

What you see before your eyes: documenting Raphael Lemkin's life by exploring his archival Papers, 1900–1959

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There's a serious risk that a commemoration of Raphael Lemkin's work will not become an act of remembering, but an act of forgetting, obliterating what was so singular about his achievement. (Michael Ignatieff¹)

“What? What? So What? What?” These words, along with “Why? Why, Why, Why?” are scribbled in the margins of notes of Raphael Lemkin's unfinished work, “Totally unofficial: the autobiography of Raphael Lemkin.” More than once the refrain of “So What? What?” is written in pencil throughout Lemkin's papers,² seemingly used as a refrain that pushed him to continue a difficult, uphill battle with statesmen, lawyers, the general public, and most of all, himself, in order to define, inform, and abolish the act of genocide.

“So what?” This question seems to have bothered Lemkin enough to devote the greater part of his life, actively beginning in 1933 and progressing earnestly in 1941, in answering the question for civilization. So what if a populace is destroyed; how does that affect another people? So what if a culture is lost, and why should one care?

The general public, through no fault of Raphael Lemkin's, is oblivious of him. Mention the word “genocide,” a term Lemkin created to express “the use or a user of deliberate, systematic measures such as killing, bodily or mental injury, unlivable conditions, prevention of births, calculated to bring about the extermination of a racial, political, or cultural group or to destroy the language, religion, or culture of a group,” and the greater majority would not know that the word was born in 1943, nor that it was a hybrid of Greek and Latin.³ The public may be able to tell you that acts of genocide had happened throughout history, but none would surmise that no specific word existed for this crime prior to the Jewish Holocaust or possibly for some, that such crimes actually occurred prior to World War II.

Historians specializing in Jewish studies with a focus on the Holocaust, or other topics of population murder and conflicts such as the Armenian genocide, may

know of Lemkin, but rarely consult his archival papers.⁴ A lawyer may know of his name through his writings on international law or currency exchange or possibly from the strong opposition by the American Bar Association to treaties such as the one that Lemkin produced out of the UN, the Convention for the Prevention and Punishment of Genocide. A psychologist, sociologist, or anthropologist who studies the cause and affect of mass murder may know of him in regards to those areas were his studies of the history of genocide and these disciplines might converge, but then again, probably not. Possibly a political scientist studying the efficacy of grassroots campaigns like the one Lemkin undertook to persuade over 58 countries to ratify an international treaty such as the Convention? Maybe a painter or rose cultivator might know of books he wrote on these subjects? There is no clue to these books in his archival documents, though he wrote on both subjects in his early years.⁵ No full-length biography of meaning, besides that of a Holocaust revisionist, has yet been written about him.⁶ However, without Lemkin, we would not be able to name, let alone comprehend, what Winston Churchill called “a crime without a name.”⁷

In 1982 and 1999, Steven Schnur and Steven L. Jacobs, respectively, wrote articles chronicling newly unearthed or compiled collections of Lemkin archival documents, including correspondence, articles, manuscripts, notebooks, and photographs. These articles formed a basic catalog of how the documents were acquired or highlighted a “first look” at the materials within the collections. The purpose of this article is to further expose Raphael Lemkin through the lens of his archival collections, to see what Lemkin saw before his eyes and was determined to make others see as well. While many professions would benefit from knowing more about Lemkin’s archival papers, it is of prime importance that those involved in Genocide Studies know about them, so as to act as visionaries to expand on his work. It is hoped that this study will provide a roadmap to his collections for that purpose.⁸

Raphael Lemkin was a man who devoted the greater part of his short life to answering the question, “So what?” As the “premier pioneering scholar of ‘Genocide Studies’” and self-proclaimed “Founder of the Genocide Convention,” Lemkin forcibly created a pathway through a dark tunnel of mankind’s cruelty and came out at the opposite end to inform everyone of the path *not to follow*. If mankind actually paid attention to the signposts that Lemkin left behind, we might have averted tragedies like the recent genocidal nightmares of Cambodia, Bosnia, Rwanda, Darfur, and others.

Raphael Lemkin was born on June 24, 1900,⁹ in the Bialystok region of Bezvondene, Poland, located in imperial Russia at his birth and eventually known as Volkovysk, Belarus. He grew up with a penchant for languages, history, and the law. He studied philology and philosophy and eventually became a lawyer, working for the Prosecutor’s office in Warsaw from 1929 to 1934. While a prosecutor, he helped to codify the laws of the new Polish Republic, wrote on Jewish law, and in 1933, a paper based on his concept of “barbarity” and “vandalism” (mass slaughter and cultural destruction) was read at the Madrid League of Nations conference. The Nazi Party, representing Germany and in

attendance at the meeting, ridiculed the work, and in 1934, Lemkin was forced to leave his position as a prosecutor by the pro-Hitler Polish government. From 1934 to 1939 he practised privately, taught family law at Tachkemoni College in Warsaw, and attended numerous conferences on international law to promote his concepts. By 1939, Lemkin acknowledged the impending doom that was about to hit Europe and decided it would be best to leave. His mother, a significant influence on his life, urged him to escape in order that he could continue his work regarding barbarity and vandalism. Contacts helped him to Sweden, where he lectured on international monetary exchange, and he eventually travelled eastward via the USSR to America, where he joined the faculty of Duke University Law School in 1941. When the US joined the war, Lemkin travelled to Washington as an advisor to the Foreign Economic Administration's Bureau of Economic Warfare, and later, as part of the War Department, he became an advisor on foreign affairs, which included advising US Chief Justice Robert Jackson at the Nuremberg Tribunals.

