocides perpetrated against the Rohingya in Myanmar, the Uyghurs in China, and conflicts elsewhere around the globe. We encourage people to advocate for policies to protect innocent people, prosecute perpetrators, and remember those whose lives and cultures have been affected by genocide.

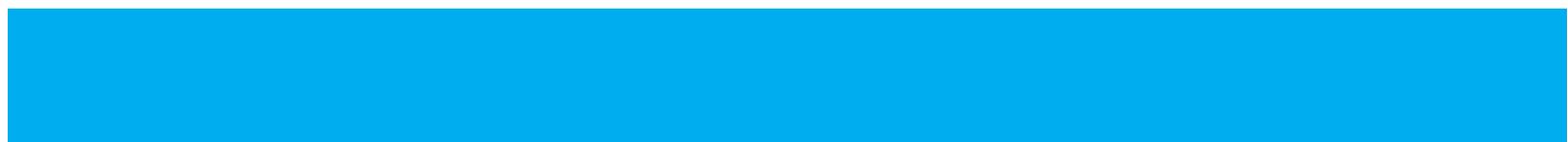
We hope this collection will inspire readers to write their own op-eds on today's critical events.

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GENOCIDES AND CONFLICTS



MINNPOST

Where innocents are targeted, the global community must respond

Not enough people are saying “*Hineni*, here I am.” But we *are* here. We must raise our collective voices. We have the global tools. We need the political will.

By [Ellen J. Kennedy](#) | Dec. 17, 2020



The Sacrifice of Isaac Caravaggio (1571-1610)

The binding of Isaac is one of the most disturbing stories in the Christian, Muslim, and Jewish traditions. We are asked to consider where we are in our moral world.

In the narrative, God orders Abraham to sacrifice his son Isaac. As Abraham is on his way to do so, God asks him, “Where are you?”

Abraham replies, “Here I am,” and he begins to bind Isaac to the sacrificial altar. A messenger from God intervenes and a ram is given up instead.

I’ve thought about Abraham’s answer, “Here I am,” which in Hebrew is *hineni* (hee-nay-nee).

Modern scholars suggest that the question and the answer are not literal ones about Abraham’s physical presence; they are, instead, profound and searching words asking us to consider the implication of our actions.

I am a sociologist and a professor. I had been teaching about the 1994 genocide in Rwanda for several years. In summer 2005 I went to Rwanda to meet with survivors and to learn about the almost insurmountable obstacles that exist in a post-conflict setting.

When I returned to the university the following fall, I continued to teach about the crisis in Rwanda but with the deeply disturbing information from my travels.

A devastating question

One day Ina Ziegler, a student in the class, came up to me after a discussion about the genocide. She said, “What are we going to *do* about this?”

I was devastated by that question. I thought I had been doing a lot. I had taken a difficult trip; I was sharing people’s personal accounts; and I was directing a university-wide program that partnered several hundred mostly white, Christian, suburban students with youth at an inner-city high school for immigrants and refugees. I was patting myself on the back. But Ina was clear: I wasn’t making a difference where these catastrophes had occurred.

Ina essentially asked me, “Where are you?” and I wasn’t able to answer ‘*hineni*,’ here I am. Ina thought everyone was asking that question – but she was the only one. Her question haunted me.

Mission: to educate and advocate

Four months later I started the organization that today is World Without Genocide. Our mission is to educate and advocate: to educate people about genocides and mass atrocities in the past and those happening today and to advocate for laws and policies to protect innocent people, prevent violence and discrimination, support the prosecution of perpetrators, and remember those whose lives have been affected by violence.

The crises in Rwanda also forced the international community to reflect on the question “Where are you?” And, like me, the world could not respond with “*Hineni*, here I am.”

On Dec. 9, 1948, the United Nations ratified the Convention on the Prevention and Punishment of the Crime of Genocide. The very next day, the Universal Declaration of Human Rights was ratified. But we know that since the Holocaust, despite these important steps and the promise of ‘never again,’ there have been horrific mass tragedies in many places, including Rwanda. In 2001, a group of members from the United Nations General Assembly met in Canada.

This International Commission on Intervention and State Sovereignty (ICISS) was to answer the question posed by Kofi Annan, then UN secretary-general: “If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica — to gross and systematic violations of human rights that affect every precept of our common humanity?”

This commission essentially asked global leaders, “Where are you?” And they responded, “*Hineni*.” ICISS popularized the concept of humanitarian intervention under the name of “Responsibility to Protect.”

The work of ICISS was followed up at the United Nations 2005 World Summit with a document titled

The Responsibility to Protect (R2P or RtoP) that was endorsed by all member states of the United Nations. R2P is a political commitment with four key concerns: to prevent genocide, war crimes, ethnic cleansing, and crimes against humanity.

A new, supportive infrastructure

The U.N. created an infrastructure to support these efforts. The Office on Genocide Prevention and the Responsibility to Protect includes two Special Advisers who report directly to the U.N. secretary-general.

The Special Adviser on the Prevention of Genocide, a position that began in 2004, raises awareness of the causes, dynamics, and current risks of genocide and advocates and mobilizes for action. The Special Adviser on the Responsibility to Protect, in place since 2008, leads the conceptual, political, institutional, and operational development of the Responsibility to Protect.

This global commitment encourages international interventions when a state is unable or unwilling to protect the people within its borders. Then why are innocent people still targeted and persecuted in Syria, Yemen, Myanmar, China, Artsakh, Ethiopia, and other places around the world?

Not enough people are saying “*Hineni*, here I am.” But we *are* here. We must raise our collective voices. We have the global tools. We need the political will.

Leonard Cohen, on his last album before his death, sings “*Hineni, hineni*; I’m ready, my lord.” We are approaching days of increasing daylight, a new year, and a fresh start. Let’s be ready. Let’s be here.



Ellen J. Kennedy, Ph.D., is the executive director of [World Without Genocide](#) at Mitchell Hamline School of Law.

<https://www.minnpost.com/community-voices/2020/12/where-innocents-are-targeted-the-global-community-must-respond/>

MINNPOST

In Poland, hate is spreading against LGBTQ, Jews, Muslims

Attacking the LGBTQ community played a major role in Poland's right-wing president, Andrzej Duda, July re-election to a second five-year term.

By [Ellen J. Kennedy](#) | Nov. 13, 2020



LGBTQ+ supporters protesting in Warsaw, Poland, on August 7. Adam Stepien/Agencja Gazeta via REUTERS

Hitler took power in Germany in January 1933. From the very beginning, Jews were targeted with policies and local, regional, and federal laws to restrict their rights in every sphere of life. They were denied access to schools, hospitals, libraries, and other public services; to the practice of their professions; to having any items of value but especially radios, the link to the outside world; to sitting on park benches, riding on trams and bicycles, shopping at stores for food, and owning property.

In 1935 Jews in Germany were stripped of their German citizenship, their last hope for legal protection of their rights.

And then came Nov. 9 and 10, 1938, a brutal turning point. Paramilitary troops and ordinary people took to the streets in Germany, Austria, and Czechoslovakia in unprecedented violence against Jews. The actions were organized by the Nazi leadership, Hitler Youth, and by the SA, the Stormtroopers. Members of the various units wore civilian clothes to operate under the fiction that this was a spontaneous expression of public outrage.

The rioters burned hundreds of synagogues – and the synagogues burned in full view of firefighters, who had orders to intervene only if the flames spread to nearby buildings. Rioters shattered shop windows and looted more than 7,500 Jewish-owned businesses. The shards of glass that filled the streets gave the devastation the name *Kristallnacht*, the Night of Broken Glass. Jewish cemeteries were desecrated and women were raped.

And more than 30,000 Jewish men were rounded up and incarcerated in Dachau, Buchenwald, and other concentration camps.

This wave of terror was covered by newspapers all over the globe. According to the U.S. Holocaust Memorial Museum, “No other story about the persecution of the Jews received such widespread and sustained attention from the American press at any other time during the Nazi era.”

Nobody intervened

Yet nobody intervened. *Nobody* looked at the maelstrom of hate that was building against the Jews and cried STOP! There were no military, political, diplomatic, or economic actions against Germany.

Nazi leadership gathered in 1942 at Wannsee, a Berlin suburb, and planned the “final solution to the Jewish question.” The goal was to create a Europe that was *Judenfrei*, free of Jews, to be achieved by rounding up and deporting Jews to ghettos and then transporting them to their deaths at extermination sites.

Beginning in 1938, cities and regions throughout German-occupied Europe proudly and publicly announced when they became *Judenfrei*.

Some examples:

- Gelnhausen, Germany – reported *Judenfrei*, November 1938
- Bydgoszcz, Poland – reported *Judenfrei*, December 1939
- Alsace – reported *Judenrein*, July 1940
- Banat, Serbia – reported *Judenfrei*, August 1941
- Luxembourg – reported *Judenfrei*, October 1941
- Estonia – reported *Judenfrei* at the Wannsee Conference, January 1942
- Vienna – reported *Judenfrei*, October 1942
- Berlin – reported *Judenfrei*, May 1943

We know the ending of the story: 6 million Jews were exterminated, simply because of who they were.

A shocking designation

A few months ago, I read with horror that cities in Poland were posting signs declaring that they were “Gay-free.” Nearly 100 Polish municipalities now boast that designation, a newspaper distributed stickers with the same slogan and a crossed-out Pride flag, and participants at a Pride march in the city of Białystok were pelted with stones and bottles by nationalists and far-right groups.

This is shocking on two counts. First, the six concentration camps used exclusively for extermination during the Holocaust, including Auschwitz, were all located in German-occupied Poland. That a country with a history that includes the presence of the Holocaust's worst horrors is again the site of hatred against a vulnerable group is almost unimaginable.

Second, the slogan of 'Gay-free' and its resonance to *Judenfrei* is terrifying, given our awareness of the historical consequences of the hate and dehumanization in making cities free of Jews.

Attacking the LGBTQ community played a major role in Poland's right-wing president, Andrzej Duda, July re-election to a second five-year term. He has demonized that population, claiming that they are "worse than communism," which Poland endured from 1945-1989.

Duda has co-opted the Polish judiciary and has brought it increasingly under his control. He has widened his executive powers. He vetoed a gender recognition bill that Parliament passed which would have given legal recognition to transgender identities. He went on to campaign with rhetoric declaring that LGBTQ individuals are "not people," claiming that like communism, they are a foreign import and he would protect Poland and its people from being under attack by this evil influence. He is fully supported by the Catholic Church, which wields great power in Poland.

What has been the global response to "Gay-free cities"?

Like the United States, Poland is a deeply divided country; 49% of the population voted against Duda in the July election. The homophobia and hate have energized the LGBTQ community and its supporters throughout Poland and abroad.

The European Union has cut off funding to six of the "gay-free" municipalities. The "twinning" city of Fermoy, Ireland, has canceled its connection to Nowa Dęba in southeast Poland.

Hate spreading

But this hasn't stopped the hate from spreading. Duda has capitalized on a right-wing movement that supports a Poland with no Jews, no Muslims, and no gays.

Antisemitism is seeing a resurgence. The Anti-Defamation League (ADL) recently conducted a survey of Poles' attitudes towards Jews. Fully 48% of Poles, or 15 million people, hold antisemitic views. At least 79% of Poles believe that the Holocaust did not happen. Among the 21% who do believe that the Holocaust was, in fact, an actual occurrence, they maintain that the number of Jews who died is greatly exaggerated.

Duda did not win only on an anti-LGBTQ platform; he rallied people with appeals to antisemitism.

Fully 10% of Poland's pre-war population was Jewish, or nearly 3.5 million Jews. More than 90% were murdered in the Holocaust. The Nazis seized their property, which was later nationalized by the Polish communists after the war. The Polish economy has benefited significantly.

Poland is the only EU country that has not legislated on and supported property restitution. Duda's opponent promised to address this issue, and Duda claimed that his opponent would sell Poland out to the international Jewish community and take money from Polish families to pay "Jewish interests."

This is the rhetoric in Poland today: gay-free in a place that, 75 years ago, nearly became completely Jew-free.

Anti-Muslim, anti-immigrant, anti-gay, anti-Jew.

Who will be next?

World Without Genocide will host a webinar on Tuesday, Nov. 17, from 7 to 9 p.m. CST, "From the Nazis' Jew-Free Cities to Poland's Gay-Free Cities Today: The Spread of Hate." The program is open to the public. Fred Amram, Holocaust survivor and author, is the featured speaker. Registration is required by Nov. 15. It is \$10 general public, \$5 seniors and students, free to Mitchell Hamline students, \$25 for Minnesota lawyers for 2 CLE 'Elimination of Bias' credits. Clock hours for teachers, nurses, and social workers.



Ellen J. Kennedy, Ph.D., is the executive director of [World Without Genocide](#) at Mitchell Hamline School of Law.

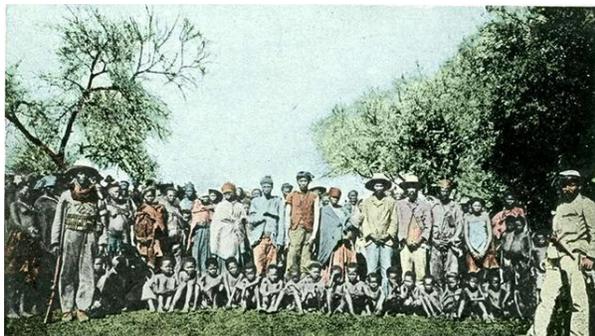
<https://www.minnpost.com/community-voices/2020/11/in-poland-hate-is-spreading-against-lgbtq-jews-muslims/>

MINNPOST

We cannot allow hate to flourish

Hate's legacy has deep tentacles that we often cannot foresee, tentacles that reach across time and place and turn hate into murder.

By [Ellen J. Kennedy](#) | June 27, 2017



CC/Wikimedia/German Federal Archive

I have stood in some of the world's most horrible places. Auschwitz. Dachau. Cambodia's killing fields. Hiroshima. At a mass grave exhumed in Guatemala. At genocide memorials in East Timor and Rwanda.

And a few weeks ago, I stood at Shark Island in Luderitz, Namibia.

Most people have never heard of Shark Island and the tragedy that occurred there. It's a story that I'm compelled to tell – because it reaches to my own family.

My grandfather, Jacob Narotzky, was from Vilnius, capital of Lithuania. He fled from the inevitable future of poverty and oppression facing every Jew in then-tsarist Russia and he came to America in 1903. His extended family chose to stay behind in Vilnius.

During World War II, under the German occupation, his family, and all the other Jews in Vilnius, were rounded up and put into a ghetto. For the two years of the ghetto's existence, the population endured starvation, disease, executions, and deportations to concentration camps, until the ghetto population of about 40,000 was reduced to zero.

That zero included my extended family.

The Nazis pursued their goal of ridding Europe of its nine million Jews with the full power of their bureaucracy and military might. Six million of the nine million Jews were murdered.

An earlier genocide — in Namibia

But this wasn't Germany's first foray into extermination. There was a precedent – an earlier genocide, this one in Namibia. And Shark Island was the location of an extermination camp.

In 1904, Germany's Second Reich, under Kaiser Wilhelm II, had a colony called German Southwest Africa, today's Namibia. The Germans wanted to develop the colony for agriculture and settlement.

The local indigenous people from the Herero and Nama tribes occupied the land, so the Germans slaughtered them. Fully 80 percent of the Herero and 60 percent of the Nama men, women, and children perished. This was a genocide, defined as "the deliberate intent to exterminate, in whole or in part, a national, ethnic, racial, or religious group."

The genocide in Namibia foreshadowed the Holocaust.

Key perpetrators of this African genocide became high-ranking Nazis 30 years later. Names are chillingly familiar: Dr. Heinrich Ernst Goering was Namibia's governor. His son, Hermann Goering, became a top Nazi leader. Eugen Fischer, a physician and professor of medicine, conducted experiments on the Herero that included forced sterilizations and injections of smallpox, typhus and tuberculosis. One of Fischer's students was Dr. Joseph Mengele, known as the "angel of death" for sending people to the Auschwitz gas chambers and performing cruel medical experiments that he learned from Fischer. Franz Ritter von Epp commanded German troops against the Herero and later was a Nazi leader until he was captured by the U.S. Army in 1945.

The list of names linking the Herero genocide to the Holocaust is horrifying.

Labeled less than human

And so are the techniques. The Herero and Nama were used for slave labor. They were rounded up and transported in boxcars to concentration camps. They were starved, tortured, and branded on their arms. They were subjected to cruel and inhuman medical experiments. The women were brutally raped. The people died of starvation, torture, disease, shooting, and hanging.

The Herero and Nama were labeled as less than human, as worthy only of extermination – just like the Jews and other "undesirables" in the Nazi Third Reich.

There were many concentration camps in Namibia, where the Nama and Herero were imprisoned. But Shark Island was different; it was built primarily for extermination, and virtually everyone who was deported to Shark Island perished.

There were 42,500 concentration camps throughout Nazi-occupied Europe. Most of them were designed for slave labor, just like the network of concentration camps in Namibia, but the Nazis also built six camps primarily for extermination – Auschwitz, Belzec, Treblinka, Chelmno, Sobibor, and Majdanek, just like Shark Island.

No one held accountable

Despite chilling similarities, however, there is a significant difference between these two German genocides. After the Holocaust, there were hundreds of trials to prosecute the worst of the perpetrators. After the genocide of the Herero and the Nama? Not one person was held accountable. There was absolute impunity for the nearly complete extinction of the two tribes.

I stood at Shark Island and thought of my grandfather's brothers and sisters and their children in that Vilnius ghetto. I thought of all of them, dead.

And I thought that, if the perpetrators of that genocide in Namibia had been publicly, legally, and morally held accountable for their brutality, perhaps the Holocaust might have been different. Maybe fewer millions of people would have been killed. We can never know, of course, and the speculation is almost too painful to consider.

But the message for me is that we cannot allow hate to flourish, because its legacy has deep tentacles that we often cannot foresee, tentacles that reach across time and place and turn hate into murder.

900-plus hate groups in U.S.

Where are we in our own country today? There are more than 900 hate groups in the U.S., and a shocking number of them have come into existence just in this past year. Violence against Jews, blacks, Muslims, members of the LGBTQ community, women, and other minority groups has escalated dramatically.

I have stood on the bones of innocent victims all around the world. Their deaths began with a slow and gradual process of marginalization and discrimination. We must take a stand to protect members of our own communities from today's xenophobia that has led to widespread anti-Muslim demonstrations on June 10, vandalism of Jewish cemeteries, and record violence against gays and others.

We must stand up now to protect those who are being marginalized. It is too late when we stand on their bones.



Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide at Mitchell Hamline School of Law.

<https://www.minnpost.com/community-voices/2017/06/we-cannot-allow-hate-flourish/>

MPRnews

Blood diamonds, conflict minerals and chocolate

Ellen J. Kennedy

March 4, 2011 11:00 a.m.



Ellen J. Kennedy is executive director of World Without Genocide, a human rights organization headquartered at William Mitchell College of Law, St. Paul. Photo Courtesy of Ellen J. Kennedy

I love chocolate. I never thought about where it comes from until I read about the situation in the Ivory Coast, source of most of the world's chocolate.

Three months ago there was a presidential election in Ivory Coast. The incumbent, Laurent Gbagbo, lost. He refused to step aside and let winner Alassane Ouattara take office. The international community, including the United Nations Security Council, unanimously endorsed Ouattara as the victor and called on Gbagbo to step down. Instead, Gbagbo has organized mercenary forces from neighboring Liberia and Sierra Leone to attack U.N. troops there to support Ouattara.

This story goes much deeper than a failed election in a failed state. At the heart of this conflict is a bitter, decades-long fight over precious resources. The result is environmental degradation, rape, child soldiers and human slavery.

This is a story repeated in other parts of the world -- conflicts over diamonds (called "blood diamonds" because the gems enter the global market through child labor and horrific brutality against women and girls) and over the mining and sale of minerals such as coltan, used in every cell phone and many small electronics. And now it's chocolate.

Many nations in the developing world have great resources -- either under the ground, in the form of gold, coltan, diamonds or oil, or on top of the ground, in the form of coffee, timber or cocoa beans. When the economies of countries rely almost exclusively on exports of raw resources, violence, almost inevitably, is the outcome.

The pattern is clear. Corrupt leaders make exorbitant sums by pillaging these natural resources. The leaders align with factions dominated and identified by religion, ethnicity, region or national origin. The factions gain power and resource control using weapons bought with money diverted from legitimate purposes -- including international aid -- or from previous conflicts.

The factions and militias control the resources and the land by driving out or enslaving the local people. Rather than developing infrastructure or improving living conditions of the population,

the revenues generated from the resources are used to buy more weapons and exert greater control, accelerating the cycle of violence. The land and environment are ruined and the entire country collapses into violence, poverty, disease and chaos.

More than 40 percent of the world's cocoa beans come from Ivory Coast. Six million Ivoirians, or one in three people in the country, rely on cocoa production to survive. Cocoa is the country's biggest foreign-exchange earner.

For decades after gaining independence from France in 1960, Ivory Coast was an economic leader in West Africa because of the coffee and cocoa industries. President Felix Houphouët-Boigny, in power for more than 30 years, ruled with an open-door policy for migrants and through multi-ethnic coalitions of people from the largely Muslim North. These policies excluded the mostly Christian southerners. In the late 1980s there was a recession, and cocoa prices plummeted.

At the same time, the population grew significantly. Today 40 percent of the population of Ivory Coast is under 14 years old. Unemployment, poverty and discontent have bred violence along ethnic, religious and geographic lines. The hardest hit area is the western cocoa-growing region.

Weapons are everywhere, the economy is in shambles, people are polarized, and there is utter impunity for perpetrators of violence. Sexual brutality is widespread because there are no institutions to protect women and girls, to prosecute the offenders or to support the victims. A significant number of girls and women are victims of sexual violence.

Why is this happening? Because it can; because the culture of violence from past conflicts permeates the country; and because, when there is abject poverty, people's frustration and anger erupt into violence. And when women have no status, legal protection or no support, gender-based violence can spread like an epidemic. Human Rights Watch recently reported that criminal gangs, militia, police and rebel forces all subject locals to an unrelenting stream of banditry, assault, extortion and the rape of women, girls and even babies. State institutions have failed to prevent violence or to hold perpetrators accountable.

Tens of thousands of Ivorians have fled to neighboring Liberia, while more than 30,000 are displaced internally within Ivory Coast. This situation, according to experts at the United Nations and the International Criminal Court, has warning signs of an impending genocide. Tuesday, March 8, is International Women's Day. It's a good time to stand up for the safety and rights of women around the globe -- in our own communities and in Ivory Coast.

Ellen J. Kennedy is the executive director of World Without Genocide, a human rights organization headquartered at William Mitchell College of Law, St. Paul.

<https://www.mprnews.org/story/2011/03/04/ellen-kennedy-ivory-coast>

MPRnews

Young survivors of the worst horror

Ellen J. Kennedy

June 28, 2010 5:00 a.m.



Ellen J. Kennedy, Ph.D., is interim director of the Center for Holocaust and Genocide Studies at the University of Minnesota.
Photo Courtesy of Ellen J. Kennedy

When most people think of genocide, if they think of it at all, their image may be of Holocaust survivors in their 80s, with numbers tattooed on their forearms, telling stories about a war we didn't live through and an experience we can't understand.

We don't realize that when these survivors lived through the horrors of the Holocaust, they were children.

Children are the real casualties of genocide, children who survive with trauma stamped into their psyches, children who lost their homes, their cultures, their families and friends -- and their innocence.

What must it do to a child to live through genocide? To see the deliberate extermination of people, of their **own** people, based only on who they are -- extermination because of their race, religion, ethnicity or national origin?

The organization I lead, World Without Genocide, and Twin Cities Public Television explore this topic in a new documentary. "Children of Genocide: Five Who Survived," features a conversation with five people who were children or young adults when genocide happened in their countries. They are survivors of the Holocaust; Cambodia; Bosnia; Rwanda, and Sudan.

Children in places of terrible conflict witness mass violence. They often are victims of rape or other brutality. Children are sometimes forced to participate in military operations. They may become orphans. Thousands and thousands become heads of households, caring for other orphaned children. They might live in refugee camps on meager rations and with little hope for education or the future.

Yet children of genocide endure, many with deep physical and psychological wounds. Many survivors never speak of their torment because it is truly unspeakable. Their own words can make them relive the horror. Some find their voices to encourage us to take a stand against genocide and mass atrocity.

The five people in this film survived, and they ask us to take action. The words uttered after the Holocaust, "never again," became "over and over again" in the tragedies that followed: Cambodia in the 1970s, Rwanda and Bosnia in the 1990s, and now the crisis in Sudan. These survivors want "never again" to mean "never," and they ask all of us, ordinary citizens, to create a world without genocide. They are calling to our conscience -- those of us whose lives are blessed with peace but also, too often, with apathy and indifference.

Ellen J. Kennedy, Ph.D., is executive director of World Without Genocide, which says its mission, in part, is to prevent genocide by fighting racism and prejudice. The film "Children of Genocide: Five Who Survived" will have a public premiere at 7 p.m. Wednesday at Temple Israel in Minneapolis. The event is free and open to the public.

<https://www.mprnews.org/story/2010/06/28/kennedy>

MINNPOST

Targeted for genocide in Afghanistan: The Hazaras

The plight of the Hazaras isn't well known on the international stage. They are an ethno-religious minority, about 9% of the Afghani population of 36 million.

By [Ellen J. Kennedy](#)



Women demonstrators from Afghanistan's Hazara minority attending a protest in Kabul, Afghanistan, on July 23, 2016. *REUTERS/Omar Sobhani*

I teach a class at Mitchell Hamline School of Law in St. Paul titled "Genocide Prevention: A 21st-Century Challenge." At the beginning of each class, I invite the students to share updates on human rights issues in the news.

As you would imagine, the catastrophe in Afghanistan weighs heavily on all of us – the chaos, the violence, the terrorist attacks, the apparent inability to protect and evacuate those who are desperately trying to leave, and the fear of the future, especially for women and girls.

Last week, one of the students mentioned a personal connection. He was flying back to the U.S. from overseas. His seatmate was an Afghani, more specifically an Afghani Hazara, who was coming to the U.S. to study.

The Hazaras have been targeted for genocide. A few days ago, the U.S. Holocaust Memorial Museum sent out a Museum Statement on the Hazara.

The statement reads, “We are concerned about ethnic and religious minorities, specifically the Shi’a minority who belong predominantly to the Hazara ethnic group, which faces a risk of crimes against humanity or even genocide.”

Genocide Watch, an internationally known organization focusing on genocide prevention, calls the Hazara situation a *genocide emergency*.

Human Rights Watch is urging the U.N. Human Rights Commission to investigate the killing of Hazaras as genocide or as a crime against humanity.

U.S. Ambassador to the United Nations Linda Thomas-Greenfield recently spoke about the violence directed against ethnic and religious minorities in Afghanistan. She, too, singled out the desperate situation of the Hazaras: “I want to extend my deepest condolences to these victims and their families, and in particular, the Hazara community that has been so acutely impacted by these attacks.”

Who are the Hazaras? The plight of the Hazaras isn’t well known on the international stage. They are an ethno-religious minority, about 9% of the Afghani population of 36 million. Although most of the Afghan people identify as Sunni Muslims, most Hazaras are Shi’a (or Shi’ite). The Hazaras are perceived as ethnically, physically, and linguistically distinct from the Pashtun, who make up 40% of the population, and the Tajik, the second-largest group at 25%.

Why are the Hazaras targeted? Because of their religious status, they have long faced discrimination from the majority population and specifically from IS and other Sunni terrorist groups. ISIS-K claims a goal to exterminate all Shi’a, including the Hazaras.

The death toll of Afghans in the past decades’ conflicts is more than 47,000. Hazaras are a disproportionate number of that total; they have been singled out for killings, beheadings, suicide bomb attacks, and kidnappings.

According to an AP report on June 21, 2021, Hazaras have been targeted at schools, weddings, mosques, sports clubs, and even at births.

The AP report highlighted gunmen’s attack on a maternity hospital in a Hazara neighborhood that killed 24 people, including newborns and their mothers. In May 2021, a school bombing in the same area killed 100 Hazara schoolgirls.

Amnesty International reported the Taliban’s brutal massacre of nine Hazara men in July, six who were shot and three who were tortured to death. Torture and murder in the context of armed conflict, in addition to the deliberate targeting of civilians, hospitals, and children, are war crimes.

The United Nations Convention on the Prevention and Punishment of the Crime of Genocide, passed in 1948, defines genocide as ‘the intent to exterminate, in whole or in part, a national, ethnic, racial, or religious group.’ As the Holocaust Museum statement notes, the Hazaras are targeted because of their ethnicity and religion.

What is being done? The International Criminal Court, located in The Hague, Netherlands, is the world's only permanent tribunal established to prosecute individuals for genocide, crimes against humanity, war crimes, and the crime of aggression. The court, to which 123 countries of the world are parties, opened an investigation in 2006 into crimes perpetrated in Afghanistan by the Taliban, the Afghan government, and the United States. The U.S. is alone among Western nations and democracies in not being a party to the court. The Trump administration exerted considerable pressure on the court to drop this case and, after U.S.-imposed sanctions, visa denials, and other reprisals against court prosecutors and administrators, the case was shelved.

In 2020, upon review by the court's Appeals Chamber and after global outrage over apparent U.S. intimidation of court members, the case was reinstated and is in process. The hope is that there will be accountability for the crimes perpetrated by all sides.

What can we do? This genocide is occurring now, on our watch. We can ask our senators and representatives in Congress to consider the Hazaras in plans that are being developed to enhance safety for people in Afghanistan and in refugee resettlement. They are at grave risk.

World Without Genocide will hold a webinar via Zoom on Sunday, Oct. 24, 1 to 2:30 p.m. CDT, on "Afghanistan: Genocide, War Crimes, and the International Criminal Court." The event is open to the public. [Register by Oct. 23](#). \$10 general public, \$5 students and seniors, free to Mitchell Hamline students, \$25 for Minnesota lawyers for 1.5 Elimination of Bias credits (pending). "Clock hours" for teachers, nurses, and social workers.



Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide at Mitchell Hamline School of Law and an adjunct professor of law.

<https://www.minnpost.com/community-voices/2021/09/targeted-for-genocide-in-afghanistan-the-hazaras/>

MINNPOST

Genocide over and over again: From the Armenians to the Syrians

By Ellen J. Kennedy | May 5, 2018



The Syrian government, under dictator Bashar al-Assad, is waging a brutal war against its own citizens. REUTERS/Aboud Hamam

Innocent civilians were rounded up, put onto trains, and deported to a network of 25 concentration camps where they suffered torture, medical experimentation, starvation, disease, and death. Those who didn't perish in the concentration camps were sent on a death march, a forced march during which the prisoners were left to die along the way from hunger, thirst, disease, abuse, or outright murder.

An estimated 1.5 million men, women, and children perished.

This was a systematic slaughter aimed at eliminating a minority religious group that the majority had labeled 'vermin.'

This was not the Holocaust. This was the genocide of the Armenians, 1915-1923, what Winston Churchill described as an "administrative holocaust," and he noted, "This crime was planned and executed for political reasons ... for clearing Turkish soil of a Christian race."

Who speaks today of the Armenians?

Adolf Hitler used the catastrophe to justify the Nazi murder of 6 million Jews, saying in 1939, "Who, after all, speaks today of the annihilation of the Armenians?"

When we don't know or don't remember, we are prone to repeat the same cycles of violence, destruction, and displacement. Today there is a link between two atrocities that happened in the very same place yet are separated across a century of time.

Deir-zor. Aleppo. Tall Abyad. Ras al-Ayn. Shaddadi. Kessab. These cities were once part of the Ottoman Empire, and in these cities a little more than a century ago, on April 24, 1915, the Turkish government arrested and executed several hundred Armenian intellectuals. After that, ordinary Armenians were rounded up and sent on death marches through the Mesopotamian desert without food or water, forced to walk naked in the blazing sun, shot if they stopped to rest.

At the same time, Ottoman rulers organized killing squads to carry out, as one officer put it, “the liquidation of the Christian elements.” They drowned people in rivers, threw them off cliffs, crucified them, and burned them alive. Bones litter the countryside yet today. Armenian children were stolen and given to Turkish families. Women were raped, marked with tattoos showing “ownership,” and forced into Turkish harems and households. Local Turks seized Armenians’ homes and property.

By the time the genocide ended, there were only about 200,000 Armenians remaining in the Ottoman Empire – some of them saved by Turkish “upstanders.”

A century later

These cities of Armenian tragedy are located in today’s country of Syria. And today there is war, devastation, hunger, torture, displacement, forced disappearance, and death – in these very same places once again.

The Syrian government, under dictator Bashar al-Assad, is waging a brutal war against its own citizens. By the numbers: 500,000 people killed by poison gas, barrel bombs, starvation, disease, and torture; 6.6 million displaced within their own country; and 5 million refugees who have fled from Syria. Assad’s war is a *politicide*, an effort to eliminate people who began protesting against their dictator in March 2011.

What connects these two tragedies, besides the terrible coincidence of brutalities in the same places? The underlying cause of the violence: *climate disruptions*.

Drought and genocide

Droughts and floods devastate agriculture, and when people’s bellies are empty, they do what’s necessary to survive. They can easily be motivated to blame others for their despair and to take out their anger and frustration against a scapegoat, typically a religious or ethnic minority group. That was the tragedy of the Armenian genocide.

In 1873-75 the Ottoman Empire was stricken with record droughts. Edgar Whitaker, British editor of an Istanbul newspaper, wrote, “A struggle against death from starvation has been going on [in the Ottoman Empire] for the last twenty months, and the whole population has been decimated, enfeebled by disease, and so scattered and dispersed, that the whole of its social system had been utterly disorganized.”

The climate events combined with regional political and economic vulnerability to turn drought into catastrophe. In a war with Russia a few years later, the Ottoman Empire lost a great deal of its European territory. Turkish citizens from those regions came streaming back into the Empire needing food, housing, and work, but they came back to a country devastated by drought. This crisis magnified already-existing ethnic and religious divisions: Muslim against Christian; Turk against Assyrian, Armenian, and Greek.

For the next several years, the drought conditions intensified, worsening in 1879-1881 when there were urban bread riots. The "Armenian Question" depicted the Armenians as Christian infidels allied to the enemy Russia and responsible for the collapsing Ottoman Muslim economy and political empire.

It was a small step to go from scapegoating the Armenians to exterminating them.

A hundred years later, Syria's tragedy also started with a drought. From 2006-2011 up to 60 percent of Syria's land experienced the worst long-term drought and most severe set of crop failures since agricultural civilizations began in the Fertile Crescent many millennia ago.

In 2009, the UN reported that more than 800,000 Syrians had lost their entire livelihood because of the droughts. By 2011, about 1 million Syrians were food-insecure and as many as 3 million, about 14 percent of the entire population, were driven into extreme poverty.

Rural families fled to the cities. Crop failures in the farming villages around Aleppo alone led 200,000 rural villagers to leave. Syrian cities were already struggling to cope with Iraqi refugees from the U.S. invasion in 2003, and this current crisis added insurmountable burdens.

Hunger and desperation, water shortages and crop failures, continued population growth and massive internal displacement all resulted in Syria's originally peaceful opposition movement. The contestation with the Assad government quickly devolved into one of the worst crises on the planet.

A path to peace?

In the short term, the thousands of starving and ill Syrians, both inside of Syria and in refugee camps in neighboring countries, must have access to food, water, medical treatment, and shelter. In the long term, any peace will be unsustainable unless the fundamental needs of food and water can be assured.

During the Armenian genocide, Syria was a refuge for families who survived the forced marches and mass violence in the desert. Today, Armenia has welcomed more than 30,000 Armenian refugees from Syria.

World Without Genocide is honoring Dr. Taner Akcam, Turkish scholar of the Armenian genocide and global human rights leader, with the "Outstanding Upstander" award. Akcam will speak at an event on Monday, May 14, at 7 p.m. For tickets and information, go here.

Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide.

www.minnpost.com/community-voices/2018/05/genocide-over-and-over-again-armenians-syrians

MPRnews

A funeral for 775 people

Ellen J. Kennedy

December 29, 2010 11:00 a.m.



Ellen J. Kennedy is executive director of World Without Genocide, based at William Mitchell College of Law in St. Paul.
Photo Courtesy of Ellen J. Kennedy

Last summer I went to a funeral for 775 people. It was a horrifying experience. I watched a sea of green-draped coffins being carried through a crowd of 60,000 mourners and witnesses. This was the legacy of genocide in Srebrenica, Bosnia.

In July 1995, with Dutch U.N. peacekeepers in sight, more than 8,000 Bosnian men and boys were exterminated by Serb militias and ordinary civilians in a tragedy we now label "genocide," as the former Yugoslavia collapsed into violence.

This happened in Europe, the same Europe that vowed "never again" after the Holocaust, the same part of the world where, 50 years earlier, a Nazi puppet regime in Croatia had exterminated thousands and thousands of innocent Serbs, Jews, and Roma (gypsies).

For the past six years, similar funerals have been held in Srebrenica as the remains of those who perished are exhumed, examined and identified through painstaking DNA analysis of bone fragments and teeth. Several thousand of the dead have not yet been found or identified.

We know that genocides happen for many complicated reasons -- economic instability, political turmoil, autocratic governments, marginalization of groups based on race, religion, ethnicity or national origin. But genocides also happen for a simple reason -- we let them happen. We know bad things are occurring, but we turn a blind eye.

We stay bystanders for several reasons. We hope that someone else will act so that we can remain indifferent. We hope that someone else will know what to do because we don't. We hope that someone else will care so that we won't have to.

Being a bystander is hard, though. It requires that we shut ourselves off from our brothers and sisters and that we bury any guilt or obligation or responsibility. After a while, we rationalize our stance out loud -- we're too busy, it's too complicated, it's not our problem, we have our own issues in our own back yard.

But the problem IS in our back yard. Dead people in Srebrenica -- how does that connect to life in Minnesota?

Human trafficking. Sales of body parts. Mail-order brides and sexual exploitation. Vast criminal networks selling drugs, guns and people, a culture of criminality and modern-day slavery in the aftermath of genocide and a failed state.

This is the legacy of genocide: the inability to rebuild civil society, the rule of law, and an economic infrastructure to promote and protect human rights.

Minnesota has the 13th highest proportion of human trafficking in the United States, and many of those who are trafficked for sex and for labor are from places that have experienced the cataclysms of genocide and mass conflict -- Cambodia, Kosovo, Bosnia, Somalia. When people are desperate, they can be manipulated into inhuman conditions.

Tragedies like genocides aren't natural disasters to be solved with humanitarian aid, with tarps and tents and food and water. Genocides and mass atrocities need reconstruction of social will and of the human spirit to bring rights and equality for everyone.

For people in Bosnia, the funerals in Srebrenica are a step toward accepting the past and creating a bridge to the future.

For people in Minnesota, the recent tragedies affecting immigrants affect us all. We can reach out with care and compassion to immigrant communities in our schools, neighborhoods and communities. Tragedies anywhere affect us all.

Ellen J. Kennedy is executive director of World Without Genocide, based at William Mitchell College of Law in St. Paul.

<https://www.mprnews.org/story/2010/12/29/kennedy>

MINNPOST

China, Tibet, and the Uighurs: a pattern of genocide

The reasons are the same in both Tibet and Xinjiang: China wants to control the two regions.

