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OPINIONS ABOUT THE INCRMINATION OF MEDIATIC GENOCID

Among all the illicit deeds that are known by people, the crimes against humanity are considered the most severe ones, that can be committed by some persons, no matter if they act either as agents of a State or they are integrated in some criminal organizations, having the ability from the State Organs.

These violence deeds are against other collectivities, bigger or smaller, on behalf of ideological, religious, racist and nationalist adverse doctrine.

Theoretically it appeared in 1993, genocide crime, had its basis and practical sanctions during the criminals' war trials, from Nuremberg.

Next, in 1948, the genocide was juridically settled, like the most serious deeds, with criminal nature, in spite of the final deeds that are about this term.

It is incredible but true the note, that in spite of all the efforts from the society in punishing in the most severe manner these deeds, between 1945-1988, the elites of power from different countries/state authorities/put down in genocidal terms crime, about 7 and 16 millions of human beings all over the world.

After these events, due to the emotions that may have the circumscribed deeds of genocide crime, the states that signed the International convention from 1948, eluded to condemn people who are suspected of having committed some illicit deeds, except one, which unfortunately, was pronounced on 25th of December in 1989, in our country.

After many years, another type of crime, appeared; that is The Ecocide. It was juridically written by the Committee of International Law, from The Organisation of World Nations. The study of military conflicts from the last 30 years, revealed the existence of another type of Genocide, more subtle, extremely sophisticated and hardly perceived (by the society, in groups, by persons and single) and it hasn't had its modalities, yet; this is the Mediatic Genocide.

The History consigned and still continues to consign - numerous and abominable actions of physical, biological and cultural destruction, that are done against some human collectivities, from different reasons, all over the continents.

Obviously, they precede the appearance the moral and juridical concept of Genocide, to the International Convention and national penal laws (where they are) and include it in the sphere of admitted illicite sphere so as to be incriminated in laws.

The carnages that are in episode of different lengths, and in many situations, for years, whose victims were persons who are grouped in some collectivities, ended by surpressing the life of different people, the number of those who are oppressed may be suspected in the lack of officious documents or sometimes official. Their presence horripilated later (in some cases even during the commission), the intern and international opinion. In most of the cases such collective tortures, were stopped by the state authorities themselves where the crimes were committed. This aspect is due to the fact that - in an opinion made up on a large documentation - such global crimes may be done by gouverners, by the elite which is leader against the people who are gouverned, no matter if the gouverners are in majority or minority in that society.

The Genocide is one of the crimes of powerfull elite-international crimes or by their nature-which set out in the theory and less in the intern and international juridical practice.

The necessity of forbidden of penal deeds, whose commitement implies the international contravention and the organization of a cooperation between nations for this detestable scourge, as well as the responsibility of practical activities, and dates from the precursory decade of the second World War.

Raphael Lemkin has proposed to The Nation League, since 1993, at about 20 years after the armean Genocide, when the abominations of this crime had still persisted in the vivid memory of the people, in a special report that was talked about at the fifth Conference, about the Consolidation of the Private International Law (Madrid, 14-20 october 1933), the idea of replication against the vandalism and destruction which are against the ethnic communities and collectivities that are based on the social and confessional bindings using for this type of actions

the term Homocide. Lemkin used this word, because he had talked about the carnage of the armean, during the first world war, by the gouverner order, and he proposed them like a barbarian international law crime-delicta juris gentium¹.

The ideologist, R. Lemkin came to the term of genocide, by chance, while he was listening to a radio announcement. On 24 august 1941, the first british prime minister Winston Churchill, attended an inauguration of radio company in London, and that was an occasion to talk about the german war against Sovietic Union, barbarians and atrocities that had been done by germans in the occupied territories; he also said „the mankind is besides some crimes, that have no name”.

Until that time, the crimes of genocide hadn't been met, all the contraventions had been named War Crimes.

In his book, which has the title „Axis Rule in occupied Europe”, Lemkin analyzed the essence of genocide, using for the first time, to describe the extermination of the big groups of people, the term genocide that is opposite to that of homicide.