In 1943, Lemkin compiled numerous Nazi legal decrees that he had collected while in Sweden, and first proposed and defined the word *genocide* in a volume entitled *Axis Rule in Occupied Europe*. After the war, Lemkin stalked the halls of the newly formed United Nations in an effort to persuade the UN to adopt the Convention for the Prevention and Punishment of Genocide, which passed in 1948. From there, Lemkin fought vigorously in the defence of his Convention in the face of real and perceived threats to its existence. Lemkin grew increasingly obsessed with promoting his new word, and educating the public on its meaning. He wrote drafts of an autobiography and a definitive history of genocide through the ages, but ill health, exhaustion and destitution took its toll and he died of a heart attack at his publisher's office in August 1959. His personal papers were collected from his home after his death, but they and a few other collections remained orphans. Eventually the collections were donated to three separate archives, but they languished for another 40 years until a new interest in Lemkin's work emerged.¹⁰

By known donation dates, the "first" collection of 2.8 linear feet (seven boxes) are documents that reside at the Jacob Rader Marcus Center of the American Jewish Archives (AJA) located at Hebrew Union College in Cincinnati, Ohio. The papers contain materials spanning the years of 1942–1959. This portion of Lemkin's papers were donated in two parts: by a cousin, Dr Robert Lemkin, a dentist from Long Island, NY, in April 1965 and were added to by Rabbi David Saperstein of the Union of American Hebrew Congregations in November 1983.¹¹

According to historian Jim Fussell, the documents that Robert Lemkin donated were originally from Raphael's apartment and packed up after his death in 1959 by Elias Lemkin, his brother who lived in Montreal along with his son, Saul, and Robert Lemkin. Lore has it that Raphael Lemkin's apartment was crammed from floor to ceiling with books and documents; but according to Saul, this was not the case. Saul noted that there was not much in the apartment and that a few valises of items were packed. Family photographs and personal items were taken to Montreal by Elias Lemkin while the documents of Raphael were taken

by Robert Lemkin to Long Island. Saul Lemkin relayed to Fussell that the personal items in Montreal were subsequently destroyed in a fire about 10–15 years later.¹²

The second collection of 7.5 linear feet or 12 boxes, donated in 1975, was given to the American Jewish Historical Society (AJHS), then located in Waltham, MA. These documents primarily cover the years of 1944–1952 (a few are from 1941–1943). An article and NYPL exhibit program about Lemkin were later added. The records of the AJHS provide conflicting information regarding acquisition: accession records report that Harvey Ladin donated the records on October 1, 1975, while the collection's shelf card says that Isaiah Spector donated the records, with no date given. Mr Fussell provides some information regarding the mysterious dual donation. Mr Spector, a furrier, and his wife were friends of Lemkin's while he worked at Yale, and Lemkin often stayed at their Connecticut home. In 1951, Mr Lemkin left his position as a teacher of international law at Yale and the documents remained with the Spectors. Mr Ladin was the founder and first President of the Jewish Historical Society of New Haven, and the Spectors may have given Ladin the documents. It is not clear why the documents were transferred from Ladin to the AJHS. The documents moved to the AJHS at the Center for Jewish History in New York when the Society relocated its primary facilities from Massachusetts to New York in 2001.¹³

The third collection of papers consists of 2.5 linear feet (the five boxes are on microfilm) and spans the years of 1946–1959, though most of the documents are largely undated. Alexander Gabriel, a friend of Lemkin's, donated the papers to the New York Public Library (NYPL), Archives and Manuscripts Division. Gabriel was a journalist for the Transradio News Agency and covered the United Nations. An email from the NYPL relayed that Gabriel acquired these papers from two of the numerous typists Lemkin retained over the years, and that Gabriel had stored these documents in his UN office. No date was given as to when Gabriel acquired these papers. However, according to Schnur, Gabriel was present when Lemkin's apartment was cleared and that's how Gabriel acquired the documents. The two stories converge when Fussell reports that Gabriel attempted to donate the documents to Robert Lemkin as well as the Dag Hammerskold Library in New York. Mr Fussell reports that the documents were offered for sale to historian and friend of Lemkin, William Korey, but he refused to buy them. Gabriel ultimately donated the documents to the New York Public Library in 1982.¹⁴

Other collections contain materials relating to Raphael Lemkin, but no other significant collection is solely dedicated to his papers. Steven Jacobs at the University of Alabama has a complete set of photocopies or microfilm of the three collections, but they are not original documents.¹⁵

The collections can be divided into three periods of Lemkin's life: (1) "Establishing the groundwork to creating the word: 1900–1944," (2) "Toward the Genocide Convention, 1945–1948," and (3) "Defense, dissemination, research, and instruction, 1949–1959." Though separated by venue, the three collections share an extraordinary amount in common, from types of documents, to overlapping documents, to threads of information that begin in one collection

and ventures on to another. The three collections primarily detail Lemkin's life after he escaped from Poland and there are no personal affects such as photographs, birth certificates or mementos prior to 1941, except for two publications, one from 1933 and another from 1941.¹⁶ The remaining documents related to his life span the years of 1941–1959, the bulk of which cover 1947–1958.

In terms of the first phase of Lemkin's life, "Establishing the groundwork to creating the word, 1900–1944," because there is so little extant documentation such as correspondence or personal memorabilia, this portion of Lemkin's life is more difficult to document. There are no known photographs of his mother, Bella, or father, Joseph, or the Lemkin brothers, Raphael, Elias and Samuel as children or their homestead.¹⁷ The greater portion of what we know about Lemkin from 1900 to 1944 (and in particular his life prior to leaving Europe in 1941) is relayed in the incomplete autobiography begun about 1951 and housed at the New York Public Library.