By [Ellen J. Kennedy](#) | Sept. 9, 2020



Hong Kong protesters rallying in support of the human rights of Xinjiang Uighurs on December 22, 2019. *REUTERS/Lucy Nicholson*

One factor that predicts whether a genocide will occur is whether it already happened in a place once, or if the same perpetrators carried out a genocide somewhere else and then used their playbook in a second place.

For example, Germany's Second Reich exterminated the Indigenous Herero and Nama people in 1904 in the African country now known as Namibia. The techniques, the perpetrators, and the motivations were refined, updated, and used a few decades later in the Holocaust. Same perpetrators, different location.

The United States carried out a genocide against the American Indians and used many similar techniques of enslavement and brutality against Blacks. Same perpetrators, same location.

China is another example: first a genocide against the people of Tibet, then against the Uighurs.

Tibet was autonomous until China occupied the region in 1951.

Beginning in 1959 and continuing through to today, the Communist Chinese government has perpetrated a genocide against the Buddhist people of Tibet in the Tibetan Autonomous Region north of the Himalaya Mountains in China.

The International Commission of Jurists (ICJ), a human rights organization composed of 60 eminent lawyers and jurists, has investigated the situation in Tibet. ICJ has documented, in great detail, China's effort to gain total control of Tibet.

These practices have included massive use of forced labor resulting in the deaths of thousands of Tibetans; forced sterilization of the women; destruction of agricultural lands and irrigation systems creating widespread famine; destruction of trade and commerce, devastating the livelihoods of thousands of Tibetans; systematic religious persecution; forced indoctrination into Communist ideology; large-scale aerial bombing and massacres; removal and deportation

of males between the ages of 15 and 60 to prevent protests; confiscation of property from monasteries, private individuals, and former Tibetan officials; imprisonment, deportation, and murder of thousands of people in the resistance movement; transfer of Han majority people into the region; extrajudicial and arbitrary executions; intensive re-education; and widespread torture.

ICJ Secretary General Jean-Flavien Lalive wrote in July 1959, when the genocidal actions began, “The danger in such cases as that of Tibet is of a feeling of impotence and powerlessness overcoming people in the face of a *fait accompli*. What happened in Tibet yesterday may happen in our own countries tomorrow.”

What happened in Tibet continues today and, since 2014, it is also happening in Xinjiang Autonomous Region in western China against the Uighurs, a Turkic Muslim minority, in conditions that human rights experts have labeled both physical and cultural genocide.

The reasons are the same in both cases: China wants to control the two regions.

About 94% of the Chinese population is ethnically Han. Ethnic minorities such as the Tibetans and the Uighurs, although very small in numbers, present a potential threat to the homogeneous Chinese national identity and a perceived danger of provocation and dissension, especially given their respective border locations. The Tibetans and the Uighurs have, indeed, attempted to reclaim their original autonomy from China’s long and heavy arm, and China’s response has been massive, military, and violent.

In addition, both the Tibetans and the Uighurs are concentrated in geographical regions that the Chinese government wants.

In 2013, Chinese President Xi Jinping launched a global development project known as the “Belt and Road initiative” (BRI). The BRI will expand China’s economic and political influence on a global scale.

China is developing pipelines, highways, railways, whole port cities, and faster border crossings in a network of interconnectivity, with China at the hub of six economic corridors. The corridors expand China’s economic and geopolitical influence outward and they increase the flow of raw materials and resources inward, back to China. The BRI reaches throughout Asia to Europe, Australia, to many countries in Africa, with plans to reach the Americas as well.

The genocide of the Uighurs has a direct connection to the growing BRI. Xinjiang is crucial for the successful expansion of the BRI. Three of the six economic corridors connecting China to the world run directly through Xinjiang. And the Uighurs, very simply, are in the way – they are in the region, on the land, and they could potentially obstruct Chinese development with unrest aimed at independence.

China wants control of Xinjiang for another reason as well.

Xinjiang is expected to produce 35 million tons of crude oil by the end of 2020. Xinjiang also has the country's largest coal reserves — an estimated 40 percent of China's national total, and the country's largest natural gas reserves. And the Uighurs are sitting on it.

The story in Tibet is a direct parallel to the Uighur story in Xinjiang.

The “Himalayan Economic Rim” refers to BRI networks in Tibet that are directed toward the three neighboring countries of Nepal, India, and Bhutan. Further connections will run from Tibet to the Bangladesh-China-India-Myanmar Economic Corridor.

And the Tibetans are in the way of Chinese development and control in Tibet just like the Uighurs are in the way in Xinjiang. Tibet has natural resources that China needs; over 30 percent of the country's hydro-electric power comes from Tibet. Additionally, China is the world's largest producer of copper, and fully a sixth of it is in Tibet.

Two genocides, same playbook. China, today's behemoth on the planet, appears to have near-complete impunity for its egregious human rights violations.

An effort in Spain's national courts to use universal jurisdiction to prosecute China's leaders for Tibet's genocide ground to a halt in 2014. Suddenly Spanish law changed, making it impossible for the case to go forward. Did China lean on Spain? A 2015 legal analysis suggests that Spain did, indeed, succumb to *realpolitik's* pressures exerted by China and withdrew the case.

Today, China wields great weight at the United Nations because of its significant economic investment in countries around the world and those countries' corresponding reluctance to criticize the big benefactor. China's hegemony successfully keeps UN and other watchdogs from monitoring the genocide of the Uighurs.

There is a new effort to address China's human rights violations in Tibet is through a proposed investigation at the International Criminal Court. Because China is not a party to the court, this would require some jurisdictional maneuvering, and while it is not impossible, it is perhaps unlikely.

Genocide. From “never again” to over and over again in China.

World Without Genocide will host a talk about the genocides in Tibet and of the Uighurs on Wednesday, Sept. 30, from 7 p.m. to 9 p.m. via Zoom. Registration is required. The event is open to the public. \$10 general public, \$5 students and seniors, free to Mitchell Hamline students (diversity credits available); clock hours for teachers, nurses, and social workers. \$25 for 2 ‘Elimination of Bias’ CLE credits for lawyers.



Ellen J. Kennedy, Ph.D., is the executive director of [World Without Genocide](https://www.minnpost.com/community-voices/2020/09/china-tibet-and-the-uighurs-a-pattern-of-genocide/) at Mitchell Hamline School of Law.

<https://www.minnpost.com/community-voices/2020/09/china-tibet-and-the-uighurs-a-pattern-of-genocide/>

MINNPOST

High-tech genocides: From the Jews to the Uyghurs

We know the outcome of Nazi high-tech during the Holocaust. It is time to respond to China's high-tech persecution of the Uyghurs.

By [Ellen J. Kennedy](#) | Aug. 7, 2019



An ethnic Uyghur woman hugs her son as she stands outside her house with her daughter and neighbors at an old residential area of Kashgar, Xinjiang Uyghur Autonomous Region.

REUTERS/Rooney Chen

The Holocaust was a 1940s high-tech genocide. Nazi leadership mobilized German scientists, doctors, engineers, and business experts to research and implement the most efficient strategies to prevent and destroy life. It took great ingenuity to exterminate 6 million Jews and 5 million other innocent people from across 11 European countries in the space of just a few years.

Part of the plan to create the ideal Aryan race was the forced sterilization of those determined to be “abnormal” or useless — the physically or cognitively impaired. Research resulted in the use of intra-uterine injections of acid liquids, without anesthesia, during regular health exams. Many women died during the experimental process, which took place at various concentration camps. Professor Karl Clauberg developed a method at Auschwitz by which he could sterilize 1,000 women a day. There were ultimately an estimated 400,000 forced sterilizations.

Another medical development was individual execution of thousands by injection of the toxic chemical phenol or gasoline.

Millions of Jews were killed efficiently by techniques developed by engineers: the use of Zyklon B in gas chambers and the systematic disposal of up to 1,400 bodies in a single crematorium in a day.

New data technology played a part as well. In 1933, the year that Hitler came to power, the Nazis conducted a population census. That census, using new IBM punch-card technology, provided the basis for the Nazi state to identify, isolate, and ultimately exterminate, Germany's Jews.

As country after country across Europe fell to Nazi control, the Nazis implemented a population census in each location to identify and isolate Jews and Roma (gypsies). These census operations used technology and cards supplied by IBM's German and Polish subsidiaries. The

data generated by means of the IBM-supplied counting and alphabetizing equipment was instrumental in ultimately destroying Jewish populations across Europe.

These medical, engineering, and business strategies represented high-tech tools of the era, all used for extermination.

China's Uyghurs: today's high-tech genocide. In western China's Xinjiang province, ethnic Turkic Muslims known as Uyghurs (WEE-gurs) are targeted by the Chinese government in a cultural genocide, the destruction of the entire group by wiping out their religion, language, and ethnic identity. Omer Kanat, the director of the Uyghur Human Rights Watch, calls this "a genocide without the gas chambers."

The Chinese government labels the Uyghurs, about 10 million people in a province of 21.8 million, as a terrorist or security risk for two reasons. First, they are a minority group unwilling to submit to Chinese ideology. Second, and perhaps more significantly, they are a threat to China's Belt and Road Initiative (BRI) in Xinjiang province.

What is the BRI? This name derives from the ancient Chinese Silk Road of the Han dynasty 2,000 years ago that linked the civilizations of Rome and China for trade, with China's silk going to the west and Rome's wool, gold, and silver traveling to China.

In 2013 China's President Xi Jinping coined the name Belt and Road Initiative, drawing inspiration from the Silk Road. "Belt" refers to the Silk Road Economic Belt, land routes for road and rail transportation; "Road" refers to sea routes, the 21st century Maritime Silk Road.

As part of the BRI, China has developed infrastructure in 152 countries across the world: in Asia, Europe, Africa, the Middle East, and the Americas, with Chile and Panama the proposed Americas targets.

China's goal is to control access and ownership to natural resources such as oil and gas; distribution via all modes, including ports, railways, and airports; and then extending this economic hegemony to control politics of countries along the BRI through this vast integrated network. China's plan looks like a giant octopus with tentacles reaching around the planet.

The BRI and the Uyghurs. Very simply, the Uyghurs are in China's way. Xinjiang province is rich in oil and gas, and it is the site of current railroads and future gas pipelines. The Uyghurs resist China's influence in the province, which upsets China's ability to manage Xinjiang's resources. The Chinese government is responding by persecuting the Uyghurs to gain complete control in this vital BRI link.

High-tech crimes. China's goal is to erase the Uyghur culture and the Muslim religion through Uyghurs' forced acculturation to Chinese ideology.

China is one of the world's most technologically advanced countries. In Xinjiang, technology is used to monitor and persecute the Uyghurs with facial recognition devices, smartphone scanners, the mandatory installation of spyware on electronics, DNA testing, and biometric data. These tools target Uyghurs and surveil for activists and dissenters. Police officers have smart glasses to assess distances people have traveled from their registered addresses. Using artificial intelligence, profiles are developed to predict which individuals are significant "threats" to the Chinese authorities and warrant incarceration. It is said that this is the most intense government surveillance in the world today.

The United Nations estimates that up to 2 million Uyghurs have been rounded up and put into "re-education camps."

The millions in detention are tortured, often for years. Unknown numbers are "disappeared." Forced organ harvesting has been documented. And the children of those who are incarcerated are left behind. Some are placed in situations like American Indian youth who were forced into boarding schools; others are given to Han Chinese to raise, a practice akin to the removal of children from targeted groups during the genocides in Guatemala and Argentina. And untold numbers are on their own, not unlike the migrant infants and children on our own southern border.

Outcry: China Tribunal report, doctors' report, letter. On June 17, the independent China Tribunal reported that China's persecution of the Uyghurs is a crime against humanity and may rise to the level of genocide based on evidence from medical experts and human rights investigators. Sir Geoffrey Nice, tribunal chair and a past prosecutor at the U.N. International Criminal Tribunal for former Yugoslavia, said, "The conclusion shows that very many people have died indescribably hideous deaths for no reason, that more may suffer in similar ways, and that all of us live on a planet where extreme wickedness may be found in the power of those running a country with one of the oldest civilizations known to modern man."

Shortly thereafter, Doctors Against Forced Organ Harvesting called on the U.S. Congress to investigate whether the forced harvesting of Uyghurs' human organs constitutes genocide.

In early July, U.N. ambassadors from 22 Western countries signed a letter to the U.N. Human Rights Council and the U.N. High Commissioner for Human Rights protesting China's treatment of Uyghur people. The ambassadors raised their concerns in a letter instead of in a resolution, which China, a permanent member of the U.N. Security Council, would certainly have vetoed on the spot.

The United States was silent. This is attributed to a fear that criticizing China would jeopardize China-U.S. trade talks. Economics trumps human rights in the Trump administration. And the U.S. withdrew from the Human Rights Council last summer, a rather clear statement of priorities.

A few days after the letter of concern, a second letter emerged, signed by 37 governments and defending China's actions against the Uyghurs. Signatories included many Muslim countries as well as Russia and North Korea. All 37 governments in the response letter have terrible human rights records. Many have also received significant loans from China and are benefiting from China's BRI. Most Muslim-majority countries, including Malaysia and Indonesia, have remained silent, reluctant to oppose China's increasing power and influence.

We know the outcome of Nazi high-tech during the Holocaust. It is time to respond to China's high-tech persecution of the Uyghurs.

Learn more and take action. Hoernisa Cohen, a Uyghur human rights activist, will speak at World Without Genocide on Thursday, Aug. 8. The program, 7 p.m. to 9 p.m., will be held at Mitchell Hamline School of Law, 875 Summit Avenue, St. Paul. The event is free and open to the public; no registration is necessary. Lawyers: 2 standard CLE credits (\$25). Information at admin@worldwithoutgenocide.org 651-695-7621.



Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide at Mitchell Hamline School of Law.

<https://www.minnpost.com/community-voices/2019/08/high-tech-genocides-from-the-jews-to-the-uyghurs/>



Persecution of Uighurs must be opposed

Members of the minority group in western China are being imprisoned in political re-education camps and this bill will help stop it.

By Chloe Elias Morse | AUGUST 2, 2019 — 6:13PM



ANDY WONG • ASSOCIATED PRESS

Shohrat Zakir, chairman of China's Xinjiang Uighur Autonomous Region, held a news conference in July defending the political re-education centers in the region as an effective deterrent against terrorism and religious extremism. These camps are estimated to hold at least 1 million people.

Hoernisa Cohen's voice shook with anger as she told me how her brother had been detained in a Chinese political re-education camp.

Even after he was released, a Chinese government official would listen to every phone conversation they shared, preventing them from ever talking freely. And then, about two years ago, even worse: Cohen lost contact with her family. She's been unable to find them, and she doesn't know where they are or if they're alive.

Her fear and desperation drove her to finally start speaking out about what was happening to the Uighurs, Cohen said, because she knew she could no longer protect her family by remaining silent.

I was writing a story for my high school newspaper about the cultural genocide of the Uighurs, a Turkic Muslim minority living in western China, when I had the inspiring opportunity to do a phone interview with Cohen, a leading Uighur rights activist living in the U.S.

Listening to her stories made the facts and figures of my emotionless research come alive, and gave me a personal connection that inspired me to keep spreading the word about the Uighurs' plight.

The cultural genocide of the Uighurs in China is being driven by the Chinese Communist Party's (CCP) Belt and Road Initiative (BRI), a land-based trade route that would connect Central and South Asia, the Middle East and Europe, thus helping expand China's economic and political power. The hub of the BRI would be located in Xinjiang, which is the region that the Uighurs have called home for hundreds of years.

In order to control Xinjiang, the CCP is persecuting the Uighurs who live there. Ever since the CCP came into power in 1949, the Uighurs have lived at the bottom of China's social hierarchy, distrusted because of their Muslim religion and Turkish roots. Now, in preparation for the BRI, the CCP has labeled the Uighurs a threat, believing that they could destabilize the region, and consequently, China's control over the BRI, through separatism and terrorism.

Despite having no evidence that there is widespread separatist and terrorist activity among the Uighurs, the CCP is carrying out an aggressive campaign of forced assimilation by violently punishing the practice of all Muslim traditions and culture.

According to Human Rights Watch, tens of thousands of security personnel, as well as police stations and checkpoints, have been established in Xinjiang since 2016. These officials determine how politically trustworthy the Uighurs are.

"Untrustworthy" Uighurs are sent to political re-education camps, which are estimated to currently hold at least 1 million people, according to Human Rights Watch. While the Chinese government claims that these camps are "vocational education and employment training centers," they have forbidden any independent monitoring of the facilities. Meanwhile, people who have left the camps tell a different story about life inside.

Uighurs are arrested and sent to the camps without an arrest warrant, a clearly outlined criminal offense or access to legal counsel. In the camps, they are forced to learn more than 1,000 Mandarin Chinese characters, sing praises of the Chinese Communist Party and memorize rules that limit Uighur ways of life before they can leave. In the hopes of extracting a confession of terrorist activities, the guards viciously interrogate and torture the prisoners. They are beaten, strapped into metal chairs and suspended from the ceiling. An independent international tribunal recently reported that the Uighurs are also forced into organ donation, one of the most horrific crimes imaginable.

Outside of the camps, Uighurs live in fear of being deemed politically untrustworthy. They must attend Chinese flag-raising ceremonies and obey rules that essentially outlaw Islam. To discover any Uighurs who break these rules, CCTV cameras placed all over the towns ensure constant surveillance, while government officials encourage neighbors to reveal "wrongdoings" of other neighbors, breeding a culture of fear, isolation and mistrust.

You may have read about all of this and, like me, absorbed it in an impersonal way. But you too have the opportunity to hear Cohen's compelling story firsthand.

I invite you to join me at an evening program of World Without Genocide's Summer Institute on August 8 at 7 p.m. at Mitchell Hamline School of Law, where I will be interviewing Cohen. After speaking on the phone with her, I know that hearing Cohen's story in person will be an even more powerful experience. She will be talking about her journey as a Uighur activist, her connection to the issue and the bill for which she is currently advocating, the Uighur Human

Rights Policy Act. This bill is currently being introduced in Congress and would condemn what is happening to the Uighurs as well as motivate numerous measures to stop it.

Whether you can come to hear Cohen or not, I call on you to support this bill. We all share a personal responsibility to combat injustice. Contact your representative in Congress and Sens. Amy Klobuchar and Tina Smith to urge them to support the bill. Spread the word.

I hope that with our combined efforts, Cohen and countless other Uighurs will be able to reunite their families and live free from persecution by their government.

Chloe Elias Morse (csemorse@gmail.com) is a 2019 graduate of St. Paul Academy and a Benjamin B. Ferencz Young Fellow at World Without Genocide.

<https://www.startribune.com/persecution-of-uighurs-must-be-opposed/514551152/>

Ellen J. Kennedy: It'll take more than food aid to counter Uyghur genocide



Members of the Uyghurs community, a mainly Muslim ethnic group originating from central and east Asia, rally against the Chinese government at the U.S. State Department at the U.S. State Department on Sept. 15, 2021, in Washington, D.C.

Kevin Dietsch/GettyImages/TNS

Opinion by Ellen J. Kennedy

February 1, 2022

What do you do in the face of genocide? It would have been ludicrous to send rice to Auschwitz. People were marched from arriving trains directly into large rooms where they died from inhaling poison gas, and their corpses were shoved into ovens and turned to dust. Rice would not have stopped the murders.

Today, Uyghurs and other Turkic Muslims in Xinjiang, western China are subjected to atrocities that experts name as genocide.

We know this through published reports over the past five years and the work of the Independent Uyghur Tribunal, headed by Sir Geoffrey Nice, Q.C. past prosecutor at the United Nations International Criminal Tribunal for former Yugoslavia.

The Tribunal heard testimony about abuses against the Uyghurs: torture, incarceration, surveillance, forced sterilization and abortion, rape and other sexual violence, forced harvesting of body organs, disappearances, slave labor, and extra-judicial killings.

On Dec. 9, 2021, the anniversary of the ratification of the UN Genocide Convention, the Tribunal announced that the violence against the Uyghurs constitutes genocide and crimes against humanity.

What is being done? The equivalent of sending rice.

On Dec. 6, 2021, the US announced that American diplomats would not attend the Beijing 2022 Winter Olympics.

The US has passed two pieces of legislation. The Uyghur Forced Labor Prevention Act of 2021 prohibits importing some Chinese-made goods that use Uyghurs' slave labor.

The intent was good, but some American firms successfully lobbied to weaken restrictions that would have dented their supply chains and their profit margins.

Last year Congress passed the Uyghur Human Rights Policy Act. It requires federal agencies to report on [human rights abuses](#) by the [Chinese Communist Party](#) (CCP) against the Uyghurs in Xinjiang province, China.

This, too, sounds helpful. However, the CCP moved thousands of Uyghurs from Xinjiang to at least nine other provinces throughout China. The bill applies to abuses ONLY in Xinjiang — and it requires nothing more than a report.

The Global Magnitsky Human Rights Accountability Act was invoked in July 2020. “The United States is committed to using the full breadth of its financial powers to hold human rights abusers accountable in Xinjiang and across the world,” said then-Secretary of State Steven T. Mnuchin, freezing any assets that four CCP officials might have in the US.

At the same time, the U.S. Departments of State, Treasury, Commerce, and Homeland Security issued the Xinjiang Supply Chain Business Advisory, “advising businesses with potential supply chain exposure to Xinjiang to consider the reputational, economic, and legal risks of involvement with entities that engage in human rights abuses in Xinjiang, such as forced labor,” according to the U.S. Treasury website.

On May 22, 2020, the U.S. Department of Commerce added nine Chinese entities related to human rights abuses in the Xinjiang region to 28 already on the Commerce Entity List.

In October 2019, the U.S. Department of State announced visa restrictions for officials responsible for human rights abuses in Xinjiang.

In [July 2019](#) , 22 countries, including the UK but not the US, wrote a letter to the UN's top human rights official calling on China to end its “mass arbitrary detentions and related violations” of Uyghurs. A week later, 50 countries, led by [Saudi Arabia and Russia](#) , released a

response defending China's actions in Xinjiang. Saudi Arabia's UN ambassador announced, "We support the developmental policies of China that have lifted people out of poverty."

So it's rice to Auschwitz — reports, warnings, sanctions. China's global economic power silences critics. Four Chinese leaders can't access financial accounts in the US — if they even have any. Businesses are advised — watch your reputations and your supply chains. U.S. government entities — write reports. And it doesn't matter if diplomats miss the Olympics.

Rice, rice, and more rice — while people are dying.

Why not prosecute China's officials? China is a signatory to the UN Genocide Convention. The International Court of Justice (ICJ) in The Hague, Netherlands adjudicates cases between states over broken treaties and conventions. Theoretically, another signatory country to the Genocide Convention could charge China with genocide at the ICJ. However, this isn't possible. When China ratified the Genocide Convention, it included a 'reservation,' exempting China from ever submitting to ICJ jurisdiction. There are no courts that can prosecute the CCP for genocide.

A recent Vox article suggests several U.S. actions.

- Form a strong coalition to enforce restrictions and cause China significant economic and political pain.
- Lead a *full* boycott of February's Olympics.
- Counter China at the UN.
- Welcome Uyghur refugees.

This genocide is on our watch. We must do more than send rice.

Ellen J. Kennedy, Ph.D., is executive director of World Without Genocide at Mitchell Hamline School of Law, St. Paul, and representative of World Without Genocide to the United Nations Department of Global Communications.

<https://www.postbulletin.com/opinion/columns/ellen-j-kennedy-itll-take-more-than-food-aid-to-counter-uyghur-genocide>

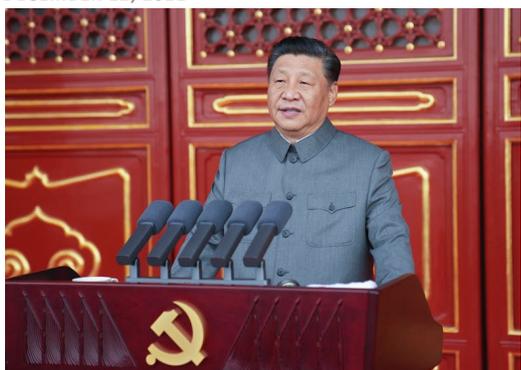


World must confront China, protect the vulnerable

China influences major U.N. bodies, and until someone stands up to it, people will continue to suffer.

By Ellen J. Kennedy

DECEMBER 12, 2021



LI XUEREN, AP

Chinese President and party leader Xi Jinping delivers a speech at a ceremony marking the centenary of the ruling Communist Party in Beijing, China, on July 1. China's Communist Party is marking the 100th anniversary of its founding with speeches and grand displays intended to showcase economic progress and social stability to justify its iron grip on political power that it shows no intention of relaxing.

In 2013, World Without Genocide, a human rights organization I direct, applied for consultative status at the United Nations. Our application was deferred.

We have since been deferred 18 times, twice a year since 2013.

We are not alone. Our organization is small, but even some big guys have been deferred. The U.N.'s 19-member Committee on Nongovernmental Organizations has voted no on the application of the Committee to Protect Journalists (CPJ) six times. China and Russia, where journalists are imprisoned in record numbers, led the "no" votes.

Over 6,000 NGOs from around the world have consultative status, affording them access to U.N. groups and meetings and visibility from U.N. affiliation.

Why would we be denied consultative status? We educate about genocides past and present and advocate for legislation to prevent genocide. We support U.N. goals and practices. We expected approval.

When CPJ's application was rejected, U.S. Ambassador to the U.N. Samantha Power called the action "outrageous." She told NPR, "The NGO committee acts more like an 'anti-NGO committee.'"

Several years ago, I met with someone who spoke confidentially about our deferrals. China, I was told, will never allow approval of our application because we publicly excoriate China's abuses against the Uyghurs and Tibetans in China, the Rohingya in Myanmar, and the Hmong in Laos.

China is a behemoth at the U.N., influencing major U.N. bodies — including the Committee on Nongovernmental Organizations. We are small potatoes, but a hot potato, nevertheless.

China is one of five permanent members of the U.N. Security Council. If any permanent member vetoes a resolution, it is defeated. The Security Council therefore cannot protect vulnerable minorities because China vetoes resolutions for peacekeeping, watchdogs, sanctions or intervention.

China needs oil, gas, water and minerals to fuel its drive for global economic control. The Chinese Communist Party (CCP) launched the Belt and Road Initiative (BRI) in 2013 to bring these resources into China with roads, rail lines, airports, bridges and port city developments in 143 countries.

China gives "loans" to countries for infrastructure projects. The loans essentially guarantee debtor nations' support for China's politics regardless of abuses against people who are in the way. The Uyghurs, Tibetans, Rohingya and Hmong are terrorized as China removes them to extract resources from areas they occupy.

Spain uses universal jurisdiction to prosecute people for perpetrating genocide anywhere in the world. A Tibetan Spanish citizen charged China's leaders with genocide in Tibet. The case was brought to a Spanish court.

Spain abruptly dropped the case in 2014 and changed laws to prevent future cases against China — perhaps responding to BRI negotiations in Spain. China leverages "loans" for legal impunity.

Human rights groups want the 2022 Olympic Winter Games moved from Beijing because of China's abuses. A bill in the U.S. House urges a move or a boycott, but lucrative marketing contracts apparently outweigh standing up against abuse. The current diplomatic boycott appears to be merely a symbolic effort.

The U.S. Uyghur Human Rights Policy Act allows for sanctions against Chinese officials who violate Uyghur human rights and requires FBI protection for Uyghurs in the U.S. from CCP intimidation.

The U.S., the E.U. member nations, the U.K., and Canada imposed sanctions against CCP members in 2021 for treatment of the Uyghurs. China retaliated with sanctions against Europeans for "maliciously spreading lies and disinformation."

The Independent People's Tribunal, jurists who appear impervious to CCP intimidation, investigated Uyghur persecution. The tribunal announced its findings Dec. 9. Although not legally binding, the results document China's actions against the Uyghurs as genocide and urge a global response.

The Inter-Parliamentary Alliance on China, 200 parliamentarians from 21 countries including the U.S., organized to hold China to international laws, human rights and to address security challenges from China.

World Without Genocide is a flea facing a behemoth. Because we speak out against China's abuses, we probably will never receive U.N. consultative status. The bigger issue is whether world leaders will ever protect vulnerable people.

Ellen J. Kennedy is executive director, World Without Genocide at Mitchell Hamline School of Law.
<https://www.startribune.com/world-must-confront-china-protect-the-vulnerable/600126464/>

The Taliban, Afghanistan, and the Uyghurs

The value of Afghanistan's rare earth elements is estimated at \$3 trillion. The pullout has happened, and those minerals are up for grabs — and China is grabbing.

By [Ellen J. Kennedy](#)



China is the Taliban's new best friend.

A broken-off minaret of Xinqu Mosque lies near a Chinese national flag near the house of worship in Changji outside Urumqi, Xinjiang Uyghur Autonomous Region, China. *REUTERS/Thomas Peter*

China's leaders are filling the vacuum in Afghanistan left by the U.S. pullout at the end of August. China has officially recognized the Taliban as the governing leadership in Afghanistan. China is funding Taliban operations, not just humanitarian aid.

What's the story here?

China wants control over Afghanistan for three reasons.

First, Afghanistan has some of the world's most valued resources — under the ground. They are known as REEs, rare earth elements, the minerals that are needed in nearly all electronics, from phones to drones: cobalt, lithium, copper, gold, uranium. The value of Afghanistan's minerals is estimated at \$3 trillion.

The Soviets discovered this treasure trove during their occupation of Afghanistan 30 years ago. They commissioned geological surveys, mapped where the resources were located and built infrastructure to facilitate Soviet extraction of the riches. In 1989 the Soviets precipitously left Afghanistan, but the surveys remained behind. U.S. geologists got their hands on them and updated them.

Whoever controls these minerals will control much of the world economy.

The New York Times reported (July 25, 2017): “The lure of Afghanistan as a war-torn Klondike is well established: In 2006, the George W. Bush administration conducted aerial surveys of the country to map its mineral resources. Under President Barack Obama, the Pentagon set up a task force to try to build a mining industry in Afghanistan — a challenge that was stymied by rampant corruption, as well as

security problems and the lack of roads, bridges or railroads.” President Donald Trump promised to pull out of Afghanistan, but he, too, was unwilling to abandon those REEs.

But the pullout has happened, and those minerals are up for grabs — and China is grabbing. China currently has global dominance of rare earths, both through internal sources and in production. But because these minerals are vital to technology in all areas, enough is never enough.

The second reason is China’s Belt and Road Initiative, the BRI. This is China’s vast network of roads, ports, power grids and railways that extends through at least 140 countries all over the world: Asia, Africa, Europe and South America. The Chinese government lends money to a country to build infrastructure projects. The hidden agenda, of course, is the geopolitical outcome: the debtor’s allegiance and gratitude to China for facilitating domestic development and support for China on the global political stage.

There are six main “belts” in this enormous network. One of them, the China-Pakistan Economic Corridor, or CPEC, is now being planned to go through — yes, Afghanistan.

Beijing is currently building a road through the Wakhan Corridor, a thin strip of land that gives China a 46-mile border with Afghanistan. This road will complement the CPEC route, and it will offer quick and easy transportation for bringing Afghanistan’s minerals directly to China.

The third reason why China wants control in Afghanistan is because of the Uyghurs. The Uyghurs, a Muslim ethnic minority, are located primarily in China’s Xinjiang province. This province is directly connected to Afghanistan through that small geographic fingertip linking the two countries, the Wakhan Corridor.

China has been persecuting the Xinjiang Uyghurs for years, on two accounts. First, Xinjiang also is a treasure chest of rare earth minerals. Mineral exploration started in Xinjiang in 2007. There are vast deposits of niobium, tantalum, and other minerals, and the Uyghurs are literally in the way. Beijing’s strategies to remove the Uyghurs from Xinjiang are nothing short of genocide.

The other part of the anti-Uyghur story is that the Uyghurs have long pressed for autonomy and independence. China portrays the Uyghurs as terrorists and insurrectionists.

In early October, the Taliban forcibly removed Uyghur militants who were near the Afghan-China border. There is conjecture that the Taliban will hand these Uyghurs over to China, to what will almost certainly be a grim fate.

According to some reports, a condition of Beijing’s increasing economic support for the Taliban in Afghanistan is in exchange for the Taliban to monitor and deny sanctuary to Uyghur groups in Afghanistan.

The geopolitics in this region will remain complicated by Afghanistan's "resource curse." The wealth under the ground is a flashpoint as nations vie to control these assets.

World Without Genocide is holding a webinar, "[Afghanistan: War Crimes, Genocide, and the International Criminal Court](#)," on Sun., Oct. 24, from 1 to 2:30 pm Central Time. The event is open to the public. Register by Oct. 23. \$10 general public, \$5 students and seniors, free to Mitchell Hamline students, \$25 for Minnesota lawyers for 1.5 Elimination of Bias credits. "Clock hours" for teachers, nurses, and social workers.



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<https://www.minnpost.com/community-voices/2021/10/the-taliban-afghanistan-and-the-uyghurs/>

MPRnews

In East Timor, a story of terrible tragedy gives way to a future of hope

Ellen J. Kennedy

August 12, 2011 10:00 a.m.



Ellen J. Kennedy is executive director of World Without Genocide, based at William Mitchell College of Law in St. Paul.

Photo Courtesy of Ellen J. Kennedy

Imagine a beautiful island in the South Pacific with water in every shade of blue -- cobalt, teal, aqua, turquoise. Add sunlight shining on the waves and sparkling like diamonds tossed onto the sea. Coconuts and bananas ripen on the trees, coffee grows on the hillsides, and fish are abundant.

To this picture of a paradise, add oil -- huge amounts of offshore oil in the Timor Sea. The story of East Timor, a small island nation north of Australia, is one of terrible tragedy. For more than 400 years the Portuguese controlled the eastern part of Timor, while the western portion belonged first to the Dutch and then to Indonesia. In 1975 the Portuguese left and the East Timorese people declared themselves to be an independent nation. But independence wasn't so simple.

The East Timorese freedom movement, headed by Jose Ramos-Horta and Xanana Gusmao, was left-leaning and pro-Marxist. This was at a time when the United States and our allies believed in the "domino theory" -- that if a country became Communist, communism would spread rapidly and one country after another would fall under its influence. This was the era of the Vietnam War, the U.S. bombing of Cambodia, and the devastation of Laos, all designed to contain Communism.

The governments of both Australia and Indonesia wanted that offshore oil, and didn't want another leftist country at the United Nations -- or on their doorsteps.

The Indonesian government, secretly armed by the United States, moved into East Timor. And from 1975 to 1999, an estimated 200,000 East Timorese perished. The country's infrastructure was obliterated; virtually all the roads, schools and institutions were destroyed.

Jose Ramos-Horta, now president of East Timor, received the Nobel Peace Prize in 1996 for his tireless campaign to call the world's attention to the genocide of the East Timorese. He raised international pressure through the United Nations and civil society groups in Portugal, Australia and the United States.

Indonesia's new president, B.J. Habibie, finally agreed to hold a referendum for East Timor. The people could choose whether to become a separate nation, be absorbed into Indonesia, or have limited autonomy under Indonesian control.

The United Nations organized a massive effort to enable the people to vote. And in 1999 they voted, in overwhelming numbers and with a resounding choice: independence.

The immediate response was another outbreak of horrific Indonesian-led violence, so heinous that the United Nations, in an unprecedented move, took complete control and governed East Timor for 18 months.

I went to East Timor last month, curious to learn how the country is rebuilding after more than 30 years of conflict. There is great hope for the future, despite many obstacles.

In this poorest nation in all of Asia, with very high rates of illiteracy, at least 75 percent of children are now in school. I visited one secondary school of 3,000 children, and it had only two toilets. Teenage girls, unable to take care of their monthly hygiene needs, regularly miss a week of school every month. Girls' dropout rate is high because this problem exists in nearly all the schools.

And even if the schools' problems of space and equipment are solved, there is an even greater challenge. The official language of the country is Portuguese, but only about 5 percent of the people can speak it. The legal system, in shambles after decades of fighting, also operates in Portuguese, which means that people can't understand the laws or the courts.

Most of the population is rural and the villages lack electricity, clean water, roads and adequate sanitation. Communication, transportation, nutrition and health care are serious challenges.

The legacy of conflict is not only the physical devastation of a people and its society, but also a violence that infects a culture. For decades, children have grown up with periods of brutality. Many people have built up a tolerance of violence -- against women and children in particular -- and they settle disagreements with fists, stones and knives.

But there is much that is encouraging. The United Nations and dozens of other non-governmental organizations are working with the local people to rebuild the economy, provide access to medical care and promote human rights. New farming strategies are increasing crop yields; diagnosis and treatment of diseases like leprosy have been effective; and education of youth on peaceful conflict resolution is making a difference. The democratic government, headed by Ramos-Horta and Gusmao, is respected throughout the country.

My organization hopes to help bring Ramos-Horta to Minnesota and to William Mitchell College of Law in 2013. This will be an opportunity for Minnesotans to reach out and support this new nation as it shapes its future.

Ellen Kennedy is executive director of World Without Genocide, located at William Mitchell College of Law in St. Paul.

<https://www.mprnews.org/story/2011/08/12/kennedy>

MINNPOST

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May 4, 2021

The Jews, the Armenians, and the Herero: genocides and tattoos

The survivors of genocides are permanently marked, not only through the psychological scars of lifelong trauma but also through physical symbols that perpetrators put onto their victims' bodies.

By [Ellen J. Kennedy](#)



Some of the 600 children who had survived Auschwitz II-Birkenau showing their tattooed identification numbers.

Picture taken from a Soviet documentary on the liberation of Auschwitz, 1945.

Unimaginable atrocities occur during a genocide, yet the terrors do not end when the fighting ends. The survivors are permanently marked, not only through the psychological scars of lifelong trauma but also through physical symbols that perpetrators put onto their victims' bodies.

German troops attempted to annihilate indigenous populations in the place known today as Namibia. They almost succeeded. When the extermination order was finally lifted in December 1904, it was replaced by orders to use surviving Herero as forced labor and to brand them on their arms with "GH" for "Gefangene Herero," or "Herero prisoner." The sight of that tattoo meant that a victim would never be free from the violence of the captors and of their own identity as a prisoner.

A decade later, Germany was an ally of the Ottoman Empire, today's Turkey. The Ottoman rulers carried out an exterminatory campaign against the Armenians, killing more than 1.5 million men, women, and children.

In this genocide, too, perpetrators marked their victims. Thousands of Armenian women were kidnapped from their families and taken into forced marriages or sexual slavery. They were branded by their "owners" with extensive symbols on their faces, throats, and hands – parts of their bodies that were always visible. These symbols designated the women as property, as less than human, and each successive owner put his mark on the women.

After the end of World War I and the Armenian genocide, missionaries and various organizations helped Armenian women and children escape from their captors. People like Karen Yeppe, a Danish missionary, risked grave danger as she rescued nearly 2,000 Armenian women from captivity, helping these women move forward with their lives.

Most of the tattooed Armenian women were outcasts, viewed as used and worthless, and many lived in shame and isolation for the rest of their lives, their stories seldom told, their experiences seldom honored.



Wikimedia Commons Armenian woman, tattooed in captivity, circa 1920s.

When I was a little girl, my mother had a friend, Pat, who had a rather unusual appearance. She had

beautiful long hair that she wore in a braid coiled on top of her head. When the braid was down, it came to her knees. She also had numbers inked on the inside of her left arm.

When I was older, I learned that Pat had been in Auschwitz, where prisoners' heads were shaved when they arrived. Pat had vowed never to cut her hair if she survived.

At Auschwitz, numbers were tattooed on prisoners' arms when they arrived. It was the only concentration camp, out of the 42,000 places of terror used for slave labor, detention, and extermination, where permanent numbers were inked into prisoners' skin.

It was hard for orderly and meticulous Germans to keep track of the millions of people they were imprisoning and murdering. Prisoners were originally given numbers that were sewn onto their clothes, but when the prisoners died and the clothes were given to the next doomed soul, how could the guards know which prisoners had perished? The answer was to have a permanent number on the naked body, and so prisoners were tattooed with numbers and symbols.

Tattooing started in the fall of 1941. Auschwitz administrators marked Soviet POWs with numbers on the left side of the prisoner's chest. By spring 1942, all incoming prisoners were tattooed on the left forearm, with some exceptions for German and Austrian prisoners and members of a few other groups.

The time and energy to ink the prisoners wasn't wasted on Jews who were designated immediately for the gas chambers, only for those who were going to be enslaved as laborers before being exterminated.

The tattoos were permanent. For the survivors, they were daily reminders of the atrocities they endured and of global silence in the face of the atrocities. The Auschwitz survivors, the Herero prisoners, and the Armenian women carried the marks of their dehumanization throughout their entire lives.

But for some people, the tattoos have become symbols of defiance, memorialization, and honor.

My friend Mark is the grandson of four Holocaust survivors. He grew up in Ecuador among a small community of Jews who fled from Europe after the Holocaust. He said that the Auschwitz survivors always wear short sleeves so that their numbers will forever be visible, a reminder of a time that the world did nothing.

Soon there will be no Holocaust survivors remaining among us. But the grandchildren of some tattooed elders are getting tattooed with their grandparents' Auschwitz numbers.

The marks from Auschwitz will outlive the survivors. The marks will be a small yet visible sign of resistance and endurance.

World Without Genocide is hosting a public webinar on Tuesday, May 11, 7 p.m. to 9 p.m. CDT, "The Armenian Genocide Then and the Nagorno-Karabakh/Artsakh Conflict Today." Registration is required by May 10 at www.worldwithoutgenocide.org/aermeria \$10 general public, \$5 students and seniors, \$25 2 CLE Elimination of Bias credits for Minnesota lawyers. Continuing education certificates for teachers, social workers, and nurses.

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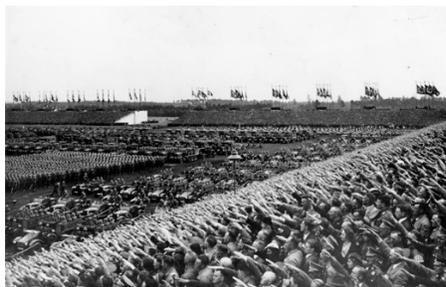
Ellen J. Kennedy, Ph.D., is the executive director of [World Without Genocide](http://www.worldwithoutgenocide.org) at Mitchell Hamline School of Law.

<https://www.minnpost.com/community-voices/2021/05/the-jews-the-armenians-and-the-herero-genocides-and-tattoos/>

MINNPOST

'My grandfather was a Nazi': Taking responsibility for the past

By [Ellen J. Kennedy](#) | 06/29/2020



Wikimedia Commons/German Federal Archive
Nazi Party rally in Nuremberg, September 1936

Every year I teach a class at Mitchell Hamline School of Law in St. Paul called "Genocide Prevention: A 21st-Century Challenge." Students sign up for a variety of reasons: They have a Holocaust survivor in the family; they took a course in high school or college on genocide and human rights and are eager to learn more; they want to go into human rights law; or the class was simply offered at the right time to fit their schedules.

On the first day I ask students to fill out a short information sheet about why they're taking the course and to include anything else they'd like me to know about themselves as students.

One year a student I'll call John wrote that his grandfather had been a Nazi under Hitler in Germany. The student was taking this course as part of his personal vow to make up for what his grandfather might have done.

Dedicated to righting wrongs

John was haunted by this personal history, by this close connection to the greatest horror of the 20th century, and he took responsibility for it. He is determined to live a life dedicated to righting various kinds of wrongs as some measure of atonement.

I don't know what the grandfather did, and I don't know if John is aware of any of the specific details. The point is that it doesn't matter – to John or to me. The grandfather was part of a huge system that perpetrated injustice, preyed on vulnerability, exploited power, terrorized the weak and the disadvantaged, exulted in cruelty and meanness.

John's pain was obvious at every class as we studied the genocides in Rwanda, former Yugoslavia, the Holocaust, Congo, Darfur, and Myanmar. He saw the patterns of greed, the usurpation of authority, and the malevolent thrill in destroying others based solely on their identities of race, religion, ethnicity, national origin.

Our ancestors were culpable; so are we

Four hundred years ago the first ship arrived with slaves at the colony of Virginia. For 400 years African Americans have been without reparations, apologies, or prosecutions of the perpetrators of slavery, racism, bigotry, hate, and violence.

John is taking responsibility for what his grandfather did in the murder of 6 million Jews and millions of others. Where is our responsibility for four centuries of slavery, racism, thousands of lynchings, inequity in education, poverty, health, housing, and every single aspect of life? For police brutality?

Our ancestors were culpable. John shows me that we are also culpable, all of us.



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<https://www.minnpost.com/community-voices/2020/06/my-grandfather-was-a-nazi-taking-responsibility-for-the-past/>

MINNPOST

We must end the legacy of Auschwitz

By [Ellen J. Kennedy](#) | Jan. 13, 2020 08:59 am



REUTERS/Kacper Pempe

Auschwitz was a complex of more than 40 concentration and extermination sites.

The Soviet army entered Auschwitz on January 27, 1945, and liberated more than 7,000 remaining prisoners, who were mostly ill and dying. At least 1.3 million people had been deported from German-

occupied Europe to Auschwitz between 1940 and 1945; of this number, 1.1 million were murdered there, nearly all of them Jews.

When most people hear the word *Auschwitz* they think of a single building or a small cluster of buildings, perhaps a gas chamber and a crematorium. But Auschwitz was a complex of more than 40 concentration and extermination sites built for the “final solution” to the problem of the Jews – their complete elimination. Auschwitz was only one of 42,500 labor, transit, concentration, and extermination camps; 15-20 million people were imprisoned or died at these sites.

How does someone get “liberated” from Auschwitz? I don’t ask this question in the actual sense of being free from incarceration, but “liberated” from having been there or from the overwhelming burden of its significance.

A meeting of CHAIM

A few weeks ago, I attended a Sunday afternoon gathering in a Minneapolis living room that looked like any other social convening, with lots of food and camaraderie. But there was a significant difference. This was a meeting of CHAIM: Children of Holocaust Survivors Association in Minnesota.

Everyone in that living room was a child or grandchild of a Holocaust survivor, second generation (known as 2G) or third generation (3G). Some of their parents or grandparents had been in extermination camps like Auschwitz. Other parents had survived ghettos, labor camps, or lives in hiding or on the run.

Is anyone ever “liberated” from the experience of being hunted down for death because of being a Jew?

Some of the 2Gs spoke about the terrifying rise of anti-Semitism in our country. There have been three recent mass shootings of Jews in the U.S., including at synagogues in Pittsburgh, Pennsylvania and Poway, California. There are now armed guards at most synagogues. One 2G said that when she gets near her synagogue, which she knows is now heavily fortified, she debates whether to put herself in potential danger and go in. The effort gets harder each time, she said, but she continues to attend.

Two other people talked about what to do on Hanukkah. It is a celebration of Jews' successful struggle for religious freedom long ago. We light candles in a menorah for eight nights to commemorate the hard-won freedom then, and the legendary miracle of a drop of oil that shone brightly for eight days and eight nights as a symbol of that freedom. According to tradition, the menorah is to be placed outside one's door or in a window close to the street to publicize the miracle.

Some of the 2Gs at this meeting said they were afraid to be so public with their practice of Judaism today. This was even before the stabbings at a Hanukkah party held at a rabbi's home in New York, which certainly has increased everyone's fear.

Fortresses don't stop hate

Both the mayor and the governor of New York, where there have been several dozen anti-Semitic incidents in the past few weeks, have announced increased police protection in Jewish neighborhoods and at synagogues and other Jewish venues. Clearly this is needed, but it is not the answer. Fortresses do not stop hate; instead, they frighten and isolate those who need to be protected and make them feel even more like victims. Adding Holocaust-themed education in the schools, a widely discussed option, is not the answer, either, although it, too, is needed. Unfortunately, learning about hate in the past is no guarantee of preventing hate today.

The answers are complicated. First, global leaders must unite against all forms of hate directed at people based on their identity: race, ethnicity, national origin, religion, political ideology, sexual orientation and gender identity, etc. The failure of nations of the world to offer safety to Jews in 1938 at the Évian Conference in France, when Jews were pleading for a haven somewhere, anywhere, ultimately led to the annihilation of 6 million Jews. Today, from Poway to Paris, Jews face anti-Semitism unlike anything since the 1930s in Germany. We must not turn a blind eye this time.

Second, countries must punish perpetrators of these crimes with methods that are swift, sure, and severe. Hate crime legislation in the U.S. is highly variable across the country and its enforcement is even more variable. There must be uniformity from state to state, supported by strong and strictly enforced laws at the federal level.

Stand with marginalized people

Third, each of us must stand with and for those who are marginalized in our own communities. We must not tolerate the swastikas, racial epithets, and hateful messages that have appeared in Edina, Minneapolis, St. Cloud, St. Paul, and elsewhere. I live in Edina, where there have been at least eight recent incidents of swastikas and racial slurs painted in public spaces. Someone said to me, referring to this manifestation of hate, “This isn’t really who we are.” Unfortunately, it is becoming clear that this *is* who we really are – and we must change. We cannot wait another moment to speak up. End the legacy of Auschwitz.

The science of epigenetics inarguably informs us that the trauma of genocide is transmitted through survivors’ genes. This heritability affects the next generation in cognitive and emotional ways. Survivors’ children will therefore never be truly “liberated” from Auschwitz; they carry its genetic imprint and it will be passed on to their children and their children’s children.

It is up to us to stop the next generations from enduring the trauma of hate. Join us at World Without Genocide on Jan. 23, 7 p.m. at Mitchell Hamline School of Law for a program reflecting on World War II. Reservations are required.

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<https://www.minnpost.com/community-voices/2020/01/we-must-end-the-legacy-of-auschwitz/>

MINNPOST

Where is Anne Frank?

People often say to me, "If I'd been alive and in Europe back then, I'd have stood up against the Nazis. I'd have helped save Anne Frank."

By Ellen J. Kennedy | Feb. 16, 2017



Wikimedia Commons
Anne Frank in 1940

We all know the tragic story of young Anne Frank: more than two years living in hiding in an attic in Amsterdam without a breath of fresh air, a day at school, a trip to a library, or an afternoon at a park. And eventually, she and her family and friends in that tiny attic were betrayed to the Nazis, who deported them to concentration camps. Anne was sent to Auschwitz and then died in Bergen-Belsen, one of the 42,500 camps set up in Europe by the Nazis. She was 15 years old. She never finished high school, never married, never even finished her childhood.

Her story is my nightmare today.

Anne Frank was one of more than 1.5 million Jewish children who perished at the hands of people throughout Europe. They were poisoned with hate for all Jews, even for a 13-year-old girl. The Fascist leaders of Germany whipped ordinary citizens into a frenzy of xenophobia. Jews were blamed for Germany's loss in World War I, for manipulating the world's financial markets, for being part of a Communist plot to control the world. They were characterized as less-than-human brutes and savages who killed Jesus and were bent on raping Christian women and drinking the blood of Christian children.

It's easy to incite people to hate. And it's very easy for that hate to consume people's minds, energies, and lives and to make them the pawns of an autocrat.

400+ laws enacted to persecute the Jews

The Fascist Nazi government in Germany passed more than 400 laws to enact the persecution of the Jews, from small steps that made it illegal for Jews to own radios, cameras, or even

bicycles, illegal to walk on a sidewalk or sit on a park bench, to crippling laws stripping them of their businesses, their professions, the right to be treated in a hospital, the right to go to school, and their citizenship. They were required to register their identities and addresses so they could be rounded up for extermination.

Most of the laws were passed not by Hitler's inner circle, but by people in towns and villages across Germany — mayors, council members, and civic leaders — who encouraged and promoted anti-Semitism against neighbors in their own communities. They spread hate, posted signs, hung billboards, passed laws, and eventually, local citizens, officials, and police across Europe rounded up and transported Jews in their own towns to places like Auschwitz to be killed or to die of starvation, torture, or disease.

People often say to me, "If I'd been alive and in Europe back then, I'd have stood up against the Nazis. I'd have helped save Anne Frank."

She is with us today

Anne Frank is with us today. She is in the frightened spirit of the young Somali girls in Minnesota classrooms who are called terrorists by bigoted classmates for wearing hijabs. She is in the heart of the Somali women who were verbally abused in a restaurant in Edina. She is in the faces of people around the world who are trying to find lives free from fear and violence, only to be told they cannot board a U.S.-bound plane because they are Muslims. She is in the bodies of people like the Somali woman who was attacked in a Coon Rapids restaurant because she wasn't speaking English.

Anne Frank is right here.

We are in a new and terrible era when all Muslims are targeted and every Muslim is suspected of being a terrorist. Yet terrorism by Muslims makes up *one-third of 1 percent* of the murders in the United States. Since 9/11, there have been 54 fatalities caused by Muslim-American extremists. In the same period, more than 240,000 Americans were murdered. And not by Muslims.

This Islamophobia, spurred on by our government, gives hate-mongers a license to lash out with words and with deeds. This violates American laws as well as our deeply held American beliefs of equality, the separation of church and state, and freedom for us all.

We are a nation of pluralism

We are not, by legal definition, a Christian country. We are not a white country. We are not a European-descendant-only country. We are a country founded on values of pluralism of religion, race, ethnicity, and national origin.

I am a Jew. Trump's recent action to focus exclusively on Muslims and to take hate and neo-Nazi groups off the terror watch list licenses anti-Semitism. Swastikas are appearing in many places, including at Maple Grove High School, at the University of St. Thomas, and at the

University of Minnesota. Two men on a Florida college campus openly wore jackets emblazoned with swastikas. Jewish community organizations have received nearly 50 bomb threats since the start of the new year, including at the Jewish Community Center in St. Louis Park, where I belong. FBI data show that Jews in the U.S. are subjected to the most hate crimes of any religious group, despite constituting only 2 percent of the American population. There is a national climate of rising anti-Semitism. The end of Nazism was not the end of anti-Semitism.

Anne Frank is here in hiding, in my Muslim friends, in me, in people in the LGBTQ community, in all of us who feel targeted by the Trump administration's policies that are eerily akin to those begun in Germany in 1933, when Fascists took over that government. I have never been a fear-monger, but I am now afraid.

What are *you* doing to help the Anne Franks of today?

To see what you can do, click here.



Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide at Mitchell Hamline School of Law, St. Paul.

<https://www.minnpost.com/community-voices/2017/02/where-anne-frank/>



Counterpoint: Yes, 1940s Britain did take in refugees

In light of Syrians' plight, recall how thousands of Jewish children were saved.

By Ellen J. Kennedy

DECEMBER 4, 2015 — 6:04PM



Kirsty Wigglesworth

Eve Willman, holding a copy of her passport, was brought from Austria to England as part of the “kindertransport” effort to rescue Jewish children.

I was in Paris a few weeks ago, just before the tragedy of Nov. 13. Unlike previous trips, I didn't go for the wine or the croissants or to see the Eiffel Tower.

This year, the 70th anniversary of the end of World War II, I went to see memorials to victims of the Holocaust.

In 1933, when the Nazis came to power, there were 250,000 Jews living in France. By the time the war was over, 75,000 of those Jews — men, women and children — had been rounded up in cities and towns throughout France, put onto trains and deported to their deaths at Auschwitz and other concentration camps.

Ordinary French men and women created the laws that made this happen, denounced their friends and neighbors, took belongings from the Jews' vacated apartments, drove the trains to Auschwitz, and supported the Nazi effort to rid Europe of every single one of the continent's Jews.

The number of Jews in Germany when Hitler took power in 1933 made up less than 1 percent of the country's population. By effectively manipulating anti-Semitism, xenophobia and fear in a turbulent political environment, the Nazis incited people across the entire continent to eventually kill more than 6 million Jews living throughout Europe.

By 1938, the situation for the Jews had already become dire. President Franklin Roosevelt gathered representatives from 32 countries to meet in France and discuss the plight of the Jews. Their rescue then seemed within reach.

But the conference was a failure. The U.S. and Britain refused to accept substantial numbers of Jews, and nearly all of the other countries followed. The Jews had no escape. Chaim Weizmann, who later became the first president of Israel, said: “The world seemed to be divided into two parts — those places where the Jews could not live, and those where they could not enter.”

After the conference in France, several private programs saved about 12,000 Jewish children. To put that number into context, 1.5 million Jewish children were exterminated in the Holocaust. Combined rescue efforts saved perhaps 1 percent of Europe's Jewish children.

The best-known rescue was the British resettlement "kindertransport," meaning the transportation of the children.

Five days after Kristallnacht, shocking anti-Jewish riots in Germany and Austria in November 1938, a delegation of British Jews and Quakers met with Britain's prime minister, Neville Chamberlain. The British Parliament passed a bill to permit unaccompanied Jewish children — infants up to age 17, without their parents — to be allowed into the UK on a temporary basis.

On Nov. 25, British citizens heard an appeal for foster homes on BBC radio. Soon there were 500 offers.

In Germany, volunteers made lists of children most in peril: teenagers in concentration camps or in danger of arrest; children or teenagers threatened with deportation; children in Jewish orphanages, or children with a parent in a concentration camp. Once the children were identified, guardians or parents were issued a travel date and departure details.

Children could take one small suitcase. Some children had nothing but a manila tag with a number on the front and their name on the back. The children were brought to the railway stations. The parents had to leave before the train departed, to prevent terrible scenes of emotional anguish.

The children traveled by train across Europe to port cities on the Atlantic Ocean and then by ship to a port city in England.

Imagine being a child, alone, on a voyage like that.

The first kindertransport left Berlin on Dec. 1, 1938, less than a month after Kristallnacht.

The UK took in nearly 10,000 mostly Jewish children from Nazi Germany, Austria, Czechoslovakia and Poland. Most of these children were the only members of their families to survive the Holocaust.

During the war, many of these children served in the British armed forces, the nursing professions, in food production and in war-related industries. Thousands stayed in Britain after the war and made considerable contributions to their adopted country. Four won Nobel Prizes.

There was also a small program in the U.S. The One Thousand Children refers to 1,400 mostly Jewish children who were rescued from Nazi-threatened countries and brought to America. Jewish and Quaker agencies organized the operations quietly to avoid attention from isolationist and anti-Semitic forces. Just like the children on the British transports, these children had to leave their parents behind in Europe, and most of these parents were killed by the Nazis.

Like the children brought to Britain, these children, too, contributed greatly to their new homeland. Jack Steinberger, Arno Penzias and Walter Kohn all received Nobel prizes in science. Richard Schifter was in the U.S. military during World War II and served as U.S. ambassador for human relations at the United Nations.

When I was in Paris last month, I saw pictures of Syrian children on billboards, along the walls of the river Seine, posted on the sides of churches, in public spaces everywhere. French upstanders today are urging good people to help these innocent refugees, just as French upstanders tried to save Jews 70 years ago.

Today's millions of Syrian refugees undoubtedly see the world in two parts: places where they cannot live — and places where they cannot enter.

And just like the people throughout Europe who were susceptible to the xenophobia and anti-Semitism and hatred spewed by the Nazis and their supporters, today there are Americans who are susceptible to the racism, anti-immigrationism and anti-Islamism of hatemongers in our country.

A commentary in the Star Tribune (Nov. 25) asked: "What if 1940s Londoners had to accept German refugees?" That is, indeed, just what Londoners (and Americans) did in 1938, through private efforts that saved Jews — and non-Jews — from Germany and occupied Europe. These children "aged up" and made remarkable contributions to their adopted countries.

The world made a tragic mistake at that meeting in France in 1938. We cannot right that terrible wrong, turning away people who were certain to be killed by the Nazis. What we can do is open our hearts and doors to today's imperiled refugees — innocent Syrian men, women, and children.

Ellen J. Kennedy is an adjunct professor at William Mitchell College of Law in St. Paul and executive director of World Without Genocide (www.worldwithoutgenocide.org/advocacy/openhearts).

<https://www.startribune.com/counterpoint-yes-1940s-britain-did-take-in-refugees/360631281/?refresh=true>

MINNPOST

Holocaust anniversaries: We must remember, and do more

We all must remember them, and we must act so that anniversaries like these will not keep happening.

By [Ellen J. Kennedy](#) | Nov. 4, 2013



We now know that there were 42,500 ghettos and concentration and extermination camps throughout Europe, a figure that shocked even those who are Holocaust scholars.

Wikimedia Commons

I've never gone to Germany. Although I've traveled a lot, including to places that most travelers don't typically visit, like Rwanda and East Timor, I haven't been able to bring myself to go to Germany. My reason is completely irrational: That's where the Holocaust started, of course, where the Nazis made plans to exterminate every Jew in Europe.

As a Jew, it terrifies me to think of how the Holocaust happened. We now know that there were 42,500 ghettos and concentration and extermination camps throughout Europe, a figure that shocked even those who are Holocaust scholars. But the Holocaust didn't begin with extermination camps. It began slowly and insidiously, with anti-Semitism an integral element of Nazi ideology when Hitler took over the government in 1933, followed by legal discrimination in the Nuremberg Laws of 1935.

Kristallnacht

But for most scholars and historians, the beginning of the Holocaust, the path that led to the death camps, gas chambers, and killing fields, happened on Nov. 9 and 10 throughout Austria and Germany in what is known as *Kristallnacht*, the Night of Broken Glass. This was a government-sanctioned *pogrom* (riot) against the Jews of Austria and Germany. The German paramilitary and non-Jewish civilians ravaged and burned more than 1,000 synagogues and homes, destroyed 7,000 Jewish shops, and rounded up and incarcerated more than 30,000 Jewish men in concentration camps. The *pogroms* raged while police and firefighters stood by, taking action only to prevent the spread of fire to non-Jewish-owned properties.

The name *Kristallnacht* comes from the glass shards littering the streets after windows were shattered in the Jewish-owned stores, buildings and synagogues. Historians note that no other event in the tragedy of German Jews between 1933 and 1945 was so widely reported as it was

happening, and the accounts from the foreign journalists working in Germany sent shock waves around the world.

This year, Nov. 9 and 10, 2013, is the 75th anniversary of *Kristallnacht*.

Five days after the devastation of *Kristallnacht*, a delegation of British Jewish and Quaker leaders appealed to the prime minister of the United Kingdom to permit the temporary admission of Jewish children, without their parents, to the UK.

The Kindertransports

The British Cabinet prepared a bill to allow the entry of unaccompanied children, from infants up to the age of 17, because of their persecution as Jews. No limit on the permitted number of refugees was ever publicly announced. The Jewish agencies hoped for 15,000 children to enter Great Britain in this way.

On Nov. 25, two weeks after *Kristallnacht*, British citizens heard a BBC radio appeal for foster homes. Within a very short time there were more than 500 offers.

In Germany, organizers made lists of those most in peril: teenagers in concentration camps or in danger of arrest, Polish youth threatened with deportation, children in Jewish orphanages, or children with a parent in a concentration camp. Once the children were identified, the guardians or parents were issued a travel date and departure details. Children could take only a small sealed suitcase with no valuables and only 10 marks or less in money. Some children had only a manila tag with a number on the front and their name on the back.

The first *kindertransport*, a rescue mission of 200 Jewish children, arrived in England on Dec. 2, 1938. Ultimately, more than 10,000 children were saved. One of those children, Benno Black, now age 88, lives in Minnesota.

This year, 2013, is the 75th anniversary of the *kindertransports*.

The Genocide Convention

The Convention on the Prevention and Punishment of the Crime of Genocide was adopted by the United Nations General Assembly on December 9, 1948, almost exactly a decade after *Kristallnacht*. It defines genocide in legal terms and is the culmination of years of campaigning by lawyer Raphael Lemkin. Lemkin, a Polish Jew, escaped from Europe during the Holocaust. He tried unsuccessfully to get his family to safety and lost 49 family members at Auschwitz.

This year, 2013, is the 65th anniversary of the Genocide Convention.

We must acknowledge these important anniversaries. The Hebrew word *zachor* means 'remember.' But we must do more. Six million Jews perished in Europe. That number is now reverberating across the world. Six million people have perished in the Democratic Republic of the Congo in a conflict that began nearly 20 years ago and continues today. Six million Syrians

are displaced in a crisis that is now in its third year. The responsibility to protect innocent people is an obligation that belongs to us all.

I haven't been to Germany, but I will remember these anniversaries. We all must remember them, and we must act so that anniversaries like these will not keep happening.

World Without Genocide is sponsoring a talk, *"Holocaust Anniversaries: Kristallnacht, the Kindertransports, and the Genocide Convention,"* on Monday, Dec. 9, from 7 to 9 p.m., at William Mitchell College of Law Auditorium, 875 Summit Avenue, St. Paul. The event is open to the public, and no registration is necessary (\$10 admission, \$5 students and seniors, \$35 lawyers for 2 Standard CLE credits pending, Mitchell students free).



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<https://www.minnpost.com/community-voices/2013/11/holocaust-anniversaries-we-must-remember-and-do-more/>

MINNPOST

Remembering the Holocaust

Consider that we must do more than “remember.” We must make “Never again” truly mean “Never.”

By Ellen J. Kennedy | April 19, 2012

Every year, a day is designated to remember the Holocaust. Organizations hold memorial ceremonies for the 6 million Jews and others who perished, survivors share their stories, and people of all faiths vow “Never again.”

But those words “Never again” have rung hollow over the decades since World War II. There have been many other genocides — in Cambodia, Bosnia, Rwanda, East Timor, Guatemala, Argentina, Darfur. People have been persecuted on different continents, for different reasons, and in different ways.

“Never again” has meant “over and over again” as innocent people continue to be targeted by their race, religion, ethnicity, national origin, or political beliefs. Genocide has had no boundaries in geography or in the nature of the targeting.

Genocides happen for many complicated reasons, but they also happen for a very simple one: We let them happen. Ordinary people have not created sufficient political will to prevent the violence and the exterminations.

Recent hopeful signs

Yet there are some recent and very hopeful signs. Today, Holocaust Remembrance Day, we can do more than remember. We can support efforts to hold perpetrators accountable, to prosecute those who commit the worst crimes on the planet, and to establish systems for early warning and protection.

Since 2001, there has been a growing movement for the “responsibility to protect,” or R2P, as it is known. This policy, originated by experts from around the world and supported by the United Nations in 2005, asserts that the nations of the world have a responsibility to protect innocent people when their own governments are either unwilling or unable to do so. R2P was the guiding principle that averted tragedy in post-election Kenya a few years ago; that led to intervention in Libya; and that guides strategy to end the crisis in Syria.

The newly formed International Criminal Court, a permanent and independent global tribunal headquartered in The Hague, Netherlands, began operating in 2002 to prosecute individuals for the crimes of genocide, war crimes and crimes against humanity. ICC judges announced a “guilty” verdict last month for Thomas Lubanga Dyilo on charges of murder, rape and the use of child soldiers in Congo.

This landmark case, the first completed by the ICC, brings great hope for an end to impunity for massive human rights violations. The ICC has issued arrest warrants for other perpetrators, including Sudan's president Omar Al-Bashir, for the genocide currently being waged in Darfur.

U.S. has yet to support ICC

There are 121 signatory nations to the International Criminal Court, demonstrating a global commitment to peace and justice. However, the United States has not yet joined the world community in support for this effort to deter violence and prosecute perpetrators.

Today, on Holocaust Remembrance Day, consider that we must do more than "remember." We must make "Never again" truly mean "Never." We can raise our voices in support of the Responsibility to Protect and the International Criminal Court — in memory of all those who perished in the Holocaust and all the genocides that have happened since that terrible time.

As the Rev. Martin Luther King, Jr., said, "The moral arc of the universe is long, but it bends towards justice."



Ellen J. Kennedy, Ph.D., is the executive director of the World Without Genocide at William Mitchell College of Law. For World Without Genocide events commemorating Holocaust Remembrance Day, please visit the World Without Genocide website.

<https://www.minnpost.com/community-voices/2012/04/remembering-holocaust/>

MPRnews

Holocaust education should strive to prevent future genocides

[Ellen J. Kennedy](#)

April 16, 2010 10:00 a.m.



Ellen J. Kennedy, Ph.D., is interim director of the Center for Holocaust and Genocide Studies at the University of Minnesota.

Photo Courtesy of Ellen J. Kennedy

This century faces four grave challenges: an increasing scarcity of water, food and fuel; increasing population growth; the increasing spread of ever-more-lethal weapons; and a growing population of angry, poor youth who feel they have nothing to lose through violence.

These challenges suggest that genocide may become even more frequent and devastating in this century than in the last one.

Over the past several decades an entire academic discipline has developed around genocide education. Bookstore and library shelves are filled with outstanding materials to teach about the Holocaust and genocide. College and high school courses are proliferating, as are programs designed to reach the general public.

Some believe that the genocide in Darfur is inspiring more educators to teach about genocide. The Darfur conflict has inspired organizations like the Save Darfur Coalition and the Genocide Intervention Network. Darfur has been the subject of entire volumes of academic journals.

These efforts assume, to a large extent, that learning about genocide will prevent its recurrence.

But clearly, global leaders have known about genocides in Armenia, Europe, Cambodia, Rwanda and Bosnia.

This knowledge did not prevent the genocide in Darfur. Something is wrong. There is a disjuncture between what we assume genocide education is doing and what is actually happening.

What form should genocide education take if our goal is to make a difference, somehow, in the world?

There are three parts to this answer. We must teach about, teach against, and teach to prevent genocide.

Teaching about genocide: We must do it comparatively, and we must do it with facts, figures, dates and maps. We also must teach from the individual and the personal perspectives. A recent UN document noted, "As a counterpoint to Nazi ideology, which sought to strip victims of their humanness, remembrance focuses on the individual and works to give each person a

face, a name and a story." We must know about genocides, about the patterns and common factors that can alert us to future dangers.

Educating against genocide: Genocides happen when we create boundaries between groups of people. "Teaching against" means creating awareness of ways in which we separate, isolate and segment people based on any number of variables such as race, religion, ethnicity, etc. 'Teaching against' means understanding manipulation, propaganda and the ways in which we turn various groups into "the other."

The Nazis labeled the Jews as lice and vermin; the Hutus called the Tutsis cockroaches; the Khmer Rouge spoke about their enemies with words used for dogs. These efforts at manipulation were powerful and successful at engendering hate between people who had been friends, neighbors and even intimates. We need to raise awareness of how this happens.

Educating to prevent genocide: The third plank in genocide education is teaching to prevent genocide. This is where we encounter the world of the bystander, of those people who are unwilling to take a stand because it might be unpopular, difficult, or personally dangerous.

How do we create people who will stand up?

Individual agency and choice are at the heart of this answer. This is the message of various advocacy organizations: Ordinary citizens can and must prevent genocide. The Genocide Intervention Network and the Save Darfur Coalition, for example, focus on simple but critical steps: education; political advocacy, and fund-raising to increase safety and security for innocent people whose lives are at great risk.

Advocacy encourages ordinary citizens to contact elected officials at the local, state, national, and international levels to end genocide through legislative and multinational efforts.

Educators can shape curricula to emphasize all three areas: teaching about genocide, teaching against genocide, and teaching to prevent genocide. The goal is to build a citizenry with the political will to prevent and stop genocide. The future, and indeed the present, demand it.

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<https://www.mprnews.org/story/2010/04/16/kennedy>

Jews to Madagascar, Rohingya to Bhasan Char



Rohingya refugees travel in a naval ship to be transported to an isolated island in the Bay of Bengal, in Chittagong, Bangladesh, Tuesday, Dec. 29, 2020. Officials in Bangladesh sent a second group of Rohingya refugees to the island on Monday despite calls by human rights groups for a halt to the process. The Prime Minister's Office said in a statement that more than 1,500 Rohingya refugees left Cox's Bazar voluntarily under government management. Authorities say the refugees were selected for relocation based on their willingness, and that no pressure was applied on them. But several human rights and activist groups say some refugees have been forced to go to the island, located 21 miles (34 kilometers) from the mainland. (AP Photo/Mahmud Hossain Opu)

By [ELLEN J. KENNEDY](#) | PUBLISHED: January 22, 2021

On Dec. 4 the government of Bangladesh put 1,642 Rohingya Muslims onto seven naval vessels and took them 30 miles out into the Bay of Bengal to Bhasan Char, an uninhabited pile of silt in the ocean that is vulnerable to flooding, and left them there.

On Dec. 28, four ships carried 1,804 more Rohingya to sea.

The Rohingya were taken from a refugee camp in Bangladesh where nearly a million Rohingya are living. They fled from their home country of Myanmar to escape rape, torture, and murder by Myanmar's military. The UN calls this Muslim minority group "the most persecuted people on Earth." The Bangladeshi government calls them unwanted.

This is like a plan that Hitler had for the Jews.

Hitler wanted a Europe free of Jews, "Judenrein." The challenge was how to get rid of 9 million Jews.

Although Jews were only 0.7% of Germany's population in 1933 when Hitler came to power, hatred toward Jews was a rallying theme for the Nazi party and, eventually, for Nazi supporters in German-occupied countries throughout Europe.

The extent of Jew-hatred manifested itself in burning books by Jewish scholars, eliminating narratives of the Old Testament from Christian bibles, destroying Jewish businesses,

appropriating Jews' bank accounts and other assets, excluding Jews from all professions, prohibiting Jews from schools, universities, hospitals, libraries, and other public institutions, forbidding Jews to marry non-Jews, and stripping Jews of their citizenship.

But the big question was how to get rid of the Jews themselves.

At first Jews were encouraged to leave Germany. By 1939, when World War II began, around 250,000 of Germany's 437,000 Jews had fled to the United States, Argentina, the United Kingdom, Palestine, and other countries.

But what to do with the 200,000 Jews still in Germany? To make the problem more urgent, Germany had invaded Poland, home to 3 million Jews. In 1940 France fell to Germany; and there were 340,000 more Jews living in France.

Jews were put into concentration camps in German-controlled Europe, but the "final solution" was not yet clear – how to eliminate them entirely.

And suddenly a solution was at hand.

In 1885 a German scholar, Paul de Legarde, an anti-Semite whose works Hitler revered, had proposed exiling Europe's Jews to the African island of Madagascar. When France capitulated to Germany, the French colony of Madagascar came under German control.

Madagascar offered the ideal solution. SS officer Adolf Eichmann planned to ship 4 million Jews to Madagascar, which would become an SS-run police state with such harsh conditions that the Jews would perish.

The Nazis endorsed the plan in August 1940, but it didn't materialize.

By 1942 there was a new proposal: gassing Jews in camps built to handle murder by the millions.

The Madagascar Plan, scholars say, had paved the way for the "final solution," an important psychological step toward annihilating 6 million Jews at Auschwitz, Treblinka, Sobibor, Chelmno, Belzec, and Majdanek.

Jews were never sent to Madagascar.

But the Rohingya were sent to Bhasan Char, and it is suggested that up to 100,000 may ultimately be relocated. The UN decries the action.

The Myanmar government is currently on trial for genocide and related crimes against the Rohingya in three courts: the UN International Court of Justice; the International Criminal

Court; and the national court of Argentina using universal jurisdiction, which allows cases to be heard anywhere because the crimes are so heinous.

Bangladesh can't provide a permanent haven for the Rohingya. What can be done? Tom Andrews, UN special rapporteur for human rights in Myanmar, urges more financial support for Bangladesh. The ultimate solution, however, is the Rohingyas' safe return to Myanmar and reinstatement of their rights.

The Biden administration must continue humanitarian aid and pressure the Myanmar government to bring the Rohingya back.

We know the ultimate ending to the Madagascar story. There must be a different ending for the Rohingya and Bhasan Char.

Ellen J. Kennedy is executive director of World Without Genocide at the Mitchell Hamline School of Law, St. Paul.

<https://www.twincities.com/2021/01/22/ellen-j-kennedy-jews-to-madagascar-rohingya-to-bhasan-char/>

MINNPOST

If you see something, say something. And then what?

We see the warning signs, and these signs are all too clear for the Rohingya in Burma – ethnic cleansing leading to genocide. Urge our elected officials to protect them.

By [Ellen J. Kennedy](#) | Nov. 9, 2017



Today, social media are filled with stories about the Rohingya in Burma (Myanmar).

REUTERS/Hannah McKay

Kristallnacht, *Night of Broken Glass*, is an event that many people think of as the beginning of the Holocaust and the destruction of the Jews.

On Nov. 9 and 10, 1938, Nazi party officials and Hitler Youth throughout Germany and Austria ravaged and burned more than a thousand synagogues and Jewish homes, destroyed 7,500 Jewish shops, attacked Jewish cemeteries with sledgehammers, and rounded up and incarcerated more than 30,000 Jewish men in concentration camps.

Ordinary German and Austrian citizens, including children, stood by and watched. Some cheered.

A new scale of violence

The level of violence against Jews was unprecedented. The Nuremberg laws that were passed in Germany in 1935 had stripped Jews of their citizenship, their jobs, their radios; their freedom to walk on the sidewalk, take a tram, sit on a park bench, go to the cinema; their right to be treated at a public hospital or attend a public school. Books by Jewish authors and scholars were turned to ashes in giant bonfires, presaging the burning of Jews' bodies in crematoria five years later. But until Kristallnacht, physical violence on this scale had not occurred.

The *Night of Broken Glass* is named for the glass shards littering the streets, remnants from the shattered windows of stores, homes, and synagogues – and the shattered lives.

This pogrom, or massacre of a targeted group, was reported with horror in the international media and in local newspapers in cities and towns around the world. The New York Times. Cincinnati Inquirer. St. Paul Dispatch. In newspapers in all the capitals around the world.

People *saw* something. People *said* something. Diplomats in Berlin and Vienna reported the events. Travelers were witnesses.

In 1938, there were no extermination camps – yet. There were no mass transit schemes to deport Jews to Poland to their deaths. There were no Einsatzgruppen, mobile killing squads that hunted down and shot more than a million Jews in Soviet republics.

People *said* something – but nothing happened. And soon it became too late.

The Rohingya's plight

Today, social media are filled with stories about the Rohingya in Burma (Myanmar). Articles appear in Slate, Time, newspapers, and on U.N. websites chronicling the “ethnic cleansing” of this Muslim minority. The Rohingya have been denied citizenship, rounded up and put in concentration-like camps, and subjected to torture, rape, and arbitrary killings. The United Nations calls them “the most persecuted people on earth.”

The Burmese military is now forcing the Rohingya out of the country and into neighboring Bangladesh, burning their villages behind them in a scorched-earth policy and planting landmines along its border with Bangladesh in violation of all international law. This is classic ethnic cleansing, almost always a precursor to genocide, which many human rights experts and organizations say is now occurring.

We've *seen* something. We've *said* something. Now what? We knew about Kristallnacht, and we let 6 million Jews perish. We know about the Rohingya.

We must take responsibility

On this anniversary of Kristallnacht, we must take responsibility. A global doctrine endorsed by the United Nations in 2005 is called the Responsibility to Protect. R2P, as it is known, calls on world leaders to intervene to protect innocent people when their own leaders are either unable or unwilling to do so.

R2P outlines ways to prevent these crises from occurring, but when prevention is too little or too late, we have a “responsibility to react.” It includes economic, political, and diplomatic responses.

While the R2P framework strongly endorses nonintervention to maintain a nation's sovereignty and self-reliance, direct intervention is advocated in two extreme circumstances: when there is large-scale loss of life, with or without genocidal intent, the product either of deliberate state action, state neglect inability to act, or a failed state situation; or when large-scale ethnic cleansing occurs by killing, forced expulsion, acts of terror, or rape.

We see the warning signs, and these signs are all too clear for the Rohingya – ethnic cleansing leading to genocide. Urge our elected officials to protect the vulnerable men, women, and children. We must *say* something – and we must *do* something. The time is now. It is our responsibility to protect.



Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide at Mitchell Hamline School of Law.

<https://www.minnpost.com/community-voices/2017/11/if-you-see-something-say-something-and-then-what/>

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Genocide by social media posts: Will Facebook be held accountable?

The U.N. determined in 2018 that Facebook played a “determining role” in violence against the Rohingya, inciting widespread violence and amplifying hateful content through its algorithms.

By [Ellen J. Kennedy](#)

January 3, 2022



REUTERS/Johanna Geron/Illustration

In 1946, Julius Streicher was hanged at Nuremberg.

The International Military Tribunal, comprised of jurists and judges from the World War II Allied nations of France, the U.K., the U.S. and the Soviet Union, prosecuted 24 leaders for the worst human rights abuses of the war. Julius Streicher was one of them.

Streicher had never been a member of the Nazi Party. He had never killed anyone. He had never worked at concentration camps or rounded up Jews and others for deportation to their deaths.

His crime? He disseminated information. He published and wrote *Der Stürmer*, a hate-filled weekly tabloid newspaper read by 480,000 people throughout Germany and available in huge public display cases in town squares in cities large and small. *Der Stürmer* printed invective about Jews and called for their extermination. Streicher had become a multimillionaire through this paper.

His conviction established a precedent: incitement to commit genocide became a crime under international law.

Fifty years later, the International Criminal Tribunal for Rwanda, created by the United Nations, prosecuted the people most responsible for the murders in 1994 of 800,000 innocent Tutsis and moderate Hutus.

Three Rwandan men were indicted for incitement to genocide. These three men, like Streicher, didn't kill anyone.

Two were the founders of Radio Des Milles Collines, which spread anti-Tutsi hate over the air waves, inciting Rwandans to kill their friends, neighbors, co-workers and even family members. The third person was the founder, publisher and editor, like Streicher, of a tabloid that dehumanized and vilified the targeted group.

All three men in the "media trial" were sentenced to more than 30 years in prison for incitement. The judges in that trial declared, "Without a firearm, machete, or any physical weapon, you caused the deaths of thousands of innocent civilians."

In 2010, the internet in Myanmar meant "Facebook." Facebook was the only connection most people had with the electronic world. But Facebook had entered the Myanmar market woefully understaffed with speakers of the local languages and with few people to monitor the spike in users.

What happened next was genocide by social media posts.

A systematic Facebook campaign was begun to target the Rohingya, Myanmar's small Muslim population that the U.N. calls "the most persecuted people on earth." The operatives were members of the Myanmar military. Their anti-Rohingya propaganda incited murders, rapes, and the largest forced human migration in recent history — 750,000 Rohingya fled the army's violence for safety in neighboring Bangladesh.

The online campaign was carried out by hundreds of military personnel who created troll accounts, news and celebrity pages on Facebook and then flooded them with incendiary comments and posts timed for peak viewership.

Facebook admitted that it was used to incite "offline violence." Although the company took down the official accounts of senior Myanmar military leaders in August 2018, the breadth and details of the propaganda campaign apparently went undetected.

The U.N. determined in 2018 that Facebook played a "determining role" in violence against the Rohingya, inciting widespread violence and amplifying hateful content through its algorithms.

This is genocide by cell phone, an authoritarian government using a social network against its own people.

Facebook is now on trial in the U.S. and the U.K. Two cases were filed on Dec. 6. The company is being sued in London's High Court on behalf of Rohingya everywhere in the world outside of America.

The American complaint is on behalf of all Rohingya in the U.S. The case seeks at least \$150 billion in compensation for "wrongful death, personal injury, pain and suffering, and loss of property."

U.S. internet companies are typically shielded from liability for their content. However, this case uses Burmese law for the damages done in Myanmar.

The judges in that media trial in Rwanda said, "The power of the media to create and destroy fundamental human values comes with great responsibility. Those who control the media are accountable for its consequences."

Facebook must be held accountable.



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<https://www.minnpost.com/community-voices/2022/01/genocide-by-social-media-posts-will-facebook-be-held-accountable/>

MPRnews

Story of Rwandan genocide shows how easily the human tide can turn

[Ellen J. Kennedy](#)

June 17, 2010 10:00 a.m.



Ellen J. Kennedy, Ph.D., is interim director of the Center for Holocaust and Genocide Studies at the University of Minnesota.

Photo Courtesy of Ellen J. Kennedy

I went to Rwanda in the summer of 2005. I traveled around the country for two weeks with a young Rwandan woman, Alice Musabende, who was my guide and translator.

One evening, sitting under the stars by beautiful Lake Kivu in northwest Rwanda, I asked Alice what had happened to her in 1994 during Rwanda's genocide, when nearly a million people were killed in a hundred days.

Alice told me her story, quietly and without emotion.

In 1994 Alice was 14 years old, the same age as my own daughter, Louisa. One day in April Alice's mother asked her to go to the next village on an errand to her cousin's house. Alice was told to come right home. She was a willful child, she says. Her cousins had TV --- and her family did not. She stayed overnight and watched TV with her cousins.

When she got home the next day, she discovered the bodies of her grandparents, her mother and father, her 12-year-old sister, her 9-year-old and 2-year-old brothers.

Her entire family had been killed. Everywhere she went in her town, she said, it was strangely quiet. Everywhere she looked she saw piles of dead bodies.

In that April of 1994, when Alice was 14 years old, she became an orphan of genocide.

Alice's story tore at my heart. What does it take to keep us human, to keep us from killing whole families, whole societies?

I'm a Jew, born after the Holocaust. I grew up with the legacy of the Holocaust in stories, in my nightmares, in knowing of distant relatives who perished in the liquidation of the ghetto in Vilna, Lithuania. I've seen the gas chambers in Auschwitz, the killing fields in Cambodia, the memorials in Rwanda -- and the legacy of genocide in faces of survivors like Alice.

I realized that genocides happen over and over again for complicated reasons --- and for simple reasons. One simple reason is that we let genocide happen.

We don't elect leaders based on their commitment to preventing genocide. We don't make genocide prevention a political, moral or economic priority.

Why should we care?

There are many reasons. The clearest, simplest, most compelling reason is a moral one. Certainly it's morally reprehensible to tolerate the extermination of people based on who they are. But beyond that: If we tolerate this form of mass atrocity somewhere, at some level we tolerate, indeed accept, the inhuman treatment of people everywhere, including in our own communities.

There is no nuance in this issue. We either accept the moral imperative that orders us not to stand by when the blood of our neighbor is spilled -- or we look the other way. If we tolerate genocide in Darfur or atrocities in Burma or sexual mutilation in Congo, we will tolerate racism in our neighborhoods, homophobia in our classrooms, anti-Semitism in our towns. Hate begins small and escalates swiftly and wildly. The slope is a steep and slippery one, one down which we can slide rapidly and irrevocably until we reach a place where our emotions become our actions and hate becomes violence.

Gen. Romeo Dallaire, a Canadian in charge of the U.N. peace-keeping mission in Rwanda during the genocide, says that genocides last for a thousand years -- but are as if they happened yesterday. The impact of the cataclysm in Rwanda endures today, as we see in the current detention of human rights lawyer and professor Peter Erlinder as he raises legal and moral challenges related to the atrocities that happened there.

Gustave Gilbert was an American prison psychologist at the 1946 Nuremberg Trials of Hermann Goering and other Nazi perpetrators of the Holocaust. In the 2000 TV film "Nuremberg," Gilbert is portrayed as telling the Head Prosecutor Robert Jackson, "I told you once that I was searching for the nature of evil. I think I've come close to defining it: a lack of empathy. It's the one characteristic that connects all the defendants: a genuine incapacity to feel with their fellow man. Evil, I think, is the absence of empathy."

Experts say we can teach empathy, to children and to adults. We can simulate the situations that others are in. We can pretend to be someone else. We can wear goggles to learn what it is like to be blind, or spend a day in a wheelchair to understand physical disability, or wear heavy gloves to simulate a loss of coordination. But we can't change our skin color, our ethnicity, our sexual orientation, or many other dimensions of identity. What we can do is read others' words

about their lives, listen to them, befriend them. The distance between "us" and "them" will become smaller.

And when that happens, when "they" are no longer different from "me," I will not harm them.

The steps toward this evil begin when we fail to recognize others' equal claim to humanity. If we can have empathy, we will not do evil. Nobody starts out in life to be a perpetrator of genocide -- someone who will make an orphan of a child like Alice.

<https://www.mprnews.org/story/2010/06/17/kennedy>

INTERNATIONAL JUSTICE AND FREEDOMS

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<https://www.minnpost.com/community-voices/2021/07/hunger-both-a-cause-and-a-consequence-of-genocide/>

Hunger: both a cause and a consequence of genocide

We are experiencing the onslaught of extraordinary heat waves, droughts, storms, fires, and floods that cause unmitigated and prolonged scarcities of food and water all over the world.



By [Ellen J. Kennedy](#) July 8, 2021

Indigenous people of the Ixil region holding a vigil on September 26, 2018, outside a courtroom during the trial of former military intelligence chief Jose Mauricio Rodriguez, accused of genocide and crimes against humanity, in Guatemala City, Guatemala.

REUTERS/Luis Echeverria

When I hear the word “genocide,” I see images of walking skeletons in Nazi concentration camps, bloated bodies floating down Rwanda’s rivers, mass graves being exhumed in Guatemala.

Every genocide is unique in its horrors and its tragedies, but many genocides share some precipitating factors. One of the most common and disturbing is a pre-genocide population of hungry and malnourished people.

By the end of World War I, an estimated 763,000 Germans had died from malnutrition. Germany had lost 13 percent of its territory, the defeated German population was starving, and food self-sufficiency was threatened.

In the interwar years, 1918-1933, Germany reached 80 percent self-sufficiency in basic foods such as grains, potatoes, meat, and sugar. When Adolf Hitler came to power in 1933, the Nazis emphasized greater self-reliance and discouraged consumption of white bread, meat, and butter, which were largely imported, and focused German diets on local products: brown bread made from German flour, potatoes, and quark, a milk product formerly used for animal feed. According to reports, German meat consumption dropped by 17 percent, milk by 21 percent, and eggs by 48 percent between 1927 and 1937. The population, especially in urban centers, became chronically undernourished from a lack of protein.

In February 1939, Hitler told officers that food and adequate arable land were Germany's most urgent problem. According to historian Adam Tooze, in 1937, farmers in Germany tilled an average of 5.2 acres each compared to 6.9 acres for each French farmer, 9.4 acres for each British farmer, and 32 acres for each American farmer.

Nazi expansionism focused on securing "living space," *lebensraum*, more land for more agricultural production, which meant expansion by conquest.

We know the outcome: Nazi occupation, war, and 75 million people dead, 20 million of them dead from starvation.

Hunger is both a cause and a consequence of genocide.

Fifty years later, the population of Rwanda, a small, poor, landlocked, overcrowded country, turned upon itself, and close to a million people were slaughtered by their friends, neighbors, co-workers, even relatives, in less than a hundred days. Why?

Nearly 90 percent of Rwandans were subsistence farmers, but only 40 percent of the land was arable. The population had grown significantly in recent decades, and most farmers could barely provide for themselves and their families. There were severe droughts in 1984, 1988, and 1989, a sharp drop in world market prices for coffee and tea (the export crops for foreign exchange), and limits on government spending imposed by the World Bank.

To subsist above famine level, people must consume more than 1,600 calories a day. In 1982, 9 percent of Rwandans were below famine level in caloric consumption; by 1990, in response to the unprecedented droughts, 40 percent; and by 1994, well over half the population was starving. And in 1994 this hungry, angry, poor population was able to be incited and polarized against one another with overwhelmingly tragic results.

In our own hemisphere, the medical journal *The Lancet* reports that up to 90 percent of children in Guatemala today suffer from malnutrition: both from marasmus, which is the wasting away from insufficient caloric intake, and from kwashiorkor, insufficient protein intake that stunts both physical growth and mental development.

The Guatemalan people affected by malnutrition are largely the Indigenous Mayan communities, who have twice the rates of stunting of the non-Indigenous population. *The Lancet* reports, "Most of the hunger hotspots also track with the places in which the civil war was most fierce, like the province of Quiché in the highlands. This was not by mistake."

Guatemala's genocide toll over the 36-year civil war was more than 200,000 lives, 80 percent of them from starvation and murder of the Indigenous populations.

Hunger kills.

Two weeks ago, a panel of lawyers and human rights experts defined a new crime that they hope will enter the list of the world's most egregious offenses: *ecocide*. They expect that it will stand with genocide, crimes against humanity, war crimes, and aggression as the most heinous of acts that can be perpetrated against large numbers of innocent people.

Their definition: "Unlawful or wanton acts committed with knowledge that there is a substantial likelihood of severe and either widespread or long-term damage to the environment being caused by those acts."

We are experiencing the onslaught of extraordinary heat waves, droughts, storms, fires, and floods that cause unmitigated and prolonged scarcities of food and water all over the world. People are dying in the hundreds and in the thousands; infrastructures and habitats are being destroyed; and national security is under threat.

Genocides will become more frequent if we cannot limit the dangers of climate emergencies.

France, Canada, and the European Parliament's environment committee support recognition of *ecocide* in international law, an idea first proposed in 1972 by then-Swedish Prime Minister Olof Palme. Belgium, Spain, Finland, Vanuatu, and the Maldives also support it.

The goal is to have *ecocide* added into the Rome Statute, the foundational document of the International Criminal Court, the world's only permanent court adjudicating these gravest of all human crimes.

The western half of the country is burning up. Hurricanes are forming in the southeast. Buildings are collapsing. The time is now — because **ecocide triggers hunger and genocide**.

World Without Genocide is holding a webinar on Wednesday, July 14, 7-9 p.m. CDT, titled "Genocide, Climate, Cobalt, and Human Rights," featuring Holocaust and genocide scholar Alex Alvarez; Terrence Collingsworth, lawyer at International Rights Advocates; and Kathryn Hoffman, CEO of Minnesota Center for Environmental Advocacy. The program is open to the public; [registration is required](#) by July 13. \$10 general public, \$5 students and seniors, \$25 Minnesota lawyers for two "elimination of bias" CLE credits (pending), free to Mitchell Hamline students.



Ellen J. Kennedy, Ph.D., is the executive director of [World Without Genocide](#) at Mitchell Hamline School of Law.

April 12, 2021

Thousands of Falash Mura, caught up in violence in Ethiopia, seek entry into Israel

A small Jewish community of Ethiopians known as Beta Israel has lived in Ethiopia's Amhara and Tigray regions for 3,000 years. Some converted to Christianity to stay safe; they are known as the Falash Mura.

By [Ellen J. Kennedy](#)



Members of the Falash Mura Jewish Ethiopian community attending a prayer service at the HaTikvah Synagogue in Gondar, northern Ethiopia. *REUTERS/Tiksa Negeri*

There is a plant called wandering Jew. When I first heard that term, I was shocked. I'm a Jew, and it seemed like one more pejorative label used to describe Jews.

Jews are wanderers, of course, a people in a diaspora around the world. But there is a more sinister meaning to the term *wandering Jew*. There is a legend that a Jew scoffed at Jesus en route to the crucifixion and the Jew was subsequently cursed to wander the earth until the apocalypse.

This tale is not true; the legend arose in the 13th century, possibly in connection with Jews' expulsion from England in 1290. It became popularized in the 17th century and perhaps was a rationale for the antisemitism of the time: Jews were expelled from France and Yemen, persecuted in Poland and Peru, forced into ghettos in Italy and in Vienna, and tortured, including being burned at the stake, in cities all over Europe.

The Nazis appropriated the concept of the wandering Jew in the 20th century, translating it to *der ewige Jude*, meaning *the eternal Jew*, and referring to the medieval folklore character. The phrase was used for an art exhibit that showed Jews as the cursed and dehumanized "wandering Jews" from earlier centuries. A 1940 propaganda film of the same title was used to justify extermination of the Jewish people.

But we are, indeed, wanderers, the result of expulsion and flight from persecutions throughout history and throughout the world.

Jews are at risk now in another perilous situation, this time in Ethiopia.

A small Jewish community of Ethiopians known as Beta Israel, or House of Israel, has lived in Ethiopia's Amhara and Tigray regions for 3,000 years. They lived alongside Muslim and Christian populations, and like Jews in many places, they suffered religious persecution during the 19th and 20th centuries. Some converted to Christianity to stay safe; they are known as the Falash Mura.

In the 1970s, Ethiopia was torn apart by civil war and famine. The Beta Israel community was impoverished, forbidden to leave the country, and they were in danger of perishing altogether.

In 1977, Israeli leaders decided that the Beta Israel would be transported from Ethiopia to Israel for *aliyah*, settlement in the place they view as their homeland. The Israeli and American governments launched massive clandestine efforts from 1979 to 1991 and rescued nearly 100,000 people in dangerous and heroic missions. In one 36-hour period, 34 El Al planes, with seats removed to maximize passenger capacity, flew 14,325 Beta Israel to Israel.

Today there are 125,000 people of [Ethiopian descent — Beta Israel and Falash Mura — in Israel](#). However, at least 8,000 Falash Mura still remained in Ethiopia after those rescues. The Israeli government had promised their emigration by the year 2020.

Ethiopia is in turmoil. In November 2020, fighting in the Tigray region erupted between Ethiopian government troops and militias in Tigray known as the TPLF. The violence has been horrific.

Crimes reportedly include genocide, ethnic cleansing, war crimes, rape and other sexual violence, and crimes against humanity. At least 2.2 million people have been displaced, many of them women and children, and an estimated 60,000 people have fled into neighboring Sudan. The need for food, water, shelter, and medical aid is at catastrophic levels, while access to those in need is either limited or nonexistent. U.N. watchdogs have been denied observation. The internet has been shut down since November, and journalists have been arrested.

Early in the conflict, government forces launched missile strikes at an airport in the city of Gondar in neighboring Amhara province. In retaliation, the TPLF fired missiles back from the base.

An estimated 7,500 Falash Mura have been waiting in Gondar to emigrate to Israel since the war began. Rescues began on Dec. 3, 2020. The first of six planned rescue flights of 2,000 Falash Mura landed at Jerusalem's Ben Gurion airport with 316 people on board. The sixth and final flight with 300 passengers arrived on March 11, 2021.

However, according to the Jerusalem Post, 5,500 Falash Mura are still waiting in Ethiopia. An additional 5,340 hope to claim immigration rights.

“While we rejoice over the 2,000 Ethiopian Jews who were granted approval to immigrate to Israel, we are deeply saddened over the thousands of Ethiopian Jews that the government has left behind,” said the Activists for Ethiopian Aliyah organization. “Terminating immigration from Ethiopia continues painful family separation, while leaving the fate of thousands in question.”

Loved ones have been apart for 20 years because of Israeli government policies. Now, Falash Mura remain in Gondar, caught up in a genocide, with little hope for emigration to safety. They are, truly, wandering Jews.



World Without Genocide will hold a webinar on Thursday, April 29, noon to 1 p.m. CT, titled “Beyond the Borders of the Ethiopian Conflict: India, China, Russia, and Somalia.” The program is open to the public; [registration is required by April 28](#). \$10 general public, \$5 students and seniors, \$25 2 CLE Elimination of Bias credits (pending) for Minnesota lawyers. Continuing education certificates for teachers, social workers, and nurses.

Ellen J. Kennedy, Ph.D., is the executive director of [World Without Genocide](#) at Mitchell Hamline School of Law.

<https://www.minnpost.com/community-voices/2021/04/thousands-of-falash-mura-caught-up-in-violence-in-ethiopia-seek-entry-into-israel/>

MINNPOST

U.S. needs the impetus, leadership, and commitment for positive peace

Positive peace is defined by The Institute for Economics and Peace as true, lasting, and sustainable peace built on justice for all.

By [Ellen J. Kennedy](#) | Jan. 19, 2021



*People walk past damaged buildings at the Yarmouk Palestinian refugee camp on the southern outskirts of Damascus, Syria, on December 2, 2020.
REUTERS/Omar Sanadiki*

I have never been a soldier, never fought in a war, and never witnessed combat, but I have seen the devastation of war in many places.

I have been to the crumbling ruins of concentration camps in Europe, remnants that testify to the efforts of one group to exterminate another. I have visited the museum at Hiroshima, where I saw photographs of the complete obliteration of people, buildings, and the environment. I have walked through trenches in Belgium from which soldiers on opposing sides attacked one another day after day after day in endless, catastrophic, unwinnable battles. I have been to Gettysburg, where the greatest number of Civil War casualties occurred for the armies on both sides.

Historian Margaret MacMillan, in her brilliant new book “War: How Conflict Shaped Us,” explores the integral role that war plays in our daily lives – in our linguistic metaphors, in games children play, in our music, films, books, and paintings, and in our place-names and honorific statuary.

As a nation we are organized for war. The U.S. military budget was \$738 billion in 2020, the largest in the world, followed by China’s at \$228 billion. The money fuels weapons production, education and training, research into more powerful weapons, and the enormous infrastructure to support several million military and civilian personnel.

We make huge political and social changes in anticipation and the conduct of war and in its aftermath. These changes include advances in technology, medicine, public health, transportation, education, and even in gender equality, as both men’s and women’s roles often change to meet the needs in warring states.

Why do we fight? War is always portrayed by at least one of the warring factions as being defensible, waged to protect a way of life, an ideology, a religious, ethnic, or national group, or a homeland. But war is also motivated by greed for more land and more resources, for power and glory, and by hatred.

Warfare has changed over the last century or two. War has become increasingly destructive, with ever more powerful weapons that now include nuclear bombs, drones, and lasers. The result is ever greater devastation of civilian lives, property, and the environment. Combat was once between competing armies on battlefields; not anymore. Today, for example, it includes dropping cluster bombs on hospitals, schools, and homes in Yemen and using poisonous gases on innocent men, women, and children in Syria.

As any society becomes more sophisticated and complex, the rules governing its structures and processes become more clearly defined, and that is true for conducting war as well.

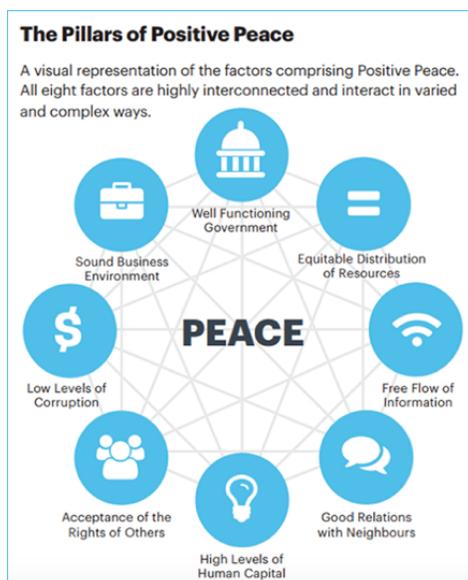
Laws and rules that govern how war can be waged were codified between 1864 and 1977 under the four Geneva Conventions and three additional protocols. This branch of law, known as International Humanitarian Law, applies to two separate areas of war. First, the conventions specify the safe treatment of military personnel who are no longer involved in combat and others who are not actively involved in fighting, such as humanitarian aid workers, prisoners of war, and the injured. The second area limits the means of harming the enemy by outlawing particularly deadly practices such as mines, lasers, and biological and chemical weapons.

There are penalties for countries or individuals who break these laws. The accused can be prosecuted in domestic courts or in a country's military tribunals. They can also be held to account by international *ad hoc* courts, such as those established in the 1990s by the United Nations to adjudicate crimes in former Yugoslavia and in Rwanda, or by the permanent International Criminal Court.

Positive and negative peace. These laws and their enforcement provide an incentive for peace and a deterrent to conflict. The absence of war or direct violence was defined by Johan Galtung, Norwegian sociologist and founder of the discipline of peace and conflict studies, as *negative peace*. An example is the enactment of a ceasefire and the cessation of violence.

Positive peace, on the other hand, is more than the absence of conflict. The Institute for Economics and Peace (IEP) defines positive peace as true, lasting, and sustainable peace built on justice for all. It is associated with other social characteristics that are considered desirable, including stronger economic outcomes, higher resilience, better measures of well-being, higher levels of inclusiveness, and more sustainable environmental performance. "Therefore," the report notes, "positive peace creates an optimal environment in which human potential can flourish."

IEP analyzes nations of the world according to the Positive Peace Index, a composite of eight critical and interacting factors shown below (Positive Peace Report 2018, p. 7).



The Institute for Economics and Peace

The Positive Peace Index for the United States has fallen dramatically in the past few years. In the global rating of 163 countries, the U.S. fell from a rank of 18 in the year 2018 to *No. 121 out of the 163 countries in 2020*. This compares to a rank of 6 for our northerly neighbor, Canada. The events of Jan. 6 in Washington, D.C., will undoubtedly drop the ranking even further. This is no surprise when we look at the factors on which the index is based, such as the free flow of information, the equitable distribution of resources, the acceptance of the rights of others, and a well-functioning government. We can hope that this situation will change, but it is strongly influenced by corruption and political polarization.

Why positive peace matters. Positive peace factors influence both human development, such as education, nutrition, and health, as well as economic development, defined by GDP. The simultaneous and systemic pursuit of both sets of factors create conditions in which a society can thrive. But as former French prime minister Georges Clemenceau once said, “Making peace is harder than waging war.” We talk war; we don’t talk peace. GI-Joe toys embody war, not peace. Video games and board games re-enact and glorify war.

Years ago, I went to one of the world’s most heart-wrenching sights and sites, the cemetery at Gallipoli, a World War I battlefield in Turkey where several hundred thousand men lost their lives. The gravestones, one after another, lauded the young men for their bravery in fighting for their respective countries. At what cost did they die, in the toll of both human potential and families’ grief?

We have the laws of war. We need the impetus, the leadership, and the commitment for positive peace.

World Without Genocide will host a two-part workshop on International Humanitarian Law, Saturday, Jan. 23, from 10 a.m. to 11:30 a.m. CT and Saturday, Jan. 30, from 10 to 11:30 a.m. CT, on Zoom. The program is open to the public. Registration is required. Details: \$35 for Minnesota lawyers, 3 standard CLE credits (pending); \$10 general public, \$5 students and seniors, free to Mitchell Hamline students (diversity credit available). “Clock hours” for teachers, nurses, and social workers.



Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide at Mitchell Hamline School of Law.

<https://www.minnpost.com/community-voices/2021/01/u-s-needs-the-impetus-leadership-and-commitment-for-positive-peace/>

MINNPOST

Detention, injury, even death: the price of a free press

Journalists risk their lives to tell us what we must know to preserve democracy and to stand up when our rights are threatened.

By [Ellen J. Kennedy](#) | Oct. 12, 2020



Jamal Khashoggi was assassinated at the Saudi Arabian consulate in Istanbul to silence his coverage of Saudi human rights abuses. REUTERS/Sarah Silbiger

Daniel Pearl, an American, was beheaded by al-Qaida in Pakistan for reporting on the organization's terrorist activities.

Jamal Khashoggi was assassinated at the Saudi Arabian consulate in Istanbul to silence his coverage of Saudi human rights abuses.

Marie Colvin, an American writer for a British newspaper, was murdered in Syria by an IED to stop her coverage of the Syrian government's brutal crimes against its own citizens.

Daphne Caruana Galizia was blown up by a car bomb in Malta for publishing stories about Malta's corrupt government.

Trina Slavina, editor of a Russian news website, died after setting herself on fire to protest Russian media and internet censorship.

It's easier – and quicker — to kill the story by killing the journalists than by any other means.

Reporters around the world work at great risk to themselves and their loved ones. They use radio, TV, newspapers, magazines, and the internet to sound the alarm about human rights abuses from genocide to terrorism, from sexual violence to civil war, from growing pandemic inequalities to climate catastrophes.

Too many journalists pay with their lives – or their freedom.

Amal Habbani of Sudan has been jailed and tortured 15 times by Sudanese authorities for speaking out on police abuse. She writes that "it was like being alive in a grave."

Maria Ressa in the Philippines was arrested for 'cyber libel' for her reporting about President Rodrigo Duterte's murderous regime. She was found guilty and was sentenced to 100 years in jail.

Omar Jimenez of CNN covered demonstrations in Minneapolis after the murder of George Floyd. Jimenez was arrested and jailed in Minneapolis despite telling officers that he was with CNN and showing his press pass. He wasn't released until CNN President Jeff Zucker called Minnesota Gov. Tim Walz directly to insist on his release.

A free press is the watchdog of the government.

Experts tell us that democracy is declining in countries all over the world – including the United States.

According to American political scientist Larry Diamond, democracy has four fundamental elements: a system for choosing and replacing the government through free and fair elections; the active and full participation of the people in politics and civic life; the protection of the human rights of all citizens; and the equal application of the rule of law to all citizens.

Democratic backsliding is threatening democracy.

Backsliding means breaking down democratic institutions from within. This is especially dangerous because the breakdowns are legitimized through the very institutions that ought to protect democratic values. How does this backsliding happen?

- Free and fair elections are degraded.
- Political parties get elected and weaken the democratic institutions that protect human rights.
- Freedom of the press is suppressed to prevent challenges to the government.
- The separation of powers breaks down. The executive branch imposes controls on the legislative and judicial branches and consolidates power.

Journalists risk their lives to tell us what we must know to preserve democracy and to stand up when our rights are threatened.

Since May, the U.S. Press Freedom Tracker has documented more than 600 attacks on reporters who were covering protests across more than 70 U.S. cities.

In Bayeux, France, the War Reporters' Memorial Garden honors more than 2,000 journalists from all over the world who have been killed since 1944 in their service to truth and to raising awareness of mass atrocities happening to innocent people around the world.

Violence against reporters is on the rise everywhere.

How important is a free press?

To what extent should people put themselves and others at risk to expose injustice and corruption? And, most important, what can each of us do to promote a free press?

These issues will be aired when World Without Genocide hosts “The Global Decline of Democracy, Human Rights, and Freedom of the Press” on Thursday, Oct. 22, from 7 p.m. to 9 p.m. via Zoom. Kerry Paterson from the Committee to Protect Journalists will be the featured speaker. The program is open to the public. Registration is required by Oct. 20.



Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide at Mitchell Hamline School of Law.

<https://www.minnpost.com/community-voices/2020/10/detention-injury-even-death-the-price-of-a-free-press/>

MINNPOST

Nicosia: Peace advocates in a divided city

The women around our conference table, from 10 countries, have a vision of a different world, one without checkpoints on city streets and without U.N. soldiers.

By [Ellen J. Kennedy](#) | Aug. 5, 2016



CC/Flickr/Monika

The city of Nicosia, Cyprus, is split in two. There is a checkpoint with armed guards and U.N. soldiers on both sides. To cross from the Greek Cypriot to the Turkish Cypriot side, I had to present my passport twice in the space of about 10 feet, to officials representing two different governments.

Peace on our planet is elusive, and in this city of Nicosia, reminiscent of the division between East and West Berlin, I thought about what the word “peace” means.

I was in Nicosia for a four-day gathering of women from the MENA Region (Middle East/North Africa). Five years ago Sen. Sandy Pappas, president of the Minnesota Senate, gathered women academics, legislators, and civil society leaders together to talk across the lines of religion and nationality that cause such deep and painful divides in our cities and, indeed, throughout the world.

Five years later, we continue to talk – and to advocate and work for peace.

Rule of law, human rights, equality

Peace is not merely the absence of violence. Peace is the enduring rule of law that guarantees, preserves, and protects human rights for us all. Peace is not merely the ability today to cross from the Greek to the Turkish side of Nicosia, which was not possible for a long time. Peace is the promise that girls will be educated, not only boys; that women will have economic and legal security as their own persons; that women will be part of conflict resolution, so that their unique needs and vulnerabilities will be adequately addressed and protected; and that women will be represented equally at all levels of government and other decision-making.

At our meeting last week in Nicosia, in that divided city, we heard from women in Morocco, where 50 percent of all women are illiterate but where new laws give them greater rights than

ever before; from women in Israel who are organizing a march on Oct. 19 to “wage peace”; from a woman in Palestine who has taught conflict resolution to Israelis and Palestinians for years; from Jordanian women working with Syrian women refugees who have fled from unspeakable violence to forge new lives; from a woman in Egypt who is the youngest-ever member of the Parliament and who works on human rights.

Envisioning a different world

More women’s voices around the world are advocating for peace, for peace as so much more than the absence of violence, for peace as full and guaranteed equality for everyone, regardless of the artificial barriers that have been created of race, religion, ethnicity, national origin, and gender.

The steps are small and the pace is slow. But the women around our conference table in Nicosia, ages 26 to 70 and from 10 countries, have a vision of a different world, one without checkpoints on city streets and without U.N. soldiers, a world where we all have a rightful – and a peaceful – place.

Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide at Mitchell Hamline School of Law in St. Paul.

<https://www.minnpost.com/community-voices/2016/08/nicosia-peace-advocates-divided-city/>

MINNPOST

The ICC: prosecuting the worst perpetrators in the world

On the 65th anniversary of the U.N. Declaration of Human Rights we celebrate the International Criminal Court and its advocacy for protecting human rights for us all.

By [Ellen J. Kennedy](#) | Dec. 10, 2013



The International Criminal Court began operating in 2002 in The Hague, Netherlands, a city chosen because it is a center for other courts of justice.

CC/Flickr/M.M. R

The Nazis planned to exterminate all the Jews of Europe. When Hitler was asked how he thought he'd get away with this, he replied, "Who today remembers the Armenians?"

He was referring to the Ottoman Empire's systematic extermination of 1.5 million Armenians during World War I, one of the first modern genocides. The word "genocide," in fact, was coined to describe this tragedy.

One of the reasons Hitler felt he would have impunity to massacre the Jews is that the Ottoman perpetrators were never punished. But we know that the Nazis did not have impunity. In 1945, twenty-three Nazi leaders were put on trial in Nuremberg, Germany, for crimes against humanity in what has been called "the greatest trial in history." Most of the men were found guilty; some were hanged and the rest of the guilty were imprisoned. Twelve subsequent trials were held in Nuremberg after this major international military tribunal, and hundreds of additional trials occurred in countries that had been occupied by the Nazis.

Justice mattered, for individuals, communities, and nations.

Despite genocides in Cambodia, East Timor, and Guatemala, for nearly half a century after Nuremberg there were no other international tribunals to hold individuals criminally responsible for heinous acts against innocent civilians.

Temporary tribunals in '90s

In the 1990s, the United Nations established ad hoc international tribunals to prosecute perpetrators of the genocides and mass killings in Bosnia, Rwanda, Cambodia, East Timor, Sierra Leone and Lebanon. These tribunals were temporary, designed to adjudicate only the crimes committed in those specific locations.

For a century, however, people had been advocating for a permanent international court to try individuals for crimes against humanity and other terrible injustices.

Finally, in 1998, at a meeting in Rome, Italy, the Rome Statute was signed; it established the foundation for the world's first permanent International Criminal Court (ICC). The court began operating in 2002 in The Hague, Netherlands, a city chosen because it is a center for other courts of justice.

The ICC's mandate is to prosecute individuals who commit genocide, war crimes and crimes against humanity that have occurred since 2002. This is the most important court on the planet.

Last spring I met a man whose vision of justice was formed at the Nuremberg court and extends to the International Criminal Court. Ben Ferencz prosecuted the Einsatzgruppen, the Nazi mobile killing squads responsible for the deaths of more than a million Jews. He was 27 years old and it was the first trial of his life – and he received guilty verdicts for every one of the defendants.

Landmark case: Child soldiers in DRC

Two years ago, Ferencz, then 92 years old, gave the closing argument for the ICC's case against Thomas Lubanga. Lubanga was found guilty of using child soldiers, as many as 3,000 children between the ages of 8 and 15.

This was a landmark case. First, it was the ICC's first completed case and the fulfillment of the long-held dream of a permanent international tribunal to end global impunity. Second, the government of the Democratic Republic of the Congo authorized the court to investigate the case, illustrating a unique feature of the court called complementarity. When a country is either unable or unwilling to prosecute one of its own citizens for these crimes, the country may turn the case over to the ICC, the UN Security Council may do so, or the chief prosecutor may choose to conduct an examination.

In this case, it was particularly noteworthy that the Congolese government asked the court to prosecute this case. And finally, this was the first time that the use of child soldiers had been prosecuted. There are currently an estimated 300,000 children used in conflicts in at least fourteen countries around the world, a crime that defies our imaginations.

The judges, lawyers, and administrators are chosen from among the finest in the world. The current president is from Korea, the first vice president is from Botswana, and the second vice president is from Italy. The chief prosecutor, a woman, is from Senegal, and the deputy prosecutor is from Canada.

At 94, at The Hague

Ben Ferencz is my hero. His life has spanned the global effort to find justice for those who have been treated as less than human. He is now 94 and is currently at The Hague for the meeting of the Assembly of States Parties, the annual gathering of the representatives of the 126 countries

that have ratified their support for the court. Although the United States supports the court in many ways, it has not yet joined the other nations in ratification. Nevertheless, there are leading U.S. lawyers like Ferencz who participate in these meetings.

I believe in this court. I am a Jew born after World War II and, like most Jews in the United States, I had distant family members who perished during the Holocaust. Perhaps if this court had existed then, I would have relatives alive in Europe today.

I work with AMICC, the American coalition that raises awareness about the court, and a team of Minnesota law students and lawyers who are preparing materials to promote U.S. support of the court. Today, on the 65th anniversary of the U.N. Declaration of Human Rights (Dec. 10), we celebrate the International Criminal Court and its advocacy for protecting human rights for us all.



Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide at William Mitchell College of Law.

<https://www.minnpost.com/community-voices/2013/12/icc-prosecuting-worst-perpetrators-world/>

MPRnews

Nuremberg's legacy lives on in a world determined to prosecute the worst of crimes

Ellen J. Kennedy

April 19, 2012 10:00 a.m.



Ellen J. Kennedy: The International Criminal Court replaces what had been a scatter-shot approach to justice. *Ellen J. Kennedy is executive director of World Without Genocide at William Mitchell College of Law.*

Photo Courtesy of Ellen J. Kennedy

Last September, in The Hague, Netherlands, 92-year-old Ben Ferencz spoke impassioned words in the prosecution's closing arguments against Thomas Lubanga, who was charged with abducting and using hundreds of young children as soldiers in the Congo.

More than half a century earlier, Ferencz had liberated the Nazi death camps of Buchenwald, Mauthausen and Dachau as a soldier in the U.S. Army. He then became chief prosecutor for the United States in the Einsatzgruppen Case, which the Associated Press called "the biggest murder trial in history." Twenty-two Nazi defendants were charged with murdering over a million people. It was Ferencz's first case.

All of the defendants were convicted. Thirteen were sentenced to death. This trial, held in Nuremberg, Germany, in 1945, was one of 13 trials organized by the four major Allied forces (the United States, France, England and the Soviet Union) to prosecute the worst perpetrators of the Holocaust.

This was the first time in the history of the world that nations came together to adjudicate crimes that occurred not on their own soils but elsewhere, and crimes perpetrated not by their own citizens but by others.

This was a seismic change in efforts to create global justice and global jurisprudence. Nothing like it was seen again until after the Cold War.

In 1993, the United Nations established an international tribunal to prosecute perpetrators of the crimes occurring in the former Yugoslavia. This tribunal, the International Criminal Tribunal for the former Yugoslavia (ICTY), was also breathtakingly precedent-setting on several counts. First, it was established by the United Nations, not by a small group of victorious countries. Second, the tribunal began while violence was still occurring, so the goal was not only to track down and remove those who were organizing the mass atrocities, but also to act as a deterrent to others.

A year later, 800,000 people were slaughtered in a genocide in Rwanda. Again, the United Nations established an international court, the International Criminal Tribunal for Rwanda (ICTR), to prosecute the worst of those responsible for organizing, inciting and carrying out the violence. At ICTR, the first person ever to be charged with the crime of genocide was found guilty, and rape was officially labeled a crime of genocide.

These two United Nations tribunals, and others like them, are ad hoc courts, designed solely to adjudicate perpetrators in specific conflicts — former Yugoslavia, Rwanda, Sierra Leone, Kosovo. When the judges and lawyers in these courts complete their tasks, these tribunals will disband.

This was a scatter-shot approach to justice, however, depending on the United Nations Security Council members' approval to create and fund these tribunals, a process often mired in political complexity and expediency. A permanent court was needed to prosecute genocide, war crimes and crimes against humanity on an ongoing basis.

In 2002 that permanent court came into being, the International Criminal Court. It is at that court, headquartered in The Hague, where Lubanga was on trial for rape, murder and the heinous crime of using children, often as young as 7 or 8, as soldiers. It was at that trial, more than 60 years after Ben Ferencz prosecuted Nazis, that he urged the judges to find Lubanga guilty.

And just as in Ferencz's first case, when all the defendants were found guilty, so, too, was Lubanga. It was the first verdict of this new global court, a court Ferencz had devoted his life to create.

The legacy of Nuremberg has reached across the ocean and across the decades to create a permanent court of justice. Ben Ferencz says that this court reflects "the awakened conscience of the world."

Today, April 19, we honor Holocaust Remembrance Day and think about the 6 million Jews, and millions of others, who perished under the Nazi regime. It is a good day to think, also, about Ben Ferencz and his journey — from that heroic young man's successful prosecution of those responsible for killing more than a million Jews, to his words at the world's first permanent court to prosecute the perpetrators of humanity's worst crimes.

World Without Genocide is hosting three events to commemorate the legacy of Nuremberg and Holocaust Remembrance Day: at 7 p.m. today, the film "Nuremberg: Its Lesson for Today"; at 7 p.m. Friday, April 20, the play "If the Whole-Body Dies: Raphael Lemkin and the Treaty against Genocide"; and at 1 p.m. Saturday, a conference titled "Nuremberg: Its Legacy for Today - from the Holocaust to Rwanda." For details, visit worldwithoutgenocide.org.

<https://www.mprnews.org/story/2012/04/19/kennedy>

MPRnews

In Sudan, a vote for independence

Ellen J. Kennedy

December 10, 2010 11:00 a.m.



Ellen J. Kennedy is executive director of World Without Genocide, based at William Mitchell College of Law in St. Paul.
Photo Courtesy of Ellen J. Kennedy

For 20 years, the government of Sudan, headquartered in the north, fought a brutal civil war against the people in the southern part of the country. At stake was control of the south's oil resources. More than 2 million people perished and millions were displaced from their homes and their villages.

We have heard stories of the "lost boys and girls" from that war, horrific stories of barefoot, naked, starving children who walked hundreds and hundreds of miles to escape violence and destruction.

Former President George W. Bush, in office during this tragic conflict, helped to broker a peace accord in 2005. That agreement calls for a national referendum that will be held in one month. This vote allows the south to become independent from the north, a move long awaited by many southerners. The people in the south see this as their opportunity for self-governance, economic development, and autonomy from the northern dictatorial government that has kept the south desperately poor while the north has become rich from selling oil to China.

The process of conducting the referendum itself has been challenging. People must first register to be allowed to vote on Jan. 9. This registration process, originally scheduled to end Dec. 1, was extended because of logistical and other challenges. Southern Sudanese living in the north are claiming that they have had difficulties registering and will be unable to cast their votes.

During this registration process the major southern political party, the SPLM, has accused the north of carrying out air strikes in the south in an attempt to derail the registration and voting process.

There is great fear that this referendum will cause widespread violence throughout Sudan. Leaders from the European Union, African Union, human rights organizations and faith communities, including the archbishop of Canterbury, have urged world attention to violence happening in the south and to renewed attacks in Sudan's Darfur region.

Troops are massing on the northern side of the border, an area that the United Nations is unable to patrol regularly, and there is great fear that conflict will break out in north-south border areas and spread rapidly.

Sudan's president, Omar Al-Bashir, has been indicted by the International Criminal Court on multiple counts of war crimes, crimes against humanity and genocide. These charges are related to the situation in Darfur, where hundreds of thousands have been killed and millions more displaced both internally and beyond Sudan's borders.

Sudan's future is at stake in this referendum: its borders, its resources and its economy. It is unlikely that President Bashir, who is undeterred by the ICC's arrest warrant for genocide, will let this referendum occur freely and fairly.

The United States should join the other nations of the world to ensure that the referendum will be legitimate - and safe. People must be protected at the polls. Minnesotans should contact their elected representatives in Washington and urge that the United States lend its weight to the effort.

President Obama campaigned on promises to end the current tragedy in Sudan. Although his administration has done very little, there is much that can be done now. It is up to each of us to take a stand and to prevent further mass violence against innocent men, women, and children.

Ellen J. Kennedy is executive director of World Without Genocide, based at William Mitchell College of Law in St. Paul.

<https://www.mprnews.org/story/2010/12/10/kennedy>

MINNPOST

<https://www.minnpost.com/community-voices/2022/03/putin-continues-the-russian-history-of-war-and-genocide-in-ukraine/>

Putin continues the Russian history of war and genocide in Ukraine

Ukraine's government is fighting back ... in the streets and in the courts.

By Ellen J. Kennedy **Thursday, March 3, 2022**



Residents boarding an evacuation train from Kyiv to Lviv at the Kyiv central train station on Thursday.

REUTERS/Gleb Garanich

Ukraine has been a tortured place.

It is located between two previously totalitarian governments – the Soviet Union and Nazi Germany. Ukraine is called the “bloodlands” because so much loss of life occurred there before, during and after World War II. And now horrific devastation is in these bloodlands yet again. Beginning in the 18th century, Ukrainian territories were divided between the Austrian and Russian empires. In 1918, after World War I, Ukraine declared independence. However, independence was short-lived; the country was forcibly absorbed into the Soviet Union in 1922.

Stalin's famine

Under Soviet dictator Joseph Stalin, the USSR implemented a system of collectivization of Ukraine's fertile farmlands. Ukrainian farmers were unwilling to cede their independence and their farms to the government. In brutal retaliation for the farmers' refusal to cooperate with his mandates, Stalin implemented a famine to break Ukrainian resistance.

To escape starving to death, people in the villages ate anything that was edible; grass, acorns, even cats and dogs ... and each other. Mass graves appeared all across the countryside.

Estimates are that at the height of the Holodomor – murder by hunger – in June 1933, Ukrainians were dying at a rate of 28,000 people a day, 1,167 an hour, 19 people every single minute.

As many as 3.5 million Ukrainians perished from starvation from 1932-1933 in this intentional genocide that not only created physical destruction, but also devastated the culture and traditions of the Ukrainian people.

Raphael Lemkin, Polish and Jewish, who fled from the Holocaust, coined the word genocide and authored the 1948 UN Genocide Convention. He named the Holodomor as genocide, the intentional destruction of a group and of a culture and a nation.

Lemkin identified four integral components in the genocide in Ukraine:

- Executing the Ukrainian political and cultural elites – the *brain* of Ukraine;
- Liquidating the Ukrainian Orthodox Church clergy and hierarchy – the *soul* of Ukraine;
- Exterminating the Ukrainian farming population – the *spirit and heart* of Ukraine and
- Replacing Ukrainians with ethnic non-Ukrainians, a form of colonization – the *culture* of Ukraine.

The Cover-up

There was total impunity for these millions of deaths. No one was ever held accountable. In fact, the Soviets covered it up, abetted by incomplete and biased reporting by Walter Duranty, then Moscow bureau chief for *The New York Times*, who falsely wrote that nothing of consequence was happening. Welsh journalist Gareth Jones traveled to the USSR, and, despite grave danger, entered Ukraine illegally and saw the truth – piles of emaciated bodies, dead and dying people everywhere he looked. Jones' reporting was publicly discredited while Duranty received a Pulitzer Prize in 1932 for his work, which the Times has publicly regretted. Stalin's Holodomor crushed Ukraine.

The Nazis

Less than a decade later, the Nazis invaded Ukraine. Mobile killing squads known as the *Einsatzgruppen* murdered a million and a half Ukrainian Jewish and thousands of non-Jewish Ukrainians. Leaders of the *Einsatzgruppen* were prosecuted at Nuremberg, but most of the perpetrators of terrible violence in Ukraine, including the killing of 33,000 Jewish Ukrainians at Babi Yar outside of Kyiv, never were held to account. The memorial at Babi Yar was shelled by Russian troops on March 1 – this past Tuesday.

Soviet Repression

The decades after World War II saw increasing Soviet “Russification,” suppression of the Ukrainian language, culture, religion and traditions. Dissidents were imprisoned by the thousands, and fear and persecution were constant.

The Soviets – Independence Again

Ukrainians never lost their longing for autonomy. In January 1990, more than 300,000 Ukrainians formed a human chain to advocate for independence. The line stretched 335 miles, from the capital city Kyiv to Lviv in the west.

Less than a year later, Ukraine declared independence with a vote supported by 90 percent of the people.

War with Russia

In 1991, the Soviet Union collapsed. Vladimir Putin has viewed this as the “greatest geopolitical catastrophe of the 20th century,” according to author Kati Marton. He has installed himself as Russia's leader until 2036 with a goal to re-create the old Soviet sphere of influence.

Putin has already invaded the former Soviet republic of Georgia, supported a *de facto* puppet government in Belarus and Russian troops are now permanently stationed in Azerbaijan, another former Soviet republic.

In 2014 Putin invaded and occupied the Donbas and Crimea regions of eastern Ukraine in full violation of all international laws of war. More than 1.4 million people became displaced, 13,000 people were killed and 30,000 were wounded.

He is emboldened by receiving very little resistance so far.

Now, Putin is trying to finish what he started in 2014 – the re-absorption of Ukraine into Russia. He wants to eliminate the Ukrainians, push back against an eastern expansion of NATO, which he views as Russia’s enemy, and regain Russia’s lost power on the world stage.

Ending Impunity

Ukraine’s government is fighting back ... in the streets and in the courts.

The International Criminal Court in The Hague, Netherlands is the world’s only permanent court with a mandate to prosecute individuals for these most heinous human rights offenses. The Court has a nearly-global jurisdiction.

In 2014, Ukraine requested that the Court investigate alleged crimes committed in Ukraine during Russia’s 2014 invasion. On Feb. 28, Karim Khan, chief prosecutor of the court, announced that the court will investigate the current situation in Ukraine as well.

On Feb. 27, Ukraine filed a suit against Russia at the UN’s highest court, the International Court of Justice (ICJ), also in The Hague, Netherlands. The ICJ resolves disputes between nations, and Kyiv claims that the two sides have a dispute over the 1948 Genocide Convention, which they have both signed.

The suit asks the Court to rule on genocide and Russia’s claim to legal authority for military action in Ukraine. Ukraine also asked judges to order “provisional measures” to protect Ukraine, an extraordinary step to force Russia’s cessation of hostilities.

There must be an end to impunity in the bloodlands. There certainly must be an end to this war.

.....
World Without Genocide will hold a webinar Thursday, March 10 from 7 p.m. to 8 p.m. CST on “Ukraine: Genocide, Repression and War.” Those interested may register at www.worldwithoutgenocide.org/ukraine. The event is open to the public (\$10 general public, \$5 students and seniors, free to Mitchell Hamline students, \$25 for Minnesota lawyers for 1.0 Elimination of Bias credits and clock hours” for teachers, nurses, and social workers).



Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide at Mitchell Hamline School of Law, an adjunct professor of law and the representative of World Without Genocide to the UN Department of Global Communications.

US AND DOMESTIC ISSUES



MINNPOST

On U.S. internment camps' lessons — and the Supreme Court's evolution on the law

This month is the anniversary of one of the darkest episodes in U.S. history. On Feb. 19, 1942, President Roosevelt ordered the internment of more than 120,000 Japanese Americans into detention camps spread throughout the country.

By [Ellen J. Kennedy](#) | 02/08/2021



Japanese Americans in front of posters with internment orders in 1942. Photo by Dorothea Lange

This month is the anniversary of one of the darkest episodes in U.S. history.

On Feb. 19, 1942, President Franklin Roosevelt signed Executive Order 9066, which initiated one of the most degrading, humiliating, and harmful experiences for people living lawfully in the United States: the removal and internment of more than 120,000 Japanese Americans into detention camps spread throughout the country.

The ostensible reason was the fear that they constituted a “fifth column,” a group within a country at war that is a potential source of sabotage and a threat to U.S. national security.

Two months earlier, Japan had bombed Pearl Harbor and destroyed the U.S. military fleet stationed there. This attack pushed America into the war against Germany, Italy, and Japan.

Although the internment order also applied to Italians and Germans in the U.S., nearly all of the detainees were Japanese Americans.

Prior anti-Japanese sentiment

There was a great deal of anti-Japanese sentiment in the U.S. long before the war. The Japanese were concentrated on the West Coast. They had become economically successful, particularly as farmers, landowners, and merchants, and anti-Japanese xenophobia was widespread and virulent.

The war created an opportunity.

The executive order forced the Japanese in the U.S. to leave their homes, their shops, and their farms, which were expropriated by the government, never to be returned. They were allowed to take only what they could carry. They lost everything – not only their belongings, but their sense of belonging as well. Of the 120,000 who were incarcerated, two-thirds were American citizens.

They were transported to detention camps in remote and desolate regions where they were forced to live in stark barracks with almost no privacy, no amenities, surrounded by barbed wire, and under complete deprivation of their human rights. According to estimates, nearly 2,000 internees died from diseases that were rampant in the camps.

Jews, other minorities rounded up in Europe

While this was happening in America, Jews and other vulnerable minorities in Europe were being rounded up and deported to concentration and detention camps, uprooted from their belongings, their communities, and their rights.

Eleanor Roosevelt, who went on to participate in drafting the Universal Declaration of Human Rights six years later, wrote in her memoirs that she had hoped to change her husband's mind about internment. When she brought up the subject, however, he told her never to mention it again.

What was the legacy?

The older generation, those who were interned or who were born shortly after the war, stayed quiet. Their children, known as the Sansei generation, grew up during the civil rights movement. They began to campaign for an apology and for some form of redress.

In 1988, a formal apology and payment

In 1988, more than 40 years after the internment camps closed, President Ronald Reagan signed the Civil Liberties Act, which offered a formal apology and paid \$20,000 to each survivor.

But that isn't the whole story.

In 1942, a 23-year-old Japanese American man, Fred Korematsu, refused to be removed. He challenged the executive order on the grounds that it violated the Constitution's Fifth Amendment that guaranteed him due process of the law.

In the majority opinion joined by five other justices, Associate Justice Hugo Black wrote, in 1944, that the need to protect against espionage by Japan outweighed the rights of Americans of Japanese descent, including Mr. Korematsu.

Dissenting justices Frank Murphy, Robert H. Jackson, and Owen J. Roberts all criticized the exclusion as racially discriminatory. Justice Murphy wrote that the exclusion of the Japanese

“falls into the ugly abyss of racism” and resembled “the abhorrent and despicable treatment of minority groups by the dictatorial tyrannies which this nation is now pledged to destroy.”

The *Korematsu* case came to light again nearly 80 years later.

In 2018, the Supreme Court, in *Trump v. Hawaii*, considered whether Trump could lawfully ban Muslims from traveling to the United States. The Court upheld the travel ban in a 5-4 decision. Chief Justice Roberts supported the ban and wrote the majority opinion.

Justice Roberts on the Korematsu case

However, he referred to the dissenting opinions that referenced *Korematsu v. United States*. He said that the *Korematsu* case was wrongly decided. Justice Roberts stated, “The dissent’s reference to *Korematsu*, however, affords this Court the opportunity to make express what is already obvious: *Korematsu* was gravely wrong the day it was decided, has been overruled in the court of history, and — to be clear — has no place in law under the Constitution.”

He added, “The forcible relocation of U.S. citizens to concentration camps, solely and explicitly on the basis of race, is objectively unlawful and outside the scope of Presidential authority.”

The dissent in this “travel ban” case had been heated. Justice Sonia Sotomayor, one of the dissenting voices, compared the travel ban decision to the *Korematsu* case, saying there are “stark parallels” in the reasoning. “As here, the exclusion order was rooted in dangerous stereotypes about a particular group’s supposed inability to assimilate and desire to harm the United States.”

Roberts was troubled with the comparison between the *Korematsu* case and the travel ban. He did something that no party involved in the 2018 travel ban case had expressly asked for: He announced that the Supreme Court was overruling *Korematsu*.

We need to think about what was done in 1942 – and what has occurred in the past four years, particularly the unlawful and inhumane separation and detention of families on the U.S. southern border who may never be reunited again.

We must be mindful of the past and its lessons for today.

World Without Genocide will host a webinar on Feb. 15, 7 to 9 p.m. CST, titled “U.S. Reparations for the Holocaust, Japanese Americans, American Indians, and Black Americans.” It is open to the public; registration is required by Feb. 14. \$10 general public, \$5 students and seniors, free to Mitchell Hamline students. \$25 for 2 Elimination of Bias credits for Minnesota lawyers.



Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide at Mitchell Hamline School of Law.

Statewide View: Election protection includes countering voter intimidation

Jacob Simpson | Oct 30th 2020 - 10am.



The right to vote ensures that citizens have a voice in the political decision-making that impacts their lives. This right, guaranteed by Article 21 of the Universal Declaration of Human Rights, is viewed as the pillar for global peace.

However, free and fair elections are under attack in the United States.

Without free and fair elections, powerful leaders are not accountable to the people they are charged to serve. This can result in corruption, violence, and backsliding on human rights.

Voter intimidation is a looming threat to the legitimacy of the Nov. 3 election, and voters need to be prepared.

Voter intimidation takes many forms. It can be violence, or even the threat of violence, against supporters of the opposition party. Or it can be political demonstrations outside of polling places that frighten potential voters away.

Business Insider published a report stating that several far-right groups are “planning to patrol polling sites on Election Day.” The presence of these groups could intimidate voters and influence the election, especially if members are armed.

Just six states (Arizona, California, Florida, Georgia, Louisiana, and Texas) have laws that outright ban guns at polling places. Four of the election’s key battleground states (North Carolina, Pennsylvania, Wisconsin, and Virginia) have no regulations around firearms in polling places.

On Oct. 16, in response to current threats of intimidation, Michigan Secretary of State Jocelyn Benson announced that people will not be allowed to openly carry guns “in a polling place, in any hallway used by voters to enter or exit, or within 100 feet of any entrance to a building in which a polling place is located” on Election Day. However, in Michigan, people will still be

allowed to bring concealed weapons into polling locations, and they can openly carry weapons just 100 feet outside of the polls.

Because there are often long lines on Election Day, people can use guns to intimidate voters who are in a line over 100 feet from the polling location. This could be the case in many states.

Amnesty International, a global human rights watchdog, recently launched a campaign to urge governors to ban guns in and around polling locations. In its statement, Amnesty pointed to the rising number of firearms sales in the U.S., elevated risks due to the coronavirus pandemic, and what Amnesty called plans by some to “recruit tens of thousands of partisan election monitors” as reasons to be concerned for voter safety.

Using guns to intimidate voters is not purely speculative. Amnesty International wrote, “Michael Caputo, the former spokesperson for the Department of Health and Human Services, last month encouraged Trump supporters to arm themselves before the election.” This direct command has serious implications for the legitimacy of the election, as armed, partisan actors could certainly intimidate voters. Black and Hispanic voters who are already threatened by racial violence could be particularly intimidated by armed partisan actors outside the polls since they are already facing disenfranchisement through other avenues.

In Minnesota, it is legal to have a concealed weapon in and around Minnesota’s polling locations. However, hopefully, Gov. Tim Walz will respond to Amnesty International’s plea and ask Minnesotans to not bring concealed weapons into any voting location.

On Oct. 23, the Council on American-Islamic Relations of Minnesota, or CAIR-MN, and the League of Women Voters of Minnesota celebrated a victory in a federal lawsuit against a private contractor, Atlas Aegis, for voter intimidation in Minnesota. The lawsuit alleged that Atlas Aegis’s plans to hire and deploy armed ex-soldiers to polling sites in the state constitutes illegal voter intimidation under the Voting Rights Act of 1965.

After the lawsuit was filed, Minnesota Attorney General Keith Ellison also filed a criminal case, resulting in an injunction that Atlas Aegis “not provide any protective agent services ... in Minnesota from October 22, 2020 through January 1, 2022” and that it “not seek to intimidate voters, in Minnesota or elsewhere.”

Michelle Witte, executive director of the League of Women Voters of Minnesota stated, “Minnesota voters can rest easy tonight knowing that their polling places will remain free of sinister voter intimidation. We are grateful to the Minnesota Attorney General for negotiating an agreement that prevents the unlawful and threatening occupation of polling locations.”

Election-protection activities have been in place for many elections nationwide, and people are working diligently to ensure the 2020 election and polls are safe. In Minnesota, the offices of the secretary of state and attorney general are ensuring that the votes, polls, and people are safe. The Election Protection Hotline — 866ourvote.org or 866-687-8683 — can be used by anyone to report concerns.

Governors, secretaries of state, legislators, organizations, and voters all must act to prevent or report voter intimidation in and around polling places. Our democracy depends on the right of everyone to vote.

Jacob Simpson of St. Paul is a research and advocacy associate for World Without Genocide (worldwithoutgenocide.org) at the Mitchell Hamline School of Law. He wrote this for the News Tribune.

<https://www.duluthnewstribune.com/opinion/columns/6737059-Statewide-View-Election-protection-includes-countering-voter-intimidation>

MINNPOST

Protect our kids from Betsy DeVos

DeVos has led the Department of Education to change Title IX in order to loosen efforts to protect children from abuse and to increase protections for the abusers.

By [Ellen J. Kennedy](#) | July 22, 2020



Education Secretary Betsy DeVos speaking during a White House coronavirus disease task force briefing on July 8.
REUTERS/Carlos Barria

I've been an educator my whole adult life and I've always believed that school is a golden place.

But that's not true for every student. For some children, school is hell. Sexual assault and sexual harassment are perpetrated on victims of all ages, including on children in K-12 schools. Recent data from the Office of Civil Rights shows that *20% of girls and 5% of boys are abused in K-12 schools* in student-student or student-adult situations. And these child victims of sexual violence are 14% more likely than other young people to be victims of rape or attempted rape when they go on to their first year of college.

There are more than 862,000 students in Minnesota's public K-12 schools. This means that according to the figures from the Office of Civil Rights, nearly a quarter of a million Minnesota K-12 students, 215,000 children, are victims of sexual abuse, violence, or harassment.

There are 56.5 million K-12 students in the U.S. And 25% of that number is a shocking 14,1 million children who are likely to be sexually abused or harassed during their K-12 experience. A Minnesota Lawyer article (May 5, 2017) reports, however, that there is a wall of protection surrounding K-12 schools. This wall makes it very difficult for those who are assaulted or harassed to bring charges against the students or adults who perpetrate these crimes. There are some efforts to crack that wall.

Betsy DeVos is the secretary of the U.S. Department of Education. She and the department are the target of lawsuits brought last month by attorneys general in 18 states, who represent 144 million Americans, 45% of the entire population of the U.S. Minnesota Attorney General Keith Ellison is one of the AGs in this suit.

There is a second lawsuit against DeVos and the Department of Education as well, led by the ACLU on behalf of organizations dedicated to helping students who have experienced sexual harassment and sexual assault at school. Those organizations include Know Your IX, the Council of Parent Attorneys and Advocates, Girls for Gender Equity, and Stop Sexual Assault in Schools. Why this legal assault on Betsy DeVos? She has led the Department of Education to change Title IX, to *loosen efforts to protect children from abuse and to increase protections for the abusers*.

Title IX

The Education Amendments Act of 1972 is known as Title IX. It prohibits discrimination in any educational institution that receives federal funds.

Most people think of Title IX only as the impetus to making girls' sports available at schools. But in 1994, the Education Department's Office for Civil Rights applied the law to a prohibition on sexual assault on campus, which includes K-12 institutions.

A 2009 study, however, showed that school assault rates had not declined and that students who were found guilty of sexual assault faced almost no consequences, only minor sanctions like counseling, community service, probation – or nothing. Sexual assault survivors faced the harshest punishment – seeing their rapist at school every day. Title IX was failing.

The 'Dear Colleague Letter'

Based on the results of that 2009 study showing Title IX's failure, the Obama administration issued a 'Dear Colleague Letter' in 2011.

Federal agencies can issue guidance documents called 'Dear Colleague' letters that interpret existing laws and regulations. Although these letters lack the same force as federal laws, they are important policy statements, and it is expected that these recommendations will be followed.

This 'Dear Colleague Letter' reinforced the requirement that schools investigate sexual assault and provide services for *survivors*. The letter set out rights and protections for *accused* students as well, including due process and appeals.

An important element addressed the standards of evidence. The Office of Civil Rights requires only the "preponderance of evidence" standard, the lowest standard, in resolving discrimination and assault cases, which gives the benefit of the doubt to the victim. Some schools were using the "clear and convincing" standard, which has a higher threshold than the "preponderance" standard, making it more difficult to find someone guilty. The Dear Colleague Letter reiterated that the "preponderance" standard should be used in sexual assault cases.

What happened to Title IX?

In September 2017, Betsy DeVos announced that the Dear Colleague Letter guidelines would be rescinded and that new practices would take effect on Aug. 14, 2020.

I believe, as do many others, including the AGs and the ACLU, that these changes are harmful to students who experience sexual assault or harassment – and, in many ways, these changes revert to the unsatisfactory and inadequate standards that existed before the ‘Dear Colleague’ letter.

In particular, the change allows schools to decide sexual assault cases using *either* a “preponderance of evidence” or “clear and convincing evidence.” This will make it harder to hold perpetrators accountable. Reports of sexual harassment will be held to a more skeptical review than reports of harassment based on race, national origin, or disability, which use “preponderance of evidence.” This creates a second-class standard for reports of sexual harassment and assault.

The lawsuit brought by the attorneys general states, “According to the federal government’s own data, sexual harassment against students remains pervasive and mostly unreported. With the Department’s final Rule, sexual harassment will not become less common — but it will, as the Department acknowledges in the Rule, become even less regularly reported and remedied.”

Fewer cases expected

The Department of Education itself anticipates that far fewer cases will be reported, noting, in fact, its estimate that four-year institutions will now investigate 32% fewer reports of sexual harassment and assault than under the ‘Dear Colleague’ guidelines.

We have seen the outpouring of women’s stories about sexual assault and harassment with the MeToo movement. The impunity for sexual assault begins here – in grades K-12.

We must protect our children, especially those in K-12 schools who are the most vulnerable. World Without Genocide will host a public program about Title IX via Zoom tonight (Wednesday, July 22) from 7 to 9 p.m., featuring attorneys Lindsey Brice from the Minnesota Coalition Against Sexual Assault and Abigail Henchek from Gender Justice, and Jessica Melnik, director of Girls United MN. Registration is required; details and registration are available at www.worldwithoutgenocide.org/titleix.



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<https://www.minnpost.com/community-voices/2020/07/protect-our-kids-from-betsy-devos/>

National View: Heed the warning coming from Auschwitz to the US

Written By: Ellen J. Kennedy | Jun 26, 2020



Ellen J. Kennedy

It is hard to imagine any place with a more horrific history than Auschwitz. The place comprised over 40 concentration and extermination camps operated by Nazi Germany in occupied Poland during World War II. It existed for one purpose: to exterminate Jews and other vulnerable minority groups. More than 1 million Jews were, indeed, murdered at Auschwitz, killed by Zyklon-B, a poison gas. The bodies were turned to ashes and dust in crematoria.

In 1947, Poland founded the Auschwitz-Birkenau State Museum on the Auschwitz site, and in 1979 it was named a World Heritage Site by UNESCO.

In 2008, the Auschwitz Institute for Peace and Reconciliation initiated programs that are held on the very grounds of this former concentration camp. The institute brings together world leaders to develop strategies for preventing genocide and mass atrocities. The fact that these programs are held where 1 million Jews were exterminated during the Holocaust warns the participants of what happens when atrocity prevention fails.

Several weeks ago, the Auschwitz Institute sent a letter to all the leaders of world governments about the violence that can emerge during the COVID-19 pandemic. “As the virus spreads,” government officials were warned, “vulnerable groups are put in greater jeopardy in all regions of the world, underlining that the prevention of identity-based violence is needed everywhere. ... Society-wide crises like this pandemic can serve as a trigger or as justification for mass violence.”

Signatories to this letter included human-rights organizations from all over the world, from Romania, Congo, Argentina, the United Kingdom, Nigeria, the Netherlands, Croatia, Belgium, Germany, Pakistan, and more. U.S. signatories represented institutions such as Yale University; Holocaust museums; and non-governmental organizations including Citizens for Global Solutions, World Without Genocide, and others.

An accompanying policy brief warned of three areas where the “match can be struck,” lighting fires of violence: governance, economic conditions, and social fragmentation. Many experts are cautioning about peril in the United States on all three fronts.

The recent protests have sparked great fear of a growing chasm between left and right; between blue and red; and between people in power, who are mostly white, and those without power, who are mostly people of color, members of LGBTQ+ communities, and other marginalized groups.

The pandemic, the economic collapse for more than 30 million individuals and thousands of businesses, and the demonstrations in nearly 200 American cities have created a political fragility in our democracy that we haven't seen since the assassinations of Martin Luther King, Jr., the Kennedys, Medgar Evers, and Malcom X in the 1960s.

The Atlantic magazine devoted its entire December issue to the point where we find ourselves today. The title of the issue was, "How to Stop a Civil War." Many experts are now using that phrase, "civil war," for the precipice where we stand, this moment created by the pandemic, the wave of anti-lockdown protests, and now the massive protests over police brutality and racial inequality.

A recent Washington Post article, "In America, talk turns to something not spoken of for 150 years: civil war," quoted pundits on both sides of the political divide. Perhaps the most chilling words were from former U.S. attorney Joseph diGenova, an ally of President Donald Trump. "We are in a civil war," he said. "The suggestion that there's ever going to be civil discourse in this country for the foreseeable future is over. ... It's going to be total war." He went on, "I vote, and I buy guns. And that's what you should do."

We have been warned by the Auschwitz Institute. They know what can happen. It is time to come together.

Ellen J. Kennedy is executive director of World Without Genocide at Mitchell Hamline School of Law in St. Paul. She wrote this for the News Tribune.

<https://www.duluthnewstribune.com/opinion/columns/6547380-National-View-Heed-the-warning-coming-from-Auschwitz-to-the-US>

MINNPOST

Child, not bride: Minnesota should outlaw marriage under age 18

By [Ellen J. Kennedy](#) | 02/07/2020

In 2017 I read an article about child marriage, a situation I assumed occurred only in countries like Thailand or Nigeria. I was surprised and horrified to read that nearly 250,000 children in the United States were married between the years 2000 and 2010. That number includes an estimated 2,500 children in Minnesota. These marriages cut across all socio-economic and demographic groups.

I didn't believe this — but it's true.

Most of those children, with “child” legally defined as a person under age 18, were girls, and most of those girls were married to older men. Under Minnesota law, it is illegal to have sex with a 16- or 17-year-old child if the perpetrator is more than 4 years older than the child and in a position of authority. Without the cover of marriage, most of the resulting sexual relationships in these child marriages would constitute the crime of statutory rape. However, that very same conduct is legal if the victim and the perpetrator are married.

Child marriages happen for many reasons: economic, social, religious, or cultural pressures by families; as a “solution” to unplanned pregnancies; and to legalize a relationship that otherwise might result in an investigation by child protection services or to avoid a criminal indictment, essentially forcing a victim to marry her rapist.

In Minnesota, a child's parent or legal guardian must petition the courts for a minor to be married. Judges are given wide discretion and usually grant the marriage licenses, generally being very reluctant to oppose the parent who brings a child in to be married.

This is a travesty.

Girls who marry as children, compared to those who marry at 18 or older, are:

- 3 times more likely to be beaten by their spouses
- 31% more likely to live in poverty
- 50% more likely to drop out of high school
- 23% more likely to have a heart attack, diabetes, cancer, stroke, and psychiatric disorders
- 50% more likely to get divorced.

A married child under age 18 cannot:

- Get a divorce
- Rent an apartment
- Buy or rent a car
- Get health care or check into a hospital

- Open a bank account
- Have access to an inheritance
- Get a credit card
- Stay at a battered women’s shelter
- A married child cannot help herself or her children.

In 2019, Minnesota Sen. Sandy Pappas and Rep. Kaoly Her led legislation to end all child marriage in Minnesota. Her, whose father refused an offer to have her marry while she was still a young teen, said, “We cannot let a practice that reduces a girl’s chance of success, happiness, security, and safety continue. We are the adults who know better, so we should protect our children.”

The bill passed unanimously in the Minnesota House of Representatives – in about 90 seconds, with no questions, hesitations, or reservations. Minnesota’s House members loudly affirmed that girls are children, not brides.

However, the bill stalled in the Senate, where Sen. Warren Limmer, chair of the Senate Judiciary Committee, refused to give it a hearing, even saying to a group of law students, “If a Hmong father wants to marry off his teen-age daughter to an older man for a good dowry, who am I to stand in his way?”

In 2018, Delaware and New Jersey ended all child marriage. Ten more states are likely to pass similar bills in 2020.

In Europe, marriage under age 18 is prohibited in Finland, Denmark, the Netherlands, Norway and Sweden. Among other countries with a similar restriction: Tanzania, Honduras, Dominican Republic, Argentina, and Ethiopia. The UN Sustainable Development Goal is to end child marriage in all countries by 2030.

On Thursday, Feb. 13 — at 2:30 p.m., in the Press Room, B971 at the Minnesota State Capitol — Pappas will hold a press conference about ending child marriage in Minnesota. Joining her at the microphone will be a child marriage survivor; Rep. Her; Rose Roach, executive director of the Minnesota Nurses Association; Claire Willett, Eden Prairie High School student and Ferencz youth fellow in human rights and law at World Without Genocide; and Fraidy Reis, executive director of Unchained at Last, a national organization advocating against child marriage. The public is invited to attend.

Support the bill in Minnesota for child, not bride: SF 1393.



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<https://www.minnpost.com/community-voices/2020/02/child-not-bride-minnesota-should-outlaw-marriage-under-age-18/>

MINNPOST

We must curb the use of torture – and hold medical professionals accountable

By [Ellen J. Kennedy](#) | 09:16 am Dec. 16, 2019



Adam Driver as Daniel J. Jones in a scene from "The Report."

I recently watched the new docu-drama "The Report." This excellent film is the harrowing story of U.S. Sen. Dianne Feinstein, then chair of the U.S. House Intelligence Committee, and staffer Daniel J. Jones, who uncovered the truth of CIA investigations in the aftermath of 9/11.

The United States, with authorization from President George W. Bush and support from the CIA and other government agencies, used "enhanced interrogation techniques," a euphemism for systematic torture, on at least 100 detainees, some of whom died from the torture. Suspected terrorists were detained at "black sites" around the world, including Bagram Air Force Base in Afghanistan; Guantanamo Bay prison in Cuba; and Abu Ghraib prison in Iraq.

The torture techniques included waterboarding, beating, binding and hooding, subjection to deafening noise, rectal feeding and hydration, deprivation of sleep, food, drink, and medical care, sexual humiliation, subjection to extreme heat and cold, and confinement in coffin-like boxes.

Despite roadblocks to the Feinstein-Jones investigation from the Bush White House, the CIA, and other culpable agencies, a bill passed in 2015, authored by Sens. Feinstein and McCain, to strengthen the U.S. ban on torture.

The film illustrates the potential for righting wrongs despite obstacles from powerful opponents. It also reminded me of unsuccessful efforts to raise awareness in Minnesota that medical professionals are involved in the practice of torture and to hold them accountable.

Holding medical professionals accountable

In 1982, the U.N. General Assembly adopted resolutions highlighting the role of health personnel in protecting prisoners and detainees against torture. Doctors, psychologists, nurses, and physicians' assistants determine the threshold for abuse, calibrate pain, and they dictate how far various torture techniques can be pushed without killing victims. This was demonstrated clearly in the post-9/11 reports and in "The Report."

Without accountability mechanisms, these professionals can torture or participate in enhanced interrogation. They also can continue practicing without threat of prosecution and with no mandate to notify their regular patients because there is no system in the U.S. to hold medical professionals who torture, or participate in torture, responsible for their actions.

Minnesotans deserve to know if their clinicians are complicit with torture or enhanced interrogation. Since 2011, Minnesota Sen. Sandy Pappas and I have encouraged anti-torture legislation in Minnesota. The goal is to reaffirm state jurisdiction over Minnesota's medical professionals; explain internationally accepted definitions of torture and cruel, inhuman, or degrading treatment; mandate the reporting of abuse; and revoke the licenses of medical professionals who torture or participate in enhanced interrogation anywhere in the world.

One year, a powerful Minnesota senator (no longer in office) would not bring our bill forward to a hearing in the committee that he chaired. I went to his office to urge action on this important issue. His response? "I believe in torture! How else will we know when the bad guys are going to drop another bomb on us?"

Experts have determined that information obtained by torture is less reliable than information obtained by other means.

Immoral and unproductive

Torture is prohibited under international law and the laws of most countries because there is consensus that it is both immoral and unproductive. The Convention against Torture specifies that torture cannot be justified, not even in exceptional circumstances such as a state of war or in the name of national security.

President Donald Trump is a strong supporter for the use of torture, including extreme techniques such as waterboarding, for extracting information and confessions, despite experts' acknowledgment that these tools are ineffective.

"The Report" is a shocking wake-up call about the many places and ways that the U.S. is complicit with torture today.

U.S. complicity

U.S. prisons. More than 800 prisoners have passed through Guantánamo Prison, the longest-standing war prison in U.S. history, where prisoners are detained without due process and interrogated without restraint. At present, 40 people remain in detention, most of them without charge or trial, and the Trump administration pledges to keep Guantánamo open.

Amnesty International calls out the torture and abuse of prisoners throughout the entire U.S. prison system. They document widespread torture and abuse, including no-touch torture, chemical torture, and physical torture.

On the southern border. Last summer, experts from Physicians for Human Rights visited U.S. detention facilities at the border. They compared conditions for unaccompanied children at the immigrant holding centers to “torture facilities.”

Amnesty International labeled the Trump policy of separating migrant children and parents, a practice begun by the administration in summer 2017, as nothing short of torture. At least 5,500 children have been separated to date (Time, October 25, 2019), and family reunion remains highly unlikely in many cases. In addition, short-term detention has now expanded into the likelihood of indefinite holding, for both families and for separated children. Children are observed to have extreme trauma that physicians and other professionals say will endure throughout their lives.

The Trump administration wants to expand the number of secure facilities where migrant families can be incarcerated for months or even longer periods of time. In late November, Justice Department lawyers appealed a federal judge’s decision that blocked the government’s attempt to eliminate a 20-day time limit on most family detentions. If the appeal is successful, long-term institutionalization may well become the norm.

Torture of women. The U.N. High Commission on Human Rights states that rape and other forms of sexual violence can amount to torture. On average, there are 433,648 victims (age 12 or older) of rape and sexual assault each year in the US, and sex trafficking of women and girls, those born in the U.S. as well as those brought here from overseas, remains an intractable and growing problem. These acts of violence are crimes of opportunity – and crimes of impunity, in a U.S. system of justice that convicts very few perpetrators.

U.S. torture overseas. A year ago, the Pentagon formally acknowledged that U.S. military personnel are conducting interrogations in prisons in Yemen, part of our “proxy war” in that country. Escaped prisoners report whippings, use of electric shocks, and other extreme measures.

A Minnesota proposal

Help hold Minnesota medical professionals responsible. This is an important step toward bringing Minnesota into compliance with global efforts to end impunity for torture – and to end torture.

Raise the issue with every political candidate. Visit <http://worldwithoutgenocide.org/toolkits> for more information.



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<https://www.minnpost.com/community-voices/2019/12/we-must-curb-the-use-of-torture-and-hold-medical-professionals-accountable/>

MINNPOST

‘We Charge Genocide’: Still, no justice

By [Ellen J. Kennedy](#) | 09/11/2019 | 08:45 am

The first ship that brought slaves to what is now the US arrived at the colony of Virginia in 1619. On this 400th anniversary without reparations, apologies, or prosecutions of the perpetrators, we might pause to reflect on efforts that have been made to find justice.

One of the most ambitious attempts to critique racial inequality in the US occurred in 1951 when an organization called the Civil Rights Congress (CRC) accused the government of complicity against African Americans. The intent of the CRC was to present its case to the United Nations and to create international awareness of U.S. culpability for the brutality of slavery and discrimination.

The goal was clear, as stated in the document: “It is our hope, and we fervently believe that it was the hope and aspiration of every black American whose voice was silenced forever through premature death at the hands of racist-minded hooligans or Klan terrorists, that the truth recorded here will be made known to the world; that it will speak with a tongue of fire, loosing an unquenchable moral crusade, the universal response to which will sound the death knell of all racist theories.”

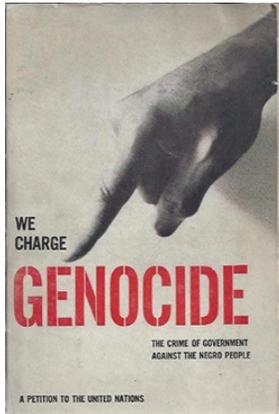
The CRC wrote a document addressed to the United Nations titled "We Charge Genocide: The Historic Petition to the United Nations for Relief from a Crime of The United States Government Against the Negro People."

The document placed the responsibility for a genocidal situation on the U.S. government. The CRC cited more than 3,500 recorded instances of lynching in the United States, pervasive and insidious legal discrimination, and systematic inequalities in health and quality of life, all with inarguable evidence.

The document quotes the UN’s definition of genocide, “the deliberate intent to destroy, in whole or in part, a national, ethnic, racial, or religious group,” and concludes 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. If the General Assembly acts as the conscience of mankind and therefore acts favorably on our petition, it will have served the cause of peace.”

The document’s signatories included African American lawyers, activists, politicians, and family members of African Americans who had been lynched or who had been executed after trial verdicts by white-only juries.

Unfortunately, **"We Charge Genocide"** struggled to see the light of day.



On December 17, 1951, the document was presented to the United Nations at two separate venues. Paul Robeson, a world-renowned concert singer and activist, together with other prominent people who signed the petition, handed the document to a UN official in New York. William L. Patterson, executive director of the CRC, hand-delivered copies of the petition to a UN delegation in Paris. Patterson had previously mailed 125 copies to Paris, but those copies never arrived after allegedly being intercepted by the U.S. government. However, Patterson was able to distribute other copies that he had wisely shipped to private individuals' homes.

Because the CRC had communist affiliations, the worldwide communist movement fueled attention to the document. The U.S. anti-communist position was very strong during this 'Red Scare' period of the late 1940s and 1950s, and to avoid culpability for the crimes carried out against the African Americans as well as to stem pro-communist sentiment, the U.S. government pulled out all stops to keep the document from public scrutiny.

W. E. B. Du Bois, one of the foremost African American civil rights leaders of the time, had also planned to deliver the CRC's plea in Paris. However, the U.S. government designated him as an "unregistered foreign agent" and he was prevented from traveling abroad.

The American delegation to the UN also criticized the document heavily. Given the strength of the United States' influence on the UN and American vociferous denial of culpability in the treatment of African Americans, this was only to be expected, and the United Nations never even acknowledged receiving the petition.

"We Charge Genocide" did receive international media attention, particularly in Europe, because of the striking examples of the shocking conditions for African Americans, and of course because it raised very negative perceptions about America around the world. In the US it was ignored by the mainstream press except for the *Chicago Tribune*, which called the contents "shameful lies." Communist journalist I. F. Stone was the only white American reporter to write favorably of the document.

The CRC ultimately disbanded in 1956, the document never reaching the desired goals.

Despite the CRC's demise, the document is credited with popularizing the term "genocide" among African Americans. Malcolm X and the Black Panther Party generated renewed interest in the document, and **"We Charge Genocide"** was re-published in 1970.

In the 1990s allegations of genocide were brought forward again in relation to the disproportionate effects of crack cocaine and HIV/AIDS on African Americans in the United

States. The National Black United Front petitioned the United Nations in 1996, directly citing "**We Charge Genocide**" and using the same slogan. Their petition begins, *Declaration of Genocide by the U.S. Government Against the Black Population in the United States. Whereas, we the undersigned people of African ancestry understand that the proliferation of the distribution and sale of crack cocaine has reached epidemic proportions, causing serious harm to the African community in the United States. Therefore, we understand that this harm can only be described as acts of genocide by the United States government ... Acts of genocide can also be attributed to the Government's use of taxpayers' resources to wage war on a segment of the U.S. population. This is evidenced by the following: (1) cutting back on welfare; (2) privatization of public housing and land grab schemes; (3) privatization of public education; (4) racist immigration policies; (5) privatization of basic health care; (6) building prisons and the expanding incarceration of millions of African and Latino youth.*

The US has had a fraught relationship to the Genocide Convention since its unanimous UN passage in 1948. It was highly unpopular with the American government because of responsibility not only for U.S. treatment of African Americans but also for potential charges of genocide perpetrated on the indigenous peoples. "**We Charge Genocide**" became a political tool in arguing that the Genocide Convention could be used against the interests of the United States. There was strong government opposition to supporting the Convention.

For a UN convention, resolution, or treaty to become the law of the land, it must be ratified by 67 'yes' votes in the U.S. Senate. Although the Genocide Convention was ratified in the UN in 1948, it was ratified by the United States Senate **forty years later**, and then only because of the efforts of the late Senator William Proxmire (D-WI). He gave 3,211 speeches on the floor of the Senate, a speech a day for 19 years, until it finally passed, and by then it was filled with so many conditions and caveats that it was rendered almost meaningless.

President Ronald Reagan signed it into law in a hangar at O'Hare Airport on a rainy day in November 1988, an ignominious moment in the long saga toward accepting some responsibility.

The legacy of African American slavery and genocide is inarguable: inequity in housing, education, health care, employment, criminal justice, politics, the recently-reported huge disparities in African American women's maternal mortality rates – every sphere of life carries slavery's stain. The US sandbagged the CRC in 1951; right-wing groups today are even protesting commemoration of the 400th anniversary of slavery; and racial inequity remains pervasive, intractable, and shameful. We must acknowledge this crime, which would be the first step towards justice. We charge genocide.



Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide at Mitchell Hamline School of Law.

<https://www.minnpost.com/community-voices/2019/09/we-charge-genocide-still-no-justice/>



Responsibility for human rights: 'Sovereignty' is a cop-out for turning away from global needs

Trump's philosophy, as laid out before the United Nations, is a departure in direction.

By Ellen J. Kennedy
October 27, 2017

In President Donald Trump's recent address to the United Nations General Assembly, he declared unequivocally that sovereignty should be the dominant principle that guides relations between nations. Indeed, he used the word "sovereign" or "sovereignty" a record-breaking 21 times. The essence of his remarks was to uphold the go-it-alone, America-first philosophy that resonates strongly among his loyal supporters.

What is the global perspective on sovereignty?

In September 1999, Kofi Annan, then the U.N. secretary-general, reflected upon "the prospects for human security and intervention in the next century." In his 2000 Millennium Report, he wrote, "If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica, to gross and systematic violations of human rights that offend every precept of our common humanity?"

Hopeful steps occurred at the beginning of the new millennium. In 2000, the Canadian government set up the International Commission on Intervention and State Sovereignty. ICISS issued a revolutionary report titled "The Responsibility to Protect." This report defined sovereignty more broadly as not only a state's ability and its right to protect itself from outside interference. Sovereignty was redefined to give states positive responsibilities for their own populations and a larger responsibility to assist others' populations as well. This is a "residual responsibility" that falls upon the broader community of states, and it is to be "activated when a particular state is clearly either unwilling or unable to fulfill its responsibility to protect or is itself the actual perpetrator of crimes or atrocities."

At the 2005 U.N. World Summit meeting, member states committed to the Responsibility to Protect and to preventing and responding to the most serious violations of international human rights and humanitarian law. Heads of state affirmed their obligations to protect their own populations from genocide, war crimes, ethnic cleansing and crimes against humanity. They also accepted a collective responsibility to encourage one another to uphold this commitment. They declared that they were prepared to take timely and decisive action, in accordance with the U.N. Charter and in cooperation with relevant regional organizations, when other states fail to protect their populations.

Trump's words at the U.N. are in marked contrast to Annan's plea and to the ICISS pledge that we must intervene in response to gross and systematic violations of human rights and with adherence to the doctrine of the Responsibility to Protect. However, there is no simple response between sovereignty's isolation and intervention. Critical questions surround definitions of intervention, which can include political, economic, military, diplomatic and humanitarian means; intervention by whom, under what circumstances, and decided by what mechanisms; and intervention at what consequence to the prevailing world order and to the newly constituted world order created by such intervention.

Despite the plea that Annan made almost two decades ago, and the pledge to support the Responsibility to Protect, we are now witnessing the world's worst refugee crisis since World War II; horrific devastation and brutality wreaked upon innocent civilians in record numbers in Syria, Iraq, South Sudan, Yemen, Congo, Burundi and Myanmar; and a generation of children in those places growing up with no schooling, inadequate nutrition that stunts their bodies and their brains, and with futures likely to have only more violence and displacement. These horrors result from adherence to the concept of sovereignty that gives each nation control over its own affairs and to an isolationist stance that turns us away from any moral responsibility to others.

Every spring, I lead law students on a study trip to New York and Washington, D.C., to meet global leaders in human rights. We always visit the U.N. Office on the Prevention of Genocide and the Responsibility to Protect. We are inspired by efforts to strengthen civil societies in places where early-warning signs point to imminent atrocity crimes against innocent targeted groups.

We are also deeply discouraged. Today's tragedies illustrate that much more is needed. It is time to commit to a new global order, one in which the Responsibility to Protect extends to us all — as the protectors and, perhaps, as those who someday may need to be protected.

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www.startribune.com/responsibility-for-human-rights-sovereignty-is-a-cop-out-for-turning-away-from-global-needs/453717883/

MPRnews

To head off future bullies, we have to turn bystanders into upstanders

Ellen J. Kennedy

June 1, 2011 9:15 p.m.



Ellen J. Kennedy is executive director of World Without Genocide, based at William Mitchell College of Law in St. Paul.
Photo Courtesy of Ellen J. Kennedy

The Edina public schools recently held an event about bullying, cosponsored by many of the city's foundations and organizations. The speaker lineup was terrific. An excellent film was shown. Local restaurants donated refreshments.

I expected a huge crowd, at least 600 people. But only about a hundred showed up, including the presenters, exhibitors, sponsors, and a few parents of students who had been bullied. So the question is: Who cares? Apparently not enough of us, even though bullying in schools and online has generated a great deal of national, state and local media attention in the wake of dozens of tragic youth suicides, including several in Minnesota.

MPR's recent series of reports pointed out that Minnesota has few policies governing school-based bullying and virtually none that address electronic bullying.

Why don't more people care?

Some feel that bullying is just a phase in children's path to adulthood, something bullies will grow out of and the bullied will survive. Others apparently think it's a matter for the schools to address, believing that's where most of it occurs. And many people are simply bystanders, those who may know that the problem is terrible, is increasing, is tearing apart the social fabric of families, schools and communities - but they stand by and hope that somebody else will do something so they don't have to.

There's something wrong with each of these responses.

First, **a bully is a bully forever**. Adults who abuse their children and their partners often were children who were slamming other kids into lockers. One in three women in the United States will be a victim of domestic abuse in her lifetime. We can prosecute the perpetrators and set up shelters for the women and their children, but how do we prevent this from happening? One approach is to ensure that the problem of child bullying is taken seriously and that the long-range implications are addressed up front, before a child bully becomes an adult abuser.

Second, **bullying is not exclusively a school problem.** Bullying happens in neighborhoods, on playgrounds, in backyards and in our homes. We have to accept that bullying affects our entire community, not just the local school.

And third, **bystanders make the problem worse.** When we stand by and do nothing, either because we don't know what to do or we don't want to get involved, we send a silent message that bullying is, at some level, acceptable. When we stand by, we become complicit with the bullies. When we fail to stand up for the bullied, each of us is responsible for the suicides, the depressions and the childhoods lost to despair and fear.

So what's the answer?

We all have to get involved. If we tolerate bullying, we tolerate violence against children, violence in our homes and violence in our communities. But even beyond that, we tolerate the gross injustices that we see around the world in Congo, Darfur and other places far away, violence that breeds terrorism and lawlessness that ultimately affects us all. If we don't take a stand against violence in our own schools, backyards and playgrounds, how will we ever become motivated to advocate for a more peaceful and just world beyond our own borders?

Our youth need to learn how to stand up for their own rights and for the rights of their peers when bullies challenge those who are different - too tall or short, too gay, Jewish, Muslim or Somali, too fat or too thin, too ugly or too pretty, too rich or too poor. My organization, World Without Genocide, works to educate young people to become "upstanders" instead of bystanders to injustice.

The answer to the question "Who cares?" is simple. We all must care.

Ellen J. Kennedy is the executive director of World Without Genocide at William Mitchell College of Law. The organization's website has information about its summer high school institute, called "Child Soldiers and Bullying: Taking a Stand against Genocide and Hate."

<https://www.mprnews.org/story/2011/06/02/kennedy>

MINNPOST

April, the cruelest month: Minnesota remembers, and seeks to prevent future genocide

By Ellen J. Kennedy | 09:56 am April 30, 2014



A memorial in the Dachau concentration camp

"April is the cruelest month."

Those words by the poet T.S. Eliot could have been written about genocide. The anniversaries of six genocides occur in April, tragedies that span nearly a century and occurred in Europe, Asia, and Africa:

- April 3 – Darfur genocide
- April 5 – Anniversary of the siege of Sarajevo, Bosnia
- April 7 – Rwandan Genocide Remembrance Day
- April 17 – Anniversary of the Cambodian genocide
- April 24 – Armenian Genocide Remembrance Day
- April 27 – Holocaust Remembrance Day

Last year, the Minnesota House and Senate passed, nearly unanimously, a bill to designate every April as Genocide Awareness and Prevention Month.

The hearings in St. Paul were deeply moving. Bunkhean Chhun showed a beautiful photograph of his family that was taken in Cambodia before the genocide in the 1970s. His father had died when Bunkhean was very young but he had four siblings. He said, "There, in the picture, were my three brothers, my only sister, my mother, and I. All of them but me were killed." Two million people perished in that tragedy.

Fred Amram talked about his 3-year-old cousin. She was killed in a gas chamber and her tiny body was turned into ashes in a crematorium in Auschwitz. Fred and his parents are the only survivors in his entire extended family; he has no other relatives. Six million Jews and millions of others were exterminated during the Holocaust.

Recognition and remembrance

At the hearing, I read the testimony of Zara Bezhanyan Tronnes, granddaughter of survivors of the genocide perpetrated in the Ottoman Empire during World War I, when close to 2 million Armenians died. Zara wrote, “We want recognition and remembrance of an event that lives with us to this day — recognition because this is a defining event of our existence, and remembrance because the last victim of genocide is the truth. Please adopt a resolution to proclaim April as Genocide Awareness and Prevention Month.”

Gov. Mark Dayton signed the bill into law. Minnesota became the third state in the country, following California and Texas, to pass this important legislation.

Why does this legislation matter? This bill encourages educational, faith, civic, private, and public organizations throughout Minnesota to teach about genocide. Most critically, however, it enjoins us to consider steps to prevent genocide.

This legislation follows recommendations of the Genocide Prevention Task Force, convened by the United States Holocaust Memorial Museum, the American Academy of Diplomacy, and the United States Institute of Peace in 2008. The Task Force report — issued by former U.S. Ambassador to the United Nations and former Secretary of State Madeleine Albright and former Secretary of Defense William Cohen — found that in order to prevent future genocides and mass atrocities, educating the public can help to protect individual rights and promote a culture of lawfulness to prevent future genocides.

Putting a face on the numbers

Two weeks ago was the 11th anniversary of the genocide in Darfur, the first genocide of this century, a tragedy still ongoing. Katie-Jay Scott and Gabriel Stauring, human-rights activists, visit refugee camps in Chad where hundreds of thousands of Darfuris have been living in limbo for a decade. Katie-Jay said, “Stalin once remarked, ‘One death is a tragedy. A million deaths is a statistic.’ We are dedicated to putting a face to the numbers.” They travel across the US to schools, universities, and communities, telling the stories from Darfur, stories of more than 400,000 people murdered and three million displaced.

Last week marked the 20th anniversary of the genocide in Rwanda, 100 days in 1994 when 800,000 people perished as the world stood by. Alice Musabende, orphaned during that genocide when her grandparents, parents, 12-year-old sister, and 9-year-old and 2-year-old brothers were killed, said, “Remember with us, not because you must feel guilty, as some often say — although some people at the UN probably should — but because we are a part of you and you are a part of us.”

Two years ago we marked the 20th anniversary of the beginning of the four-year siege of Sarajevo, the longest siege in modern history, which claimed 11,541 men, women, and children. We let this tragedy happen again in Europe, still blood-soaked from the Holocaust.

Creating political will

What can we do? First, we must acknowledge that no president has ever been voted out of office for failing to prevent genocide. The world's leaders do not have the political will to stop it. In order to create political will, we need a powerful international movement like the one that advocated successfully for an end to slavery in the 19th century.

This requires a massive educational campaign – part of what Minnesota's bill supports. See the World Without Genocide website for information and listings of events, including "Besa: Albanian Muslims who saved Jews during the Holocaust," a photography exhibit by Norman Gershman; see below for April 30 reception/film event details.

Second, we each must urge our leaders to act. We need international institutions that are strong enough to predict and prevent genocide. We need rapid-response forces for non-violent prevention; diplomatic, economic, and political intervention; and effective international courts for punishment. We need the private sector to cut off supply chains for armed groups and to invest in economic development and education at grass-roots levels, so that people have meaningful alternatives to violence. And we need to support the strengthening of civil society and the rule of law, promoting infrastructures for true democracy, not merely facilitating voting procedures that are sham elections in closed political systems.

I am grateful to Minnesota's elected officials for designating April as Genocide Awareness and Prevention Month. For those who perished, those who survived, and those who bear witness today, we, and our elected officials, must pledge to do better in the future than we have done in the past.

(BESA Exhibit and Film: A free gallery reception will be held at William Mitchell College of Law on Wednesday, April 30, from 5:30 p.m. to 6:30 p.m., with a film ("Besa: The Promise") and talk from 7 to 8:30 (\$10 general public, \$5 students and seniors, free to Mitchell students). Open to the public; no reservations are necessary.)

Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide at William Mitchell College of Law.

<https://www.minnpost.com/community-voices/2014/04/april-cruelest-month-minnesota-remembers-and-seeks-prevent-future-genocide/>

MPRnews

Why April's the right month for genocide awareness

Ellen J. Kennedy

April 21, 2011 10:00 a.m.



Ellen J. Kennedy is executive director of World Without Genocide, based at William Mitchell College of Law in St. Paul.

Photo Courtesy of Ellen J. Kennedy

It was in April 1915 that the Ottoman government began rounding up and murdering leading Armenian politicians, businessmen and intellectuals, a step that led to the extermination of more than a million Armenians.

In April 1933, the Nazis issued a decree paving the way for the "final solution," the annihilation of 6 million Jews of Europe.

In April 1975, the Khmer Rouge entered Cambodia's capital city and launched a four-year wave of violence, killing 2 million people.

In April 1992, the siege of Sarajevo began in Bosnia. It was the longest siege in modern history, and more than 10,000 people perished, including 1,500 children.

In April 1994, the plane carrying the president of Rwanda crashed and triggered the beginning of a genocide that killed more than 800,000 people in 100 days.

In April 2003, innocent civilians in Sudan's Darfur region were attacked; 400,000 have been killed and 2.5 million displaced in a genocide that continues today.

April is the cruelest month.

The world has witnessed nearly a century of genocides that all began in April. Millions of people perished; cultures were destroyed; communities and nations were ruined.

What can we do to pay tribute, to honor those who suffered unimaginable tragedy, and to prevent future atrocities?

This month, the Minnesota Legislature passed a remarkable resolution that designates April as Genocide Awareness and Prevention Month. The resolution was sponsored by DFLers and Republicans, men and women, legislators whose constituents include survivors and descendants of those who perished, and constituents whose families have lived peacefully in this country for generations.

More than 800 Minnesotans signed letters to their elected officials supporting this effort. What does it mean to have a month designated for genocide awareness and prevention?

Most people don't know much about genocide. The word didn't even exist until it was coined in the 1940s by Raphael Lemkin, a Polish Jew who fled from the Holocaust. Although he found refuge in the United States, his entire extended family, 49 in all, perished at Auschwitz.

Lemkin believed there had to be a word to describe what happened in Europe and a law to prevent its recurrence. He wrote the Genocide Convention, an international treaty to prevent the extermination of people based on their race, religion, ethnicity or national origin. This treaty, passed in the United Nations in 1948, wasn't ratified by our country until 1988, fully 40 years later, and then only through heroic efforts by the late Sen. William Proxmire of Wisconsin. Proxmire gave 3,211 speeches on the floor of the Senate, a speech a day for 19 years, urging passage of the Genocide Convention.

Even though we have the word to describe it, and the law to prevent and punish it, genocide continues. Genocide has no boundaries in time, geography or target. It has happened on every continent and to people of widely different backgrounds and identities. It can happen anywhere -- and everywhere.

In 2008, the United States Holocaust Museum, the American Academy of Diplomacy and the U.S. Institute for Peace convened a task force, headed by former Secretary of State Madeleine Albright and former Secretary of Defense William Cohen, to outline strategies to prevent genocide. Their report included many recommendations, one of which is that education can help protect individual rights and promote a culture of lawfulness that will prevent future genocides.

We encourage organizations in faith, civic, educational and human rights communities to raise awareness about genocide. Show a film, host a speaker, meet with some of Minnesota's thousands of genocide survivors, or discuss a book such as "A Problem from Hell: America and the Age of Genocide," by Samantha Power.

These steps will increase awareness, the first part of this important state resolution. The second part is genocide prevention. Most people feel that preventing genocide is far beyond anything they can do as ordinary individuals. Yet it is exactly ordinary individuals who have the power to prevent genocide.

Former President Bill Clinton was in office during the tragedy in Rwanda. He said, after the genocide, that he probably could have saved a few hundred thousand lives. Imagine being able to say that you could have saved a few hundred thousand lives, or a few thousand, or a few hundred, or even one. Clinton said he did nothing because he didn't hear from a single one of our 100 senators in Washington, or a single one of the 435 representatives, asking him to take a stand. He didn't hear from them for a very simple reason: They didn't hear from us.

Each of us can create the political will to prevent genocide. Each of us can make sure that our elected officials know we want innocent people to be protected, wherever they are. Each of us can speak up.

April is the cruelest month. We must ensure that the list of April's genocides grows no longer.

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<https://www.mprnews.org/story/2011/04/21/kennedy>



Cancer, COVID, and me

Today's pandemic is accompanied by the virus of hate.

Written By: Ellen J. Kennedy | Sep 5th, 2020

The Southern Poverty Law Center reports the number of hate groups in America has skyrocketed since 2016, reaching 1,020 in 2018. Most are white supremacist and neo-Nazi. While members also hate other minorities, "the Jew" is their number one enemy.

As the prevalence of hate groups rises, the FBI reports an increase in hate crimes. "Domestic terrorism" is now the greatest threat facing the US.

In October 2018, a shooter killed 11 Jews in a Pittsburgh synagogue in the worst violence against Jews in US history. The shooter told a police officer that he wanted all Jews to die because Jews were committing genocide against his people.

Six months later, there was a shooting in a California synagogue. The shooter said, "They're destroying our people. I'm defending my nation against the Jewish people, who are destroying the white race."

This white genocide conspiracy theory holds that George Soros, Holocaust survivor and global philanthropist, aided by Jews around the world, finances global immigration and the destruction of white majorities throughout Europe and the US.

In 2017, extremists marched in Charlottesville Virginia, arms outstretched in Nazi salutes, shouting, "Jews will not replace us!"

Some perspective: Jews are 2% of the US population and 0.18% of the world's population. The proportion of Jews in Germany in 1933, when Hitler came to power? 0.7 percent. In all of Europe in 1933? 1.7%.

Last week a medical resident at the Cleveland Clinic was stripped of her licensure. She posted on social media that she would purposely give the wrong medicine to Jews.

In August 2019, the message *Kikes (Jews) Must Die* and a swastika were scrawled at the entrance of a Minneapolis elementary school, the 17th reported antisemitic message that year.

Three months ago, swastikas and "Seig Heil, Heil Hitler, Trump 2020" were painted on a bench near my Minneapolis synagogue.

What motivates such hate? The year 2042. By 2042, Americans who identify as Hispanic, Black, Asian, American Indian, Native Hawaiian, and Pacific Islander will together outnumber non-Hispanic whites.

Jews are blamed for the "white genocide," but all non-whites and non-Christians are targets.

Today's pandemic is accompanied by the virus of hate. Infectious diseases have claimed more lives than all wars, non-infectious diseases, and natural disasters combined. And like every pandemic, COVID-19 is not just a health issue. Politicians and groups exploit fear of the disease to scapegoat vulnerable minorities.

In 2015, the World Health Organization published guidelines for naming infectious diseases, discouraging references to terms that "incite undue fear" —to avoid social stigma. Yet Trump calls COVID-19 the "Wuhan virus" and the "kung flu."

Although Asian Americans are 6% of the U.S. population, they are 18% of our physicians. Some COVID-19 patients now refuse to be treated by them.

Fully 28% of physicians in the US, nearly one-third, are immigrants and refugees.

My husband has multiple myeloma, an incurable blood cancer. He is treated at the Mayo Clinic with world-class care from people who come from all over the world – from places that Trump labels sh*t-hole countries; countries whose residents he calls rapists and drug-dealers, and Muslim-majority countries whose people, we're told, are terrorists and should be banned from the US. Every one of my husband's doctors has a non-European name and skin darker than mine.

The staff at Mayo are heroes. Yet the poison of hate is directed at people like them by Americans who want the US only for white Christian Europeans.

We are on the edge of our humanity. We are sick with hate. We must cure this disease, a disease worse than COVID-19, before it destroys us.

Ellen J. Kennedy, Ph.D. is executive director of World Without Genocide.

<https://www.postbulletin.com/opinion/columns/6646037-Ellen-J.-Kennedy-Cancer-COVID-and-me>

MINNPOST

We must end the fallout from COVID-19: xenophobia and hate

By [Ellen J. Kennedy](#) | 09:01 am | 4/27/2020



REUTERS/Alyson McClaran Covid-19 is releasing a deadly mix of illness, hate, danger, poverty, fear, and violence.

This week marks the 34th anniversary of the worst nuclear disaster in history. That tragedy occurred on April 26, 1986, at Chernobyl in Ukraine, then part of the Soviet Union. The explosion released radioactivity estimated at 400 times the size of the atomic bomb dropped on Hiroshima.

The death toll wasn't as bad as experts feared because responders put out fires before explosions erupted in three other nuclear reactors. But in the long term, the fallout has been deadly. Thousands have died from radiation-induced cancer. Children have contracted thyroid cancer after drinking milk from cows that grazed near Chernobyl. And experts believe that this disaster will trigger more cancer, more illness, and more deaths for decades to come.

COVID-19 is releasing a different form of radioactivity: a deadly mix of illness, hate, danger, poverty, fear, and violence.

People stocking up on guns

Gun sales are exploding. In the United States, Canada, and even in Europe, which has tight weapons controls, people are stocking up on guns and ammunition in fear that the pandemic will lead to social unrest.

The ammunition website Ammo.com reported a 222 percent increase in transactions in the past three weeks and a revenue jump of more than 300 percent, which it attributes to the virus gaining traction.

Sales boomed in North Carolina and Georgia, with leaps of 179% and 169% respectively. Other states with large increases included Pennsylvania, Texas, Florida, Illinois, and New York, which also have high pandemic levels.

A frightening connection exists between guns and intimate partner violence. Data show that abusers with firearms are five times more likely to kill their victims than those without guns. Every month in the U.S., an average of 52 women are shot and killed by an intimate partner. Nearly one million women alive today have reported being shot or shot at by intimate partners, and 4.5 million women have reported being threatened with a gun.

This was *before* the pandemic.

Alcohol adds to the mix. According to the World Health Organization, alcohol is involved in at least 55% of domestic assault cases. Again, that was *before* the pandemic.

Alcohol sales in the U.S. have not stopped. Liquor stores in most cities are deemed essential businesses and are still open and offer delivery and curbside pickup.

A double threat

As the coronavirus sweeps across the globe and governments respond with social controls, victims of domestic violence, most often women, face a double threat: the deadly virus outside and an abuser inside, and that abuser may have guns and alcohol.

Children are at great risk as well. According to UNICEF, hundreds of millions of children around the world will likely face increasing threats to their safety and well-being – including mistreatment, gender-based violence, exploitation, social exclusion, and separation from caregivers – because of actions to contain the spread of COVID-19.

We know the escalating rates of illness and deaths, but what about those who are the most invisible and the most at risk: American Indians, people in prisons, the homeless?

Conditions are desperate for American Indians and Alaska Natives, who are the poorest people in the United States. Indian Health Service hospitals have only 625 beds nationwide, with six intensive-care-unit beds and 10 ventilators to serve more than 2.5 million American Indians and Alaska Natives.

There are almost 2.3 million people in prisons, jails, detention centers and psychiatric hospitals. And these institutions have a regular influx of correctional staff, vendors, health care workers, and educators — all potential transmitters and receivers of infection.

Some reports indicate that as many as 4 million people in America are homeless. Their vulnerability is unimaginable to most of us.

The fallout of the virus also portends economic collapse for decades. Businesses are shuttered, especially those that employ women and less-skilled workers. Life savings are evaporating.

Homes will be lost. Human rights experts predict a spike in organized crime and human trafficking in this chaotic financial environment.

Everyone is terrified – frightened about who will live and who will die and what will remain of their social and material lives.

The tendency to blame others

When fear kicks in like this, one response is to blame others for the terrible calamity that triggers the fear. And that's what is happening.

Hate is spreading at least as rapidly as the virus. Asian-Americans, especially Chinese Americans, are accused of bringing COVID-19 into the country. The result is a surge of xenophobia and outright acts of physical violence and assault against Asian-appearing people.

It's not only Asians who are blamed. Neo-Nazis are busy with new conspiracy theories blaming Jews for creating the virus and for using it to profit through insider trading in unstable financial markets. These outrageous ideas are not only the fodder of extremist websites; they are wildly contagious on Facebook, Twitter, and Instagram.

In India, the Hindu nationalist government blames the virus on the Muslims.

This hate is like the unseen and unmeasurable fallout from Chernobyl that poisons the earth for decades. More fires broke out at Chernobyl earlier this month that took a thousand fire fighters, planes, and helicopters days to extinguish – releasing yet more radioactivity into the air.

We can't control the virus, at least not yet. But we can take two important steps.

First, we must end the xenophobia and hate. And second, we must protect the most vulnerable among us: the prisoners, the homeless, those at risk of assault, and those with the fewest resources.

Radioactivity cannot be stopped or contained, but we can keep the fallout from getting worse.



Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide at Mitchell Hamline School of Law. April 1 began Genocide Awareness and Prevention Month.

<https://www.minnpost.com/community-voices/2020/04/we-must-end-the-fallout-from-covid-19-xenophobia-and-hate/>

MINNPOST

On 761 days, Anne Frank, and the circle of responsibility

By [Ellen J. Kennedy](#) | 4/1/2020 | 08:54 am



Anne Frank in 1940

761: That's the number of days that Anne Frank was in hiding in that attic in Amsterdam.

761 days from today, April 1, 2020, is May 2, 2022.

Note the year: 2022. I am typing this at my kitchen table in my first month of self-quarantining. I have already cleaned out the closets, baked cookies, made cakes, organized the freezer, dealt with the pile of mail on the kitchen counter, and balanced my checkbook. This was after putting in eight-hour days, Monday through Friday, working remotely.

I also have talked on the phone, texted friends, visited my family in Montana and Maryland via Zoom, communicated with literally hundreds of people online, and read the newspapers and the Economist every day. I have been in touch with my synagogue, my fellow members of the Minneapolis University Rotary Club, and colleagues on various boards that I serve on.

I have gone for walks almost every day. My husband and I decided that the weekends should be demarcated from weekdays, so one Sunday we drove to St. Paul and walked along the Mississippi River. And instead of watching our usual binge-worthy TV shows on Saturday evenings, we watch movies.

Anne Frank had almost nothing and nobody except the seven other people in the Secret Annex. No Google, no Zoom, no phone. No walks, no Lund's grocery delivery, no New York Times in her email inbox at 3:20 every morning.

No fresh air for 761 days.

Nothing.

But the Franks did have something very special. They had six friends who kept them alive for those 761 days with food and visits and love, six people who endangered themselves and their entire circle of loved ones by sheltering Jews under the eyes of Nazis and their collaborators. We all imagine that we would be like those six helpers, especially like Miep Gies.

After Anne and the others were discovered in the Annex and imprisoned, Miep went back to see what remained in their hiding place. She found Anne's diary and she took it for safekeeping, planning to return it to Anne after the war.

But Anne died of typhus in the Bergen-Belsen concentration camp at age 15. Her father, Otto Frank, was the only member of the family to survive the Holocaust. After the war and his liberation from Auschwitz, he returned to Amsterdam and lived with Miep and her husband Jan for seven years.

We know Anne's story because Miep gave the diary to Otto Frank, who saw to its publication. Why did Miep and Jan Gies, and the four other helpers, risk everything for 761 days to save people who weren't even members of their own families?

It's a matter of how we define our circles of responsibility and caring.

Carl Wilkens was the only American who remained in Rwanda during the 1994 genocide, when 800,000 innocent people were slaughtered. At great risk to himself, he saved hundreds of lives. Christina Meyer, one of the alumnae from our Summer Institute for High School and College Students, met Carl at the Institute a few years ago. She said, "It was the first time I understood that our circle of caring can go beyond the people in our own family."

That awareness changed her life. Christina has worked with Syrian refugees in New York and Jordan. Christina's circle became global.

We need our circles to be wider. I want everyone to care about everyone else, to have the compassion and the heart and the soul of Miep and Jan Gies.

That doesn't mean people have to be heroic, but it does mean I want them to care.

I have a very selfish view right now. My husband has Stage IV multiple myeloma, an incurable form of blood cancer. He was scheduled to have a stem cell transplant at the Mayo Clinic in a few weeks that might prolong his life for a few years. But that procedure has been postponed indefinitely because Mayo will be overwhelmed with critically ill COVID-19 patients. They will need blood transfusions, and there won't be any blood left for my husband's treatment. He is able to wait a while; they might die very soon.

We hear from the experts that those at greatest risk of death in this pandemic are people over 70 who have weakened immune systems. My husband is in the bull's-eye for the virus.

My selfishness? I see people being careless, not listening to Dr. Michael Osterholm and others about what we must do to protect ourselves – and to protect those at gravest risk, like my husband and so many others who are already grievously ill. I see pictures every day of people throughout the country – partying at Florida beaches, gathering by thousands at New Orleans church services, even a group crowding together at my local park, all denying the contagion and the danger – and putting every one of us at risk. Consider this: China has four times more people than the U.S. yet there are now more COVID-19 cases in the US than in China, more cases here than anywhere else in the world.

Miep and Jan Gies did everything they could to save the most vulnerable in their midst. Kuno van der Horst, a 23-year-old student, refused to sign a declaration of loyalty to the Nazis, which meant death. He went into hiding – living with the Gies family from 1943 to the end of the war. Their circle of responsibility was indeed large.

Think about 761 days without fresh air and daylight.

Where will you be on May 2, 2022? What will you have done to help others stay alive until that day? Make your circle of responsibility a big one.



Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide at Mitchell Hamline School of Law. April 1 begins Genocide Awareness and Prevention Month.

<https://www.minnpost.com/community-voices/2020/04/on-761-days-anne-frank-and-the-circle-of-responsibility/>

MINNPOST

June 4, 2021

From the Nazis to the U.S.: LGBTQ hate

More than 80 laws against transgender people have been passed so far in 2021 or are pending in state legislatures across the country.

By [Ellen J. Kennedy](#)



LGBTQ activists and supporters shown at a 2019 rally outside the U.S. Supreme Court Building.

REUTERS/Jonathan Ernst

Beginning in 1871, Germany had a law known as Paragraph 175 that criminalized male homosexual behavior with six months in prison. The law was widely ignored in Weimar Germany, especially in Berlin, during the liberal inter-war period from 1919 to 1933.

During this time, sexologist Magnus Hirschfield, a gay Berlin Jew, led efforts to abolish Paragraph 175; helped to establish the world's first gay-rights organizations; coined the word 'transvestite;' set up facilities for surgical gender transition; and was a leader in a vibrant LGBTQ social and intellectual scene.

Transvestites, the term used then to refer to transgender people, could apply for government documents to appear in public dressed as they chose, without fear of political or criminal reprisals. Before these "transvestite passes," they could be arrested for appearing in a manner that would "disturb the peace."

However, during the Nazis' 12-year regime, 1933-1945, as many as 5,000 to 10,000 gay men were rounded up and incarcerated in concentration camps. An estimated 60 percent of them died of torture, including castration, starvation, and disease.

Shortly after coming to power, the Nazis almost immediately toughened Paragraph 175. The law originally forbade behavior. The new version made it a crime if a man even looked at another man with "sexual intent." Punishment for violating 175 went from six months in prison to five years.

Although Paragraph 175 focused on men, gender-nonconforming people were often labeled as spies and saboteurs and they, too, were arrested and imprisoned. Lesbians suffered as well; lesbian bars were shut down, lesbian communities were disrupted, and lesbian book clubs and social groups were forbidden. Some lesbians were imprisoned as "asocials," political dissidents, and members of other outlawed groups.

What happened after the war

Paragraph 175 remained on the books throughout the war – and after. Research shows that from 1949 to 1969, an additional 50,000 people were arrested for violating the law.

Paragraph 175 wasn't repealed until 1994, nearly half a century after the war ended. And although restitution had been made to Holocaust survivors and their descendants, persecuted people from the LGBTQ community were among the many "forgotten" victim groups.

In 2017 the German government finally annulled all convictions made under Paragraph 175 and agreed to pay restitution to those who had been convicted or jailed. The policy was broadened in 2019 to include people who had been investigated, taken into custody, or otherwise penalized.

It took 150 years to redress, at least financially, the wrongs of Paragraph 175. But the harm of the labeling, the persecution, the trauma, and the stigma cannot be undone.

America today: a shadow of Paragraph 175?

More than 80 laws against transgender people have been passed so far in 2021 or are pending in state legislatures across the country. These bills have not been initiated by concerned constituents. They are initiated and supported by the Alliance Defending Freedom (ADF), which has been listed as an LGBTQ hate group since 2016.

The Southern Poverty Law Center defines a hate group as an organization that, “based on its official statements or principles, the statements of its leaders, or its activities, has beliefs or practices that attack or malign an entire class of people, typically for their immutable characteristics.” Sexual orientation and gender identity are, indeed, immutable characteristics.

The ADF asserts that a “homosexual agenda” will destroy society. The ADF seeks to dehumanize LGBTQ+ people and to restrict their rights for being who they are.

For the past several years, there has been a shocking spike in incitement and in acts of direct violence, including murder, of LGBTQ people.

June is Pride Month. It is time to reflect on people like Magnus Hirschfield, who eventually fled from Germany and Nazi persecution, and on the many thousands who suffered then and those who are suffering now, because of their “immutable characteristics.” Are today’s state laws leading us down the path of a Paragraph 175?

World Without Genocide, a human rights organization located at Mitchell Hamline School of Law, St. Paul, is hosting a webinar on June 9, 7 to 9 p.m. CDT, “The Pendulum of LGBTQ Rights in the Public and in the Courts.” [Registration](#) is required by June 8. \$10 general public; \$5 seniors, students; \$25 Minnesota lawyers for 2 Elimination of Bias CLE credits. Continuing education certificates for all teachers, nurses, and social workers.



Ellen J. Kennedy, Ph.D., is the executive director of [World Without Genocide](#) at Mitchell Hamline School of Law.

<https://www.minnpost.com/community-voices/2021/06/from-the-nazis-to-the-u-s-lgbtq-hate/>



Minnesota must ban the 'gay panic' defense

It's a dangerous legal strategy that has been used to justify murder.

By Scott Dibble, Athena Hollins and Ellen J. Kennedy

MARCH 3, 2021 — 5:18PM



NICOLE NERI • STAR TRIBUNE

Participants in the 2019 Minneapolis Pride Parade march with a pride flag.

In 1998, Matthew Shepard, a 21-year-old college student, was violently beaten and left to die by the side of a road near Laramie, Wyo. Rescuers took him to a hospital where he died six days later from profound injuries.

The two suspects in the attack were arrested and charged with first-degree murder.

The defense lawyer claimed that one of the attackers was driven to temporary insanity by alleged sexual advances from Shepard.

This is known as the gay and trans panic defense. This legal argument asks a jury to rule that a same-gender sexual advance is a sufficient provocation to excuse a defendant's violent reaction, even murder. It is not a free-standing defense to criminal liability but a legal tactic to support other defenses.

The two perpetrators were convicted and are serving two consecutive life sentences. But the gay and trans panic defense gained notoriety — and popularity. It has been used in hundreds of cases across the country to defend people accused of attacking and even murdering lesbian, gay, bisexual and transgender (LGBT) people.

The panic defense is used in three ways to reduce a murder charge of to lesser charges of manslaughter or justified homicide.

The insanity or diminished capacity defense: The victim's sexual orientation or gender identity is to blame for triggering the defendant's panic reaction.

The provocation defense: The victim's "nonviolent sexual advance" induces the defendant to kill them, behavior which is not illegal or harmful but is only considered "provocative" when it comes from an LGBT person.

The defense of self-defense: Because of the victim's sexual orientation or gender identity, the victim must have been about to cause the defendant serious bodily harm, and the attacker is justified in using violence.

The "gay panic disorder" was removed from the "Diagnostic and Statistical Manual of Mental Disorders" by the American Psychological Association in 1973, yet legal defense teams still use it.

In 2013, the American Bar Association (ABA), representing 200,000 lawyers, urged "federal, Tribal, state, local, and territorial governments to take legislative action to curtail the availability and effectiveness of the 'gay panic' and 'trans panic' defenses. These defense strategies seek to excuse the crimes by saying that the victim's sexual orientation caused their assailant's violent reaction to them."

Since 2013, eleven states have banned the defense — but it remains legal in Minnesota.

The ABA again urged the ban in 2020: "This legally sanctioned discrimination against one's sexual orientation and gender identity must cease."

At the federal level, Sen. Edward Markey and Rep. Joseph Kennedy III unsuccessfully introduced the Gay and Trans Panic Prohibition Act in 2018 and again in 2019.

Why is this important?

The LGBT community comprises about 5% of the U.S. population, according to the Williams Institute, UCLA School of Law. However, the FBI reports that nearly 20% of hate crimes are directed against LGBT individuals and the proportion continues to rise.

A small minority of people is vulnerable to extremely violent attacks.

In the aftermath of World War II, global leaders created the Universal Declaration of Human Rights, affirming the equality of all people, everywhere, based on their immutable personal characteristics of race, religion, ethnicity, national origin — and sex.

Countries, laws, organizations around the world and the Minnesota Human Rights Act define sex to include sexual orientation and gender identity. We are all guaranteed equality before the law because of, and even despite, who we are.

The gay and trans panic defense is dangerous.

Yet it is legal in 39 states, including Minnesota.

It has been used to justify murder nearly 200 times around the country.

It has resulted in reduced sentences or acquittals for nearly half of those murders.

Bills are pending now in the Minnesota House and Senate to ban this defense: SF 1512 and HF 1648.

We urge Minnesotans to ban this defense in memory of Matthew Shepard and all others who have been murdered simply because of who they are — and to affirm that we will not tolerate hate.

Scott Dibble, DFL-Minneapolis, is a member of the Minnesota Senate. Athena Hollins, DFL-St. Paul, is a member of the Minnesota House. Ellen J. Kennedy is adjunct professor of law and executive director of World Without Genocide at Mitchell Hamline School of Law.

<https://www.startribune.com/minnesota-must-ban-the-gay-panic-defense/600029939/>

MINNPOST

Transgender rights: There is still no smooth path

By [Ellen J. Kennedy](#) | 05/26/2020

I'm a member of the Minneapolis University Rotary Club, one of 34,000 member clubs in this worldwide service organization. Our club is a small one, about 25 members, and we're a diverse group: people from eight different countries; many faiths; and a range of ages, occupations, and lifestyles.

A few years ago, Erica Fields was president of the club. Erica owns and runs a successful grain marketing business and she is involved in many local activities. Erica has an unusual story.

From the time she was very young, she knew she was a girl – but she was assigned male at birth and was raised as a boy. She grew up in the Twin Cities, became involved in business and community issues, married, and had children. She followed this expected path because of the social and personal perils of acknowledging her identity, which she hid until she was in her 50s. Her subsequent courage and honesty with friends, family, and business associates helped smooth her journey, and today she is a leading advocate for LGBTQ rights.

Our Rotary club features a speaker at every weekly meeting, an expert in politics, sports, business, public affairs, etc. One week, Erica invited Leslie Lagerstrom to speak.

Leslie talked about her child Samantha, who at age 4 announced that she wasn't a girl; she was a boy. Samantha's assertions continued as the years went on. Leslie and her husband listened – and took their child to the University of Minnesota, where Samantha's eventual transition to Sam was guided by world-renowned specialists. Today Sam is a successful Minnesota business professional, leading the life he was meant to have.



Leslie Lagerstrom

Transparent hood

Leslie founded the organization Transparent hood. She speaks to educators, parents, and medical professionals about challenges facing young people and their families during gender transition and how to support individuals, families, and communities.

One of the young people in my family is a transgender woman, a journey she began when she was in college.

There is no good time and no smooth path. For many transgender people, life is extraordinarily difficult.

A pending case against the Anoka-Hennepin School District and School Board illustrates the bullying, isolation, alienation, and marginalization that many transgender youth and adults experience regularly.

N.H. is a transgender man who came out shortly before he began his freshman year at Minnesota's Coon Rapids High School in 2015. Before N.H. started school, the principal and other staff assured N.H.'s mother that he would be safe and the school community would be respectful of his transgender status. N.H. joined the boys swim team and used the boys' locker room with his teammates without any problems.

In February 2016 the School Board held a closed meeting and decided to prohibit N.H. from using the boys' locker room that he had used for months.

His mother repeatedly asked the School Board to follow gender-inclusion policies like those of the Minneapolis and St. Paul Public Schools districts but the board refused, insisting that N.H. would be disciplined if he used the boys' locker room. The School Board forced him to use a changing facility that no other student had to use.

This segregated N.H. from his classmates. He had been doing well academically and socially until the intervention from the Anoka-Hennepin School Board, which triggered bullying and threats from classmates.

Many leave school

This harassment led N.H. to multiple hospitalizations for trauma, and he eventually switched schools, which Sam had also done. National data show that 78% of youth who express a transgender or gender non-conforming identity while in grades K-12 experience harassment, and that harassment is so severe that almost one-sixth had to leave school. Fully a third of the youth report physical assault.

The American Civil Liberties Union-MN and Gender Justice are suing the Anoka-Hennepin School District and its School Board for discrimination in violation of the Minnesota Human Rights Act and violating N.H.'s rights to equal protection and due process under the Minnesota Constitution.

The Anoka-Hennepin School Board's policy regarding N.H. is much more than a local locker room issue, and it is not unique. The district was previously under a five-year consent decree to deal with allegations of anti-LGBTQ harassment following a different lawsuit after at least eight students committed suicide in two years.

Approximately 40% of transgender adults and youth will attempt suicide in their lifetimes. Experiences that amplify the risk of suicide for transgender people include alienation and marginalization, the lack of systems of support, and a lack of acceptance at school, in outside activities, and at work.

The U.S. context

FBI hate crimes data for 2018 showed a 34% increase in violent hate-based attacks on transgender people over the previous year. Yet, as of fall 2019, Minnesota is one of only 20 states and Washington, D.C., with laws that address hate crimes based on sexual orientation and gender identity.

Only 10 states ban the “LGBTQ panic defense,” a legal strategy used to justify violent crimes against someone based on their sexual orientation or gender identity. The accused perpetrator claims that a victim’s sexual orientation or gender identity explains and excuses the accused’s loss of self-control and the subsequent assault. The panic defense is legal in Minnesota despite legislative efforts to ban it in 2018.

Stand up for and with LGBTQ people in your neighborhood, your workplace, your school, and your faith community. Their lives just might depend on it.

You can learn more at a public Zoom program, “Challenges of Transgender Rights from the Holocaust to Today,” Tuesday, June 16, 7 p.m. to 9 p.m. Registration and information is [here](#).



*Ellen J. Kennedy, Ph.D., is the executive director of **World Without Genocide** at Mitchell Hamline School of Law.*

<https://www.minnpost.com/community-voices/2020/05/transgender-rights-there-is-still-no-smooth-path/>

MINNPOST

On Indigenous Peoples Day, recalling forced sterilizations of Native American women

The second-class status of Native Americans reaches beyond the history of forced sterilizations. For decades, Native women have been sex-trafficked, abused, and disappeared at rates far higher than women of any other group in the United States.

By [Ellen J. Kennedy](#)

Oct. 14, 2019

When people hear the word “genocide” they often think of exterminations in gas chambers during the Holocaust or mass murder by machete in Rwanda. But the crime of genocide is defined as the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group. The definition of “genocide” includes killing but it also includes less visible measures – such as preventing births within the group, which is a goal of forced sterilization.

One of the most widespread uses of forced sterilization occurred during the Nazi era. In 1933, the very first year that the Nazis were in power, they passed the Law for the Prevention of Genetically Defective Progeny. The law supported and encouraged compulsory sterilization of people with various physical and cognitive disabilities. This was part of the eugenics movement of the time, a pseudo-science with the vision of eliminating “negative family traits” through forced genetic engineering.

The Nazis’ sterilization law established a network of more than 200 “Hereditary Health Courts” consisting of a judge, a medical officer, and a medical practitioner. The courts were empowered to “decide at their own discretion after considering the results of the whole proceedings and the evidence tendered” who should be sterilized.

Under the courts’ rulings, 400,000 men and women were sterilized against their will using cruel procedures that had been tested on prisoners in the concentration camp system, especially on prisoners at Auschwitz and at Ravensbruck, the concentration camp for women.

Hitler didn’t come up with this concept to eliminate “defectives” to create a superior race. Well before the Nazi regime, the United States led the world in forced sterilizations. Hitler had learned about the U.S. practices, writing, *“There is today one state in which at least weak beginnings toward a better conception [of citizenship] are noticeable. Of course, it is not our model German Republic, but the United States.”*

1907 to 1939: 30,000+ people sterilized in U.S.

Between 1907 and 1939, more than 30,000 people in 29 U.S. states were sterilized, unknowingly or against their will, while they were incarcerated in prisons or in institutions for

the mentally ill. Nearly half of the operations were carried out in California. Race and class figured prominently in the decisions by panels of doctors and public health practitioners as they targeted for forced sterilizations those who were poor, non-white, and who were perceived as “foreigners.”

These practices did not end in the mid-20th century. In fact, California prisons authorized sterilizations of nearly 150 female inmates between 2006 and 2010, driven in part by anti-Asian and anti-Mexican prejudice, in a practice that wasn’t outlawed until 2014. Southern states also employed sterilization as a means of controlling African-American populations by means of “Mississippi appendectomies,” the name for unnecessary hysterectomies performed on women of color as practice for medical students at Southern teaching hospitals. A third of the sterilizations were done on girls under age 18, some girls reportedly as young as 9 years old.

The U.S. Indian Health Service (IHS) later applied forced sterilization to American Indian women in the 1960s and 1970s, sterilizing 3,406 Native American women between 1973 and 1976. In 1976, the U.S. General Accounting Office admitted that this took place in at least four of the 12 Indian Health Service regions. The numbers include women in Minnesota as well as 36 women under age 21, despite a court-ordered moratorium on sterilizations of women younger than 21. Their study, however, was very limited and the actual numbers are likely considerably higher.

Two years earlier, in 1974, a study by Dr. Connie Pinkerton-Uri, a Choctaw/Cherokee physician, found that at least one in four American Indian women had been sterilized without consent. Dr. Pinkerton-Uri concluded that the Indian Health Service appeared to have “singled out full-blooded Indian women for sterilization procedures.” Some experts estimate that *the percent of American Indian women who were sterilized might even approach 50 percent*. The targeted women were between ages 15 and 44.

Devastating impact on tribes

With a total Native American population of approximately 1 million in 1976, sterilization in many tribes had a devastating impact on a tribe’s survival. Pinkerton-Uri observed, “There are about only 100,000 [Native American] women of childbearing age left. A 200 million population could support voluntary sterilization and survive, but for Native Americans it cannot be a preferred method of birth control. Where other minorities might have a gene pool in Africa or Asia, Native Americans do not. When we are gone, that’s it.”

Why did this happen, and why did it happen to such an extent? The answer lies in a combination of economic, racial, and social factors.

As a result of the 1960s’ “war on poverty,” the number of people on welfare increased significantly in the 1960s and 1970s. According to a study by the Health Research Group in 1973 and additional interviews in the two subsequent years, most physicians performing the non-voluntary sterilizations were white males who believed that they were helping the country by limiting births in low-income minority families. The physicians assumed that they were enabling

the government to cut funding for Medicaid and welfare programs while also reducing their own personal tax burden to support the federal programs.

Economic incentives

Physicians had additional economic incentives. They increased their own income by performing hysterectomies and tubal ligations (surgical sterilization procedures) instead of prescribing alternative inexpensive methods of birth control. Some of them also did not believe that American Indian and other minority women had the capability to use other means of birth control effectively.

The 1970s was also the time of the rise of social protest by African-American and Native American organizations such as the Black Panthers and the American Indian Movement (AIM). These groups were perceived by many whites as being militant, radical, and dangerous, and this, too, influenced the willingness to sterilize women of color.

Other doctors wanted to get experience in obstetrics and gynecology, and they used minority women as the means to get that experience at government expense.

Medical personnel also believed they were actually helping these women. Minority families would become more financially secure with fewer children while simultaneously lessening the welfare burden on others.

Obviously, the sterilization of Indian women affected their families and communities. Marriages dissolved and the women suffered higher rates of psychological problems, often including drug abuse, alcoholism, shame, and guilt.

Although Latina, African-American, and Native American women all suffered grievously, American Indian women were easier targets because of their greater social invisibility, smaller numbers, and laws that facilitated bureaucratic secrecy about the government's sterilization policies. It took years of hearings, news reports, investigative analyses, and interviews with women to bring to light the scope of the individual, family, and tribal impact of forced sterilizations.

In September 1977, the National Council of Church's Interreligious Foundation for Community Organization held a conference in Washington, D.C., to plan strategies for a "fight for survival" against sterilization abuse. More than 60 delegates from Native American, African-American, Hispanic, civil rights, religious, and other groups attended the conference. While the conference addressed the abuses that all minority groups faced, it focused on those that Native American and Hispanic women underwent.

1977 report: 24% of Native American women sterilized

In 1977 the United Nations released a report prepared in conjunction with the Native American Solidarity Committee. It outlined the genocidal practices of the U.S. government, including the

sterilization of Native American women. The report concluded that 24 percent of Native women had been sterilized and that 19 percent of the women were of child-bearing age.

The second-class status of American Indians reaches beyond the history of forced sterilizations in the 1970s to today. For decades, American Indian women have been sex-trafficked, abused, and disappeared at rates far higher than women of any other group in the United States. Because brave women — and men — have come forward to raise awareness of these crimes of opportunity and impunity, legislatures in several states, including Minnesota, have recently created task forces to study the high numbers of missing and murdered indigenous women and to implement strategies to end these abuses. We look forward to the Minnesota task force report.

In addition, there is a movement to designate the second Monday of every October as Indigenous Peoples Day in cities and states across the U.S. to honor and celebrate the culture and heritage of Native American and other indigenous peoples. In some places this designation replaces Columbus Day, while in other locations the day is given both labels. Minnesota has not joined the many states that have permanently legislated Indigenous Peoples Day, although there have been some annual state resolutions. Several Minnesota cities, including Minneapolis and St. Paul, recognize Indigenous Peoples Day, but some cities, such as Edina, have rejected the proposal.

I urge state and city support for the designation of Indigenous Peoples Day to honor our indigenous communities and to stand together to address current challenges.



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<https://www.minnpost.com/community-voices/2019/10/on-indigenous-peoples-day-recalling-forced-sterilizations-of-native-american-women/>

MINNPOST

Our 'disappeareds': Minnesota must examine issue of missing Indian women

A bill in the Minnesota Legislature this session will create a task force to examine the systemic nature of this problem in Minnesota and recommend steps for prevention.

By [Ellen J. Kennedy](#)

March 25, 2019

I went to Buenos Aires, Argentina, in January. It was lovely to escape from Minnesota to the Southern Hemisphere's sunshine and long summer days. But it was chilling to be there.

I wanted to stand with the *madres* who march on the Plaza de Mayo every Thursday afternoon. The *madres*, or mothers, have been demonstrating on this public plaza in front of the Casa Rosada, the government house, every Thursday since 1977. EVERY THURSDAY. That's 2,184 Thursdays over the past 42 years.

They were young when they began marching in 1977; many are now old, stooped, slow in their steps, and with resignation etched into their faces. Some have died. Some have been killed for their protest.

The ones who march hold pictures of sons, daughters, loved ones who were disappeared. Not 'who disappeared,' but who *were disappeared*, forcibly taken by the government during Argentina's brutal military junta from 1976 to 1983.

Height of the Cold War

This was at the height of the U.S.-USSR Cold War, when Communism was spreading through South and Central America, Vietnam, Indonesia, East Timor, and promised economic reforms for minority groups and indigenous people and the breakup of powerful elite classes. Most significantly, it also meant the end of large American companies in these places with devastating consequences for the U.S. economy.

When pro-leftist forces arose in Argentina, that government, helped by the U.S., fought back against those suspected of left-wing activities, and 30,000 people were kidnapped, detained, tortured, executed, or taken on "death flights" and thrown alive into the Atlantic Ocean.

The mothers demanded to know what happened to their children. They began to march in the Plaza wearing white headscarves, symbolizing a child's diaper, with their children's names embroidered on the scarves.

They're still marching because they still don't know where their children are. They were disappeared, gone, in Spanish the "desaparecidos." People come from all over the world to

march in sympathy with the *madres*, who have been nominated for the Nobel Peace Prize – six times.

This story has echoes around the world, and right here.

Our desaparecidos

American Indian women are our *desaparecidos*. They are disappeared, they are murdered, they are gone. Nobody knows for sure how many are missing. We know it's thousands, but in many places the criminal justice system isn't tracking these cases, or the records are incomplete, or the cases are mislabeled, or the incidents never even get reported and filed.

The women are disappeared – and then they disappear forever, they become invisible, not even turning up in a database. Nobody has been marching with the mothers and fathers, grandparents, the sons and daughters left behind. People aren't coming from around the world in sympathy and solidarity with these mourners. Nobody is nominating these searchers for the Nobel Peace Prize.

A bill in the Minnesota Legislature this session, HF 70/SF 515, will create a task force to examine the systemic nature of this problem in Minnesota and recommend steps for prevention.

It's a first step. Think of all the steps the *madres* have walked in 42 years on that plaza, wearing those embroidered headscarves and holding those photos. We have a long way to go to end the disappearances and the invisibility of American Indian women.



Ellen J. Kennedy is the executive director of World Without Genocide and an adjunct professor at Mitchell Hamline School of Law in St. Paul.

<https://www.minnpost.com/community-voices/2019/03/our-disappeareds-minnesota-must-examine-issue-of-missing-indian-women/>

'We See You, Jew'

By [Ellen J. Kennedy](#) |

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Rabbi Joshua Bolton of the University of Pennsylvania's Hillel center surveys damaged headstones Feb. 27, 2017, at Mount Carmel Cemetery in Philadelphia. Anti-Semitism is among the most entrenched and pervasive forms of hatred and bigotry in the United States. (AP Photo/Jacqueline Larma, File)

"We See You, Jew." That was the subject line of an email I received last month. The message read, "Misusing the name Kennedy doesn't hide what you really are from everyone, Tuchner. Put on your yellow star." There was no signature and no traceable email address. The sender was anonymous and invisible. I was neither anonymous nor invisible.

I am a Jew. I wear a Jewish star around my neck every day. I identify strongly with my Jewish heritage – the history, the culture, and the religion.

I married a man named Kennedy and took his last name, which was typical at that time.

My maiden name is Narotzky, not Tuchner. My grandparents came to the U.S. from Vilna, Lithuania, in 1903, long before the Holocaust. My relatives who stayed behind were exterminated by the Nazis.

I don't know why I received that message. Maybe it was because the next night we had a program at Mitchell Hamline School of Law called "From the Nazis to the Neo-Nazis." Maybe it was because I had an article in that morning's electronic newspaper MinnPost excoriating the rise of neo-Nazism. Or maybe it was just part of today's climate in the U.S. and in St. Paul as well, where swastikas have been displayed on some of the city's college campuses, at a local synagogue, and on a jogging path.

Being identified as a Jew today is becoming increasingly dangerous.

The Southern Poverty Law Center reports that the number of hate groups operating across America rose to a record high of 1,020 in 2018, with most of them being white supremacist and neo-Nazi in ideology. While the members of these groups also hate other minorities, they perceive "the Jew" as their cardinal enemy.

As the number of hate groups rise, the FBI reports a corresponding increase in hate crimes over the past three years, most of the crimes accompanied by online messaging.

Tanya Gersh was threatened with assault and death – over and over again, one story of many that are occurring today.

Gersh is a Jewish real estate agent who was targeted by followers of The Daily Stormer, a far-right neo-Nazi website that advocates for the genocide of Jews. In 2016, the site's founder, Andrew Anglin, incited his followers to harass Gersh after accusing her of extortion. Gersh, her husband, and her 12-year-old son received nearly a thousand messages filled with vitriol, including death threats:

Thanks for demonstrating why your race needs to be collectively ovened.

You have no idea what you are doing, six million are only the beginning.

We are going to keep track of you for the rest of your life.

Hickory dickory dock, the kike ran up the clock. The clock struck three and the Internet Nazis trolls gassed the rest of them.

The Daily Stormer also listed the names and contacts of other Jews in that area and called on readers to “take action” against them.

The targeting of Jews is not only a U.S. phenomenon. It is a global poison.

Liliana Segre, an 89-year-old Auschwitz survivor and an Italian senator, receives an average of 200 online threats a day from far-right extremists. Earlier this year, a teacher wrote on Facebook that Segre “would do well in a nice little incinerator.” The attacks increased since Segre proposed a parliamentary commission to combat racism and antisemitism. She now has a police escort.

In France, after the 2015 Paris slayings at the Charlie Hebdo magazine and at a kosher store, the French government launched Operation Sentinel, deploying 10,000 soldiers and 44,700 police and gendarmes around Jewish community buildings and other potential targets. The French state bears nearly all the security costs for Jewish institutions, about \$1.2 million per day.

Where does this hatred come from?

At the Charlottesville Unite the Right rally in August 2017, neo-Nazis from around the country marched and shouted “Jews will not replace us! Jews will not replace us!”

A year ago, a shooter killed 11 Jews who were at prayer in a Pittsburgh synagogue, the worst-ever act of violence against Jews in the United States. As the shooter received medical care in police custody, he allegedly told a SWAT officer that he wanted all Jews to die, and that Jews were committing genocide against his people.

Last spring, six months after the Pittsburgh shooting, a gunman fired into a synagogue in a town north of San Diego. In an antisemitic and racist open letter posted on 8chan, a website used by violent extremists, the shooter blamed Jews for the “meticulously planned genocide of the European race.”

The chant and the shooters’ messages refer to “white genocide,” the white replacement or white extinction conspiracy theory. Neo-Nazis and other alt-right groups maintain that non-white immigration in supposedly white-founded countries will make whites extinct. This change that they see as a threat to white hegemony is attributed to a Jewish-run plot to overthrow white Christian rule.

For perspective on these claims of the extermination of Europeans, consider: Jews are 2% of the population of the United States and about 0.18% of the numbers in the entire world.

The violence and hate come from organized groups, individuals who are radicalized online, and from messages that emanate from our government.

The Southern Poverty Law Center states that numbers of hate groups will continue to rise “as President Trump fans the flames of white resentment over immigration and the country’s changing demographics.” Trump stoked identity-based fears and praised “both sides” after the deadly Charlottesville attack and he continues to lend credibility to white nationalists and anti-Muslim bigots.

SPLC data show a 30% increase in hate-group growth that coincides with Trump’s campaign and presidency.

The FBI reports a corresponding rise in hate crimes, with about 850 open investigations across the United States. Federal prosecutors have backed a domestic terrorism bill that they say could aid in investigations, but the effort has stalled at the White House, according to a Justice Department official.

“Certainly, the most lethality in terms of terrorist attacks over the recent years here in the homeland has been on the domestic terrorism side,” said Christopher A. Wray, the national FBI director, in testimony to lawmakers. Just days after his testimony, the FBI charged a white supremacist in Colorado with plotting to blow up a synagogue.

A recent headline in the Minneapolis Star Tribune (Nov. 10, 2019) posed the difficult question: When is a crime a hate crime? There is disagreement among law enforcement personnel nationally and in Minnesota. At a meeting in St. Paul, Ramsey County Attorney John Choi said, “People are now coming to the realization from a community value perspective and ... by people impacted by racially motivated crimes that these are significant harms.”

Attorney Choi is right about the harms. Synagogues and other Jewish community buildings are resembling fortresses. In Minneapolis, I go through multiple security checks to get to the gym at

my local Jewish Community Center; years ago, I simply walked in. Local synagogues have increased security budgets, policies, and procedures exponentially.

Federal Prosecutor Justin Herdman recently said, “Threatening to kill Jewish people, gunning down innocent Latinos on a weekend shopping trip, planning and plotting to perpetrate murders in the name of a nonsense racial theory, sitting to pray with God-fearing people whom you execute moments later — those actions don’t make you soldiers, they make you criminals.”

Some people are standing up to these threats.

Tanya Gersh brought a civil suit against Anglin, alleging that he had intentionally inflicted emotional distress. In November 2017, a federal judge ruled that Anglin’s harassment campaign was not protected under free speech, and on August 8, 2019, Anglin was ordered to pay \$14 million in compensatory and punitive damages to Gersh. He fled the country and will likely never pay.

Tanya Gersh was threatened with assault and death – over and over and over again. I received one message and it was deeply upsetting. I cannot imagine the fear that will remain with her forever — but she stood up to him.

At a public meeting in a Cleveland suburb, FBI agent Eric B. Smith expressed concern that the bitter divisions that have colored the nation’s political discourse will only worsen in an election year and could stoke more violence. White supremacists have already committed at least 73 murders since Charlottesville.

We must take threats seriously and report them to the FBI and other authorities. And we must stand up against the erosion of our core principles of freedom and equality.

We are at the edge of a precipice.

In both human and economic terms, what is the price of Jewish survival? What is the cost of hate?

Ellen J. Kennedy, Ph.D., is executive director of World Without Genocide and an adjunct professor at Mitchell Hamline School of Law in St. Paul.

<https://www.twincities.com/2019/12/01/ellen-j-kennedy-we-see-you-jew/>

MINNPOST

We're in a bitter struggle as neo-Nazis continue to spread hate

The neo-Nazi movement's online recruitment and propaganda techniques employ hate music, videos, podcasts, and even political campaigning.

By **Ellen J. Kennedy**

Nov. 5, 2019



Riot police protecting members of the Ku Klux Klan from counter-protesters as they arrive to rally in support of Confederate monuments in Charlottesville, Virginia, on July 8, 2017. REUTERS/Jonathan Ernst

A shocking documentary was nominated for an Academy Award this past spring. Called "A Night at the Garden," it is a seven-minute compilation of film clips that were found in archives around the country. The night is Feb. 20, 1939, and the garden is Madison Square Garden. On that night, 20,000 Americans wearing swastikas and shouting "Heil" vowed to bring about a "white, Gentile-ruled United States."

This rally was led by the German-American Bund, an organization of tens of thousands of American Nazi sympathizers in 70 divisions across the country. They led rallies like the one in the Garden; indoctrinated youth at summer camps where streets were named "Adolph Hitler Strasse"; and marched and carried Nazi banners from Kenosha, Wisconsin, to the streets of midtown Manhattan.

Their pro-Nazi ardor was amplified on the radio. Fr. Charles Coughlin, antisemitic, anti-communist, and isolationist, was one of the most influential men in the U.S. during the 1930s. He had a radio show on a station in a small Michigan town and his program was quickly picked up by CBS for its affiliates throughout the country, spreading antisemitism into households from coast to coast.

But the radio reach wasn't enough for Coughlin. He founded the National Union for Social Justice, a political action group representing his views in Washington, and he had more than a million paying members. He established a journal, *Social Justice*, which soon had a million subscribers reading Coughlin's vilification of Jews. Then he helped create the Christian Front, a militia-like organization of armed men who perpetrated street violence against Jewish-appearing men and women, organized boycotts of Jewish shops, and sought recruits for a private army.

Eventually Coughlin was booted off the air and the Christian Front leaders were arrested by the FBI.

There were other prominent Nazi supporters, chief among them auto mogul Henry Ford. Ford published a newspaper, the Dearborn Independent, and he ran articles in 91 issues claiming that a Jewish conspiracy was infecting America and the Jews were the cause of every social ill in the country. Ford bound the articles into four volumes titled *The International Jew* and distributed 500,000 copies to his network of dealerships. People from coast to coast were exposed to the toxic ideas advanced by the richest and perhaps the most powerful man in the country. Ford's words were viewed as having authority and credibility, which led other papers to pick up and run his articles as well.

Ford was finally sued for libel and he eventually closed the paper.

And then there was the American hero, Charles Lindbergh. He moved to Europe after the kidnapping and murder of his infant son and he became enamored of all things German, particularly German air power. He formed an organization called "The America First Committee," promoting isolationism, antisemitism, and support for the Nazi movement as the war in Europe was ramping up. The organization had a membership of more than 800,000 people, among them Henry Ford, Walt Disney, and Father Charles Coughlin.

A few days after Japan's bombing of Pearl Harbor on Dec. 7, 1941, America First disbanded. Once the U.S. entered the war, it became dangerous for groups to espouse pro-Nazi, pro-German views, and American Nazism became largely invisible – but it didn't go away.

After World War II, many people had the goal of either restoring the Nazi order or establishing a new order similar in fascist, nationalist, white supremacist, and antisemitic beliefs. Neo-Nazism, or 'new' Nazism, is the broad label for the organizations that were established on this foundation.

In the U.S., supporters of Nazi ideals formed the American Nazi Party in 1959. It was based on Nazi-era beliefs, policies, and iconography. The party has since had many incarnations and offshoots with various names, leaders, and locations, but it has never disappeared. In fact, neo-Nazi political candidates have found at least minimal support in many local, state, and national elections.

The Southern Poverty Law Center, a leading national civil rights organization, has documented more than a thousand hate groups in the U.S. today, a significant increase since the 2015 presidential campaign and subsequent election. The majority are neo-Nazi, and at least 11 of them are in Minnesota.

Not surprisingly, there was a corresponding increase in hate crimes during this same period, 2015 to today. The FBI Hate Crime Statistics report cited a 17% rise in hate crimes in 2017, the third consecutive year of increases. Nearly a quarter of the reported 7,106 hate crimes that

year were motivated by religious bias, and more than half of those crimes targeted Jews. It should be emphasized that this information is based only on *reported* crimes; experts assert that actual figures are significantly higher.

The Charlottesville “Unite the Right” rally in 2016 was today’s version of the rally portrayed in “Night at the Garden.” White supremacists shouted, “Jews will not replace us,” the mantra of the conspiracy-theory “white genocide” movement; they chanted “Blood and Soil,” Nazi Germany’s nationalist slogan; they carried enormous swastika-decorated flags; and they proudly raised their right arms in fascist salutes. Almost every segment of the white supremacist movement from across the U.S. was represented in Charlottesville that day.

In that same year avowed neo-Nazi Andrew Anglin set loose a troll storm targeting Tanya Gersh, a Jewish resident of Whitefish, Montana. She received more than 700 social media messages of hate, including death threats.

White supremacists have committed at least 73 murders since Charlottesville, including two shootings at synagogues, the worst anti-Jewish violence that has ever occurred in the United States.

The perpetrators of these atrocities against individuals and groups have not gone unpunished. The penalties have included lengthy imprisonment, the fate for over two dozen of those at the Unite the Right rally; job loss; “de-platforming,” being banned from social media sites; civil lawsuits like Tanya Gersh’s successful court case against Andrew Anglin, which resulted in a verdict awarding her \$14 million; domestic and foreign travel bans; and rejection by family and friends.

Nevertheless, the neo-Nazi movement continues to spread through online recruitment and propaganda techniques, including hate music, videos, podcasts, and even political campaigning. Patrick Little, who participated in Unite the Right, made an antisemitic-based campaign run for Dianne Feinstein’s U.S. Senate seat in 2018. After his crushing defeat he launched a nationwide “Name the Jew” tour, bringing antisemitic vitriol to cities across the country.

We have a bitter struggle in the U.S. right now over two rival ideas of nationhood. One is that the country champions the poor, the downtrodden, and gains strength from its pluralistic and diverse population. The other is that American greatness is due solely to our white Christian foundation. The neo-Nazis believe that this foundation is being eroded because of immigration – and Jews are blamed for organizing an invasion of nonwhite immigrants who would slaughter and replace the white race.

The outcome of this ideological and real struggle is certainly unclear.

We are approaching the anniversary of Kristallnacht, Nov. 9 and 10, 1938, when German paramilitaries and non-Jewish civilians burned a thousand synagogues and homes throughout Germany and Austria. They destroyed 7,500 Jewish shops. They desecrated Jewish cemeteries with sledgehammers. They rounded up and incarcerated more than 30,000 Jewish men in

concentration camps and beat and killed Jews in public. These riots raged while ordinary citizens stood by and watched. It was known as The Night of Broken Glass, Kristallnacht, named for the shards of glass covering sidewalks and streets, the remnants of the smashed windows of the vandalized Jewish businesses.

On Wednesday, Nov. 6, Fred Amram, a Holocaust survivor, and I will speak about Nazism and neo-Nazism in memory of those who perished during the Holocaust and in the violence perpetrated today. The program at Mitchell Hamline School of Law, 875 Summit Avenue, St. Paul, 7 p.m. to 9 p.m., is open to the public. Co-sponsors include the Minnesota Chapter of the Federal Bar Association; the Germanic-American Institute; CHAIM – Children of Holocaust Survivors Association in Minnesota; Mt. Zion Temple; and the student chapter of World Without Genocide. Registration is requested.



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<https://www.minnpost.com/community-voices/2019/11/were-in-a-bitter-struggle-as-neo-nazis-continue-to-spread-hate/>

MINNPOST

U.S. nationalism: not a laughing matter

Our future is uncertain. It demands a realistic assessment of our role in the world and what that means for us at home.

By **Ellen J. Kennedy**

Oct. 5, 2018



REUTERS/Carlos Barria

President Donald Trump's recent speech at the U.N. General Assembly was deeply disturbing.

President Donald Trump's recent speech at the U.N. General Assembly was deeply disturbing. When he announced that the United States rejects globalism and affirms patriotism, he rejected the world order that was defined in the ashes of World War II and the Holocaust, a world order established to prevent future catastrophes through global cooperation. He proclaimed, instead, allegiance to isolationism and nativism.

Day-after pundits pointed out parallels to the rhetoric of fascists in the 1930s. The results of recent elections not only in the United States but throughout Europe do, indeed, show increasingly strong support for ultra-right-wing political parties supported by neo-Nazis, anti-immigrationists, isolationists, and xenophobes.

What did that post-World War II order look like?

Creating stability in 1944

In 1944, in the small New Hampshire town of Bretton Woods, the U.S. and our wartime ally the UK led a meeting to establish a postwar economic order, with the full expectation that the Allies would eventually win the war. The goal was to create financial stability that could prevent massive economic collapses like the Great Depression that precipitated World War II.

At this historic meeting, the World Trade Organization, the International Monetary Fund, and the World Bank took shape. The U.S. had a real leadership role, and under a "gentleman's agreement" from those meetings, the World Bank head and International Monetary Fund deputy head are always U.S. citizens.

America was the only major Western country that had not been decimated by the war. Indeed, U.S. factories had reached unimagined capacity in military production. That manufacturing achievement subsequently turned to peacetime production, creating American *global economic*

hegemony that had previously belonged to the UK, Germany, and France, which were war-torn and in ruins.

America's postwar global leadership was cemented not only economically but diplomatically.

U.S. diplomatic leadership in '41

The United Nations came about through U.S. diplomatic leadership in 1941, before the U.S. entered the war as a combatant. President Franklin Roosevelt met with British Prime Minister Winston Churchill at the Atlantic Conference. Roosevelt suggested the name "United Nations" for an entity that could work to maintain peace around the world. The governments of the U.S., the Soviet Union, the UK, and China formalized the Atlantic Charter proposals in 1942, and in June 1945, in San Francisco, the U.N. Charter was signed. At the first official U.N. meeting in 1946, it was decided that the organization would be located in New York City, where the headquarters continues today.

The U.S. role was a dominant one, and the four original founding nations, with the addition of France, became permanent members of the U.N.'s most important body, the Security Council.

On the military front, the U.S. was a leader in founding NATO, the 29-country military alliance of North American and European nations. The supreme commander of NATO has always been an American.

A shift in U.S. policies and role

Our global diplomatic presence, and our support for peace and multilateralism, has shifted. Today the U.S.:

- is the only country in the world that has not ratified the U.N. Convention on the Rights of the Child.
- is one of six countries in the world that has not ratified the Convention on the Elimination of Discrimination against Women (the others: Sudan, Iran, Somalia, Palau, and Tonga).
- is one of only 18 countries that has not ratified the Convention on the Rights of Persons with Disabilities.
- pulled out of the Trans-Pacific Partnership, a trade agreement designed to counter China's growing economic dominance in the Pacific region.
- pulled out of the Iran nuclear agreement, to the great consternation of Western allies.
- has not ratified the Rome Statute of the International Criminal Court, the world's most important permanent tribunal, although 123 other nations, including all of Western Europe, Canada, Australia, and New Zealand, have done so.

- is the only country in the world that is not part of the Paris Climate Accord.
- is involved in brutal proxy wars in Syria, Yemen, and Afghanistan, with no end in sight.

We're not leaders, or even followers, in protecting the planet; standing up for and with women, children, and the disabled; prosecuting perpetrators of the worst crimes on the planet; or taking a stand for peace. We're allowing unbridled capitalism to triumph over democracy, and instead of a war on poverty; we wage war on the poor. We no longer cherish upward mobility; we create ever more entitlements for the top 1 percent. We don't value freedom of the press, the diversity that built Silicon Valley, the virtue of *e pluribus unum*.

Instead, we have a leader who views a free press as the "enemy of the people," our diverse population as threatening and ready to commit acts of terrorism, and our melting pot as one that must be remade so only whites can rise to the top.

Where does this leave us?

'Offshore balancing'

Scholars suggest that the golden era known as *Pax Americana*, our period from 1945 to the present when we flourished, is behind us. They say that we must rely, instead, on a position of "offshore balancing," depending on relations with key allies around the world. But those relations are eroding – or already gone. Our dialogue with once-strong-partner Mexico is increasingly hostile; the administration's posture toward NATO and our European allies is negative; and the president labels African countries as "shitholes," while China invests billions of dollars annually in soft diplomacy throughout that continent.

Our future is uncertain. It demands a realistic assessment of our role in the world and what that means for us at home. We must embrace the aspirational values that made us great: democracy, freedom, opportunity. We are weakening the democratic world order, something that Vladimir Putin has long hoped to achieve – and we are doing it for him. Trump was laughed at during his speech at the U.N., but his speech was no laughing matter. We are losing not only our stature in the world; we are losing our morality and our humanity.

Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide.

<https://www.minnpost.com/community-voices/2018/10/u-s-nationalism-not-a-laughing-matter/>

MINNPOST

Der Sturmer and The Daily Stormer: Decades apart, inciting ordinary people to hate Jews

By Ellen J. Kennedy | 08/18/17



Reuters

I am a Jew. I am a Jew with protective coloration, however: I've had a non-Jewish last name since the 1970s and I don't have particularly "Jewish-looking" features.

People usually assume I'm Catholic, or at least Christian, because of my name and appearance. Over the years, a lot of anti-Semitic comments and jokes have been voiced in my presence but not directed at me personally, of course, because of that coloration. Those comments have offended me because of false and ugly stereotypes on which they are based, but the comments have never frightened me, and when I disclose my Jewish identity, the speakers are always contrite, ashamed, and genuinely embarrassed.

The events in Charlottesville frightened me. When I heard the chants about Jews and I saw the huge swastikas that were worn and waved with pride and arrogance, I was truly frightened.

Much of my extended family perished in the Holocaust, in the annihilation of the Jewish ghetto in Vilna, Lithuania. I work in human rights. I have followed the dramatic upsurge in hate groups and hate incidents that accompanied the Trump campaign, the election, and now the presidency itself. The chants of "Heil Trump" make my heart stop. Slogans having to do with Jews and ovens – I simply cannot believe that this is happening in my lifetime, in my country, from fellow Americans. And Trump is supporting this violence by failing to take a strong stand against the neo-Nazis, by demonizing the good people who were protesting hate, and by not disavowing the alt-right's allegiance to him.

Young people are highly susceptible to online propaganda. The neo-Nazi website Daily Stormer, part of the organizing impetus for the Charlottesville demonstrations, was shut down in recent days by several hosting sites and now resides in the dark web. It has its ancestry in the Nazi newspaper *Der Sturmer*, circulated in Germany from the 1920s until the end of World War

II. *Der Sturmer's* publisher, Julius Streicher, was prosecuted at the Nuremberg trials after the Holocaust and was hanged for committing crimes against humanity.

Streicher never killed anybody, never filled shower rooms with poisonous gas, never rounded up Jews and packed them into cattle cars. He did something that in many ways was far worse. He incited ordinary people to hate Jews, to view them as objects to be reviled and defiled and exterminated.

These are the same messages we are hearing today, without opposition from the White House, without outrage and incredulity from Attorney General Jeff Sessions, without enough shock and horror from all of us to silence the hate speech and to put an end to the swastikas and the Hitler adulation forever.

This is no longer my country. This is a place where I am frightened, where the next Julius Streichers are taking boldly to the streets with encouragement and support.

Where will I go to feel safe?



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www.minnpost.com/community-voices/2017/08/der-sturmer-and-daily-stormer-decades-apart-inciting-ordinary-people-hate-j

MINNPOST

Opinion

Antisemitism and genocide — over and over again

Of all religiously motivated hate crimes in the U.S., 58 percent target Jews, despite Jews comprising only 1.9 percent of the U.S. population and only 0.2 percent of the population of the world.

February 1, 2022

By Ellen J. Kennedy



Law enforcement vehicles are seen in the area of the synagogue where a man took worshippers hostage, in Colleyville, Texas, on January 15.

REUTERS/Shelby Tauber

I had my gym clothes and running shoes on and I was ready to get on the treadmill on Saturday, Jan. 15, when I saw the alert.

Shabbat services at a Texas synagogue were interrupted by an armed person who had taken some worshippers hostage.

We all have moments when we sensed that our reality shifted. JFK's assassination when I was a junior in high school. The events of 9/11, when my daughter was on a ship in the middle of the Pacific Ocean with 750 other American college students, another potential target for terrorists. Jan. 6, 2021, when American democracy began to crumble. And that Saturday at the Texas synagogue.

It certainly wasn't the first, or the most, horrific act of antisemitism in the United States, but it paralyzed me because it seemed almost routine ... a lone person terrorizing Jews in a place called a "sanctuary," yet again.

These acts are happening over and over again — just like the bigger picture of hate, which, writ large, is genocide.

After the Holocaust, the world leaders' mantra was "never again." And then there was Cambodia. And Guatemala, Argentina, East Timor, Bosnia, Darfur, the Uyghurs, the Rohingya, the Tibetans. The list goes on and on.

The list of anti-Semitic "incidents" in the U.S. goes on and on. Of all religiously motivated hate crimes in the U.S., 58 percent target Jews, despite Jews comprising only 1.9 percent of the U.S. population and just 0.2 percent of the population of the world.

Scholars say that antisemitism is the world's oldest and most-enduring form of hate. As an academic, I understand the forms of scapegoating that occur. As a Jew, those acts damage the essence of my soul.

There are fine statements decrying this latest act of antisemitism coming from many organizations and individuals, including the United Nations General Assembly and President Biden. But these words do nothing. They don't stop the hate and the scapegoating and the violence and the desire to lash out against this tiny minority as punishment for all the ills in the world.

There are some well-intentioned actions. The U.S. may finally pass the 2021 "Pray Safe Act," which will provide information on best practices and available federal grants for security at houses of worship. FEMA will probably increase funding for its Nonprofit Security Grant Program. The project's current annual budget is \$180 million, which increased several times in recent years due to the rise in antisemitism across the U.S. The program allows houses of worship to apply for grants of up to \$100,000 each for security measures such as fences, cameras, stronger doors and security personnel.

But stronger doors and higher fences don't stop hate.

On another front, a genocide is happening right now, at this very moment, on the other side of the world — the destruction of the Uyghurs in western China. Again, there are fine statements and intended good actions.

Last month, the French parliament labeled the atrocities against the Uyghurs to be genocide, and the French parliamentarians applauded the Uyghur refugees who were in the room. The French have joined the U.S., Canada, Australia, the U.K. and the Netherlands with this pronouncement.

The U.S. has issued economic sanctions and forbidden diplomats' attendance at the February Beijing Olympics. It has threatened pressure on businesses like Abercrombie and Fitch, Adidas, Calvin Klein, Gap, H&M and Nike that use Uyghur slave labor in their supply chains. But the genocide continues — despite the pronouncements, applause and sanctions.

And the antisemitism continues.

Last month the New York City Police Department arrested a woman for harassing and spitting on an 8-year-old Jewish boy outside a Brooklyn synagogue.

The woman, identified as 21-year-old Christina Darling, was charged with aggravated harassment as a hate crime, acting in a manner injurious to a child, and menacing as a hate crime, the NYPD said.

According to CNN, the woman approached three children outside the synagogue shouting “anti-Jewish statements” before spitting on the boy and walking away.

The children’s father told reporters that the woman said “something along the lines of Hitler should have killed you all.”

The 8-year-old boy replied to the woman that he would save his little sister. The woman then spit in his face and said, “We will kill you all. I know where you live, and we’ll make sure to get you all next time.”

That little boy’s world must have shifted at that moment.

Genocide and hate — “never again” means nothing when the hate endures.

World Without Genocide will hold a webinar on Feb. 23, 7 p.m. to 9 p.m. on “China: Politics, Human Rights, and Law.” Register by Feb. 22 at www.worldwithoutgenocide.org/china. The event is open to the public at \$10 general public, \$5 students and seniors, free to Mitchell Hamline students and \$25 for Minnesota lawyers for 2.0 Elimination of Bias credits. Teachers, nurses and social workers will receive “Clock hours.”



Ellen J. Kennedy, Ph.D., is the executive director of World Without Genocide, a human rights organization located at Mitchell Hamline School of Law in St. Paul, and an adjunct professor of law.

<https://www.minnpost.com/community-voices/2022/02/antisemitism-and-genocide-over-and-over-again/>

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Opinion

What happens when democracy is attacked and people look away?

We failed Spain and its democracy in the 1930s. We have a chance to save a democracy now.

By [Ellen J. Kennedy](#)



Tear gas is released into the crowd of rioters during clashes with U.S. Capitol police on January 6.
REUTERS/Shannon Stapleton Aug. 2, 2021

“Will we adhere to the rule of law? Will we respect the rulings of our courts? Will we preserve the peaceful transition of power?” Rep. Liz Cheney asked these disturbing questions at the House hearing on July 27 to investigate the Jan. 6 storming of the U.S. Capitol. She warned that unless there is accountability for the insurrection, “This will remain a cancer on our constitutional Republic. ... We will face the threat of more violence in the months to come and another Jan. 6 every four years.”

We know what happened: Thousands of angry people, incited by Donald Trump’s assertion that the election was stolen from him, tried to capture the Capitol. Insurrectionists included white nationalists, anti-Semites wearing “Camp Auschwitz” shirts, racists with Confederacy regalia, and heavily armed people determined to defy the election results at all costs and to stop the legitimate transfer of power.

Five people died and at least 140 people were injured; Capitol police were brutally assaulted; videos of the terror and mayhem looked like a chaotic attack in a failed state, not in the leading nation of the free world.

A red line crossed

There has been debate over an appropriate political label for the rioters and for Trump himself. I have come to agree with Columbia University historian Robert Paxton. An expert on fascism, the day after the Capitol attack, he wrote, “I have been reluctant to use the F word for Trumpism, but yesterday’s use of violence against democratic institutions crosses the red line.”

Many experts agree with Paxton: We crossed that red line.

It was crossed when people in positions of power willingly abandoned the rule of law, the decisions of the courts, and the peaceful transition of power, all of which Cheney cited in her remarks. These foundational principles of our democracy were utterly irrelevant in the face of powerful incitements to rebellion.

In a recent poll in Business Insider (June 28, 2021), fully 26% of Americans scored high on right-wing authoritarianism, defined as “a desire to submit to some authority, [with] aggression directed against whomever the authority says should be targeted, and a desire to have everybody follow the norms and social conventions that the authority says should be followed.” About a third — 34% — of right-leaning adults and 26% of high-right-wing respondents said the Capitol rioters were protecting the government when they stormed the building.

Many Americans refuse to admit the truth of what happened, or to support an investigation, or to assume responsibility. They have a mix of apathy, resignation that we should just move on, and, of course, the view that there was nothing illegitimate. The Republican support for the rioters, including from members of Congress, is beyond belief.

What happens if we look the other way?

In 1936, the democratically elected government in Spain was challenged by fascists, conservatives, right-wing military leaders, rich and powerful oligarchs, and reactionary members of the populace. They were enraged over democratic hopes of equality for women, more equitable resource distribution for the poor, universal education, and loosening the stranglehold of the Catholic Church. This challenge turned into a coup against the fledgling democracy.

People around the world were paying attention. More than 40,000 volunteers from 52 countries traveled to Spain to fight on the side of the Loyalists, the pro-democracy advocates, against the military and their supporters. Among those volunteers were 2,800 Americans of the Abraham Lincoln Brigade — men and women of all backgrounds who had one goal: to defeat fascism in Spain.

The leading supporters of the fascist military side, known as the Nationalists: Adolf Hitler and Benito Mussolini.

A proxy battle

The ensuing Spanish Civil War was more than a battle within Spain. It was a proxy battle between fascism and democracy and a rehearsal for the looming cataclysm throughout Europe.

The outcome was tragic. Over the course of three long and brutal years, the fascists gained control of Spain and remained in power until Gen. Francisco Franco’s death in 1975.

The United States' position was isolationist. The Soviet Union and Mexico were the only countries to come to Spain's aid against fascism. Hitler, however, sent thousands of fighters, pilots, bombs, planes, ships, and artillery, along with money and training, to obliterate Spain's democracy. Mussolini did likewise.

The Nationalists set up more than 190 concentration camps throughout Spain that held hundreds of thousands of prisoners. The death tolls in the camps, the military battles, and the civilian tolls were horrific: 500,000 people, including 681 Americans of the Lincoln Brigade, perished from warfare and torture, not counting deaths from starvation and disease.

Several years ago, I stood at Spanish battlefields where the pro-democracy forces tried to hold on. It was December, cold, gray, and windy. I wept for the loss – not only of the lives, but for the loss of a better society that people from all over the world had tried to build in Spain.

The volunteer fighters gave their lives for what they saw as the biggest battle in the world: the battle against fascism.

We failed Spain and its democracy in the 1930s. We have a chance to save a democracy now. Will we – *can* we — save democracy in America?

World Without Genocide is hosting a public webinar on Tuesday, Aug. 10, 7-9 p.m. CDT on Zoom, titled "Incitement, Hate and Genocide." Featured speakers include U.S. Rep. Jamie Raskin, D-Maryland, who was the lead manager of the second Donald Trump Senate impeachment trial; Mark Potok, former senior fellow at the Southern Poverty Law Center; and Imran Ahmed, CEO, Center for Countering Digital Hate. [Registrations by Aug. 9](#) at \$10 general public, \$5 seniors and students, \$25 lawyers for Minnesota CLE elimination of bias credits (pending).



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<https://www.minnpost.com/community-voices/2021/08/what-happens-when-democracy-is-attacked-and-people-look-away/>

MINNPOST

After four years of misogyny, we must stand up for women

The theme of this year's International Women's Day, to be celebrated on March 8, is "Choose to Challenge."

By [Ellen J. Kennedy](#) | March 1, 2021



Women taking part in a protest to mark the International Women's Day in Barcelona, Spain, on March 8, 2020.
REUTERS/Nacho Doce

I read a disturbing story in The New York Times on Feb. 18. It began like this:

Last fall, the Pentagon's most senior leaders agreed that two top generals should be promoted to elite, four-star commands.

For the defense secretary at the time, Mark T. Esper, and Gen. Mark A. Milley, then the chairman of the Joint Chiefs of Staff, the tricky part was that both of the accomplished officers were women. In 2020 America under President Donald J. Trump, the two Pentagon leaders feared that any candidates other than white men for jobs mostly held by white men might run into turmoil once their nominations reached the White House.

Mr. Esper and General Milley worried that if they even raised their names — Gen. Jacqueline D. Van Ovost of the Air Force and Lt. Gen. Laura J. Richardson of the Army — the Trump White House would replace them with its own candidates before leaving office.

The decision was made to delay the recommendations until after President Joe Biden was in office. The Pentagon is expected to send them to the White House soon.

What is the legacy of four years of misogyny from the most powerful person in the most powerful country on the planet?

Many of us thought that Trump's political career had crashed with the October 2016 release of Trump's "pussy-grabbing" remark on the Access Hollywood tapes. But the opposite happened: It cemented his image of masculine power demonstrated through sexual assault and male aggrandizement. This image is almost cartoonlike in its grandiose depiction of male supremacy. The extent to which it resonated deeply with men throughout the country, however, was frightening. They latched onto white Christian masculinity and supremacy to attack diversity, pluralism, and above all, women's power.

Emily Gray and Emma Peck reflected in HuffPost (Jan. 14) after the Jan. 6 mob stormed the Capitol:

A misogynist in chief, fighting back against the perceived threat of a world populated by increasingly powerful women — like Hillary Clinton or Nancy Pelosi — was incredibly appealing to the aggrieved white men we saw Wednesday rampaging through the Capitol.

The image of Richard Barnett sitting at a desk in Nancy Pelosi's office with his feet up makes perfect sense — that's a guy showing a woman who's really in charge. Elevating his masculinity by taking down a powerful woman. ...

Another man, 36-year-old Adam Johnson, stole Pelosi's lectern — in other words, an attempt to silence her. Both Barnett and Johnson have since been arrested.

What we saw Wednesday was sort of like Toxic Masculinity's last stand; a reassertion of male power, of the entitlement to violence, to being outside of the rules.

In considering violence, the Southern Poverty Law Center distinguishes between white supremacy and white nationalism. White nationalism, according to the SPLC, is essentially supremacy run amok, seeking the eradication of all nonwhites. Not the *oppression* of them, the SPLC notes, but the *eradication*.

Can we extend misogyny beyond oppression? The data below for women in the U.S. suggests that we are far beyond oppression.

- 1 in 4 college women will be sexually assaulted.
- There are 3 million incidents of intimate partner violence each year. 1 in 10 women have been raped by an intimate partner.
- A woman is assaulted or beaten every 9 seconds.
- Women constitute 65% of the victims of murder-suicides.

In 1989, the Minnesota Coalition for Battered Women began compiling an annual “Femicide Report” to document gender-based violence resulting in deaths of Minnesota women and girls. The purpose was to honor the victims and to raise an alarm about this almost-invisible crime.

The victims were from the cities, suburbs, and rural communities. They were wealthy, middle-class, and poor. They were white and nonwhite. They were young and old.

They were our neighbors, our community, our sisters, aunts, mothers, daughters, and friends.

They were silenced. That was also a goal of the insurrectionists: to silence people they perceived as their opposition. Steal Nancy Pelosi's lectern.

According to The New York Times, Trump said to Mike Pence that fateful January day, “You can either go down in history as a patriot, or you can go down in history as a pussy.” The worst thing Trump could say to Pence: You are a female.

There is a direct link between women’s political representation and women’s safety, equality, and justice. What does representation look like in Washington and at the Minnesota Legislature?

- The number of women in the U.S. Senate *ever*, since the Senate began convening in 1789: 58.
- The number and proportion of women in the U.S. Senate today: 24, which is 24%.
- The number of women in the U.S. House of Representatives, a body of 465 members: Women have held a total of 345 seats – in 232 years. Today: 119, or 27%.
- In state legislatures throughout the country, women total 31%.
- In Minnesota, there are 51 women in the House (38%) and 21 in the Senate (31%).

The majority of people in the U.S. are female, about 51%. The inference is clear: Women’s voices must get louder.

In 1975 the United Nations designated March 8 as International Women’s Day. But the origin goes back to New York City in 1908. Thousands of women garment workers went on strike against low wages and sexual harassment in their workplaces. Their protests went on for a year, and on Feb. 28, 1909, a year later, a National Women’s Day was organized. The following year this led to an international movement.

This year’s theme is “Choose to Challenge.” We need to challenge misogyny, silence, fear, oppression, and eradication. The time is now. The time is *always* now – to appoint those four-star generals and to stand up.

On International Women’s Day, March 8, 7-9 p.m. CST, World Without Genocide will host a public webinar, “Ending Impunity for Femicide in Guatemala.” Speakers are Victoria Sanford, Ph.D., and Ana Maria Mendez Dardon, J.D., international leaders in advocacy and justice for women. Registration is due by March 7. \$10 general public, \$5 students and seniors, \$25 Minnesota lawyers for 2 Elimination of Bias CLE credits, free to Mitchell Hamline students. Information here. at admin@worldwithoutgenocide.org



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<https://www.minnpost.com/community-voices/2021/03/after-four-years-of-misogyny-we-must-stand-up-for-women/>

MINNPOST

Title IX is under threat, even as 2018 is heralded as The Year of the Woman

The U.S. government is taking deplorable action that will reduce women's willingness to come forward and will increase men's impunity for sexual crimes against women.

By [Ellen J. Kennedy](#) | Jan. 4, 2019

NBC, CNN, Vox, The New York Times – the media is heralding 2018 as The Year of the Woman. Yes, women won seats in 2018 elections at record levels. But what's happening underneath this political surge?

The president of the most influential nation on the planet has trumpeted pussy-grabbing. A nominee for the highest court in our land was credibly accused of sexual assault – and was confirmed for the position anyway, since boys will be boys. More than 200 major figures in television, movies, business, the media, politics, and sports were outed and ousted, but they were rarely prosecuted for their predatory behavior.

Rape occurs at epidemic levels in this country. In the United States, one in four women will be sexually assaulted during their lifetimes. In one recent 24-hour period alone, more than 12,000,000 women shared online #MeToo stories of their personal victimization.

In Minnesota, there were an estimated 6,915 rapes in 2015 – and 53 convictions, meaning that 6,847 rapes *in that one year* were never brought to justice. An AP report on Friday, Dec. 28, noted that, according to FBI data, the national “clearance rate” for rape cases fell to its lowest point since at least the 1960s because not enough resources are devoted to investigating sexual assault, the second-most serious crime in the FBI crime index.

The Centers for Disease Control and Prevention estimates that 684,000 Minnesota women will be raped, stalked, or experience violence from an intimate partner in their lifetimes.

The Star Tribune's recent series, “Denied Justice,” highlighted the egregious failures of Minnesota's criminal justice system to take survivors' experiences seriously, to treat survivors appropriately, and to commit to the same standards and procedures for investigation and prosecution of rape as with other crimes. There has now been a review of policies and practices throughout the state. This review described police disregard for, and in many instances, the outright humiliation of, survivors; the unwillingness to prosecute male perpetrators; and the appalling lack of appropriate services to address the lifelong physical and psychological trauma that these crimes create.

The anticipated outcome of this investigation is that Minnesota's victimized women will receive some of the justice that they deserve.

But at the same time that this vital Minnesota self-scrutiny is occurring, the U.S. government is taking deplorable action that will reduce women's willingness to come forward and will increase men's impunity for sexual crimes against women.

Led by Betsy DeVos, secretary of the Department of Education, this is happening almost under the radar. What is she doing? Rolling back Title IX.

Title IX of the Education Amendments Act of 1972 is a federal law that prohibits sex discrimination in any educational institution receiving federal funding. In 1994, the Education Department's Office for Civil Rights applied the law to sexual assault on campuses. This requires universities to investigate and adjudicate sexual assault cases. However, the rates of assault on campus did not decline.

In 2009, a study looked at 10 years of sexual assault complaints filed under Title IX. The results? Students who were responsible for sexual assault faced almost no consequences. Disciplinary actions were minor: counseling, community service, probation, or even no action at all. Sexual assault survivors faced the harshest punishment: seeing their rapist on campus every day. Title IX was failing.

In 2011, the Obama administration issued a "Dear Colleague Letter" to reinforce the requirement that schools investigate sexual assault.

The goals were to set out victim-centered standards, encourage reporting, increase the availability of victim support services, and shift the campus culture to one that emphasizes consent for sexual activity.

The Dear Colleague Letter also established rights and protections for *accused* students, including due process, equal opportunity to present witnesses and evidence, timely access to information used in the hearing, an impartial investigation and hearing process, and an appeals process.

The Letter required schools to use a "preponderance of evidence" standard in deciding sexual assault cases. This standard sets the burden of proof as "more likely than not," or more than 50 percent likely, that something occurred. This standard, used in civil cases and all discrimination cases, gives the benefit of the doubt to the victim.

In September 2017, DeVos announced that the Department of Education was *rescinding the Dear Colleague guidelines* and will establish new Title IX requirements.

The department issued interim guidelines that are likely to become permanent.

- Schools can decide sexual assault cases using either the "preponderance of evidence" standard OR a "clear and convincing evidence" standard, a stricter standard that will make it harder to hold perpetrators accountable for assaults.

- Colleges can use mediation in sexual assault cases. Mediation means that the accused and the accuser negotiate with a third person about how to resolve the case. Mediation is highly inappropriate. Sexual assault survivors should not have to “work through” their assault with the accused.
- Campuses can choose to offer an appeal process only to accused students, not to both parties. This gives the accused a significantly unfair advantage.
- The definition of sexual harassment is narrowed to exclude most off-campus assaults, even though many campus activities occur away from campus. This will greatly reduce the number of incidents actionable under Title IX.

These revised policies focus on the accused, not on the victims. These policies will intimidate victims from coming forward, make it harder to report harassment or assault, and will make it less likely that schools will provide victim services.

These proposed regulations are not official yet. They have to go through a public comment process that ends on Jan. 28. This comment period intentionally occurs over the period of schools’ winter breaks, when campus communities are less likely to be available to talk about Title IX.

Submit comments urging support of the Dear Colleague standards. To do so, go here.

The most helpful comments are personal stories of how the proposed regulations would have affected your life or the life of someone you know. This was the focus of the Star Tribune series as well: the personal, powerful story.

In October, 41 members of the House of Representatives in Washington introduced House Resolution 4030, known as the Title IX Protection Act. This would codify into law the Dear Colleague letter. This bill didn’t pass in the legislative session that ended on Jan. 2; there was no companion bill in the Senate.

Support a new bill. Ask Sens. Amy Klobuchar and Tina Smith to introduce a bill like HR 4030 in the Senate. Call your representative in the House and ask him or her to re-introduce HR 4030. **Use the toll-free number 844-872-0234.** Simply enter your ZIP code and you’ll automatically be connected to your senator and representative.

We hope to see a similar bill in the 2019 Minnesota legislative session.

Minnesotans are responding at the state level. We must not allow justice to be weakened by the federal government.

Ellen J. Kennedy is the executive director of World Without Genocide and an adjunct professor at Mitchell Hamline School of Law in St. Paul.

<https://www.minnpost.com/community-voices/2019/01/title-ix-is-under-threat-even-as-2018-is-heralded-as-the-year-of-the-woman/>

MINNPOST

Military women's extra trauma: combat stress and sexual assault

There are about 19,000 sexual assaults in the military per year, according to Department of Defense estimates.

By [Ellen J. Kennedy](#) | March 12, 2014



More than 280,000 women have served in Iraq and Afghanistan since 2001.

CC/Flickr/United States Forces Iraq – Sgt. Jennifer Sardam

More than 200,000 women are currently in active duty in the U.S. military, one out of every seven people in today's military.

More than 280,000 women have served in Iraq and Afghanistan since 2001. These women, like all military personnel, have been involved in a range of capacities, from desk jobs to active engagement in firefights. Women made up 67 of the nearly 3,500 Americans lost in hostile fire in Iraq and 33 of the 1,700-plus killed in combat in Afghanistan; more than 600 other women in Iraq and 300 in Afghanistan were wounded.

A recent study found that more than half of the women serving in the U.S. Army in those locations experienced combat-related trauma. Like their male counterparts, women veterans returned to their lives at home scarred from their experiences in war: exposure to enemy artillery and rockets and seeing others wounded and killed.

But women in the U.S. military are experiencing another form of war-related trauma: that of being victimized sexually in what is labeled Military Sexual Trauma, MST.

Significant incidences of PTSD

MST is defined by the Department of Veterans Affairs as “experiences of sexual assault or repeated, threatening sexual harassment that a veteran experienced during his or her military service.” A report in the New York Times in March, 2007, which surveyed women soldiers' experience in Iraq, showed that they had significant incidences of post-traumatic stress disorder from the combination of combat stress and sexual assault.

Although both men and women are subjected to MST, the Veteran's Health Administration found that 1 in 5 female veterans experienced MST as compared to 1 in 100 male veterans.

According to a 2011 Newsweek report, women are more likely to be assaulted by a fellow soldier than killed in combat. The Department of Defense estimates there are about 19,000 sexual assaults in the military per year, but according to the latest Pentagon statistics (2013), only 1,108 troops filed for an investigation during the most recent yearly reporting period and during that period, only 575 cases were processed. No outside audit has been conducted of the military's numbers. Of the cases processed, only 96 went to court-martial. That means that *less than .005 percent of the assaults* resulted in court-martial. This is shocking and illustrates at least three grave problems.

First, women are subjected to sexual predation in the military as in other settings. However, sexual assault in combat settings such as in Iraq and Afghanistan seriously jeopardizes women's safety and exacerbates already-grave physical and psychological stress. Second, the rate of investigation and prosecution is very low. The fact is that many perpetrators of assaults are typically of higher rank and can easily coerce and intimidate their victims into silence. Third, most veteran services have historically been designed and delivered for men because the proportion of women in the military has been much lower. This suggests that programs to address the unique needs of women are much less widely available than similar services for men.

'Lonely Soldiers' explores the issues

These issues are explored in a deeply-moving play at the History Theatre, 30 East Tenth Street, St. Paul, titled "Lonely Soldiers: Women at War in Iraq." The play runs from March 16 to April 6, with a special workshop by World Without Genocide on Saturday, March 22, titled "Women in War: Exploring Issues of Sexual Harassment, Violence, and Trauma." Speakers will address laws of war and laws to prosecute military perpetrators; types of services available to women with MST; and the recent UN resolution 1325 to involve women in post-conflict settings.

(Registration is required by March 20. The workshop is open to the public; fees are \$40 public, \$25 students, \$80 for those seeking 2.5 Standard CLE credits. Fees include the workshop, lunch, and a matinee performance of the play.)



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<https://www.minnpost.com/community-voices/2014/03/military-womens-extra-trauma-combat-stress-and-sexual-assault/>

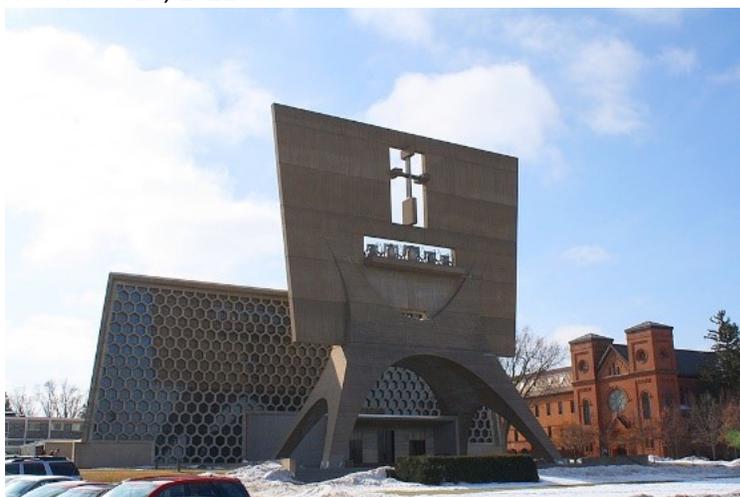
MINNPOST

Sexual exploitation cannot be tolerated on a rural campus — or anywhere

The Violence Against Women Act (VAWA) was passed to support survivors of domestic violence, dating violence, sexual assault and stalking. The bill has always been bipartisan and was strengthened and reauthorized many times — until the Trump administration.

By [Ellen J. Kennedy](#)

November 29, 2021



St. John's University Church, Collegeville

[Creative Commons/NVJ](#)

Students at all-male St. John's University in Collegeville, Minn., located in a bucolic setting about 75 miles from Minneapolis, allegedly held a sex competition. According to [local reports](#), the young men organized a contest. The goal was to see who could total the most points by engaging in certain sexual acts with specific students at the nearby women's institution, the College of St. Benedict. The reports noted that after becoming aware of the contest, St. John's administrators held a mandatory meeting with the suspected perpetrators, who were residents on campus, and an outside consultant was hired.

I expected that the announcement of this heinous activity would be followed by days of letters to various editors excoriating the male students' behavior and urging support for the targeted women; public statements from St. John's University leaders decrying the sexual exploitation and highlighting their efforts to end impunity for such egregious behavior; and opinion pieces by editorial staffs about yet more evidence of systemic misogyny that must be eliminated.

What I saw was — silence.

An office for women's leadership and some concerned students at St. Ben's organized a demonstration when the news broke. A few hundred students showed up — out of a combined student body of nearly 3,200. Only 10% of the students felt this was important enough to protest?

Women are exploited, objectified, sexualized and dehumanized. Donald Trump's words in 2005, recorded and shared widely in 2016, captured many men's attitude toward women: "Grab 'em by the pussy."

It is shocking, but not surprising, that this attitude often escalates from discrimination, exploitation and violence to death — even in bucolic Minnesota.

- 684,000 Minnesota women will be raped, stalked or experience violence by an intimate partner in their lifetimes.
- In 2020, nearly 70,000 victims received services from domestic violence agencies in Minnesota.
- 440 incidents of sexual assault were reported at Minnesota colleges in 2020. At least 74 people were sexually assaulted in 2019 at Carleton College and St. Olaf College, located in scenic Northfield.
- From 1989-2018, 523 women in Minnesota were killed by their intimate partners. About half of those murders occurred in the metro area and half in greater Minnesota (Violence Free Minnesota). In 2020 at least 22 people were killed due to domestic violence in Minnesota.

-

According to Statista, nearly 90% of sexual assaults are committed by someone the victim knows. For many reasons, most of these assaults are not reported. If they are reported, many of the accused are not prosecuted. Only about 6% of the prosecutions result in convictions.

A St. Ben's protester carried a rally sign that read, "#Grab Them by the Patriarchy." I suggest the following grabs.

VAWA. Nearly 30 years ago, a landmark law called the Violence Against Women Act (VAWA) was passed to support survivors of domestic violence, dating violence, sexual assault and stalking. The bill has always been bipartisan and it has been strengthened and reauthorized many times — until the Trump administration. It expired in 2018, the first time since it was originally adopted in 1994. It expired because Republicans blocked it in the Senate.

It has now been reauthorized by the House, with 29 Republicans joining Democrats in a vote of 244-172. It hasn't gone anywhere in the Senate.

This is heartbreaking — and yet another piece of the picture. VAWA was the first major federal legislation aimed at stopping violence against women. It provided billions of dollars for lifesaving programs. Rates of domestic violence declined by more than 50% between 1993 and 2008 after VAWA became law, according to the Bureau of Justice Statistics.

CEDAW. In 1989, the United Nations passed the Convention on the Elimination of Discrimination against Women, known as CEDAW (see-daw). There are only six countries on the planet that haven't ratified it: Sudan, Somalia, Palau, Tonga — *and the United States*.

There is a nationwide movement to encourage cities to support CEDAW. To date, Minnesota has the second-most cities in the U.S. with CEDAW resolutions: Minneapolis, St. Paul, Duluth, Edina, Red Wing, Richfield and Northfield. Bringing CEDAW to municipalities raises awareness about discrimination against women at local levels and empowers city leaders to implement change. It also means that someday, when the time is favorable, someone in the U.S. Senate will advocate for CEDAW passage because millions of people have shown their support in cities throughout the country.

Sexual assault at a global level. Sexual assault and exploitation are not unique, of course, to Collegeville. In 1998, Jean-Paul Akayesu became the first person in the world to be convicted of genocide, even though genocide was codified as a crime half a century earlier. What had he done to deserve this most heinous charge? Akayesu was found guilty of rape during Rwanda's genocide, and the International

Criminal Tribunal for Rwanda labeled rape as a crime of genocide. Akayesu did not perpetrate a single rape himself, but he encouraged, abetted and facilitated rapes by others.

Following on this precedent, the International Criminal Tribunal for former Yugoslavia then convicted three men of crimes against humanity for rape, specifically for organizing and maintaining a system of infamous “rape camps” in Bosnia.

These are landmark cases in international human rights law: affirming women’s rights to be free from sexual violence and sexual exploitation anywhere and everywhere.

We cannot, we must not tolerate sexual exploitation locally or globally.



World Without Genocide will hold a webinar on Wed., Dec. 15, 7 to 9 p.m. CT, on “Birth, Sex, and Abuse: Women and Children under Nazi Rule.” Register by Dec. 14 at www.worldwithoutgenocide.org/women The event is open to the public. \$10 general public, \$5 students and seniors, free to Mitchell Hamline students, \$25 for Minnesota lawyers for 2.0 Elimination of Bias credits. “Clock hours” for teachers, nurses and social workers.

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