Lemkin didn't invent a new contravention, but he chose a term either to express an opinion about the criminal forbidden of some international law rules, that are against the extermination of some ethnic groups.

The first official document where the genocide is incriminated is the Military High Court Status, in Nurenberg, that categorizes into Crimes against people, the persecutions according to political, rasial and religious, reasons, the deeds that belong to genocide, on condition that these deeds have been done, in

¹ The author of the report considered that these activities must be incriminated like guilty and they have to show 2 delicts which have the reason to exterminate such persons and use for this one, different methods; barbarian actions, that refer to the human being's life, the submination of state power, vandalism deeds;

a) the children transfer from a group of people to another one;

b)the forced retrival of cultural elements which refer to a group of persons;

c)the forbidding to use the mother tongue in the human relationships;

d)the distruction of books that are written in people's language , the destruction of museums, historical monuments, art institutions and other cultural objects of the group.

conection with other crimes, which were committed by defendants who took part in aggression war.

The trial's results from Nurenberg, the prosecution sustained that "The defendants did the genocide deliberately and sistematically, that means the extermination of the social and national groups, among civil people, who are in the occupied territories, to destroy some mankind or classes of population, even the national, rasial or religious groups"¹, reffering to the extermination deeds of Jew, gipsy people and other types of reppresion , ordered by defendants and made in Alsacia and Lorena, in the Low Countries, in Norweig, and other areas of Europe.

The High Court from Nurenberg, finally condemned the deffendants for crimes against peace and War Crimes. The crimes against people like genocide, were taken into account and were written in The High Court decision, being included in the first categories of crimes.

In its third session in O.N.U. the General Convention that was adopted on 9 December, the text if Compact to warn and repress the genocide of crime, establishment.

Due to the article 1 of the Compact "The contractor hands, confirm that the genocide, is committed either when is peace or when is war, and this is an International Law Crime, whom they comment to warn and punish".

As this article is written, one can understand, when the Compact appeared , the genocide crime imposed itself like a customary law and was recognized by the Internațional Community, which had condemned the deeds, such as genocide, and assented the rules that had punished the main criminals of Second World War.

¹ Process des grands criminels de guerre, Tribunal Militaire International de Nurenberg, Document Officiels, Tome 1, Nurenberg, 1947, p. 46

The second article, of the Compact in 1948, has written in its text, that the genocide is made with intention of total destruction of a national, ethnic, rasial or religious group which consists of:

- the killing of members group;
- the serious harm of rightness;
- the deliberate submitting of the group under the conditions that neccesarly train its partly or total destruction.
- some measurement that can endors the inhibition of births in the group.
- the children forced transfer from one group to another.

The genocide is characterized by the intention of destroying a human group, that is based on some criteria.

The qualified intention of an author of genocide crime is to destroy either a total or partly special human group. So, it is not neccesarly to be a genocide of crime to destroy totaly a human group, because of its deeds. The partly destruction of a group like an intention, is a good condition to be a genocide contravention like a total destruction.

To be a genocide of crime, it is necesar the qualified intention of the authors to a destruction, no matter how big it is. The human group that did these deeds against the persons and they are members of the group, must exist.

In the Law literature, we could meet opinions about the genocide that is incriminated in ecocide and consist of destruction deeds that hits the environment of an area to human belief criminals, and they are made by the help of military means, nuclear weapons and different tehnicques that are able to change the weather into military purposes, doing some compact projects.

An example of a connection between ecocide and genocide we can find in the events that took place in Darfur, where the climate challenges had an important support for the insurgents, who refused to sign the peace from the

Abuja¹, on 5th of May 2006. On the other hand, the swedish government tried to stop the organisation of a congress that want to link the combatants commotion and to resume the negotiations by the assistance of "International Community"².

In the Washington Post newspaper, The general secretary of United Nations Ban Kimoon said that one of the violence's reason in Darfur consists of ecological crisis that appeared 40 years ago, when the precipitations were bellow 40 degrees because of the man destructive activities upon Nature.