He recalls in his autobiography (a story which reached the level of lore in various articles written about him) that in 1913 at the age of 12, he first came across the concept of mass killing for religious reasons while reading Henryk Sienkiewicz' *Quo Vadis*, a look at the life of Roman emperors that included scenes of Christians being thrown to the lions.¹⁸ However, there was more to it than this incident, including learning of the slaughter of the population in distant Armenia by Turkish forces and the pogroms and wars between Russia and Germany that occurred near his home, driving his family into the forest and eventually causing the death of Raphael's youngest brother, Samuel, of pneumonia and malnourishment.¹⁹ Being Jewish in this part of the world was not easy, and certainly living between warring entities did not help matters. According to Lemkin, he was a sensitive loner of a child, easily influenced by world events.

The biggest influence of his life was his mother, a woman who home schooled her children and spoke several languages, was a painter, and studied philosophy. Lemkin's mother was highly educated and had an extensive collection of books, but was married to a farmer.²⁰ This dichotomy of an educated mother and farmer father was somewhat incongruous, and Lemkin did not refer to these early childhood circumstances in his autobiography.

In some ways, Lemkin created a framework of his early life with few witnesses, in which he provided a myth of himself upon which to stand as the founder of the Genocide Convention. In fact, because of this seeming self-creation, certain myths of his life were perpetuated, such as his claim in numerous venues that he personally presented his 1933 work defining "barbarity" and "vandalism" at the Madrid League of Nations conference and the notion that he was injured while hiding in the forests of Poland during the resistance.²¹ Even the year of Lemkin's birth is a matter of dispute, as some records and articles claim that he was born in 1901 as opposed to 1900. Jim Fussell and documentation at the AJHS dispute this claim and points to Lemkin's year of birth as 1900.²²

In some ways, Lemkin opened himself up to the later attack of James J. Martin, a Holocaust denier from the Institute of Historical Review, who deconstructed Lemkin's life in his publication *The Man Who Invented "Genocide": The*

*Public Career and Consequence of Raphael Lemkin.*²³ This book, what Samantha Powers calls a “nominal biography,” attempted to spawn suspicion over the details of Lemkin’s life, steadfastly using quotation marks around the word “genocide” (as in “so-called genocide”) and slyly wondering how Lemkin managed to make his way from Poland to Sweden to America. Martin has no endnotes in his “biography,” but one doubts that he had access to Lemkin’s autobiography, as Lemkin does explain to some extent how all of this actually happened. Lemkin may have opened the door to some revisionism or confusion, but Martin busted the door down, insinuating that Lemkin was an agent provocateur used by the Allied Powers to advance the “theory” of genocide, Holocaust, and Germany’s implication in the murder of millions of Jews as well as Slavs, gypsies, homosexuals, Soviet POWs, political dissidents, and the mentally ill during World War II. Martin also overlooked the fact that Lemkin’s idea of genocide reached far beyond the Jewish people. Jews may have suffered the largest and most systematic of abuses, but genocide, to Lemkin, reached back to antiquity through to the modern era and affected scores of people.

But, as Lemkin would say, “So what?” that he may have embellished the early part of his life in order to create a greater public interest over the issues of genocide. Did this embellishment (or non-correcting of the journalistic record) ultimately mean that what Lemkin wanted to convey to the world did not merit relevance? Or did Lemkin realize that even after the horror of the Holocaust, that unless one brings an excitement to bear on why a man such as Lemkin would devote his life to preventing genocide that people would not care unless there was an exciting tale to tell? In fact, some publishers later rejected Lemkin’s autobiography and his proposed *History of Genocide* for these very reasons. For instance, his autobiography proposal to Simon and Schuster brought the following reply: “My reservations about the manuscript (apart from the subject) are two: it never really tells the reader the mechanics of getting a passionate conviction transformed into international law except in terms of personal magnetism, midnight walks around Lake Leman, etc. I’m afraid that after the English was cleaned up some of the charm of the story might be lost” or “This is a very important story, but it is told so simply that the reader occasionally forgets how great the issue is . . . If Lemkin does not win the Nobel prize, I think the audience for such a book would be very small. I know several relatively well-read college students who not only have never heard of Lemkin but could not define genocide.”²⁴

What a vicious cycle this created: few knew who Lemkin was because Lemkin had not won the Nobel Prize, and neither the autobiography nor the *History of Genocide* were exciting enough to be published and yet genocide itself was not exciting enough to warrant publication because it had not been heard of. If ever Lemkin’s refrain of “So What?” applied, it certainly applied to this twisted form of publishing logic.

So, taking into account that the documentation on Lemkin’s early life is lacking, and that what we mostly know is from Lemkin himself, are there other collections or materials that shed light on his early years? The answer is yes, but the documentation is still slim and some of it conjectural.

In regards to his young life in Poland, there is little information to be found. From his autobiography, we do know that at least four things seem to have affected Lemkin the most: (1) his mother, (2) the Armenian genocide, (3) *Quo Vadis*, and (4) the pogroms and wars that ravaged his home and led to his brother's death. His autobiography contains anecdotes of farm life and his recollections concerning some events, but consists mostly of childhood memories. In regards to his family home, records may exist recalling the town where his family hailed from, but probably little else. One might look at specialized collections such as the YIVO Institute for Jewish Research at the Center for Jewish History or the Center's Genealogy department for data on the area or relatives of the family. Living family members may provide some more information, though these members may be too far removed to provide concise information. It will be interesting to see how new biographies dealing with Lemkin's life hone in on his childhood.

As Lemkin approached his college years, he decided to study philology. According to his autobiography, he developed a passion for language from his mother, and learned several languages including Yiddish, Polish, French, English, German, Spanish and Russian by the time he was a teenager. In 1919 he entered the University of John Casimir in Lwow, Poland, to study philology, went on to the University of Heidelberg in Germany to study philosophy, then back to John Casimir for law school. Records pertaining to his grades or career at these schools may still be extant. Several papers from his law school days are known, mostly written on the criminal codes of Soviet Russia and fascist Italy, fiscal law and the organization of the legal record as regards to the Jewish people.²⁵

After law school, Lemkin took a position as a public prosecutor from 1929 until 1934. If there are records concerning the prosecutor's office of Warsaw during these years, and if they survived the war, and later, Communist occupation, one might find out how Lemkin's law career prevailed in the form of briefs or correspondence. This period is particularly interesting as Lemkin began to formulate his opinions on genocide, spurred on, he noted, by the massacre of Christians in Iraq in 1933 and the rise of the Hitler regime. He presented several papers beginning in 1931 and culminating in 1934 that spoke about terrorism, "barbarity" and "vandalism" (along with others concerning various penal codes).

The document that prompted his early departure from the prosecutor's office (besides a growing anti-Semitism in the Polish government), was *Acts Constituting a General (Transnational) Danger Considered as Offences Against the Law of Nations*. The pamphlet proposed an international conference and convention to enact laws that barred acts against mankind, in the forms of barbarity, what Lemkin described as acts of extermination directed against the ethnic, religious or social collectivities whatever the motive (political, religious, etc.) or vandalism, "An attack targeting a collectivity [in] the form of systematic and organized destruction of the art and cultural heritage in which the unique genius and achievement of a collectivity are revealed in fields of science, arts and literature." An English version of this document can be read online, and the AJHS contains

a copy of the original French version. Documentation regarding the 1933 conference can be found at the League of Nations archive located in Geneva, Switzerland.²⁶

After his dismissal from the Prosecutor's office, Lemkin went into private practice and continued writing in earnest regarding penal codes, international crime, and barbarity and vandalism. Jim Fussell reports that Lemkin also contributed a sporadic advice column on the law that appeared in the Warsaw Yiddish newspaper, *Haynt (Today)*, copies of which are located at the YIVO archives. In 1938 Lemkin met Duke University law professor Malcolm McDermott. Lemkin and McDermott collaborated on the English translation of *The Polish Penal Code of 1932* and *The Law of Minor Offenses*, two volumes that Lemkin had worked on earlier in his career. Ultimately, this contact would help Lemkin escape from Europe and obtain a position at Duke. Lemkin explains in his autobiography how this connection as well as connections with his French publisher, his father's brother who lived in America, and other contacts made over his career, helped him to Sweden, through Russia and Japan to the United States in 1941.²⁷

In Sweden between 1940 and 1941, Lemkin lectured at Stockholm University and delivered a paper (in Swedish, which he learned during his time there) on "Exchange control and clearing," a continuation of his work, *The Regulation of International Payments*, written in 1939 (proofed by Lemkin while waiting in Lithuania for clearance to Sweden). Records or correspondence at Stockholm University, or correspondence with his publisher, the legal publishing house of A. Pedone (Paris), may be available.

During his stay in Sweden he persuaded government officials to provide him with Nazi law directives, and he accumulated a thick set of documents, which would later form the basis of *Axis Rule in Occupied Europe* as well as "Recording on military government in Europe." The latter translation was compiled by Lemkin during his tenure at Duke, and was then transferred to the School of Military Government when Lemkin went to work for the Bureau of Economic Warfare. A printed collection of these documents is located at the AJA.²⁸

Cleared for immigration by the US in 1941, Lemkin began a long trek across the Soviet Union to Japan, eventually travelling from Yokohama to Vancouver, Canada, to Washington State. His autobiography consistently offers glimpses of Lemkin's personal inclination to deeply appreciate beautiful places and objects, and shows a touch of his humour as well. Arriving in Kyoto, he could have travelled to Tokyo with acquaintances he had met on the crossing, but ever the loner, Lemkin decided to visit Yokohama instead. He was captivated with the architecture he saw there and walked into a kimono shop. Lemkin said,

One robe took me prisoner. I looked at it for a long while, finally deciding I could not buy it because of its cost. I left the shop, then re-entered and spent more time looking at the robe. I left again, with a heavy heart, still thinking about "my" kimono. Finally, capitulating to its beauty and craftsmanship, I entered the shop for a third time and bought it—or rather, the robe bought me. My capture by the vivid Japanese colors was a symbol to me of my temporary surrender to this foreign culture, a surrender everyone who travels will understand.

There is no indication as to the fate of this treasured possession, but Lemkin's keen sense of other countries and peoples helped in his work. As he developed his later campaigns, he always saw the issues from that particular culture's side—whether he had personally visited the country or not. In this case, a handwritten note appears at the top of the chapter, “Impact & Japanese mentality and policy.” The chapter opened with a graphic account of the hostilities in Japan between the Japanese people, European Catholics and Japanese converts to Christianity during the seventeenth century.²⁹

Lemkin arrived in Durham, North Carolina, in April 1941. Within days, he was delivering lectures on the state of Europe, and he continued translating the Nazi decrees he brought with him and added to the collection with visits to the Library of Congress. Some of this material was used in a paper delivered to the American Bar Association on “Totalitarian control over foreign economies.”³⁰ Lemkin's autobiography offers an account of his time at Duke, but no documents were found in the collection directly relating to his tenure at the university, and the Duke Archives does not contain material relating to Lemkin except for a biographical file.

He received a note from his parents in June 1941, very short, very cryptic: “We are well. We hope you are happy. We are thinking of you.”³¹ It was the last time that Lemkin heard from them. Though he established contact with his relatives in Chicago, New York, Connecticut and Canada, he did not cling to them for familial comfort. In fact, all three collections contain letters from family members asking why he would not write back to them. This problem of not writing to family did not stop with relatives. Lemkin was also notorious when it came to friends (and debtors). The collections contain many instances of family and friends begging Lemkin to write back to them or at least let them know how he was faring in terms of his health.

For the remainder of his time at Duke, Lemkin taught classes, gave lectures, formulated his plans, and established contacts with government officials. After the US entered the war, Lemkin decided that his services would best be used in Washington. Through contacts and his work on the economic impact of war and monetary exchange, Lemkin was able to secure a position with the Board of Economic Warfare, and in the summer of 1942, moved to DC. Limited information on his time at the Board is available. At one point, Lemkin enquired as to any pension that he may be entitled to, and the War Department wrote back that as a consultant, he was not entitled to one. A search of the US National Archives and Records Administration or Army Archives may turn up documents and lectures.

In Washington he began in earnest on *Axis Rule*, his compilation of accumulated Laws of Occupation, adding to it an analysis of occupation, and wrote a 92-page general analysis of “German techniques of occupation.” Lemkin penned nine specific chapters on Nazi occupation: the “Administration,” “Police,” “Law,” “Courts,” “Property,” “Finance,” “Labour,” “Treatment of Jews,” and ultimately, the ninth chapter, on “Genocide.” Lemkin had finally been able to culminate the first part of his life . . . the birth of the word. Unfortunately, no notes, drafts, or documentation besides the Axis laws he brought with him from Sweden have

been found in his archival papers. However, Lemkin does explore his thinking behind the creation of the word in a draft of *History of Genocide*, including the significance of new words, how they are made, the meaning of genocide, and words as moral judgments.³²

On January 21, 1945, a full-page review of *Axis Rule in Occupied Europe* appeared on the front page of the *New York Times Book Review*. Lemkin had finally created a name for a crime that previously had none. Now began the fight to have the world acknowledge the name and the concepts behind the word.

The second phase of his life, “Toward the Genocide Convention, 1945–1948,” proves to be much easier to document from his archival papers and therefore will be divided up differently than chronologically driven “Birth of the word, 1900–1944.” Each major event of Lemkin’s life during 1945–1948 can be divided into separate segments; each segment corresponds with papers spread over three collections.

The major events of Lemkin’s life during these three hectic and stressful years were the Nuremberg Trials, the Lake Success Resolution, passage of the Genocide Convention (Geneva and Paris), lobbying (including the US Committee for a Genocide Convention), and the start of both the ratification of the Genocide Convention and the *History of Genocide*. (The last three events actively continued over to the next phase of Lemkin’s life, but for purposes of this article, ratification and *History of Genocide* will be discussed in phase three of Lemkin’s life, “Defense, dissemination, research, and instruction, 1950–1959.”)

Lemkin left his consultant position (paid at \$25 per day) at the Board of Economic Warfare in 1944, and became an advisor on foreign affairs for the War Department. He had just published a somewhat successful (if not profitable) book, began developing the groundwork for his next book, the *History of Genocide*, and wrote several articles on genocide. In 1945, he left DC for Germany and the Nuremberg Trials.

Nuremberg Tribunals and Hitler

Lemkin’s papers do not hold a large resource of material regarding the Nuremberg Tribunals. The AJHS collection primarily has documents from this time period (1945–1946), but contains few documents on the Trials. There are only two distinct instances of material regarding the Trials at the AJHS: (1) a paper by a student that compared and contrasted the “Nuremberg Trial and the Genocide Convention” and (2) a folder of law notes by Lemkin on the relation of the Convention and the Trials. Barely any correspondence is included on the subject, and the same phenomenon occurs in the NYPL papers, with only two instances of materials relating to the Nuremberg Principles in regards to the Draft Code of Offences Against the Peace and Security of Mankind.³³

The AJA collection has more materials on this subject, including a long deposition of witnesses, a fragment of a trial transcript and voluminous research notes from “Biffy” to Lemkin. Biffy was a researcher for Lemkin in Europe in 1949. Lemkin asked her to visit the French-Jewish historian, Leon Poliakov.

She sent Lemkin two unnamed (and lost) articles by Poliakov on the rescue or attempted rescue of Jews through intermediaries, researched information on the Final Solution, and Poliakov recommended the book *Hitler's Professors* by Max Weinreich. Poliakov recommended that Case 8 of the Nuremberg Trials on the idea of Germanism, of building the race and promulgating it, would be applicable to Lemkin's work and his ideas on the construction of race. Poliakov also recommended Felix Kersten's book describing his occupation as Himmler's doctor, as well as *La Fin de Hitler* by Trevor Roper, and the anthology of documents *Le Pitre* of Rousset. Biffy also pointed out that Poliakov had two boxes of photographs which included images of "piles of corpses, shoes, glasses, clothing, etc., of victims—shrunken skulls and paintings on human skin and of a jar of soap made from human beings."³⁴

This folder contains a rather long synopsis of Biffy's findings as she poured through the Nuremberg Trial records looking for testimony attributing persons to the murder of Jews and others and accounts of death methods and experiments conducted. These reports are filed under the titles of "Psychology of genocidist"; "Slave labor"; "Cultural genocide"; "Youth movement"; "Techniques"; and "Nazi principles" (racism, pangermanism, war, lebensraum, and totalitarianism as incorporated into the National Socialist program). Included is a 57-page paper, "The Nazi case," on the conditions and reasoning leading to genocide (premeditation), science and machinery (organization), techniques, Jews as an example, psychology of victims, genocidists, of people (German), after effects, and conclusion—an eyewitness account.

A small treasure trove of Lemkin-related material regarding the Nuremberg Trials is housed at the Columbia University Law School Archives. The collection contains documents from the years of 1938–1947, though it is mostly material not directly produced by Lemkin and is in English, German, and Polish. The documents, used as background for his work as a trial advisor, contain a few boxes of articles, transcripts, affidavits, case files, German and Polish government directives, some handwritten notes by Lemkin and Chapter 9: "Genocide," of *Axis Rule in Occupied Europe* (1944). In general, this collection and a portion of the AJA collection are the only ones that hold material regarding Lemkin's work at the Nuremberg Trials. The University of Connecticut holds one document from the Thomas Dodd Papers regarding comments produced by Lemkin on the "Significance of the concept of genocide in the trial of war criminals."³⁵

Lemkin's travels to Germany for the Trials began on a bittersweet note. Lemkin found that his brother, Elias, along with his wife and two sons, had survived the war. Elias and his family had been expatriated to a factory town near the Urals by the Russians and were separated from the larger part of their family, including their mother and father. There is some discrepancy concerning the number of Lemkin's relatives who perished (ranging from 40 to 70), but most accounts state that between 47 and 49 members of the Lemkin family perished. There is a limited amount of correspondence from his brother from the date of the reunion, all in Yiddish and mostly pleas asking for help in leaving Europe (which they did in 1948), help finding employment, and asking why Raphael did not write to them.³⁶

Finally, Steven Jacobs points out that included in Lemkin's papers is an unpublished manuscript entitled "Nazi genocide," containing 267 pages of various proceedings and law reports of the Trial and war criminals, excerpts on the "Nazi conspiracy" and the "Nazi war against the Jews," and "The black book." Another document, entitled the *Hitler Case*, gives an outline for a book documenting Hitler's influence on science and philosophy, geopolitical aims, the techniques of the crime, the internationalization of genocide, and ends with an analysis of the war's aftermath. "The *Hitler Case* and the Nazi genocide" provides a compilation of evidence against the Nazi regime's extermination of the Jews and other peoples. Both documents use the Nazi's own words against them and may have been informed by Biffy's study and Lemkin's collection of Axis directives and certainly, Nuremberg Trial testimony. Steven L. Jacobs edited "Nazi genocide" in 1992.³⁷

Lake Success Resolution/Genocide Convention (Geneva and Paris)

After the Nuremberg Trials, Lemkin quickly attended two European conferences, one in Cambridge and the other in Paris, both of which failed to adopt resolutions on genocide. In September 1946, he fell ill and spent time in a military hospital. He heard a radio broadcast concerning the first session of the UN General Assembly. Still sick, he left the hospital and travelled to Lake Success, New York, where the first session was taking place.

The Lake Success Resolution of 1946 paved the way for the Genocide Convention of 1948, but not much in the way of documentation on the Resolution is included in his papers. There are some draft documents or notes of what could be the 1946 Resolution, but they are mostly fragments of type- and handwritten notes, and none are clearly delineated as 1946. The earliest document is dated November 12, 1946, and is a Sixth Committee US Delegation Resolution relating to the codification of the Principles of the International Law by the Charter of the Nuremberg Tribunal. A draft entitled "Discussion on genocide in the legal committee," dated November 22, 1946, 11:00 A.M., with two copies of the Resolution of November 12, 1946, and a draft Press Release round out the materials found on this subject.³⁸

The collection that has the most documentation regarding the Genocide Convention itself is that of the AJHS. This includes official United Nations printings of both the Geneva and Paris sessions including: Delegate Statements; Economic and Social Council Committee Proceedings; General Assembly Proceedings and Resolutions; Non-Governmental Agencies Petitions and Communications; Press Releases; Sixth Committee, General Assembly Proceedings and Reports (*Journal of United Nations*, including one from 1946), and the most comprehensive document of all, the *Sixth Committee, Official Records of the 3rd Session of the General Assembly*, Part 1, Summary Record of Meeting, spanning the dates of September 21–December 10, 1948. The Convention for the Prevention and Punishment of Genocide was adopted on December 9, 1948.³⁹

Lemkin wrote or dictated voluminous drafts of materials regarding the Convention, including notes for articles, draft texts, resolutions, and memoranda, and his autobiography. A few notes are in shorthand and presumably were written by one of several typists or secretaries. Certainly there are many items that are not in Lemkin's hand, and as a hard and fast rule, one should be careful in assuming that all of the handwriting is his. Notes scribbled on the back of correspondence are the best indication of his writing style. Compare these notes to the handwritten notes, and one can begin to acquire an eye for which handwriting belongs to him. Most of these notes are in English, but some are occasionally in Polish or French.⁴⁰

The AJHS devotes a section to the various writings found about the Convention, including early versions of the Convention text, statements and memoranda by Lemkin and government officials, essays, articles and clippings by or about Lemkin, interviews and radio broadcast transcripts. The AJA also has a section that follows a similar pattern of scripts of radio programs, resolutions and memoranda. The NYPL papers have a much smaller proportion of items of this nature, with more memoranda than resolution drafts, including writings on the explanation and evolution of the Convention, and the implementation on the next steps of the Convention.⁴¹

Each collection has statements from organizations or individuals urging the passage or ratification of the Genocide Convention. Types of speeches and memoranda include those before the Sixth Committee discussing changes to the Convention (Sardar Bahadur Kahn, Member of the Pakistan Delegation to the UN General Assembly in Paris, October 12, 1948: "In my view, Mr. Chairman, genocide should be condemned no matter by what manner of means it may encompass..."); statements urging ratification before various Senates including the US Senate (Jacob Blaustein's "The eyes of the world are watching...": plea to the Senate for the ratification of the Convention, January 23, 1950: "Even in our century, on every occasion genocide has been committed, other countries have done nothing more than send notes of protest."); and memorandums outlining the objections of countries such as China or the Soviet Union ("Memoranda to the reservations of the U.S.S.R., Byelorrussia, and the Ukraine concerning Article 9 of the Genocide Convention" of February 1950: "... the Russian reservation goes too far ... and its final result is to prevent any case to be brought before the court ...").⁴²

The correspondence from this period is quite impressive and ranges over the three collections. As a lobbyist, Lemkin was brilliant. When it came to genocide or the Genocide Convention, he was quick to write long and complicated passages in letters on the law as he saw it in regards to genocide. He could easily jot down a note to a statesmen, journalist or mere acquaintance asking for help in persuading a President or Prime Minister to lend an ear to ratification, or request a synopsis of how ratification of the Convention was going in their country. Lemkin would also ask advice on addressing dignitaries or enquire about a country's government, history or customs. For example, on January 17, 1950, Djalel Abdoh wrote to Lemkin with the correct form of address for the Shah of Iran and other government

officials at Lemkin's request.⁴³ It was these types of special touches that won many people over to his cause.

At times some letters would be mere copies with interchangeable addresses, as are letters located at the NYPL, written to 26 individual countries. The correspondence—spanning the years of the resolution and ratification—was carefully targeted to its audience and focused on countries that had not yet ratified the Convention, were about to ratify the Convention, or whose governments had ratified and Lemkin requested their help in speaking with their neighbours. Some folders contain letters in response to queries from Lemkin and include references to the inner working of governments. However, other items appear within these folders, such as a 15-page letter (in Spanish) concerning Gerard Viau of the Dominican Republic, who had been executed in Haiti sometime after 1948, during an era of political unrest between the two countries. This letter may have been sent to Lemkin as an example of the political climate of the Dominican Republic at the time. Nevertheless, as an illustration of an effective grassroots lobbying effort, Lemkin was a master at communicating with delegates and officials, though there were many times he pushed them away with his insistence and persistence.⁴⁴

Lobbying and the US Committee for a Genocide Convention

Lobbying consisted of a three-tier attack: correspondence, petitions, and the US Committee for a UN Genocide Convention, a non-governmental organization (NGO)-related committee formally organized in 1948 for the purpose of ratifying the Convention, with its primary goal being to act as a public face for Lemkin, his theories and strategies.⁴⁵

The US Committee for a UN Genocide Convention was born out of the National Council of Christians and Jews, an NGO that Lemkin had considerable contact with, as with other NGOs. However, the Council, which coordinated with the Committee for an International Convention, was an “indispensable handmaiden to Lemkin's efforts.” Attorney James Rosenberg, Council co-Chairman Henry Noble MacCracken, and Willard Johnson, Council secretary, headed this Committee. Their mission was to publicize the definition of genocide, petition and urge the Economic and Social Council of the UN to vote favourably on the Convention and to generally support the Convention through other organizations. In turn, the Committee recruited prominent persons for the cause. Prior to the US Committee, Lemkin worked directly with authors Pearl Buck, Gabriel Mistral, and Aldous Huxley, among others.⁴⁶

The AJHS holds a considerable amount of the correspondence that came out of this committee. In addition, this collection holds letters from Mistral and Buck, along with a draft manifesto by Buck. There are minutes of meetings, a PR kit and member lists. The University of Minnesota Social Welfare History Archives, which holds the archives of the National Council of Christians and Jews, houses additional information and correspondence, though only a few specific folders are named “Genocide Convention.” Some letters regarding the Committee are spread throughout the AJA and the AJHS correspondence, and

one folder at the NYPL is labelled “U.S. Committee for a United Nations Genocide Convention, 1948–1952.” Correspondence with other organizations that Lemkin communicated with can be found throughout the correspondence files of all three collections.⁴⁷

Through the efforts of the US Committee, Lemkin was able to rally a worldwide network of people connected to the National Council in the form of NGOs, which Lemkin and the Committee used to generate petitions representing millions of people. Though this petition material is very monotonous, the strength of this effort is noticeable. For instance, a compiled petition submitted to the UN in September 1948 listed by country each supporting agency and numbers of members in that agency. This petition was compiled from other petitions located within the collection, including those with brief endorsements and form petitions, with a member signing on behalf of an organization. Ultimately, the final compiled petition represented “approximately one-tenth of the world’s population” or “166 organizations from twenty-eight countries of over 200 million persons.” With such grassroots backing, along with the persistence and annoyance of Lemkin (and despite the objections of or demands to change the language of the Convention text from Great Britain, the Soviet Union, and China) there was little chance that the Convention would fail. The UN Convention for the Prevention and Punishment of Genocide was unanimously passed on December 9, 1948. The United States, the country that Lemkin pinned many hopes on, was the first to sign the maiden treaty of the United Nations. Lemkin had looked past the statesmen, and went straight to the people. It would be the work of statesmen that would ultimately disappoint him.⁴⁸

The third and final phase of Lemkin’s life, “Defense, dissemination, research, and instruction, 1949–1959,” began on a high note—he had achieved a major goal and fulfilled his task from 1933—but still, there was, in Lemkin’s mind, a long way to go. And he was right. The last ten years of Lemkin’s life found him in a continuous battle of defending what Michael Ignatieff calls the moral imagination and singularity of his achievement—his ability to name—prior to anyone else, the horror that befell not only the Jewish people, but to people and collectivities who came before and who would come after them. Lemkin attempted to single-handedly rescue humanity from the horror that he termed genocide. Such a grandiose task could easily destroy a person; such determination could readily turn one into a “dreamer” or a “fanatic”—as diplomats called Raphael Lemkin—depending on how they viewed him and his work.⁴⁹

Defence of his vision took a two-part form: achieving ratification by Senates and Parliaments in record time and fending off attacks, in the guise of incorrect application or criticism from UN delegate countries, rival bills, or fringe groups. Dissemination propelled him to speak on the issue of genocide to anyone and everyone who would listen, forcibly, if needed. Research drove him to pour over case after case of genocide-related abuse, preparing a definitive work on method and atrocity. Instruction led him to write about his life as an example to others, to educate the public, and teach new and seasoned lawyers about genocide and how to stop it, if not with the conscience, then by the law.

Defence

After the passing of the Convention in December 1948, Lemkin, still in Paris, became viciously ill. While doctors could not pinpoint the exact cause of Lemkin's illness (more than likely high blood pressure mixed with exhaustion), he delivered his famous line when asked what had stricken him. His reply: "Genociditis, exhaustion from work on the Genocide Convention." After three weeks, he returned to New York by ship. He walked along the ship's deck, and watched the waves that "seemed to be angry without reason. I did not dare to make comparisons in order to avoid what would remind me of the past . . . Instinctively, I was defending myself against something which, as I thought, almost destroyed me in Paris. I was girding myself for the struggle ahead."⁵⁰

If Lemkin were suffering from genociditis, the symptoms were an "unflagging determination," "ceaseless striving," a broken heart, the weight of the world, and a hidden, seething anger that was driving him, not necessarily without reason, but certainly to the edge.⁵¹ Once back in New Haven, he barely rested as he began to push countries to ratify the Convention as soon as possible. In order for the treaty to go into effect, ratification by at least 20 UN signatory nations were due no later than December 31, 1949. Lemkin wanted more than 20 countries to sign as soon as possible, especially his adopted country of the United States.

In New York, from January to March 2, 1949, the US Committee for a Genocide Convention did not meet. During these months, Lemkin was intermittently ill, missing appointments, but still corresponding. US Representative Emanuel Celler, a Convention supporter, wrote requesting clarification on several points of the Convention for an article he was penning for the *American Bar Association Law Journal*.⁵² Celler asked a series of nine questions, which he himself answered in the letter. Several of these questions would prove to be stumbling blocks to US ratification, including the questions of whether a charge of genocide could be brought against a signatory country in the case of "a mob for a lynching, say, in Mississippi?" and if so would the US agree to extradite the citizens involved for trial in another country? Celler also asked whether individuals, groups and associations in the US could bring charges against the US (or groups and individuals in the US) in a foreign country's court. Celler admitted, "The answer is yes. That is quite serious. That may involve yielding of some sovereignty."

The US Committee had members of its Legal Advisory Committee familiarize itself with constitutional and legislative questions about the Genocide Convention and the International Covenant on Human Rights, noting in particular the response of Frank Holman, President of the American Bar Association (ABA), saying that he did not favour approval of any human rights legislation that infringed on the workings of the US Bill of Rights. Since a bill of rights was a document between a people and their government, the UN, under human rights legislation, would have to interfere in the workings of Member States in order to determine when international rules had been violated, then to take action to correct and punish.⁵³

Correspondence relating to the ABA can be found in all three collections, but is concentrated in the AJA collection, since that collection spans a greater period of

time (until 1959). The AJHS collection also contains correspondence regarding the ABA, but as the correspondence only goes to 1951, this collection must be used in correlation with the other two collections. The AJHS also holds ABA debate transcripts and addresses from 1949 on the subject of the Convention. The NYPL collection has the most limited amount of correspondence. Law-related articles from the ABA and other organizations can also be found in all three collections, with the concentrated items in the AJA and the AJHS collections. The law-related articles take the form of pro and con articles from lawyers, printed publications from various organizations, and comments. One unique item from the AJA collection is a US Committee for a Genocide Convention pamphlet urging the ratification of the treaty.⁵⁴

Several student papers are located in the AJHS collection that focus on international treaty law and US state statutes that contain provisions “similar to genocide.” One paper, from Sterling Fellow Stephen Gorove (who went on to pioneer law in regards to human activity in space), writes on “‘Mental harm’ in the genocide convention and its relation to similar concepts in American jurisprudence.”⁵⁵

Correspondence in relation to the ratification of countries outside of the US is concentrated in the NYPL collection, though it mostly consists of form letters. (These are the same correspondence files described earlier in *Lake Success Resolution/Genocide Convention (Geneva and Paris)*.) All three collections contain statements, press releases, and speeches on ratification, with the most concentrated of these in the AJA. The AJA holds a “Statement by Raphael Lemkin on final ratification of the Genocide Convention” in which he credited the ultimate ratification of the Convention to members of the press, especially the UN correspondents who “did the most remarkable job in explaining the complicated issue to the world.” Lemkin believed that this was the first instance in which newspapermen played an important part in producing international law.⁵⁶

Another attack strategy on the Convention came in the form of Soviet Union and Chinese attempts to strip the Convention of wording, to use the Convention against the US (see *We Charge Genocide*), and the attempts by the Chinese to manipulate the wording of the Convention in translation from English to Chinese. The NYPL has a folder of documentation outlining the history of the destruction of Chinese religious groups, including Catholics, