

Abstract

This thesis presents a reflection on the portrayal of women's experiences in the current available definitions of genocide. It does so, by critically analyzing current and available definitions of genocide utilizing Norman Fairclough's three-dimensional model for critical discourse analysis. It includes in the critical discourse analysis an analysis of the intersectional gender considerations and observations as well as parts of Carol Bacchi's WPR approach to problem representation in policy analysis. The findings call for a critical reflection of discourse in problem representation in order to ensure intersectional equality when it comes to women's experiences of genocide in the prevention and punishment of genocides.



**AALBORG
UNIVERSITY**

**THE WEIGHT OF THE ‘G’ WORD:
A CRITICAL DISCOURSE ANALYSIS OF THE
PROTRAYAL OF WOMEN’S EXPERIENCES IN THE
CURRENT AVAILABLE DEFINITIONS OF GENOCIDE**

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1. Introduction

“Time and again in the latter half of the twentieth century, genocide has been perpetrated, and for the most part, the international community has responded in a sorely inadequate fashion” (Totten, 2004, p. 41). The definition of genocide as it appears in the 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide, poses a quandary of a “double-edged sword” (Totten, 2004). Critics of the convention have pointed out its flaws since its creation, particularly concerning its definition of genocide (Fein, 1990; Drost, 1951; Dadrian, 1974; Katz, 1994; Rummel, 1994; Churchill, 1998; Thompson & Quets, 1990). One particularly popular point of critique is the failure to protect fragile groups by not including political groups, social classes, and other target groups such as gender and sexual minority groups. Fein (1990) argues that a report commissioned by the UN Human Rights Commission “recommended its extension to political and sexual groups”. Related to the concern for the omission of gender and sexual minority groups, feminist scholars are highlighting serious concerns about the lack of focus on women’s experiences of genocide in the current definition of genocide. It is important to talk about women’s experiences of genocide because its very definition tends to overlook and obscure the acts committed towards women in genocides (O’Mahony, 2020). Genocide is defined, in summary of the genocide convention, as the prohibited act with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group as such (UNGC, 1948). Commonly, this is understood to be carried out predominantly as organized mass killings, of which men are more likely to be the victims (O’Mahony, 2020). Non-killing acts of genocide are generally more likely to be directed at women and girls and have far too often been overlooked and obscured (O’Mahony, 2020). “The failure to acknowledge the multi-faceted female experience of genocidal violence has led to a shortage of strategies aimed at protecting women and girls from these crimes. Moreover, it has made it more difficult to prevent and punish the crime of genocide” (O’Mahony, 2020). Feminist scholars of genocide have argued that gender-neutral conceptualizations of genocide tend to fail to recognize and account for the distinctive types of violence that are indicative of genocide, and how this failure can contribute to or perpetuate strategies of genocidal denial (von Joeden-Forgery, 2012).

This thesis recognizes the need for further study of this area, as genocide is a large-scale violation of human rights, and because it is important to protect the rights of people all over the world regardless of nationality, ethnicity, religion, gender, or any other identifiable factor. All human beings deserve to be treated with dignity and respect and to be protected from harm (UDHR, 1948). As such, I have established that there is a clear flaw when it comes to the protection of and justice for women during genocides and in the aftermath that follows, which shows there is a need to investigate definitions of genocide with a focus on women's experiences.

Using discourse analysis, WPR, and an intersectionality approach, this thesis seeks to understand how current and available alternative definitions of genocide take women's experiences of genocide into account. Further, it investigates the ability of the UN genocide convention to contain all that is necessary to adequately protect women, or whether another convention is needed?

To answer the problem formulation, I will be applying the following research questions:

- Is the current definition of genocide sufficient, as it appears in the 1948 Convention on the Prevention and Punishment of the Crime of Genocide?
- What are the alternative definitions of genocides available in the scholarly literature?
- How do the definitions hold up according to intersectionality and the WPR approach?
- Is it realistic to create a definition of genocide that contains all aspects it needs to contain, or do we need another legal framework to do so?

2. The definition of genocide, its history, and alternatives

Scholarly debates over the definitions of genocide have existed for as long as the word itself. In this section, we will be diving into the relevant theory to support the analysis, which will later help to inform the discussion and help answer the problem formulation. As such, we need to start at the beginning with the man who coined the term genocide, Raphael Lemkin.

2.1 Raphael Lemkin

Raphael Lemkin was a Polish-Jewish jurist born in 1900. He had seen the horrors that the Armenian people had endured under the attacks by the Ottoman Empire, which many scholars believe to constitute genocide (United States Holocaust Memorial Museum, n/d). Raphael Lemkin was working on and advocating for the need for legal protection of groups and as early as 1933 he was engaged in the work to ensure legal safeguards for ethnic, religious, and social groups at international forums (United States Holocaust Memorial Museum, n/d). Lemkin himself had to flee Poland during the Second World War when Germany invaded. He escaped through Europe and later to the US.

In 1944 he published his book 'Axis rule in occupied Europe'. It documented the Nazi atrocities and introduced genocide - the term he had coined to conceptualize these types of crimes (United States Holocaust Memorial Museum, n/d). Lemkin went on to work with the American team in preparation for the Nuremberg trials where he was able to get genocide included in the indictment against the Nazi leadership. Lemkin subsequently learned of the death of 49 members of his family in concentration camps, death marches, the Warsaw ghetto and killing centers (United States Holocaust Memorial Museum, n/d). Lemkin later returned to Europe to lobby for the adoption of genocide in international law and eventually it resulted in the approval by the United Nations of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (United States Holocaust Memorial Museum, n/d).

2.2 Convention on the Prevention and Punishment of the Crime of Genocide and its institutional jurisdiction

The genocide convention is an instrument of international law. It was one of the first human rights treaties to be adopted as a convention by the UN general assembly. For many, it signifies the beginning of the international community's commitment to preventing atrocities like those during the holocaust and the second world war. In this sense, the genocide convention was an important part of the development of human rights and international criminal law (United Nations.org, n/d). So far, the genocide convention has been ratified by 152 states and to this day, 42 United Nations Member States remain yet to ratify the convention (United Nations.org, n/d). The United Nations adopted the genocide convention in 1948 with the following definition of genocide:

ARTICLE I

The Contracting parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

ARTICLE II

In the present Convention, genocide means any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group

ARTICLE III

The following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;
- (c) Direct and public incitement to commit genocide;
- (d) Attempt to commit genocide;
- (e) Complicity in genocide.

(UNGC, 1948)

The International Criminal Court (ICC) was established in 1998 with the intent to achieve justice for all, to end impunity, and to help end conflicts (ICC about, n/d). By virtue of the Rome Statute of 2002, the ICC is granted jurisdiction over four main crimes: the crime of genocide, crimes against humanity, war crimes, and finally, crimes of aggression (ICC about, n/d). Ideally, States themselves should prosecute these crimes, but the ICC exists to complement, not replace, the national criminal systems. It prosecutes cases only when the State do not, are unwilling, or unable to do so genuinely (ICC about, n/d). Of the four major crimes of the Rome Statute, this thesis deals primarily with the crime of genocide defined by the UN as presented above. However, it is important to note that crimes against humanity, which are made up of 15 different crimes, include serious violations committed as a “large-scale attack against any civilian population” (ICC about, n/d, p. 1), which could, to some extent, be related to women’s experiences of genocide. Some of the 15 different crimes against humanity include “murder, rape, imprisonment, enforced disappearances, enslavement – particularly of women and children, sexual slavery, torture, apartheid, and deportation” (ICC about, n/d, p. 1).

2.3 Critiques of the sufficiency of the UNGC

Critics of the genocide convention are repeatedly pointing out key issues with the convention. The key issues as mentioned by Helen Fein (1990) are the gaps in groups covered and the ambiguity of certain phrasing such as intent (p. 10). Totten (2004) argues that other key issues, not necessarily with the convention to blame, are the difficulty of gathering sound information and the avoidance by some governments and the UN to deem it a genocide since it would require them to act upon it (p. 51).

Starting with the first point of critique, the convention has repeatedly been criticized for not including political groups, social classes, and other target groups such as gender and sexual minority groups. Drost (1951) elaborated on the critique with the following argumentation:

“Man lives not alone but in groups. He belongs to a group either by birth or from choice [...] By leaving political and other groups beyond the purported protection the authors of the Convention also left a wide and dangerous loophole for any government to escape the human duties under the Convention, by putting genocide into practice under the cover of executive measures against political or other groups for reasons of security, public order or any other reason of state” (pp. 122-123).

The reason behind the omitted political groups was as Fein (1990) argues, for the fact that some states might “anticipate that suppression of subversive elements and disorders could instigate external intervention” (p. 11). Historically, accommodations have meant the deletion of both political groups and cultural genocide from the convention. As for the relevance to this thesis the same critique can be extended to the omittance of groups based on gender.

Further critiques have been brought up concerning ambiguity of the phrase ‘in whole or in part’. The issue lies with deciphering what number or proportion of people constitutes the group being victimized ‘in whole or in part’. Leo Kuper (1985) argues that the convention presumably is meant to deal with acts against large numbers relative to the size of the perpetrator group. “it would rest with the courts to adjudicate on this issue” (p. 12).

Another issue is the difficulty of gathering sound information on a genocide. Information gathering is naturally very important to scholars of genocide as it provides the basis on which they build their assertions. Totten (2004) argues that some scholars are hesitant – especially in the early stages – but some even way into the process of killing, to deem something a genocide. He points out, however, the importance of acknowledging that this hesitance among scholars is due, not to any cowardly reasons or ulterior motives, but to the aspiration to use the term only when genocide is certain (p. 43). Totten (2004) to some extent appreciates this carefulness when calling something a genocide, because the wariness protects the impact of the word, while a loose use of the term will water down its importance. He elaborates this by saying that “a fast and loose use of the term is counter-productive in that it degenerates, over time, into a situation where it loses its real value and purpose” (p. 43).

The last issue is that of reluctance by the UN and some national governmental institutions to deem something a genocide. The reluctance is tied to the fact that acknowledging that a genocide is happening, requires intervention. Totten (2004) notes that “in certain situations, [...] various officials [...] were cognizant of the fact that if they deemed a situation to be ‘genocidal,’ not only would there be a moral imperative to attempt to stanch it, but – if their nation was a signatory to the UN Convention on Genocide – a legal imperative as well” (p. 42). However, I must say that reflecting upon this criticism makes me wonder about the ‘prevention’ part of the convention.

I see a real quandary in the fact that it is hard to gather information, there is such an amount of ambiguity in the phrasing of the convention and at the same time, even when evidence is there, genocides are rarely ever called genocides and acted upon in a way that results in the prevention of genocides. This makes me even more curious about the way genocides are defined and what impact this could have for women's experiences of genocides. Cultural genocide has been briefly mentioned in this section, but what is cultural genocide, and does it really make sense to include it in the context of a modern understanding of culture?

2.4 Cultural genocide

In the years that followed the adoption of the Convention on Genocide, scholars started to debate the sufficiency of the definition of genocide adopted in the convention of 1948. One aspect which grew exceedingly in attention was cultural genocide of which Raphael Lemkin has been a big spokesperson for the adoption of a clause on cultural genocide.

For Lemkin, culture is a vital part of a group as it defines the group and society one lives in and thus has an influence on our physical well-being. Lemkin was concerned about cultural loss and its effect to such a degree he compared it to the loss of life in his definition of genocide. Lemkin's view on culture as being a creation of genius through collective memories that are lost should they be forgotten or otherwise threatened. As such they, or their disappearance, influence not only the people that are directly connected to it, but also the collective human society, which could have grown with its existence. To support this claim, Lemkin argues that "So-called derived needs are just as necessary to their existence as the basic physiological needs [...] These needs find expression in social institutions or, to use an anthropological term, the cultural ethos. If the culture of a group is violently undermined, the group itself disintegrates, and its members must either become absorbed in other cultures which is a wasteful and painful process, or succumb to personal disorganization and, perhaps, physical destruction [...Thus] the destruction of cultural symbols is genocide [...It] 'menaces the existence of the social group which exists by virtue of its common culture'" (Short, 2010, p. 837).

Lemkin further argues this statement in the example he uses in the following quote: “The world represents only so much culture and intellectual vigor as are created by its component national groups. The destruction of a nation, therefore, results in the loss of its future contributions to the world. Moreover, such destruction offends our feelings of morality and justice in much the same way as does the criminal killing of a human being: the crime in the one case as in the other is murder, though on a vastly greater scale” (Short, 2010, p. 837).

As such, Lemkin defined not only the physical killing of a group of people but also the destruction of culture as acts of genocide that bring the loss of life and culture with it. Lemkin defined genocide as the violation of the right a nation has to exist, the destruction of a nation. This can be achieved by both mass killings and the planned destruction of a fundamental culture of a group or nation (Short, 2010, p. 838).

Looking back on Lemkin’s definition of cultural genocide in the light of the understanding we now have of culture as something much more fluid than nations and ethnicity, Lemkin’s idea can seem a little outdated. I think it is important to note that Lemkin’s idea of culture, which undoubtedly is in accordance with the consensus at the time, is rather dated to how we understand culture today. Lemkin’s understanding of culture is very tightly linked to the notion of nations and ethnicity. As such, one could argue that Lemkin’s definition of cultural genocide is to some extent included. Nonetheless, culture in the sense of 1940 has aged and this understanding of the term might not still suffice. Once more, we get the sense that the way in which things are described and defined, matter greatly to the impact and importance of these concepts. As such, we are catapulted into the following section which explores the question of why words matter to such an extent.

2.5 Why words matter

Payam Akhavan (2012) talks in his work 'Reducing Genocide to Law' about "the power of a word" and how the word genocide in itself, carries an enormous amount of responsibility (p. 15). Akhavan further recounts that former U.S. president Bill Clinton had been accused of 'semantic squirm' for refusing to use the word genocide, and instead called the events that unfolded in Rwanda against the Tutsis 'genocidal acts' (Akhavan, 2012, p. 16). When a genocide then accrued in Darfur, the U.S. changed strategy, and the acts were openly called a genocide. This time, however, the definition of genocide and the confusion around the word 'intent' meant that the horrors in Darfur continued and the perpetrators were not sufficiently held accountable (Akhavan, 2012, p. 17). In 2008 it was the Russian invasion of Georgia where the g-word was turned into a prominent feature of the Russian war machine as a way to justify the invasion (Akhavan, 2012, pp. 16-17). But what is it that makes the word so powerful, and how is this connected to the way individual words come together to give meaning to a concept as they do in a definition?

In its essence, a definition is nothing, but a series of words given a special meaning. However, once you begin to investigate the definition of genocide, you will discover its importance to the study and the immense power that words can truly have. Ben Lieberman (2012) underlined this with the argument that "no other branch of history or field of inquiry centered on historical events is so dependent on a definition as genocide studies. Studies of war, politics, wealth and poverty, society, culture, men and women, and a host of other topics have all given rise to detailed analysis of terms and definitions; but no other field depends for its very existence upon the invention and definition of a single term" (p. 15). Having established the importance of the definition, and with the UN definition from the genocide convention on our minds, I will begin to look at some of the alternative definitions of genocide present in the scholarly literature.

2.6 Different definitions of genocide

Fein, Helen 1990

The perspective on the meaning of intent mentioned in an earlier section is shared by Helen Fein (1990). Fein has come up with her take on a sociological definition which clearly states that the act of genocide is based on purposeful action. Her definition goes as follows: “Genocide is sustained purposeful action by a perpetrator to physically destroy a collectivity directly or indirectly, through interdiction of the biological and social reproduction of group members, sustained regardless of the surrender or lack of threat offered by the victim” (p. 24). Fein (1990) further argues that a sociological definition should consider sociological knowledge persistency, construct of group identity, and embrace the right of all non-violent groups to co-exist (p. 24). In earlier work, Fein argues that “genocide is the calculated murder of a segment or all of a group defined outside the universe of the obligation of the perpetrator by a government, elite, staff or crowd representing the perpetrator in response to a crisis or opportunity perceived to be caused by or impeded by the victim.

The universe of obligation is the range of people to whom the common conscience extends: the people toward whom rules and obligations are bindings, who must be taken into account, and by whom we can be held responsible for our actions” (Fein, 1984, p. 4).

Dadrian, 1974

Dadrian (1974) argues for the following definition of genocide: “genocide is the successful attempt by a dominant group, vested with formal authority and with preponderant access to the overall power, to reduce by coercion or lethal violence the number of a minority group whose ultimate extermination is held desirable and useful and whose respective vulnerability is a major factor contributing to the decision for genocide” (p. 123). Except for the fact that the perpetrator is part of the dominant group and the victims are a minority group, it is not clear what should be observed and thereby classified as a genocide.

Chalk and Jonassohn, 1990

Chalk and Jonassohn argue for the following definition: “Genocide is a form of one-sided mass killing in which a state or other authority intends to destroy a group, as that group and membership in it are defined by the perpetrators” (1990, p. 23). The limitation of the perpetrator as ‘a state or other authority may be confusing as to who the perpetrator is in relation to what organization is responsible for prevention and prosecution. Furthermore, the specification of ‘one-sided mass killings’ omits other forms of destruction such as it is included in the convention. Lastly, the definition of a target group is extremely broad which implies an endless number of groups would be constructed, however, in the lens of intersectionality and WPR I would argue that this is not necessarily a bad thing.

Jonassohn and Björnson, 1998 defend the definition by arguing that as with so many other things, we need to begin with a question: “what elements do we look for in evaluating situations and events before determining whether we are dealing with a case of genocide? We used three major criteria: (1) there must be evidence, even if only circumstantial, of the intent of the perpetrator; (2) there must be a group whose victimization threatens its survival as a group; and (3) the victimization must be one-sided. We realized that these conditions can, in some cases, be problematic; therefore we recognized as ‘genocidal massacres’ those events that violate one of our conditions” (Jonassohn and Björnson, 1998, p. 10).

Charny, 1988

Israel W. Charny (1988) argues for his take on a humanistic definition as “the wanton murder of human beings based on any identity whatsoever that they might share” (p. 4).

He further argues that “Genocide in the generic sense is the mass killing of substantial numbers of human beings, when not in the course of military action against the military forces of an avowed enemy, under conditions of the essential defenselessness and helplessness of the victims” (Charny, 1994, p. 75). He also adds to his definition categories of “Accomplices to Genocide” and “Cultural Genocide,” the latter also includes “Linguicide” (Charny, 1994, pp. 76–77). He also adds, like Churchill (see below), definitions of first, second, and third degrees of genocide, as well as war crimes, and ethnocide (Charny, 1994, p. 85).

Charny's definition thereby includes multiple target groups such as gender as well as political groups and social classes, which is something the convention is often being criticized for excluding. However, as in the case of Chalk and Jonassohn's definition, the classification of a group might be too broad in a legal sense as in legal matters, boundaries like these are important.

Churchill, Ward 1998

Churchill's definition of genocide is a direct critique of and proposed alteration of the genocide convention and goes as follows:

“Proposed Convention on Prevention and Punishment of the Crime of Genocide (1998)

ARTICLE II

In the present convention, genocide means the destruction, entirely or in part, of any racial, ethnic, national, religious, cultural, linguistic, political, economic, gender, or other human group, however such groups may be defined by the perpetrator. It is understood that, historically, genocide has taken three (3) primary forms, usually, but not always, functioning in combination with one another.

- (a) Physical Genocide, by which is meant killing members of the targeted group(s) either directly, by indirect means, or some combination ...
- (b) Biological Genocide, by which is meant the prevention of births within the target group(s), either directly, indirectly, or both ...
- (c) Cultural Genocide, by which is meant the destruction of the specific character of the targeted group(s) ...

ARTICLE IV

[I]t is understood that several degrees of culpability pertain to the commission of genocide. These may be taken into consideration for purposes of determining the appropriateness of punishment.

- (a) Genocide in the First Degree, which consists of instances in which evidence of premeditated intent to commit genocide is present.
- (b) Genocide in the Second Degree, which consists of instances in which evidence of premeditation is absent, but in which it can be reasonably argued that the perpetrator(s) acted with reckless disregard for the probability that genocide would result from their actions.
- (c) Genocide in the Third Degree, which consists of instances in which genocide derives, however unintentionally, from other violations of international law engaged in by the perpetrator(s).

(d) Genocide in the Fourth Degree, which consists of instances in which neither evidence of premeditation nor other criminal behavior is present, but in which the perpetrator(s) acted with depraved indifference to the possibility that genocide would result from their actions and therefore to effect adequate safeguards to prevent it”

(Churchill, 1998, pp 432–5).

Harff, Barbara, and Ted Gurr 1988

Harff and Gurr are some of those scholars who emphasize the distinction between genocide and politicide and their equal right to be recognized and punished on the same basis: “By our definition, genocides and politicides are the promotion and execution of policies by a state or its agents which result in the deaths of a substantial portion of a group. The difference between genocide and politicide is in the characteristics by which members of a group are identified by the state. In genocides the victimized groups are defined primarily in terms of their communal characteristics, i.e., ethnicity, religion, or nationality. In politicides the victim groups are defined primarily in terms of their hierarchical position or political opposition to the regime” (Harff & Gurr, 1988, p. 360).

Horowitz, Irving Louis 2002

Horowitz argues for his definition of genocide which distinguishes between genocide and assassination: “A formal distinction between genocide and assassination is also required. Genocide is herein defined as a structural and systematic destruction of innocent people by a state bureaucratic apparatus, whereas assassination designates random and sporadic efforts of people without power to illegally seize power and liquidate paramount central figures in a given regime as a means to that goal” (Horowitz, 2002, p. 23).

Katz, Steven 1994

Katz argues for the following definition of genocide:

“I shall employ the notion of genocide as applying to, and only as applying to, ‘the actualization of the intent, however successfully carried out, to murder in its totality any national, ethnic, racial, religious, political, social, gender or economic group, as these groups are defined by the perpetrator, by whatever means.’” (Katz, 1994, p. 131).

He further argues for a distinction also including cultural genocide:

“Cultural genocide being understood as ‘the actualization of the intent, however successfully carried out, to destroy the national, ethnic, religious, political, social, or class identity of a group, as these groups are defined by the perpetrators” (Katz, 1994, p. 137).

Lemkin, Raphaël 1944

Lemkin has already been mentioned in this thesis as a key person responsible for the fact that we have a genocide convention today at all. Lemkin’s definition of genocide goes as follows: Genocide is the destruction of a nation or an ethnic group. It is a new word for an old practice in its modern development, and the word itself comes from the ancient Greek word *genos* (race or tribe) and the Latin *cide* (killing), thus corresponding in its formation to words like tyrannicide, homicide, infanticide, etc. “Generally speaking, genocide does not necessarily mean the immediate destruction of a nation, except when accomplished by mass killings of all members of a nation. It is intended rather to signify a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves.

The objectives of such a plan would be disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups. Genocide is directed against the national group as an entity, and the actions involved are directed against individuals, not in their individual capacity, but as members of the national group” (Lemkin, 1944, p. 79).

...

The crime of genocide involves a wide range of actions, including not only the deprivation of life but also the prevention of life, such as abortions and sterilizations, and also devices considerably endangering life and health, Lemkin specifies this as artificial infections, working to death in special camps, deliberate separation of families for depopulation purposes, and so forth. All these actions are subordinated to the criminal intent to destroy or to cripple permanently a human group (Lemkin, 1947, p. 147).

Porter, Jack Nusan 1982

Porter argues for a definition that builds upon the UN definition but expands on it in a few areas, such as the victim groups, as well as the nature of the crime that is done to the victims. Porter's definition goes as follows: "Genocide is the deliberate destruction, in whole or in part, by a government or its agents, of a racial, sexual, religious, tribal, ethnic, or political minority. It can involve not only mass murder, but also starvation, forced deportation, and political, economic, and biological subjugation. Genocide involves three major components: ideology, technology, and bureaucracy/organization" (Porter, 1982, p. 12).

Rummel, R.J. 1994

Rummel has come up with one of the more elaborate definitions of genocide, he argues for his definition, both in a short and in a longer version which also includes a list of examples of what genocide is not. Please note that Rummel makes a clear distinction between genocide, politicide, and democide, but does not, in doing so, say that the latter two should not be condemned in the same way. The short version goes as follows:

"Genocide: among other things, the killing of people by a government because of their indelible group membership (race, ethnicity, religion, language).

Politicide: the murder of any person or people by a government because of their politics or for political purposes.

Mass Murder: the indiscriminate killing of any person or people by a government.

Democide: The murder of any person or people by a government, including genocide, politicide, and mass murder. (Rummel, 1994, p. 31)

The long version:

In detail, democide is any action by government:

(1) designed to kill or cause the death of people

(1.1) because of their religion, race, language, ethnicity, national origin, class, politics, speech, actions construed as opposing the government or wrecking social policy, or by virtue of their relationship to such people;

(1.2) in order to fulfill a quota or requisition system;

(1.3) in furtherance of a system of forced labor or enslavement;

- (1.4) by massacre;
- (1.5) through imposition of lethal living conditions; or
- (1.6) by directly targeting noncombatants during a war or violent conflict; or
- (2) that causes death by virtue of an intentionally or knowingly reckless and depraved disregard for life (which constitutes practical intentionality), as in
 - (2.1) deadly prison, concentration camp, forced labor, prisoner of war, or recruit camp conditions;
 - (2.2) murderous medical or scientific experiments on humans;
 - (2.3) torture or beatings;
 - (2.4) encouraged or condoned murder, or rape, looting, and pillage during which people are killed;
 - (2.5) a famine or epidemic during which government authorities withhold aid, or knowingly act in a way to make it more deadly;
 - (2.6) forced deportations and expulsions causing deaths.

...

(h) Excluded from this definition are:

- (h.1) execution for what are internationally considered capital crimes, such as murder, rape, spying, treason, and the like, so long as evidence does not exist that such allegations were invented by the government in order to execute the accused;
- (h.2) actions taken against armed civilians during mob action or riot (e.g., killing people with weapons in their hands is not democide); and
- (h.3) the death of noncombatants killed during attacks on military targets, so long as the primary target is military (e.g., during bombing of enemy logistics).

(Rummel, 1994, pp. 37–38)

Shaw, Martin 2007

Shaw argues that “Genocide is a form of violent social conflict, or war, between armed power organizations that aim to destroy civilian social groups and those groups and other actors who resist this destruction. Genocidal action (or genocide as action, a sense closer to previous understandings) ... can be defined as action in which armed power organizations treat civilian social groups as enemies and aim to destroy their real or putative social power, by means of killing, violence, and coercion against individuals whom they regard as members of the groups”

(Shaw, 2007, p. 154).

Thompson, John L.P., and Gail A. Quets 1990

Thompson and Quest are among those who support a wider definition of genocide without as many exemptions. They do so by arguing: “In short, given the problems which arise from restrictions, we define genocide as the destruction of a group by purposive action. This allows the role of intentional action to be explored, different subtypes of genocide to be compared, and the impact of different factors on genocide to be examined empirically (Thompson and Quets, 1990, p. 248).

2.7 The history of genocide – and gender

“Why should we talk about women’s experiences of genocide?” - such begins Meg O’Mahony (2020, p. 1) an interesting article on the website of United States Holocaust Memorial Museum. In it she argues that genocide in its very definition has a tendency to overlook and obscured the acts committed towards women in genocides. Genocide is defined, in the genocide convention, as the prohibited act with intend to destroy, in whole or in part, a national, ethnical, racial or religious group as such (UNGC, 1948). Commonly, this is understood to be carried out predominantly as organized mass killings, of which men are more likely to be the victims (O’Mahony, 2020). Non-killing acts of genocide, are generally more likely to be directed at women and girls and have far too often been overlooked and obscured. “The failure to acknowledge the multi-faceted female experience of genocidal violence has led to a shortage of strategies aimed at protecting women and girls from these crimes. Moreover, it has made it more difficult to prevent and punish the crime of genocide” (O’Mahony, 2020, p. 1). Feminist scholars of genocide, such as von Joeden-Forgerly (2012), have long argued that gender-neutral conceptualizations of the crime fail to recognize and account for the types of violence that are often indicative of genocide, and how this failure can contribute to and perpetuate strategies of genocidal denial. As a result, she further argues, violence based on gender and especially mass rape, has become a key element in the scholarly, legal, and activist approaches to genocide in the past two decades (von Joeden-Forgerly, 2012).

As such, the importance of studying the gendered effects of genocide becomes even more apparent. O’Mahony (2020) argue that women and girls have generally been subject to all prohibited acts of genocide, but the way these acts are committed against women and girls often differs from the way they are committed against men. An example of this was seen in Rwanda. Years before the genocide happened, radio, and magazines characterized women of the Tutsi ethnic group as evil seducers who only wanted to humiliate Hutu men, infiltrate their perceived ‘racial purity’ and undermining their masculinity (O’Mahony, 2020, p. 2). The reproductive role of women and their sexuality was used against them. Men raped hundreds of thousands of Tutsi women during the genocide, and as a result, those horrors experienced by Tutsi women were later determined by the International Criminal Tribunal for Rwanda as “a foreseeable consequence of the role attributed to them” (O’Mahony, 2020, p. 2). Similarly in Burma, systematic rape of Rohingya women and girls, was used as a key strategy of genocide (O’Mahony, 2020).

Even to this day, women's bodies are a battlefield for violence. However, we have to acknowledge, like O'Mahony argues (2020), that rape is just one form of sexual and gender-based violence, which typically refers to any act of sexual, emotional, physical, or psychological harm perpetrated against one's will and based on gender (O'Mahony, 2020).

Having established that women and girls have been differently affected by genocides, it is interesting to note also, that women and girls' stories of genocide, to a large extent, were excluded from scholarship on the Holocaust and genocide until around the 1980s (von Joeden-Forgery, 2012). Even so, making sure that women's stories were brought back into the study of genocide was not without difficulty. This is to some extent because doing so, required scholars to argue for the relevance of women's experiences in the first place (von Joeden-Forgery, 2012). Subsequently, some scholars taking on this task are at times accused of "fomenting unnecessary discord between the sexes—as if the horror of genocide made gendered inquiry somehow irrelevant or even unseemly" (von Joeden-Forgery, 2012, p. 89). Subsequently, as many other areas of gendered research in common scholarship, the feminist inquiry was occasionally accused of ignoring the suffering of men and boys and the participation of women as perpetrators of genocide. Von Joeden-Forgery (2012) elaborates on the effects of such critiques by arguing that "Unfortunately, such criticisms of feminist approaches to conflict studies have tended to place gender analysis within a competitive framework, in which the respective fates of men and women are weighed in accordance with their perceived severity" (von Joeden-Forgery, 2012, p. 90).

In light of this, one can understand the importance of establishing men as gendered subjects too, as such an understanding is required to fully comprehend the complex ways gender plays into the genocidal processes (von Joden-Forgery, 2012). Von Joden-Forgery (2012) argues that Adam Jones's work has been important in highlighting men, especially civilian men of 'battle age', and how they have been victimized in genocides. Men are often the first to be separated and massacred. In some genocides, they are even the only group to be outright massacred, "while women, children, and elderly men suffer a range of alternative fates including rape, sexual exploitation, torture, forced maternity, murder, and expulsion" (von Joeden-Forgery, 2012, p. 90). Thus, women and girls are often treated as witnesses to genocide, rather than survivors of it. By overlooking the non-killing acts of genocide, von Joeden-Forgery (2020) argues, we overlook their experiences of violence as well as the long-term traumatic implication which are often magnified by financial, social, and cultural gender inequalities.

O'Mahony (2020) supports this claim and describes some of the dehumanizing gendered experiences of genocide. "Where women and girls are targeted for genocidal killings, they tend to be killed in ways that reflect the way [women] and their roles are viewed in that society. In Burma, while Rohingya men were generally killed by gunshot, women, and girls were stabbed, slashed, and burned – means typically used when destroying objects and property" (O'Mahony, 2020, p. 2). Von Joeden-Forgery (2012) further argues that "focusing on the supposedly harsher fate of men can and often does have the effect of once again marginalizing the experiences of women. Moreover, this action tends to lead to definitions of genocide that prioritize the 'strictly murderous dimension,' usually understood as outright massacre, above all else. This seriously underestimates the severity of rape and other forms of sexual torture during the genocide, their life-long effects, and the number of women and girls who die over time as a consequence of sexual violence" (von Joeden-Forgery, 2012, p. 90).

As such, the way rape is portrayed during genocide raises questions about rape in itself, the perpetrators motive, as well as questions about what constitutes a genocide. About this issue, von Joeden-Forgery (2012) lays out the details of the complexity quite well by arguing that "Although we commonly refer to 'rape' in the singular, there are many crimes of rape that happen during genocidal processes. There are those rapes that are not part of an overarching plan but are instead the consequence of opportunity and impunity, there is systematic mass rape, forced maternity, rape as a means of murder, sexual torture, gang rape, coerced rapes between family members, sexual mutilation, forced prostitution, sexual slavery, rape in rape camps, women forced to 'marry' génocidaires", and so forth (von Joeden-Forgery, 2012, p. 92). She continues by arguing that "We need to be specific in the way we speak of sexual violence during genocide, examining each case and each type for its particular relationship to genocidal intent" (von Joeden-Forgery, 2012, p. 92). Subsequently, she elaborates by arguing that "The purpose would not be to rank types of rape in terms of degrees of severity, but rather to better understand the words and actions of different groups of perpetrators so that we can begin to interpret rape's multiple functions during genocidal processes. Complicating our view of sexual violence and understanding the implications of this for research on the origins and the function of mass rape during a genocide, has the potential to yield important insights into its perpetrators" (von Joeden-Forgery, 2012, p. 92).

As such, I think it is quite interesting to note the many kinds of experiences women may be subject to during genocide and how these experiences have long lasting devastating effects on women's physical, and mental health. We need to better understand in the particular situation, if it is used as an instrument of genocide – or if it is simply a consequence of genocide.

Von Joeden-Forgery (2012) argues for her answer to the above issue by saying that some perpetrators are aware of the fact that, when women who have been victims of these crimes are allowed to live, the consequences extend well beyond the genocide (von Joeden-Forgery, 2012). “The long-term physical, psychological, and socio-political effects of wartime rape are well-known, though still in need of further study—particularly in terms of remediation. Protocols need to be created to address the specific circumstances of genocidal rape and related atrocities. In many cases, women rape victims are rejected by their families and communities, are unable to find work, and remain left to raise children born of war alone and in abject poverty” (von Joeden-Forgery, 2013, p. 93).

She continues to argue about these effects by stating that “We also know that in post-genocide societies women face increased vulnerability to rape, sexual exploitation, and domestic violence from their old tormenters, from other perpetrators still walking free, from international peacekeepers, from liberating armies, and from men in their communities and families. There is even some evidence that the sexual abuse of children increases after a genocide. Explanations for this trend range from the wartime brutalization and humiliation of men to the persistent patriarchal dehumanization of women, and to the culture of impunity that comes with the breakdown of traditional social institutions and more. Each of these suggests a different shape and chronology to the history of genocide than we might assume, should we fail to consider women's stories” (von Joeden-Forgery, 2012, pp. 93-94).

2.8 The damage of gender-neutral conceptualizations of genocide

Gender is intertwined in everything, also in every part of genocide. Von Joeden-Forgery (2012) solidifies this when she argues that there are many simultaneous operations of gender in different layers. “These layers include the gendered concepts through which perpetrators understand power; the gendered ways in which they define both their group and the group(s) they are targeting; the gender dynamics that organize the economic, political, social, and familial spheres within perpetrator and victim societies; the gendered strategies pursued in the course of group destruction; the influence of gender on conceptions of self and experiences of conflict among perpetrators, victims, bystanders, and witnesses; the gendered nature of international representations of and responses to a conflict; the use of gender in propaganda and denial strategies; the gendered inflection of justice systems; and so forth. As such, the gendered perspective flows through every aspect of genocide studies” (von Joeden-Forgery, 2012, p 91).

The study of women and genocide has to a large extent been focused on mass rape as a phenomenon. However, historical genocides such as the ones in Bosnia, Rwanda, and Darfur forced the international community to change the way mass rape is perceived and understood (von Joeden-Forgery, 2012). Von Joeden-Forgery argues that “in each case mass rape was used as a systematic tool of genocide. After much lobbying by feminists and women’s NGOs - ad hoc tribunals began to prosecute rape as a war crime, crime against humanity, and a crime of genocide, establishing important legal precedents that were incorporated into the statute of the ICC. The full and dramatic story of the surfacing of rape as a serious international crime in the past two decades has still to be written, but several shorter studies have sketched its general outline” (von Joeden-Forgery, 2012, p. 91). As such, since 1945, there have been some advances in the way that women’s experiences of genocide are recognized, researched, and addressed. It is painfully clear, however, that so much remains to be done to protect those at risk. Knowledge of these experiences of women is rarely reflected in how the history of genocide is remembered in the public such as in museums and archives (O’Mahony, 2020). Subsequently, O’Mahony (2020) argues, that the processes designed to predict, prevent, and respond to atrocities still do not sufficiently reflect women’s experiences. Without understanding that these gendered issues are fundamental to the experience of genocide, we are limiting our ability as the international community to ensure human dignity for women and girls, as well as to punish the crime in full, and to deliver on our promise of the second world war of “never again” (O’Mahony, 2020, p. 4).

3. Theoretical and methodological considerations

This section is separate from the theory section above because it includes a consolidation of theoretical and methodological considerations. As such, this section combines theory and methodology. The reason behind the merge is to ensure a structural order of the paper that supports the intertwined nature of the theory and methodology of this thesis. I will be presenting some of the theories relevant to my research which also to a large extent act as methods. To understand the sufficiency of the definitions of genocide in relation to gender, we need to understand the way gender interacts with other disadvantages in lived experiences of the victims of genocides. To do so, we must understand the relationship between multiple interacting systems of oppression. The theory of intersectionality from the field of gender studies can help us do just that. To clarify, when the word gender is applied, it is understood in the way of a social construct relative to the culture, history, and society of the individual in question rather than in the sense of biological gender. Before I introduce the concept of intersectionality, I would like to present the theory and method of WPR, as coined by Carol Bacchi.

3.1 WPR approach

What is the problem represented to be, or the abbreviation WPR as the approach often goes by, is an approach to policy analysis which is popular in the field of gender studies among others. Firstly, let's have a look at the theoretical aspect of WPR. Coined by Carol Bacchi the WPR approach is an analysis of problem representation that offers a different way of thinking about policy. Bacchi (2016) suggests that "if you look at a specific policy, you can see that it understands the 'problem' to be a particular sort of 'problem'. Policies, therefore, constitute (or give shape to) 'problems'. Hence, suggests Bacchi, rather than simply reacting to 'problems', governments are also active in the creation (or production) of policy 'problems'" (Bacchi, 2016). The WPR approach is relevant for this thesis because if a gendered perspective is not applied in forming definitions of genocide, women's experiences during genocides will not be considered to be part of the problem, and as such, their experiences will not be considered in an attempt to regulate genocide in documents such as the 1948 convention against genocide or in other definitions of genocide for that matter. Bacchi explains that "initially the approach to policy analysis was described as the 'What's the Problem?' approach" (Bacchi 1999).

To Bacchi, it became clear that amplification was needed due to the tendency for some readers to interpret this question to mean a determination to seek out the ‘real problem’ to develop ‘appropriate’ ‘solutions’(2016). The ‘WPR’ acronym, shorthand for ‘What’s the Problem Represented to be?’, is intended to make it clear that the point of the analysis is, to begin with, postulated ‘solutions’, such as policies, to find and critically examine their implicit problem representations (Bacchi, 2012).

As a method, WPR is applied as a means for policy analysis, or more widely, as a method of analysis for government’s, or government bodies', publication. In this case, the UN genocide convention would be an example of such a policy. The ‘WPR’ approach is a resource, or tool, intended to facilitate critical interrogation of public policies (Bacchi, 2012). It starts from the premise that what one proposes to do about something reveals what one thinks is problematic or needs to change. Following this thinking, policies and policy proposals contain representations of what is considered to be the ‘problem’ (Bacchi, 2012). A ‘problem representation’ if you will. This brings us to the method of doing a WPR analysis. Bacchi herself (2012) argues that the task in a ‘WPR’ analysis is to read policies to discern how the ‘problem’ is represented within them as well as to subject this problem representation to critical scrutiny (Bacchi, 2012). This task is accomplished through a set of six questions:

1. What’s the ‘problem’ (for example, of ‘problem gamblers’, ‘drug use/abuse’, ‘gender inequality’, ‘domestic violence’, ‘global warming’, ‘sexual harassment’, etc.) represented to be in a specific policy or policy proposal?
2. What presuppositions or assumptions underpin this representation of the ‘problem’?
3. How has this representation of the ‘problem’ come about?
4. What is left unproblematic in this problem representation? Where are the silences?
Can the ‘problem’ be thought about differently?
5. What effects are produced by this representation of the ‘problem’?
6. How/where has this representation of the ‘problem’ been produced, disseminated, and defended? How has it been (or could it be) questioned, disrupted, and replaced?

(Bacchi, 2012)

As an explanation and justification for the selection of the above questions, Bacchi (2012) explain that “question 1 assists in clarifying the implicit problem representation within a specific policy or policy proposal. Subsequent questions encourage reflection on the underlying premises in this representation of the ‘problem’ (question 2), consideration of the contingent practices and processes through which this understanding of the ‘problem’ has emerged (question 3), scrutiny of possible gaps or limitations in this representation of the ‘problem’, accompanied by the inventive imagining of potential alternatives (question 4), considered assessment of how identified problem representations limit what can be talked about as relevant, shape people’s understandings of themselves and the issues, and impact materially on people’s lives (question 5), and a sharpened awareness of the contestation surrounding the representation of the ‘problem’ (question 6) (Bacchi, 2012). In this thesis, I will be applying Bacchi’s WPR approach by asking questions number 1 and 4 of the abovementioned questions in my analysis. I do this because these questions are related directly to how the problem is represented and what is left out of the problem representation that might be problematic. In section 4.4. ‘data analysis’, I will further elaborate on the technicalities of how the method will be applied throughout my analysis

3.2 Intersectionality

Intersectionality is another concept applied in this thesis in which the usage of theory and method is strongly intertwined. As such, I will once again, in this merged section, introduce both the theoretical and methodological aspects of intersectionality. Fernando Tormos is well known in the field of gender studies for his work in intersectional solidarity. Tormos (2017) argues that broadly defined, intersectionality is the idea that disadvantage is conditioned by multiple interacting systems of oppression. Although there is a consensus about the broader meaning of what intersectionality is, scholars have come up with multiple definitions of intersectionality, many of which are often contested. Collins and Chepp provide a definition of intersectionality which Tormos argues is a working definition of intersectionality: “Intersectionality consists of an assemblage of ideas and practices that maintain that gender, race, class, sexuality, age, ethnicity, ability, and similar phenomena cannot be analytically understood in isolation from one another; instead, these constructs signal an intersecting constellation of power relationships that produce unequal material realities and distinctive social experiences for individuals and groups positioned within them” (Collins & Chepp, 2013, p. 58).

Intersectionality is relevant to this thesis because, seeing victims of genocide as the overarching group being oppressed, women and their experiences of genocide then become an intersecting group of marginalized oppressed people. But assuming that women make up around half of all victims of genocide, it becomes problematic when their experiences are not considered in the legal frameworks meant to protect them. An analysis of definitions of genocide using intersectionality as a framework would highlight which groups of people are identified as victims of genocide and thus protected. Are there any indications of intersecting groups of oppressed peoples and are women considered in any such groups? In genocide terminology, this would be an analysis of target groups considered in genocide definitions. As Collins and Chepp (2013) also pointed out, it is a signal of intersecting constellations of power relationships that promote inequality, and as such, would go well as a part of a critical discourse analysis highlighting unequal power structures and hegemony.

This being said, it is important to point out the paradox in explicitly focusing on one group of oppressed in the notion of intersectionality. The point here is not to disregard any other groups of oppressed, but simply to argue, that based on scholars' critical findings, women are especially unequally protected against the horrors of genocide, and as such, intersectionality is applied as a means to ensure the last piece of the puzzle be represented in full, by bringing intersectionality into the analysis of different definitions of genocide. Subsequently, intersectionality has been critiqued for its principle that oppression is conditioned by one's belonging to a group over the individual. Foley presents a Marxist critique of intersectionality which supports this claim. She argues that intersectionality, rather than an analytical framework for understanding the current social reality of oppression, is more usefully seen as a symptom of the times it has moved into prominence (Foley, 2018) Foley further argues that some kinds of causes have priority over others, which intersectionality fails to acknowledge, and that gender, race, and class can be viewed as comparable subject positions that require very different analytical approaches (Foley, 2018).

Furthermore, one could argue that essentially, intersectionality is a variety of analyses and so it shared the strengths of the analytical method. However, it neglects to consider synthesis as Foley (2018) also pointed out. Thus, the weakness of intersectionality lies in the fact that it is only able to peel apart different types of oppression without considering how it was created in the first place.

I will be applying intersectionality with the acknowledgment of this premise that different forms of oppression intersect, however, we must analyze them separately to understand their impact. As such, I argue that there is some sense to the analysis of intersectionality while singling out one particular group of oppressed in order to ensure equality as a whole. I also accept that including gender in a wider and nonexclusive definition of victims is fundamentally better than singling out a select few groups and thereby leaving out others.

More on the means of which intersectionality will be applied in action throughout the analysis follows in section 4.4. 'data analysis'. First, I will have to introduce the concept for which the structure of the analysis will take shape, which is critical discourse analysis.

3.3. Critical discourse analysis

As with the two sections above, this section combines a description of the theory and method of critical discourse analysis. A further description of the technicalities of how the method will be applied will follow in section 4.4. 'data analysis'.

Discourse analysis is a research method for studying written or spoken language in relation to its social context. It aims to understand how language is used in real-life situations (Fairclough, 2010). Conducting discourse analysis means examining how language functions and how meaning is created in different social contexts. It can be applied to any instance of written or spoken language, as well as non-verbal communication (Fairclough, 2010). Taking a few steps back and looking at discourse studies at large, it is without a doubt a prominent field of study as well as one of the most widely used methods for qualitative and quantitative textual analysis. Discourse analysis is a growing field of research that spans many academic disciplines. Schiffrin, Tannen, and Hamilton (2003) argue that because of this, there is a multitude of different definitions of what discourse is, and how it is used. Norman Fairclough (2010), however, argues that discourse cannot be defined independently, and as such, must be understood in both its internal and external relations with other objects. This concept of relation is very strong within critical discourse studies. Critical Discourse Analysis (or CDA) is an analysis of discourse that takes a critical stance and focuses on socio-political problems (Van Dijk, 2003).

Based on the assumption that social issues are constituted in and through language, CDA provides insight into socio-political issues. Thus, discourse, Van Dijk (2003) argues, is a major form of social action. The aim is to confront issues by critically analyzing discourses and investigating social practices (Bhatia, Flowerdew, and Jones, 2008). According to Van Dijk (2003), CDA proves that there is no 'value-free' discourse (p. 352). Thus, CDA is at its core concerned with issues of power, dominance, and ideology in discourse interrelated to a social context. With that, we have underlined one of the primary elements of CDA, which is the notion of power. In CDA, power is understood as social power defined as a control concerning groups or institutions (Van Dijk, 2003). Here, the concept of hegemony is relevant because hegemonic power is when dominant groups are exercising power to influence subordinate groups. However, as Van Dijk (2003) argues, power is seldom absolute. Power between groups is constantly contested. Some submissive groups might resist, accept, legitimize, or normalize discourse (p. 355). Thus, distributing discourse means exercising power. Exercising this power to influence through discourse, is a form of persuasion or manipulation that may lead to change or an alteration in the realities of people's life (Van Dijk, 2003). These ideas are subsequently some of the fundamental founding aspects of Fairclough's 3-D model.

Norman Fairclough is a discourse analyst known for developing one of the first approaches to CDA. Baker and Ellece (2011) explain that his approach is based on extending critical linguistics and focusing on social practices and different kinds of contexts. Fairclough is influenced by Halliday and Bakhtin on a linguistic level and by Foucault, Gramsci, Althusser, and Bourdieu on a sociological level. His three-stage model of critical discourse analysis addresses how language is used to create, maintain, and challenge power relationships and ideologies (Baker & Ellece, 2011).

Fairclough proposes his three-dimensional model of CDA consisting of description, interpretation, and explanation. Following his method, illustrations of analysis are given, with examples focusing on how power relations are expressed and maintained (Baker & Ellece, 2011). Fairclough (1995) has four different aspects he is very invested in. (1) development of the analytical framework for studying the relationship between language, power, and ideology. (2) integrating discourse analysis with a social analysis of sociocultural change, presenting critical discourse analysis as a three-dimensional framework. (3) arguing that textual analysis which includes both linguistic and intertextual analysis should be included in discourse analysis.

(4) focusing on educational applications of critical work in discourse analysis (Baker & Ellece, 2011). As such, Fairclough has developed his model for CDA based on these four tenets. But how does CDA go about achieving that? To answer this question, we look to Fairclough and Wodak.

Fairclough and Wodak (1997) have created influential work on CDA which among other things summarizes the main tenets of CDA. They do this by outlining eight key theoretical and methodological principles of CDA:

1. CDA addresses social problems, 2. Power relations are discursive, 3. Discourse constitutes society and culture, 4. Discourse does ideological work, 5. Discourse is historical, 6. The link between text and society is mediated 7. Discourse analysis is interpretive and explanatory, 8. Discourse is a form of social action

(Fairclough & Wodak, 1997, pp. 271-280).

Based on the above-mentioned factors, Norman Fairclough creates his three-dimensional model for CDA which consists of the following three dimensions. Included is a reflection on how I in my thesis will be applying the method.

- Text analysis, which for this thesis will focus less on the grammatical and in-depth semantical analysis, and more on an analysis of lexis, also referred to as the vocabulary of a text. A special focus will be given to the lexical choices used to describe target or victim groups in definitions of genocide as well as the description of the nature of destruction. The findings influence a further discussion of the relation to intersectionality and WPR.

- Analysis of discourse practice will identify Discourses present like death/killing discourse, non-killing act of violence discourse, legal discourse, humanistic discourse, and gendered discourse, and subsequent analysis of the connected values and attributes.

- Sociocultural practice will include an analysis of findings of the two previous sections in a sociocultural context. The analysis will include a discussion of the relation to WPR and intersectionality.

It is important to point out that this is not just a linear analysis since reality constitutes communication as much as communication constitutes reality. The meaning-making of Discourses thus goes both ways and as such, this will be reflected in the analysis.

4. Methodology

This section will present the methodological considerations for the thesis. I present the type of research I did, how I selected and analyzed my data, the tools, and materials used in my research as well as my rationale for choosing these methods.

4.1 Methodological approach

Using critical discourse analysis, WPR, and an intersectionality approach, this thesis seeks to understand how current and available alternative definitions of genocide take women's experiences of genocide into account. Further, it investigates the ability of the UN genocide convention to contain all that is necessary to adequately protect women, or whether another convention is needed?

Such is the problem formulation that this thesis investigates. As such, this thesis investigates a theoretical problem using qualitative methods by conducting a critical discourse analysis using Norman Fairclough's three-dimensional model for CDA (Fairclough, 1995). This thesis is an epistemological thesis based on social constructivism which utilizes critical theory to investigate how knowledge is constructed and understood. This is evident in that the study is centered around the notion of how knowledge is perceived in the sense that this 'truth' is related to different sets of values as we know them from constructivism. Using qualitative methods as a research approach for this thesis has helped me describe, interpret, contextualize, and gain in-depth insight into specific concepts or phenomena – in this example, insight into the degree to which women's experiences of genocide is taken into account by current and available alternative definitions of genocide. Furthermore, theories and methods such as WPR and intersectionality helped me analyze my findings from the critical discourse analysis while also making apparent the impact of the non-findings, or rather, how the absence of consideration towards women's experiences in genocides became apparent in the cross-section between WPR and intersectionality. Based on this discussion, the analysis of several available definitions of genocide and supported by scholars' ongoing critiques of the UN genocide convention, I investigated the ability of the convention to adequately protect women in genocides and discussed the need for another convention of similar stature.

This methodological approach was suitable for answering my problem formulation for a multitude of reasons. CDA is a well-renowned method for discourse analysis within qualitative research that focuses on samples of texts, such as my collection of definitions of genocide. The reason why particularly CDA was so effective was due to Fairclough's 3D model based on a combined analysis of text, discourse practice, and social practice (Bhatia, Flowerdew & Jones, 2008). Using this method, I was able to go beyond the textual analysis, find hidden Discourses that revealed the main focus of the different definitions, and finally relate these findings to a larger socio-cultural context which included a discussion of intersectionality and WPR which, much like critical discourse analysis, is known for its ability to highlight power imbalances by bringing attention to hegemony.

4.2 Criteria for adequacy

One aspect of my thesis I needed to carefully consider was the criteria for which I deem the UN genocide convention's ability to 'adequately' protect women. Because what does it mean to adequately protect women in times of genocide? I quickly established by investigating the ongoing discussions in the scholarly debate (Fein, 1990; Churchill, 1998; Katz, 1994; O'Mahony, 2020; von Joeden-Forgery, 2012), the need for a gendered perspective on genocide that did not overlook women's experiences of genocide. Based on the critiques presented by the above-mentioned scholars, I realized that women especially suffered from non-killing acts of violence such as sexual violence. Furthermore, I became aware of the need for recognizing the multitude of ways in which women are subject to non-killing acts of violence, some of the ways which were highlighted by O'Mahony (2020) and von Joeden-Forgery (2012).

As such, my definition of whether the convention can adequately protect women based on their experiences of genocide is built upon an assessment of whether the convention can include clauses that ensure a reasonable consideration of women's experiences of genocide, and in turn, might lead to proper condemnation and prosecution of genocide based on these lived experiences. Furthermore, there needs to be a discussion on how the actions resulting in these experiences are criminalized to their level of damage. This in part is connected to how we perceive crimes, their severity, and assess how they should be criminalized. No doubt there is a rank of the severity of the types of crimes one might experience during genocides, death, or mass killing undoubtedly being the most severe, while non-killing crimes such as rape and sexual violence rank lower.

This distinction is very clear in the proposed definitions of scholars regarding genocide which I will elaborate on further in the conclusion based on the findings of the analysis.

4.3 Data collection

The data collected for this thesis consists of mainly primary sources in the sense that the data is collected directly from the author of the source. For this thesis, the data is definitions of genocide. One major primary data source is the United Nations Convention on the Prevention and Punishment of the Crime of Genocide of 1948. This definition of genocide is considered the current definition as it is the number one internationally recognized definition produced, supported, and upheld by the United Nations and prosecuted by the International Criminal Court (United Nations.org). Secondly, is the data collected as primary sources in the form of alternative definitions of genocide presented directly by scholars in their works of literature, most of which are critical of the UN convention's definition of genocide. I have collected a vast amount of the available definitions of genocide present in the scholarly debate. In total, this thesis presents 14 different definitions of genocide, including the standard UN definition. I have done so to reflect the many contesting convictions when it comes to the definitions of genocide. No number of definitions with a certain inclination were collected. All definitions found were included, regardless of their length, phrasing or other factor, which I have done, to maintain objectivity as a researcher. I do recognize that other definitions exist out there, but I have included the most readily available ones while still maintaining a number that is manageable for the analysis.

4.4 Data analysis

I analyzed my collected data by sampling them as text and applying Norman Fairclough's method for critical discourse analysis. As mentioned earlier, Fairclough's 3D model is a multi-dimensional framework for studying discourse by combining different analyses. The analysis of text, the analysis of discourse practice, and the analysis of social practice (Bhatia, Flowerdew & Jones, 2008). Thus, Fairclough argues that any discursive event is a three-dimensional phenomenon made up of text, discourse practice, and social practice. In this thesis, the analysis is based on written text in the form of definitions of genocide. As such, the analysis is based on 14 pieces of text.

Often, the text analysis of CDA focuses on features such as vocabulary choices and patterns like wording and metaphors, as well as grammatical choices such as voice, modality, lexical cohesion, and text structure (Simpson & Mayr, 2010). For the data analysis of this particular thesis, the textual analysis has been focused on vocabulary, or lexis as it is often called in this context, which highlighted patterns that helped me interpret and contextualize present phenomena. I made a categorization of the particular kinds of lexis I would look for by starting to analyze the text and seeing patterns emerge in the texts. Before beginning, I assumed I would be looking for signs of gender as well as lexis on killing and non-killing acts of violence.

But as it turned out, I discovered the analysis turned out to be more complex than that. Where I was originally planning to look for gender in the target groups, I expanded my analysis to look for any mentions of how the author had chosen to categorize the target group. (By target group is meant the group who are identified as the victims of genocide and thereby the targets for genocidal crimes). Secondly, I discovered that there was a need for a deepening of my analysis of killing versus non-killing acts of violence because crimes are not often that easily categorized, and as I had established with the help of especially von Joeden-Forger (2012), there is a need for acknowledging the many different ways in which women are affected by these crimes.

As such, I decided to make a categorization of these crimes which I chose to call ‘the nature of destruction’ (destruction and not crimes because genocide by definition is centered around the destruction of a people). I divided the nature of destruction into four different subcategories: physical, biological, cultural, and lastly psychological. In this way, I was able to more easily include different kinds of destruction and I recognized that some of the types of crimes women are subject to, might often fall on the spectrum of all these different kinds of destruction. Subsequently, I decided to search for any mentions of gender, directly and indirectly. Directly would be if the words like ‘gender’, ‘women’, ‘men’, or any other gendered words were used. Indirect inclusions of gendered lexis would be words that were tied to a gendered practice or physiological gender.

Furthermore, I would use the characterization of target groups as well as the description of the nature of the crime to identify the degree of intersectionality as well as reflect briefly on what this representation of problems in regard to genocides says according to Bacchi.

Secondly, I would go into the analysis of discourse practice where I would focus to a small extent on the process of text production, distribution, and consumption. In this part of the analysis, I especially focused my attention on intertextuality, which is how other texts are related to the discourse and used to present a certain view. I discovered that obviously, the different texts had a very clear connection to each other but especially the UN convention, and that was interesting to point out. Discourse practice also focuses on interdiscursivity which is the mix of discourses and a mix of formal and informal language (Simpson & Mayr, 2010). For this thesis, I particularly focused on the presence of Discourses that revealed a pattern in the way we are and have traditionally been talking - and as a result thereof, how we have been thinking – about genocide. As such, I focused on the interdiscursivity of the texts. The term interdiscursivity was first used by Foucault in 1972 and later adopted by Fairclough into CDA. Fairclough (1995) refers to interdiscursivity as “constitutive intertextuality” (p. 124). Meaning how some genres or structures associated with genres seem to blend into other genres (Baker & Ellece, 2011). For the analysis of this thesis, I started my analysis of interdiscursivity by identifying patterns in the texts that were reflective of particular Discourses. I found four different Discourses to be particularly prominent: legal, humanistic, killing, and non-killing discourses. As such, I chose to analyze the texts for evidence of these Discourses.

Finally, the social practice part is focusing on issues of social analysis like power relations, ideological struggles, hegemony e.g., that are reproduced, challenged, or transformed by discourse. In this last part of the three-dimensional model by Fairclough, this thesis focused on the analysis of social implications of the found Discourses in relation to intersectionality and WPR by discussing the ideological struggles that are reproduced and challenged in the available definitions of genocide and whether they are transformed or not. In this sense, the findings of the above two sections of the analysis, help me to tie the findings together and analyze what the consequences of such findings are in a bigger socio-cultural context. I discuss my findings in view of intersectionality, and I especially use Bacchi’s WPR questions 1 and 4 to discuss the problem representation of the definitions as well as what is hidden in that particular representation. In this sense, I of course looked at whether women were included in the target groups and thus acknowledging their experiences as part of the problem, as well as if there were mentions of the types of crimes they might be subject to, or whether women and their experiences were omitted from the problem representation.

4.5 Limitations

As with any academic research, this thesis is subject to limitations. One thing I've become painfully aware of in dealing so intensely with theories and approaches that seek to highlight injustice and hegemony, is that every time we chose one direction, although it might often be unknowingly, we automatically deselect a range of other options. In my thesis, I have tried to overcome the state of unknowing deselection by purposefully analyzing the best methods for answering my problem formulation. In a theoretically based qualitative study such as this, and with the collected data sample made up of multiple pieces of text, discourse analysis quickly stood out as the most efficient method for data analysis. In choosing a particular kind of discourse analysis, CDA was one of the more critically renowned methods which combined a textual analysis, without going into too deep a linguistic and grammatical analysis, which allowed me to find and highlight patterns in lexical choices when referring to the target groups and the types of crimes that were deemed genocidal. Furthermore, Fairclough's method of CDA also includes a deeper contextual analysis of discourse practice and social practice which helped me interpret my findings and push the analysis further into a socio-cultural context. I do believe a different method for discourse analysis could have sufficed for the textual analysis part to some extent, but many have a much heavier focus on the linguistic and grammatical analysis of text and as such, I would have missed the analysis of discourse and social practice which is crucial for looking at the bigger picture.

Applying the methods of intersectionality and WPR is less given than the application of CDA, however, not any less important. Intersectionality and WPR are theories known within the field of gender studies and much like CDA are considered critical theories in the study of gender equality (Collins & Chepp, 2013), (Bhatia, Flowerdew & Jones, 2008), (Bacchi, 2012). As such they bring a critical dimension to the analysis of the definitions of genocide. Based on the discussion of the definition of genocide in the scholarly debate, a need for a critical investigation of the definitions in relation to the adequate recognition of women's experiences was determined. Despite much consensus in the scholarly debate (Fein, 1990), (Charny, 1988), (Shaw, 2007), (Katz, 1994) and the applicability of intersectionality based on O'Mahony (2020) and von Joeden-Forger (2012), I do recognize the critical influence of such theories, and as such, I included a critique of intersectionality, which I included in my conclusion to maintain a level of objectivity which ultimately contributes to my reliability as a researcher and the validity of my thesis.

One might argue that it would have been relevant to include theories of human rights. I do believe human rights theory could be relevant, but I see the genocide convention as one of the first international commitments to human rights, and as such, the genocide convention in itself is an instrument of human rights. As such, I would argue that the principles of the Bill of Rights are ingrained in the very core of what this thesis is trying to achieve. Equality for all. As such, I am not interested in the analysis of the definitions of genocide in relation to for example the Universal Declaration of Human Rights, because I believe these qualities are already an essential part of what the UN is trying to achieve with the genocide convention. Subsequently, as I state in the introduction, this becomes an analysis of how some definitions fail to live up to these principles of equality by recognizing women's experiences of genocide.

Now that I have discussed the theoretical and methodological considerations, I can begin to present the findings of my analysis.

5. Analysis

In this section, I will present my findings of the analysis. As mentioned earlier, the analysis will follow the structure of Fairclough's 3D CDA model beginning with the textual analysis. I would like to point out as well that I will be referring to the appendix wherein I have included evidence of the findings of the textual analysis, as well as the other parts of the analysis. The texts are numbered in accordance with their appearance in the beneath section from 1 to 14. Furthermore, line numbers are also included and mentioned in the analysis beneath to make it easier to refer to the appendix. As mentioned, I choose to focus on lexis in the textual analysis specifically looking for three major categories; 1 Characterization of target groups, 2 The nature of destruction – subdivided into physical, biological, cultural, and psychological destruction, and lastly 3 any mentions of gender, directly or indirectly. I will be going through the text in the order they appear in the appendix from 1 to 14. First, I will look at the findings in the texts.

1. The UN convention

The convention mentions its protected target group in article II as “a national, ethnical, racial, or religious group” (line 11) In this sense, the target group is quite limited, one could argue that historically, this would cover a large part of victims of genocides, but it fails to adequately consider the protection of groups based on gender. Drawing on the principles of Bacchii’s WPR approach it is apparent that the UN convention was created as a reaction to some previous genocides in history, like the holocaust which predominantly was a genocide carried out against the Jewish ethnical minority. The convention is designed as a solution to a specific representation of a problem. But when the problem is differently shaped – and the victims of genocide do not fit the mold for predetermined possible target groups – the solution is insufficient. This goes to the very core of problem representation. Furthermore, it becomes even more interesting to look at the characterization of target groups in the light of intersectionality. Apart from the fact that we must recognize the many different categories of victims of genocide, we also have to acknowledge the suffering endured by intersecting victim groups of genocide such as women. From a human rights perspective, including a gendered clause should not be necessary under the principle that all human beings are born free and equal.

But as O'Mahony (2020) and von Joeden-Forger (2012) have pointed out, there is a severe lack of protection for women and prosecution for the crimes they experience in times of genocide. This leads us to the second focus of the textual analysis, the analysis of the nature of destruction in the definition. As for the nature of destruction, the convention predominantly focuses on physical destruction when describing punishable acts with mentions such as "killing members of the group" (line 13), "causing bodily harm" (line 15), and "conditions of life [that] bring about its physical destruction" (line 17). As discussed earlier, it has been determined that these are the types of crimes that predominately target men. Measures aimed at the biological nature of destruction are named once, coinciding with the only indirect mention of gender; "imposing measures intended to prevent births" (line 20). Measures intended to prevent birth can come about in different ways, forced birth control, forced abortion, physical separation between men and women, as well as forced sterilization, castration, and vasectomies. As such, the prevention of birth can be realized in different ways by targeting both women and men based on their biological gender. Measures aimed at the cultural destruction are only mentioned once indirectly; "forcibly transferring children" (line 22), this is not necessarily directly aimed at the cultural destruction of a group, but it can be a consequence of such an action. In times of genocide, this can also be an action that has immense psychological implications for mothers and children. As such, I have categorized the same quote as one of two mentions of psychological destruction, the other being; "causing serious [...] mental harm" (line 15). As such I do not identify any measures taken to protect women or the experiences they often have with sexual violence and the likes.

2. Fein 1990

Fein's definition is quite interesting because it says a lot while at the same time saying very little about target groups, the nature of destruction, let alone gender. She characterizes the target group very broadly as "a collectivity" (line 2) and "a group" (line 7). This of course is great for ensuring equal protection of all, but it also requires a more specified concretization of punishable acts which I found through my analysis of the nature of destruction to be lacking. Fein mentions the nature of destruction as such; "to physically destroy" (line 2) which of course is an example of physical destruction, "[through] biological [destruction]" (line 3) which is a mention of the biological nature of destruction, and "[destruction of] social reproduction" (line 3) which I have characterized as cultural destruction.

However, the destruction of one's social reproduction might also have annotations of psychological destruction. In terms of the parameters of my analysis, this is all for Fein. She might be applauded for her attempt to not rule anyone or anything out by adopting a wide description of target groups, however, her lack of consideration for the multiple ways in which the nature of destruction during genocide plays out is concerning and does not in any way consider a vast majority of the non-killing act of genocide which often targets women specifically such as sexual violence, coercion, etc. I would like to say that I do agree with the wide description of the target group because, from a WPR perspective, it does not limit the many different kinds of victims of genocide by adopting a narrow description of target groups. As such, the problem representation is exactly as it should be in my book – victims of genocide – however, they might be defined in any genocide. In terms of intersectionality, one could also argue that in an idealistic world, this would mean the inclusion of any subcategorized groups intersecting with other categorizations of victims. However, I do believe it is problematic when the nature of destruction is so limited and to a degree so very focused on physical destruction, because as we have seen time and again, women's experiences of genocide often include horrible crimes which are not necessarily designed to physically destroy another human being.

3. Dadrian 1974

Dadrian's definition is one of three ultra-short definitions. Dadrian identifies the target group as "a minority group" (lines 4-5) whose respective "vulnerability" (line 5) is a major contributing factor. Following along the lines of Fein above, Dadrian sticks to the wide definition of target groups, however, he does categorize them as a vulnerable minority group, and one could argue that historically, this has not always been true of victims of genocide. Take the Cambodian genocide as an example, where the Khmer Rouge killed approximately 2 million people and targeted intellectuals, military and political leadership, business leaders, journalists, students, doctors, lawyers, Buddhists, Chams, Thais, Muslims, Chinese Cambodians, Christian Cambodians, and Vietnamese Cambodians. Not necessarily minority groups and not necessarily vulnerable groups (Tyner, 2008). Dadrian categorizes the nature of the crime as "lethal violence" (line 4) and "ultimate extermination" (line 5) as typical examples of the physical nature of destruction during the genocide.

However, he does also mention “coercion” (line 4) which I have categorized as a psychological nature of destruction which I would argue could to some extent cover some of the experiences women are subject to during genocides, and as such this might be an example of recognition of the intersectionality of victims of genocide.

4. Chalk and Jonassohn 1990

Chalk and Jonassohn categorize target groups the following way: “a group, as that group and membership in it are defined by the perpetrators” (lines 3-4). They further argue that “there must be a group whose victimization threatens its survival as a group” (lines 8-9). As such, their characterization of target groups is wide but includes the condition that the group’s victimization must threaten its survival. One could argue that when genocide comes to the point where the total eradication of a group of people is imminent it has been allowed to go on for too long already. A general principle of definitions should also be the consideration of the necessity to intervene before things go so wrong. The UN genocide convention is after all called the Convention on the Prevention and Punishment of the Crime of Genocide, and I would argue that we should always strive to prevent first rather than punish after as a way to save lives. When it comes to the nature of destruction, Chalk and Jonassohn only mention “mass killings” (line 3), and as such it is very limited in its distinction of the way genocides are carried out, and as a result, this becomes a definition of genocide aimed at prosecuting mass killings.

5. Charny 1988

Charny’s definition of genocide categorizes target groups as “human beings based on any identity whatsoever that they might share” (line 4) which I think is quite brilliant in its inclusiveness, however, he later goes on to condition it as “under conditions of the essential defenselessness and helplessness of the victims” (lines 6-7) which I think is a rather problematic condition. It supposes that if members of the target group were to defend themselves or in any way oppose the genocidal destruction of their people, they would no longer be considered appropriate victims of genocide. In my opinion, this is not a very plausible definition. However vulnerable victims of genocide might or might not be, their belonging to a category group of victims should never be conditioned by their inability to resist.

Especially when the only mentions of the nature of destruction Charney mentions are “wanton murder” (line 3) and “mass killing” (line 5). Anyone should be allowed to resist death and still be considered a victim of genocide. Charney also mentions in addition “cultural genocide” (line 17) and “linguicide” (line 17) which can be categorized as a cultural nature of destruction aimed at destroying the very fabric that makes up a group of people – their culture and language. Although this is indeed relevant, it does not adequately manage to acknowledge or protect women’s experiences of genocide.

6. Churchill 1998

Churchill’s definition of genocide is a proposed edit for the UN genocide convention of 1948. I will in particular be focusing my attention on his proposed edits for article II. He has added a great number of groups to the target groups and as such he characterizes them as follows; “any racial, ethnic, national, religious, cultural, linguistic, political, economic, gender, or other human group, however, such groups may be defined by the perpetrator” (lines 4-6). Adding on to the first original four, he managed to cover many thinkable groups of people who might become targeted as victims of genocide. Especially I acknowledge the adaptation of gender as a specially protected group. Churchill is one of the only few scholars I have come across, who makes this distinction. About the nature of destruction, he also distinguishes between three different kinds of destruction; “physical destruction, by which is meant killing members” (line 8), and “biological genocide, by which is meant the prevention of births” (line 10), “cultural genocide, by which is meant the destruction of the specific character of the targeted” (line 12). Again, I would like to highlight the potential of the biological means of preventing births to have either direct or indirect gender implications. Furthermore, Churchill acknowledges that the destruction of a people can come about in more ways than just physical destruction. Also including the biological and cultural nature of destruction is a huge improvement of the original convention. However, not including psychological destruction, under which I believe many crimes that women are subject to during times of genocide, fall under this category. Mental harm was mentioned in the original UN convention as a nature of destruction, and as such, it is problematic to see it gone in Churchill’s definition. However, there is no doubt that the inclusion of more distinguishable mentions of the biological and cultural aspects of the crimes of genocide is a huge improvement to the protection of women as the recognition of their experiences of genocide.

It would be even better with the inclusion of mental harm or the psychological nature of destruction in another way, especially since I would like to see rape and sexual violence as punishable acts of genocide. Drawing on WPR and Bacchi's first question of 'What is the problem represented to be?', it is quite apparent that Churchill's definition is influenced by a particular representation of genocide as a problem. This is especially clear when he states, "It is understood that, historically, genocide has taken three primary forms, usually, but not always, functioning in combination with one another" (lines 6-7). He then goes on to list physical, biological, and cultural genocide and how they typically come about. It is in his representation of the problem that I believe he makes a mistake. We know that the way he represents the problem has guided his definition and subsequently his proposal for a new adaptation of the UN genocide convention which fails to recognize rape, sexual violence, and many other of the typical experiences of genocide women have. The fact that he fails to include women's experience in his definition is evidence that this part of the problem of genocide has been omitted from his representation of the problem which is the subject of question number 4 from Bacchi's WPR approach.

In terms of intersectionality, I do applaud Churchill for being one of the only scholars to specifically include gender as a recognized characterization of target groups. However, as I have just argued, as he fails to recognize the types of crimes that are gender-specific, this distinction is entirely useless. At first glance, Churchill's definition might seem to be the most inclusive definition for women, but when you analyze the nature of destruction he mentions, it becomes apparent that his definition is not that inclusive of the types of experiences women are subject to during genocides as it fails to include clauses that acknowledge these types of crime, such as also the psychological nature of destruction.

7. Haff and Gurr 1988

Haff and Gurr are very particular in their definition of target groups. They describe it as "a group" (line 3) and then go on to condition it as; "the difference between genocide and politicide is in the characteristics by which members of a group are identified by the state. In genocides, the victimized groups are defined primarily in terms of their communal characteristics, i.e., ethnicity, religion, or nationality. In politicides the victim groups are defined primarily in terms of their hierarchical position or political opposition to the regime" (lines 3-7). As particular as they are in describing their target group, just as unparticular are they in describing the nature of the crime.

All they mention is actions resulting in “deaths” (line 3) and as such one can conclude that Haff and Gurr only consider physical destruction as a reasonable nature of destruction to constitute the crime of genocide. Furthermore, the definition is conditioned by several problematic issues. Firstly, the fact that it must be the “state” (line 2) who perpetrates the crime of genocide. Often it is, but not necessarily. Secondly, the paradox in his distinction between genocide and politicide in that politicide is based on a victim’s hierarchical position or opposition to the regime. In which case, any victim of genocide would undoubtedly become a victim of politicide in the case they oppose the very fact that they are being victimized in genocide by a state. In terms of intersectionality, I do not see much consideration for the intersecting groups of victims targeted by genocide, nor do I see any consideration for the experiences of women in genocide in that Haff and Gurr only consider the killing of people as a punishable crime of genocide. As such, one gets the sense that they are very limited in their representation of the problem when it comes to genocide. Even though they do include the distinction between genocide and politicide, they do not at all consider the many different ways in which the nature of the destruction of a people can come about other than total physical destruction, especially when it comes to how it affects women.

8. Horowitz 2002

Horowitz presents another example of a concise definition of genocide. He characterizes the target group as “innocent people” (line 3) and describes the nature of destruction as “a structural and systematic destruction” (line 3). This definition is brilliant in its definition of the nature of destruction in that it includes the destruction of any kind, both physical, biological, cultural, and psychological. As such this definition can include all the different experiences of genocide that women might be subject to. Furthermore, the target group also includes women and in general, is positive in light of intersectionality both when it comes to target groups and the nature of destruction.

9. Katz 1994

Katz makes the distinction between genocide and cultural genocide and identifies the target group of genocides as “any national, ethnic, racial, religious, political, social, gender or economic group, as these might be defined by the perpetrator” (lines 3-4). Katz is the other of only two who include gender in their victim characterization of genocide (line 4), the other being Churchill (text 6). He includes many groups to the original groups of the UN conventions which one might argue could be intersecting such as gender, political, social, and economic groups. His definition of cultural genocide also includes the addition of “class identity” (line 7). As such I would argue that Katz’s definition of genocide is very intersectionally inclusive. However, when it comes to the nature of destruction, this is no longer true. He defines the nature of destruction as “murder [...] by whatever means” (lines 3-5). This is not very intersectional in that it excludes many of the experiences women have during times of genocide. As such, according to WPR, one might argue that Katz represents the problem of genocide as pertaining exclusively to murder, and as such, this is reflected in the definition of genocide which only criminalizes murder as genocidal.

10. Lemkin 1944

Lemkin characterizes the target group as “a nation or an ethnic group” (line 2), “national groups” (line 7), and “genocide is directed against the national group as an entity, and the actions involved are directed against individuals, not in their individual capacity, but as members of the national group” (lines 11-13). I think Lemkin in this way is quite narrow in his distinction of victims of genocide as it is based only on national and ethnic characteristics. This excludes many other victims who we historically know are also targeted in genocides, and it certainly isn’t very gender-inclusive. How he describes the nature of destruction, in a sense, is both narrow and wide. Narrow in that it focused primarily on “mass killings” (line 6) and wide because it includes multiple different ways in which the nature of destruction can come about. “Mass killing” (line 6) and “annihilating” (line 8) belong to the physical nature of destruction and Lemkin does state that killing is a condition of genocide. However, also he includes a cultural nature of destruction in stating that the destruction of “political and social institutions, of culture, language, national feelings, religion, and the economic existence” (line 9) is part of the genocidal destruction of a people.

Furthermore, he is one of the few who recognizes the psychological nature of destruction including the destruction of “personal security, liberty [and] dignity” (line 10). He also includes a biological nature of destruction in recognizing the destruction of “health” (line 10). As such, the destruction of health pertaining to the human biological condition must be a biological nature of destruction. Again, one must remember that Lemkin here refers to conditions that are brought about while the ultimate goal is the total annihilation of the lives of the people belonging to the victimized groups. I would argue then that Lemkin’s definition is good in the sense that it manages to include many different kinds of destruction which also are more or less inclusive of women’s experiences. However, it is often men who are victims of mass killings, and as long as death is seen as the goal that determines the punishable action of genocide, the non-killing acts of genocide remain unseen to a large extent. It is very interesting to analyze Lemkin’s definition of genocide using WPR as it quickly becomes very apparent that his definition is built on the problem representation of genocide in light of the Holocaust, as we also know to be true based on his personal history (United States Holocaust Memorial Museum, n/d).

11. Porter 1982

Porter’s definition of genocide is short. He characterized the target group as “a racial, sexual, religious, tribal, ethnic, or political minority” (lines 2-3). The inclusion of sexual groups is interesting, and it is one of the few indirect mentions of gender I have found in my analysis. Sexual orientation is often, in one way or another, intertwined with gender. It does not properly recognize the experiences of women during genocide, but it is an example of a group of people who often suffer intersectionally during genocides and as such, I think it is important to highlight. In his description of the nature of destruction, Porter mentions that it involves not only “mass murder” (line 3) but also “starvation” (line 3), and “deportation” (line 4) which might be both physical and psychological in the nature of destruction, “political” (line 4) and “economic” (line 4) which is cultural in its nature of destruction and “biological subjugation” (line 4) which is biological in its nature of destruction. As such, Porter does recognize that genocide is more than just the destruction of a people by mass murder, but that this destruction can come about in different ways. I think he needs to include a psychological aspect of this destruction as well. I also think the definition would have been more inclusive of the experiences of women.

Although they are not directly mentioned as a target group, they do still count very much as victims of genocide according to Porter's definitions as they appear to belong to an intersectional group of victimized people.

12. Rummel 1994

Rummel is one of those scholars who make a distinction between genocide, politicide, and democide. He characterizes the three target groups respectively as follows; "people [...] because of their indelible group membership (race, ethnicity, religion, language)" (lines 2-3), "any person or people [...] because of their politics or for political purposes" (lines 4-5), and "any person or people" (line 6). When it comes to the nature of destruction, Rummel very clearly focuses on the physical destruction in his distinction of the nature of destruction as he describes it as "killing" (lines 2 and 6), "murder" (lines 4 and 7), "to kill or cause the death" (line 11), "forced labor or enslavement" (line 16) enslavement however can also have psychological connotations, "massacre" (line 17), "lethal living conditions" (line 18), "directly targeting noncombatans" (line 19), "cause death" (line 20), "deadly prison, concentration camp, forced labor, prisoner of war, or recruit camp conditions" (line 22) – these can also have psychological connotations but the focus is on such conditions that cause death. "murderous" (line 23), "torture or beating" (line 24), "murder [...] during which people are killed" (line 25), "make it more deadly" (line 27) and "causing death" (line 28). As such, the focus on physical destruction is very heavy. However, Rummel does also mention other natures of destruction such as biological; "reckless and depraved regard for life" (line 20), "medical or scientific experiments on humans" (line 23), and "withhold aid" (line 26). Cultural destruction is mentioned more indirectly by "looting and pillage" (line 25) and the psychological nature of destruction is mentioned with "rape" (line 25). This is significant because it is the only definition that directly mentions rape as a punishable crime of genocide, however, it is under the condition that rape is resulting in the death of the victim which is not always the case; "during which people are killed" (line 25). As such I applaud Rummel for including descriptions of the nature of destruction which to some extent acknowledge the types of crimes women are subject to, however, as he conditions these crimes by resulting in death, I think this condition could have been omitted.

His categorization of the target group is wide, in that it is characterized by people because of their membership, and he then exemplifies this with race, ethnicity, religion, and language in prentices, which I guess is not exclusive of other categorizations.

13. Shaw 2007

Shaw characterizes the target group for his definition of genocide as “civilian social groups and those groups and other actors who resist this destruction” (line 3), “civilian social groups” (line 5), and “individuals whom they regard as members of the groups” (lines 6-7). For the nature of destruction, Shaw argues that it is “real or putative social power” (lines 5-6) which is a means of cultural destruction, “killing” (line 6), and “violence” (lines 2 and 6) which is physical destruction as well as “coercion” (line 6) which is a means of psychological destruction. As such Shaw’s definition of genocide is very good at recognizing a wide range of experiences, also the types of experiences women have during genocides. There is a focus on violence which is not only by way of killing and on coercion which I think is very interesting and important to include. Furthermore, Shaw is very inclusive in his description of target groups and as such, I would argue that his definition is quite intersectional.

14. Thompson and Quets 1990

The last definition by Thompson and Quets is also one of the shorter definitions. In it, Thompson and Quets characterize the target group as “a group” (line 2) and the nature of destruction as “the destruction” (line 2) by “purposive action” (line 3). As such, every single possible target group is subject to any thinkable act of destruction. They do however mention the need for different subtypes of genocide to be explored, compared and their impact empirically examined which I do agree with. Perhaps the solution as some scholars have suggested is to have different subtypes of genocide such as politicide, cultural genocide, democide, ecocide, etc.

Discourse practice analysis

The second part of the analysis according to Fairclough's model is the analysis of discourse practice. The intertextuality in this regard is naturally apparent (how the different texts relate to each other). All of the texts are related intertextually to the UN genocide convention as well as to each other. They exist as a result of each other as well as in relation to each other. The UN convention itself is created based on a Discourse around the need for prosecution of a particular type of crime, which did not exist before its creation. It is an example of humanistic discourse which is typical for a UN convention. Its distribution is wide both in its instrumental usage to prevent and punish genocides, but also in the scholarly debate leading up to, after, and still to this day. A very direct example of this intertextuality is Churchill's text in particular which directly quotes the structure and contents of the original convention (see appendix text 6). Apart from intertextuality, interdiscursivity is another aspect I would like to focus on. In this sense, I particularly would like to look at the Discourses present in the texts and their significance. I found four different Discourses to be significantly present in the texts. These were legal discourse, humanistic discourse, killing discourse, and non-killing discourse. The first two of these are wider interdiscursive discourses that are present in all aspects of society. Indeed, both the legal and humanistic discourses can be described as stable discourses throughout the history of the human experience. The legal discourse is used in legal documents and as such it makes sense that it would be present, particularly in the UN convention. The humanistic discourse is also evident in the very nature of the legal document as an instrument of human rights to protect victims against the horrors of genocide. The latter two, however, I identify to be specifically relevant to the context of these texts and as such do not necessarily have the same meaning and relevance without the context in which they appear here, here I refer to the killing and the non-killing discourse.

Evidence of the legal discourse can be found in the lexical use of words such as "intent" (text 1 line 10; text 4 line 8; text 5 line 10; text 6 line 18; text 9 lines 3 and 6; text 12 lines 20-21; text 14 line 3), "sustained purposeful action" (text 2 line 2), "perpetrator" (text 2 lines 2 and 8; text 4 lines 4 and 8; text 6 lines 6, 21, 24 and 26; text 9 lines 4 and 8), "under condition of the essential defenselessness" (text 5 lines 6-7) and "a state bureaucratic apparatus" (text 8 line 3). These are all examples of words and phrases which belong in the universe of legal discourse.

Evidence of the humanistic discourse can be seen in the lexical use of “vulnerability” (text 3 line 5), “defenselessness and helplessness” (text 5 line 7), “innocent people” (text 8 line 3), “reckless and depraved disregard for life” (text 12 line 20). I am a bit surprised that there was so little evidence of the humanistic discourse in definitions that are supposed to be humanistic in nature.

Evidence of killing discourse will be organized by texts as they appear so frequently. Text 1: “Killing members of the group” (line 13), “Causing serious bodily harm” (line 15), “inflicting conditions of life to bring about the physical destruction” (line 17). Text 2 “physically destroy” (line 2), “calculated murder” (line 7). Text 3: “lethal violence” (line 4), “murder” (line 4), “ultimate extermination” (line 5). Text 4: “mass killing” (line 3). Text 5: “wanton murder” (line 3), “mass killing” (line 5). Text 6: “physical genocide, by which is meant killing members” (line 8). Text 7: “deaths” (line 3). Text 8: “a structural and systematic destruction of innocent people” (line 3). Text 9: “murder” (line 3). Text 10: “mass killings” (line 6), “annihilating” (line 8), “destruction of [...] the lives of the individuals” (lines 10-11). Text 11: “mass murder” (line 3). Text 12: “killing” (lines 2 and 6), “murder” (lines 4 and 4), “to kill” (line 11), “cause the death” (line 11), “massacre” (line 17), “lethal living conditions” (line 18), “death” (line 20), “deadly prison, concentration camp, forced labor, prisoner of war, or recruit camp conditions” (line 22), “murderous medical or scientific experiments on humans” (line 23), “encouraged or condoned murder, or rape, looting, pillage during which people are killed” (line 25), “withhold aid or knowingly act in a way to make it more deadly” (lines 26-27), “forced deportation or expulsions causing deaths” (line 28). Text 13: “violent social conflict” (line 2), “killing” (line 6). Text 14: “the destruction of a group” (line 2)

Evidence of non-killing violence discourse: “causing serious bodily or mental harm” (text 1 line 15), “measures intended to prevent births” (text 1 line 20), “forcibly transferring children” (text 1 line 22), “biological and social reproduction” (text 2 line 2), “coercion” (text 3 line 4), “prevention of births” (text 6 line 10), “disintegration of political and social institutions, of culture, language, national feelings, religion, and the economic existence” (text 10 line 9), “political, economic and biological subjugation” (text 11 line 4), “real or putative social power” (text 13 lines 5-6), “coercion” (text 13 line 6).

The legal discourse is the most predominant one of the two widely distributed discourses of legal and humanistic discourse, and that is not entirely surprising as these definitions are made with the intent to comment on a legal document that exists and functions in a legal framework and as such, is created by and contributes to legal discourse. One might wish for the humanistic discourse to be a little more dominant as it is at its core a very humanistic issue the punishment and prevention of genocide. Another interesting observation is the obvious dominance of the presence of killing discourse as opposed to the non-killing discourse. It quickly becomes apparent that there is a far majority of lexical use of the discourse of killing acts of violence in genocides as opposed to the discourse of the non-killing acts of violence.

Social practice analysis

For the analysis of social practice, I have identified that there is a lack of intersectional awareness in definitions of genocide that acknowledge the experiences of women, not just as a target group but also in the nature of destruction recognized as pertaining to genocide. I found that there is a strong connection between the categorization of victims and the types of experiences that the definitions describe as punishable. Even when definitions are inclusive of intersectionality in their target groups, they might not necessarily be in the description of the type of crimes. And as such, the type of experiences women have during genocides, might not necessarily be recognized. We see this from Katz (text 9) and Churchill (text 6) who define gender as part of their target group but do not properly identify their main experiences with rape, sexual violence, and psychological coercion. We know that discourse is socially shaped as well as socially constitutive because meaning is constituted within the language and as a result, language is constitutive of the social world (Fairclough, 1995). In this sense, what is not being said becomes just as important as what is being said.

This is very closely related to WPR and in particular question number 1 and number 4 which asks what the problem is represented to be and what is left unproblematic/what the silences are in the problem representation respectively. What I have seen throughout my analysis of the definitions is that the general problem representation of genocide seems to be concerned with the killing of groups of people. These groups of people are defined predominantly based on race, ethnicity, and religion, but many also acknowledge that victims are defined not by the convention, but by the perpetrator and as such should protect any such victims however they might be defined.

As a result, I do not see a huge issue with the definitions that define the victims loosely as omitting certain groups of people, rather I see an issue with the definitions which clearly define a limited number of victims. They are the definitions that are concerning in their silence or ‘unproblematic’ view of victims they choose not to include in their description of target groups.

Returning to Bacchi’s first question regarding the representation of a problem, it is very apparent in the description of the nature of destruction that the problematization of genocide is focused almost entirely on mass killings or at least severe physical destruction. I do not deny that this is the main element that defines a genocide, but as is apparent from the work of O’Mahony (2020) and von Joeden-Forger (2012), genocide is the destruction of people in other ways than just killing them. Women experience effects of genocide that are differently destructive but nonetheless - still destructive. Often this is systematic rape, sexual violence, enslavement, coercion, and psychological warfare.

Genocide should therefore be seen as the systematic destruction of a people both physically, psychologically, biologically, and culturally. It is the destruction of body, mind, and culture – of a sense of self. It is both the killing of able-bodied men to reduce the risk of resistance, it is the sexual exploitation of women, the demonization of cultural practices and symbols, the expulsion of people from the place they call home, and the forced transferring of children into other groups. These are just some of the many ways in which genocide contributes to the destruction of a people. It is about time we recognize the many shapes of genocide and start to protect, prevent, and prosecute accordingly. It is not hard to see from the many definitions presented above that there is a clear focus on physical destruction. I found 54 direct or indirect mentions of physical destruction. In comparison, I found just 11 mentions of biological destruction, 15 mentions of cultural destruction, and 13 mentions of psychological destruction. Similarly interesting is it to note that there are just five mentions of gender whereof only two are direct mentions.

6. Conclusion

I would like once again to draw attention to my problem formulation as I will be using it actively in my conclusion: Using discourse analysis, WPR, and an intersectionality approach, this thesis seeks to understand how current and available alternative definitions of genocide take women's experiences of genocide into account. Further, it investigates the ability of the UN genocide convention to contain all that is necessary to adequately protect women, or whether another convention is needed? To help guide the thesis and to help me answer the problem formulation I created a set of research questions, which I now will go through one by one.

Firstly, is the current definition of genocide sufficient, as it appears in the 1948 Convention on the Prevention and Punishment of the Crime of Genocide? I believe the answer is no. Scholars like Fein (1990), O'Mahony (2020), and von Joeden-Forgery (2012) have critiqued the UN genocide convention for its shortcomings. Especially O'Mahony (2020) and von Joeden-Forgery (2012) argue that the current definition of genocide fails to recognize the types of experiences women are subject to during genocides. These experiences include systematic mass rape, forced maternity, rape as a means of murder, sexual torture, sexual mutilation, forced prostitution, sexual slavery, rape in rape camps, women forced to 'marry' génocidaires, etc. (von Joeden-Forgery, 2012, p. 92).

As to the discussion of the sufficiency, my distinction is based on the ability to adequately protect women based on their experiences of genocide which relies on the convention's ability to include clauses that ensure reasonable consideration for women's experiences and might lead to proper condemnation and prosecution. I can conclude based on my analysis of the genocide convention that it does not adequately consider women's experiences of genocide. The convention is limited in its recognition of victims and defines the target group as "a national, ethnical, racial, or religious group" (text 1 line 11). However, women might be intersectionally included as national, ethnic, racial, and religious women. However, as Fein (1990) argues, it is problematic to exclude political and social groups among others. Subsequently, the genocide convention fails to properly acknowledge the types of crimes women are subject to during genocides in the way the convention describes the nature of destruction. The convention predominately considers physical destruction and killing as the main type of offense.

It does recognize different types of destruction as it includes a psychological nature of destruction citing “mental harm” (text 1 line 15) as an offense which I strongly applaud for its ability to contain argumentation for the effects of the types of crime women are subject to. However, not necessarily the nature of the crimes themselves. Also, the inclusion of the forced prevention of births (text 1 line 20) and the forced transfer of children (text 1 line 22) is positive, as these as well might have hugely damaging effects on women and mothers alike.

Secondly, the question of what the alternative definitions of genocides are available in the scholarly literature. I found 13 different alternative definitions of genocide available in the scholarly debate. The different definitions differ greatly in their contents, length, and description of target groups and the nature of crime. Some, like Horowitz (2002) (text 8) even try to stay away from such descriptions at all to not exclude anyone or anything, while Churchill (1988) (text 6) proposes his definition as a direct response to the genocide convention, even imitating its structure.

Thirdly, is the discussion of how the definitions hold up according to an intersectional analysis using the WPR approach. Here I found that the majority of texts have major flaws in their inability to intersectional consider women’s experiences of genocide. Only two of the 14 definitions included gender in their categorization of target groups, (Churchill, 1998, text 6) and (Katz, 1994, text 9). Other definitions were inclusive in a different way in that they were very broad in their categorization of target groups so as to not exclude anyone. This in my opinion is a better alternative to ensure equality not just between genders, but in all aspects of the human experience. Evidence of definitions with such wide categorization are the definitions that describe the target group simply as a group, a collectivity, or as human beings based on any identity, they might share whatsoever (Fein, text 2; Dadrian, text 3; Chalk & Jonassohn, text 4; Horowitz, text 8; Thompson & Quets, text 14). However, even when definitions are inclusive of intersectionality in their target groups, I found that they are not necessarily as inclusive in their description of the type of crimes. And as such, the type of experiences women go through during genocides, are generally not as widely recognized. Some of the least inclusive definitions define the nature of destruction purely as mass killing or at the very least as physical destruction which often results in mass death (Chalk & Jonassohn, text 4 line 1; Charny, text 5 lines 1 and 3; Harff & Gurr, text 7 line 2; Katz text 9 line 2). Similarly interesting is the fact that some of these definitions manage to recognize gender as an especially vulnerable group while not being very inclusive of the gendered experiences of genocide.

We see this from Katz (text 9) and Churchill (text 6) who define gender as part of their target group but do not properly identify their main experiences with rape, sexual violence, psychological coercion, etc. As such, the intersectional analysis seems to suggest that not much consideration has been given to the multifaceted intersecting levels of oppression to which women among other vulnerable groups are subjected. In terms of Bacchi's approach for WPR, I especially focused on question 1 which pertains to how the problem is represented, and question 4 which pertains to what the silences are in that particular representation of the question. I found that most definitions have a similar problem representation which was based on the mass killings of people belonging to a select group of people. Subsequently, this led to the discovery of the silences that this problem representation creates. It is exclusive to the experiences of people who do not fit into these predefined groups of victimized people in the description of target groups as well as in the description of the nature of crimes.

Finally, the question of whether it is realistic to create a definition of genocide that contains all aspects it needs to contain, or if we need another legal framework to do so. I have realized throughout my thesis that it is not so much a question of whether we can contain all the intersecting experiences, causes, and effects of genocide within one convention, rather, I believe it is a question of whom we exclude when we clearly define a contained set of groups as victims of genocide such as based on nationality, ethnicity, race, or religion such as we see it in the current convention (text 1 line 11). As well as whom we exclude by the predefined representation of the types of crimes that are criminalized in the convention which refers predominantly to "killing" (text 1 line 13), "bodily and mental harm" (text 1 line 15), "inflicting conditions of life calculated to bring about its physical destruction" (text 1 line 17), "measures intended to prevent births" (text 1 line 20), and "forcibly transferring children of the group to another group" (text 1 line 22). I think the UN genocide convention is very heavily concerned with the physical destruction of a people, however, the way it describes that the causing of bodily and mental harm to the group is a punishable act of genocide without necessarily resulting in death is a clause which I had hoped to see similarities of in more of the alternative definitions of genocide. Because although it is very focused on physical destruction, it does recognize a majority of the experiences women have of genocide without conditioning it with death.

I would however still like to see the inclusion of all different kinds of nature of destruction, both physical, psychological, cultural, and biological, to ensure the intersectional inclusiveness of not just women's experiences but all human victims' experiences of genocide.

To the discussion of whether another similarly important convention to the genocide convention is needed, I am not entirely convinced this is the right way forward. This is due to the already fragile nature of genocide as a legitimate concept which as Liberman (2012) mentions, is important for the very existence of genocide studies as a field of research. Akhavan (2012) further argues that genocide as a term itself carries immense power as it is accompanied by a responsibility to act. As such, the critical discourse analysis of the definitions has given me the ability to highlight power imbalanced by bringing attention to hegemony in the form of narrow-minded problem representation without regard for intersecting forms of inequality in the experiences of genocide. I do recognize that there is a moral and value-based scale to which crimes are measured in their severity in relation to each other. On such a scale, I recognize killing and physical destruction as the more severe kinds of crimes. However, without disregard for the severity of physically destructive crimes, I would like to argue for the attention to also lesser physically destructive crimes which relate to the bodily, mental, and cultural destruction of a people. Under which I categorize many of the experiences of women as argued above. The destruction of a people can also be by destroying their human dignity, their health, their mental stability as well as their cultural sense of self.

We need to be critical of discourse in policies and conventions such as the genocide convention and other legal human rights documents. This is apparent in the problem representation in such documents which often fails to properly recognize the intersecting roles of inequality. It is engraved in the discourse of problems that we need to be especially careful of our prejudice, ideology, and hegemony. This is because the way we portray problems in the policy becomes a product of our conditioned way of thinking about a problem which subsequently is intertwined with this way of thinking in society, which, in turn, gets reproduced by the available discourses in society.

7. References

Akhavan, P. (2012) *Reducing Genocide to Law: Definition, Meaning, and the Ultimate Crime*. Cambridge University Press.

Bacchi, C and S. Goodwin (2016) *Poststructural Policy Analysis: A Guide to Practice*. New York: Palgrave Macmillan, p. 20.

Bacchi, C. (1999). *Women, Policy and Politics: The Construction of Policy Problems*. London: Sage.

Bacchi, C. (2012) "Why Study Problematizations? Making Politics Visible". *Open Journal Of Political Science*, vol 02, no. 01, 2012, pp. 1-8. Scientific Research Publishing, Inc., <https://doi.org/10.4236/ojps.2012.21001>.

Baker, P., Ellece, S. (2011). *Key terms in discourse analysis*. New York, NY: Continuum.

Bhatia, V. K., Flowerdew, J. and Jones, R. H. (2008). *Advances in Discourse Studies*. London: Routledge.

Chalk, F. and K. Jonassohn. (1990) *The History and Sociology of Genocide: Analyses and Case Studies*. New Haven, Yale University Press.

Charny, I. W. (1984) (ed.). *Toward the Understanding and Prevention of Genocide: Proceedings of the International Conference on the Holocaust and Genocide*. Boulder/London, Westview Press.

Charny, I. W. (1988) (ed.). *Genocide: A Critical Bibliographic Review*. New York, Facts on File Publications.

Churchill, W. (1998) *A Little Matter Of Genocide*. City Lights Books.

Collins, P. H., and V. Chepp. (2013). "intersectionality" in *Oxford Handbook of Gender and Politics*, edited by Georgina Waylen, Karen Celis, Johanna Kantola and S. Laurel Weldon, 57-87. New York: Oxford University Press.

Dadrian, V. (1974) "Structural-Functional Components of Genocide: A Victimological Approach to the Armenian Case." In Israel Drapkin, ed., *Victimology*. Volume III. Lexington, MA: D.C. Health and Co, pp. 123-136.

Damien S. (2010) 'Australia: a continuing genocide?', *Journal of Genocide Research* 12, 1.)

Drost, P. N. (1951) *The crime of State, II: Genocide*. Leiden: A. W. Sythoff.

Fairclough, N. (1995). *Critical Discourse Analysis*. London: Longman.

Fairclough, N. (2010). *Critical Discourse Analysis: The Critical Study of Language* (2nd ed.). Routledge. <https://doi.org/10.4324/9781315834368>

Fairclough, N. & R. Wodak, (1997). 'Critical Discourse Analysis' in T. van Dijk (ed.), *Discourse as Social Interaction*. London: Sage, pp. 258-284.

Fein, H. (1990) "Genocide: A Sociological Perspective." *Current Sociology*, Spring. 38(1)

Foley, B. (2018) "Intersectionality: A Marxist Critique." *Science & society* (New York. 1936) 82.2: 269–275. Web.

Harff, B. and T. R. Gurr. (1988) 'Toward empirical theory of genocides and politicides: identification and measurement of cases since 1945,' *International Studies Quarterly* 37 (3) 1988: 359-371.

Horowitz, I. L. (1982) *Taking Lives: Genocide and State Power*. Third ed. (augmented). New Brunswick, NJ, Transaction.

ICC, International Criminal Court. n.d. *How the Court works*. [online] Available at: <https://www.icc-cpi.int/about/how-the-court-works>

Katz, S. (1994) *The Holocaust in Historical Context, Volume 1: The Holocaust and Mass Death before the Modern Age*, [Oxford University](#) Press (New York, NY).

Kuper, L. (1985) *The Prevention of Genocide*. New Haven/London, Yale University Press.

Lemkin, R. (1944) *Axis Rule in Occupied Europe*. Washington: Publications of the Carnegie Endowment for International Peace, Division of International Law.

Lemkin, R. (1947) 'Genocide as a crime under international law,' *American Journal of International Law* 41 (1): 145-151.

Lieberman, B. (2012) *Heaven on Earth: The Varieties of the Millennial Experience*, *Journal of Genocide Research*, 14:3-4, 521-522, DOI: [10.1080/14623528.2012.719682](https://doi.org/10.1080/14623528.2012.719682)

O'Mahony, M. (2020) "Women's Experiences Of Genocide". [Ushmm.Org](https://www.ushmm.org/genocide-prevention/blog/womens-experiences-of-genocide).
<https://www.ushmm.org/genocide-prevention/blog/womens-experiences-of-genocide>.

Porter, J. N. (1982) 'Introduction,' in Jack N. Porter (ed.). *Genocide and Human Rights: A Global Anthology*. Washington, DC, University Press of America: 2-33.

Rummel, R. J. (1994) *Death By Government*. 1st ed., New Brunswick, N.J. : Transactions Publishers.

Schiffrin, D., D. Tannen and H. E. Hamilton (Eds.). (2003). *A Handbook of Discourse Analysis*. Oxford: Blackwell

Shaw, M. (2007). What is genocide? Polity Press.

Simpson, P., & Mayr, A. (2010). Language and Power: A resource book for students. Oxon, OX: Routledge

Thompson, J. L. and G. A. Quet. (1990) 'Genocide and Social Conflict: A Partial Theory and Comparison,' in Louis Kriesberg (ed.), Research in Social Movements, Conflicts and Change. Vol. 12. Greenwood, CN, JAI Press.

Tormos, F. (2017). "Intersectional Solidarity." 2017. Politics, Groups, and Identities 5 (4): 707-720.

Totten, S. (2004) Teaching About Genocide: Issues, Approaches, And Resources. IAP - Information Age Publishing, Inc.

Tyner, J, A. (2008) The Killing of Cambodia: Geography, Genocide and the Unmaking of Space. Aldershot: Ashgate Publishing Limited.

UN General Assembly, (1948) Convention on the Prevention and Punishment of the Crime of Genocide, 9 December 1948, United Nations, Treaty Series, vol. 78, p. 277, available at: <https://www.refworld.org/docid/3ae6b3ac0.html>

UN General Assembly, (1948) Universal Declaration of Human Rights, 10 December 1948, 217 A (III), available at: <https://www.refworld.org/docid/3ae6b3712c.html>

United Nations.org. (n/d) "United Nations Office On Genocide Prevention And The Responsibility To Protect". Un.Org, <https://www.un.org/en/genocideprevention/genocide.shtml>.

United States Holocaust Memorial Museum. (n/d) "Coining a word and championing a cause: the story of Raphael Lemkin" Holocaust Encyclopedia.

<https://encyclopedia.ushmm.org/cintent/en/article/coining-a-word-and-championing-a-cause-the-story-of-raphael-lemkin>

Van Dijk, T. (2003). The Discourse-Knowledge Interface. In G. Weiss, & R. Wodak (Eds.), *Critical Discourse Analysis* (pp. 85-109). Hampshire: Palgrave MacMillan

von Joeden-Forgery, E. (2012) "Gender and the Future of Genocide Studies and Prevention," *Genocide Studies and Prevention: An International Journal*: Vol. 7: Iss. 1: Article 10. Available at: <https://scholarcommons.usf.edu/gsp/vol7/iss1/10>

8. Appendix

Please be aware of the following color coding in the below appendix:

Yellow → categorization of target groups (victims of genocide)

Red → physical destruction

Green → biological destruction

Pink → cultural destruction

Purple → psychological destruction

Light blue → mentions of gender (direct and indirect)

Underlined → identified Discourses (killing / non-killing / legal / humanistic discourses)

1
2
3 **1. Convention on the Prevention and Punishment of the Crime of Genocide**
4

5 ARTICLE I

6 The Contracting parties confirm that genocide, whether committed in time of peace or in time of war, is a
7 crime under international law which they undertake to prevent and to punish.

8
9 ARTICLE II

10 In the present Convention, genocide means any of the following acts committed with intent to destroy, in
11 whole or in part, a national, ethnical, racial, or religious group, as such:

- 12
13 (a) Killing members of the group;
- 14
15 (b) Causing serious bodily or mental harm to members of the group;
- 16
17 (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in
18 whole or in part;
- 19
20 (d) Imposing measures intended to prevent births within the group;
- 21
22 (e) Forcibly transferring children of the group to another group

23
24 ARTICLE III

25 The following acts shall be punishable:

- 26 (a) Genocide;
- 27 (b) Conspiracy to commit genocide;
- 28 (c) Direct and public incitement to commit genocide;
- 29 (d) Attempt to commit genocide;
- 30 (e) Complicity in genocide.

31 (UNGC, 1948)

1 **2. Fein, Helen 1990**

2 “Genocide is sustained purposeful action by a perpetrator to **physically destroy** **a collectivity** directly or
3 indirectly, through interdiction of the **biological** and **social reproduction** of group members, sustained
4 regardless of the surrender or lack of threat offered by the victim” (p. 24). Fein (1990) further argues that a
5 sociological definition should consider sociological knowledge persistency, construct of group identity, and
6 embrace the right of all non-violent groups to co-exist (p. 24). In an earlier work, Fein argues that “genocide
7 is **the calculated murder** of a segment or all of **a group** defined outside the universe of obligation of the
8 perpetrator by a government, elite, staff or crowd representing the perpetrator in response to a crisis or
9 opportunity perceived to be caused by or impeded by the victim. The universe of obligation is the range of
10 people to whom the common conscience extends: the people toward whom rules and obligations are binding,
11 who must be taken into account, and by whom we can be held responsible for our actions” (Fein, 1984, p.
12 4).

13

1

2 **3. Dadrian, 1974**

3 “Genocide is the successful attempt by a dominant group, vested with formal authority and with
4 preponderant access to the overall power, to reduce by coercion or lethal violence the number of a minority
5 group whose ultimate extermination is held desirable and useful and whose respective vulnerability is a
6 major factor contributing to the decision for genocide” (p. 123).

1

2 **4. Chalk and Jonassohn, 1990**

3 “Genocide is a form of one-sided **mass killing** in which a state or other authority intends to **destroy a group,**
4 **as that group and membership in it are defined by the perpetrators**”

5 ...

6 “what elements do we look for in evaluating situations and events before determining whether we are dealing
7 with a case of genocide? We used three major criteria: (1) there must be evidence, even if only
8 circumstantial, of the intent of the perpetrator; (2) **there must be a group whose victimization threatens its**
9 **survival as a group**; and (3) the victimization must be one-sided. We realized that these conditions can, in
10 some cases, be problematic; therefore we recognized as ‘genocidal massacres’ those events that violate one
11 of our conditions” (Jonassohn and Björnson, 1998, p. 10).

5. Charny, 1988

Israel W. Charny (1988) argues for his take on a humanistic definition as “the **wanton murder** of **human beings on the basis of any identity whatsoever that they might share**” (p. 4).

He further argues that “Genocide in the generic sense is the **mass killing** of substantial numbers of human beings, when not in the course of military action against the military forces of an avowed enemy, **under conditions of the essential defenselessness and helplessness of the victims**” (Charny, 1994, p. 75).

Charny elaborates on this generic definition by including under it the possible variants:

- “Genocidal Massacre (mass killing “on a smaller scale”);
- Intentional Genocide;
- Genocide in the Course of Colonization or Consolidation of Power;
- Genocide in the Course of Aggressive (“Unjust”) War;
- War Crimes against Humanity;
- Genocide as a Result of Ecological Destruction and Abuse”

He also adds, parallel to the generic definition of genocide, the categories of “Accomplices to Genocide” and “**Cultural Genocide**,” the latter of which includes the variant “**Linguicide**” (Charny, 1994, pp. 76–77). He further adds, like Ward Churchill (see below), definitions of first, second, and third degrees of genocide, war crimes, and ethnocide (Charny, 1994, p. 85).

1 **6. Churchill, Ward 1998**

2 “Proposed Convention on Prevention and Punishment of the Crime of Genocide (1997)

3 ARTICLE II

4 In the present convention, genocide means the destruction, entirely or in part, of **any racial, ethnic, national,**
5 **religious, cultural, linguistic, political, economic, gender or other human group, however such groups may be**
6 **defined by the perpetrator.** It is understood that, historically, genocide has taken three (3) primary forms,
7 usually, but not always, functioning in combination with one another.

8 (a) **Physical Genocide, by which is meant killing members**

9 of the targeted group(s) either directly, by indirect means, or some combination ...

10 (b) **Biological Genocide,** by which is meant the **prevention of births** within the target group(s), either
11 directly, indirectly, or both ...

12 (c) **Cultural Genocide,** by which is meant the **destruction of the specific character** of the targeted group(s) .

13
14
15 ARTICLE IV

16 [I]t is understood that several degrees of culpability pertain to the commission of genocide. These may be
17 taken into consideration for purposes of determining the appropriateness of punishment.

18 (a) Genocide in the First Degree, which consists of instances in which evidence of premeditated intent to
19 commit genocide is present.

20 (b) Genocide in the Second Degree, which consists of instances in which evidence of premeditation is
21 absent, but in which it can be reasonably argued that the perpetrator(s) acted with reckless disregard for the
22 probability that genocide would result from their actions.

23 (c) Genocide in the Third Degree, which consists of instances in which genocide derives, however
24 unintentionally, from other violations of international law engaged in by the perpetrator(s).¹

25 (d) Genocide in the Fourth Degree, which consists of instances in which neither evidence of premeditation
26 nor other criminal behavior is present, but in which the perpetrator(s) acted with depraved indifference to the
27 possibility that genocide would result from their actions and therefore to effect adequate safeguards to
28 prevent it”

29 (Churchill, 1998, pp 432–5).

1 **7. Harff, Barbara, and Ted Gurr 1988**

2 “By our definition, genocides and politicides are the promotion and execution of policies by a state or its
3 agents which result in the **deaths** of a substantial portion of **a group**. The difference between genocide and
4 **politicide is in the characteristics by which members of a group are identified by the state. In genocides the**
5 **victimized groups are defined primarily in terms of their communal characteristics, i.e., ethnicity, religion, or**
6 **nationality. In politicides the victim groups are defined primarily in terms of their hierarchical position or**
7 **political opposition to the regime”** (Harff & Gurr, 1988, p. 360).

1 **8. Horowitz, Irving Louis 2002**

2 “A formal distinction between genocide and assassination is also required. Genocide is herein defined as a
3 *structural and systematic destruction of innocent people by a state bureaucratic apparatus*, whereas
4 assassination designates random and sporadic efforts of people without power to illegally seize power and
5 liquidate paramount central figures in a given regime as a means to that goal” (Horowitz, 2002, p. 23).

1 **9. Katz, Steven 1994**

2 “I shall employ the notion of genocide as applying to, and only as applying to, ‘the actualization of the
3 intent, however successfully carried out, to **murder** in its totality **any national, ethnic, racial, religious,**
4 **political, social, gender or economic group, as these groups are defined by the perpetrator, by whatever**
5 **means.**” (Katz, 1994, p. 131).

6 “Cultural genocide being understood as ‘the actualization of the intent, however successfully carried out, to
7 destroy the national, ethnic, religious, political, social, or class *identity* of a group, as these groups are
8 defined by the perpetrators” (Katz, 1994, p. 137).

1 **10. Lemkin, Raphaël 1944**

2 “Genocide is the destruction of a nation or of an ethnic group. It is a new word for an old practice in its
3 modern development, and the word itself comes from the ancient Greek word *genos* (race or tribe) and the
4 Latin *cide* (killing), thus corresponding in its formation to words like tyrannicide, homicide, infanticide, etc.
5 [...] Generally speaking, genocide does not necessarily mean the immediate destruction of a nation, except
6 when accomplished by mass killings of all members of a nation. It is intended rather to signify a coordinated
7 plan of different actions aiming at the destruction of essential foundations of the life of national groups, with
8 the aim of annihilating the groups themselves. The objectives of such a plan would be disintegration of the
9 political and social institutions, of culture, language, national feelings, religion, and the economic existence
10 of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of
11 the individuals belonging to such groups. Genocide is directed against the national group as an entity, and
12 the actions involved are directed against individuals, not in their individual capacity, but as members of the
13 national group” (Lemkin, 1944, p. 79).

1 **11. Porter, Jack Nusan 1982**

2 “Genocide is the deliberate destruction, in whole or in part, by a government or its agents, of a racial, sexual,
3 religious, tribal, ethnic, or political minority. It can involve not only mass murder, but also starvation, forced
4 deportation, and political, economic, and biological subjugation. Genocide involves three major com-
5 ponents: ideology, technology, and bureaucracy/organization” (Porter, 1982, p. 12).

1 12. *Rummel, R.J. 1994*

2 “Genocide: among other things, the killing of people by a government because of their indelible group
3 membership (race, ethnicity, religion, language).

4 Politicide: the murder of any person or people by a government because of their politics or for political
5 purposes.

6 Mass Murder: the indiscriminate killing of any person or people by a government.

7 Democide: The murder of any person or people by a government, including genocide, politicide, and mass
8 murder.” (Rummel, 1994, p. 31)

9 The long version:

10 “In detail, democide is any action by government:

11 (1) designed to kill or cause the death of people

12 (1.1) because of their religion, race, language, ethnicity, national origin, class, politics, speech, actions
13 construed as opposing the government or wrecking social policy, or by virtue of their relationship to such
14 people;

15 (1.2) in order to fulfill a quota or requisition system;

16 (1.3) in furtherance of a system of forced labor or enslavement;

17 (1.4) by massacre;

18 (1.5) through imposition of lethal living conditions; or

19 (1.6) by directly targeting noncombatants during a war or violent conflict; or

20 (2) that causes death by virtue of an intentionally or knowingly reckless and depraved disregard for life
21 (which constitutes practical intentionality), as in

22 (2.1) deadly prison, concentration camp, forced labor, prisoner of war, or recruit camp conditions;

23 (2.2) murderous medical or scientific experiments on humans;

24 (2.3) torture or beatings;

25 (2.4) encouraged or condoned murder, or rape, looting, and pillage during which people are killed;

26 (2.5) a famine or epidemic during which government authorities withhold aid, or knowingly act in a way to
27 make it more deadly;

28 (2.6) forced deportations and expulsions causing deaths.

1 **13. Shaw, Martin 2007**

2 “Genocide is a form of **violent** social conflict, or war, between armed power organizations that aim to
3 destroy **civilian social groups and those groups and other actors who resist this destruction**. Genocidal action
4 (or genocide *as action*, a sense closer to previous understandings) ... can be defined as action in which armed
5 power organizations treat **civilian social groups** as enemies and aim to destroy their **real or putative social**
6 **power**, by means of **killings, violence**, and **coercion** against **individuals whom they regard as members of the**
7 **groups**

8 (Shaw, 2007, p. 154).

1 **14. Thompson, John L.P., and Gail A. Quets 1990**

2 “In short, given the problems which arise from restrictions, we define genocide as the destruction of a group
3 by purposive action. This allows the role of intentional action to be explored, different subtypes of genocide
4 to be compared, and the impact of different factors on genocide to be examined empirically” (Thompson and
5 Quets, 1990, p. 248).