The International Law Commmitte included in the code project of crimes against the peace and human security such an incrimination that has the content „Every man who deliberately induces or orders to challenge serious damages to the environment, will be punished”.

The training of genocide application is shortened enough, the juridical literature pointing out after 1989, only 2 circumstances when some persons were judged and condemned, for genocide crime, in Bangladesh³, after the event from 1971 and Cambodgia 1979⁴, although the reality of life has consigned since 1948 until now, many circumstances of total devastation of some people, because of the ethnic or national, rasial, religious origin or because of the multitude of other reasons.

¹ On 9th November at Abuja (Nigeria) a peace was successfully ended Between swedish government and the rebels from Darfur. After few hours that the peace was signed the special troupes attacked again some people in Darfur, and this peace allowed to U.S.A. to come in Darfur.

² Gerard Prunier, in his magazine "Le monde diplomatique"- romanian edition no. 26, MAY 2008, The third year.

³ A group of five generals were accused of leading the events in 1971, and at that time over a million people died.

⁴ Pol Pot, a leader of communist motion of red kmeries, imposed on Cambogia a dictatorial order, reducing the cultural masses reeducation and to come back at agriculture. Due to this plan, over millions people died. After that, some people from Vietnam died. He was condemned to death and continued to check the important areas. He died in freedom in 1998.

The Mediatic Genocide

Nowdays the genocide isn't done through physical violence. The Informational War is neither new nor unknown. Its advantages have revealed the antiquity by Sun Tzu and were intensively used during the two world perturbations and it is a main and was compulsory part in any type of conflict.

The information in its shape and modalities of transmission, has been a vital necessity for people activity, since the mankind society has existed. As the human society was growing up from social, economical and cultural point of view, the information became a good that is constantly asked, sold and eaten like any other good. Today, due to the disappearance of technical limited of communication, the earth is not only a global village but an electronic one, in whose space, the information - real, partial, truncated or falsified - circulated in high speed.

The newspapers and magazines, radio and the television, as well as The Internet, became the main arrays to transmit the information, closing until the simultaneity, the moment of impact between its communication and transmission all over the world.

People early understood how much to take advantages from this ambiguity even the most recent information, because the percent between the true content is neither fixed nor guaranteed, nothing is easier than to add involuntarily approximations or to practice the fraud deliberately.

Having the theoretical basic paper of French psychologist Gustave Le Bon "The crowds psychology", the English founded The Tavistack Institute for Human Relationship for Sussex University, the biggest institution for "brain washing".

Using the methods of lumps handing made by Tavistack, U.S.A.'s population, was easily convinced to take part at the second world's war. As an

effect of this big success, under the guidance of dr. Kurt Lewin the Americans did their own structures to develop new techniques of psihological war. The amplitude of these techniques of professionalism used by employed persons, as well as the logistics, it would be a part of a big study.

We can show the role and task and this mechanism, in order to synthetize, and we also can underline that it is a main source of power elite, what is named "the future shocks", people would become incapable to decide their destinies. Another major aim, of this state to maintain the power is "the violation of crowds". Both of them are addressed to the people and they take advantage the fact that the intellectual level of people is low enough. By repeating the same slogans, images the mental tiredness is installed, and the political will is introduced. Due to the special impact of mass-media upon people conciousness, the information may be a litle falsified, and can be used in different purposes.

Our contemporary History, consigned 2 classical cases that imposed imprevizible reactions on those which had talked about them.

It is about the Radio post CBS from U.S.A. in 1938, american people were announced that they had been invaded by aliens. The 250 000 listeners tried some feelings, from curiosity to panic, and the help of police was welcomed, because they could make people not to be unimpatiant.

The dictatorial gouvèrnment from 1989, brought over 60000 death people and this horipilated the opinion, because our country had a reputation like a barbarian and uncivilised people¹.

After 1990, the number of genocide will increase.

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¹ The images of victims from Timisoara were accompanied by news. The Romanian Television activity killed many people during the events from 1989.

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