

BOOK REVIEW

What Is Genocide?

[Martin Shaw, 2007, Malden MA: Polity, 222 pp., \$26 (Paper)]

Maggi Eastwood

This volume offers an answer to a question that has been debated within academia since the adoption of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.¹ More recently, the same question has arisen within the field of genocide studies. Martin Shaw, a professor of International Relations and Politics at the University of Sussex, fashions an answer, but it is not a likeable response. He has no real answer. Instead Shaw walks the reader through a series of definitions, opinions, and arguments that are systematically rejected in his search for an answer. Shaw compares these arguments against the backdrop of the earlier concept of genocide initially introduced by Raphael Lemkin² and the definition given in the Genocide Convention.

Setting the tone in his Introduction, Shaw identifies the historical contexts in order to explicate the very idea of genocide. This delineation, he argues, will be conducted in a conceptual way and will constitute a contribution by the social sciences, which have previously added little to the growth of genocide studies. Shaw also suggests that legal constraints of the definition of genocide within the Genocide Convention have restricted its understanding and offers a sociological and political concept to buttress that definition.

Noting that prosecutors often prefer to use easier charges than those of genocide, Shaw tries to outline the sociological importance of the crime of genocide. Unfortunately, he overlooks the fact that without a legal component—perpetrator intention—there is no crime to prosecute. He then goes on to misinterpret William Schabas, author of *Genocide in International Law*, who clearly does not argue for a narrower interpretation of genocide's remit. Rather, Schabas suggests that crimes that do not fit the strict definition of genocide are to be prosecuted under the broader "crimes against humanity" category (p. 8).

The main body of this book uses a collection of thought-provoking arguments and comments that have previously been used to define and provide answers to questions about the nature of genocide. Using extracts from Schabas, Marx, Lemkin, Weber, and Fein, Shaw discusses the problems associated with the meaning of the "group" that can be offered protection under the Genocide Convention.

In chapter eight Shaw considers that “the concept of ‘civilian’ is central to understanding genocide” (p. 117). When he examines The Hague and Geneva Conventions, he does so in order to demonstrate that they offer protection for “combatants” while excluding “civilians.” During this discussion Shaw argues that his interest lies in “the extent to which combatants and civilians are *informally* produced in the social relations of irregular conflict” (p. 123). Here, French genocide scholar Jacques Semelin is quoted at length to highlight the “interdependence of the two forms of struggle”; he concluded that “civilian resistance is not always a simple complement to armed struggle” (p. 123).

Chapter nine contrasts this idea by recognizing that genocide is closely connected with war or conflict. Shaw proceeds throughout this chapter to examine the extent to which the notions of modernity, culture and psychology, economy, and politics are linked with war and genocide. He reaches this conclusion: “War and genocide are often woven together in the same campaign, so that, to describe it as a whole, it is inadequate to talk only of ‘war’ or of ‘genocide’” (p. 148).

The arguments raised throughout book regarding the lack of a workable definition of genocide provide Shaw with sufficient ammunition to present his own: “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” (p. 154).

While Shaw’s definition is worthy of consideration, it can never be used in a legal context. A definition so broadly framed is too loose; it is applicable to almost all civilian social groups. Shaw should have kept to the narrower definition of “group” given in the Genocide Convention. Resisting the perpetrator’s intention, he offers genocide acts as “action in which armed power organisations 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 group” (p. 154). The author claims that his definition provides a number of important changes—that in particular, “It restores Lemkin’s original aim” (p. 155).

In conclusion, Shaw’s book provides a conceptual understanding of the many conflicting opinions surrounding the legal definition of genocide within the Genocide Convention, and raises the reader’s awareness of the possibility of studying genocide in a sociological context. For that reason, it makes a valuable contribution to the ongoing genocide debate. What Shaw does not do is provide a definitive answer to the question he intended to answer: What is genocide?

2007/08]

REVIEW: WHAT IS GENOCIDE?

131

NOTES

1. Convention on the Prevention and Punishment of the Crime of Genocide. (1948, December 9). 78 U.N.T.S., 277.

2. Lemkin, Raphael. (1944). *Axis Rule in Occupied Europe*. Carnegie Endowment for International Peace.

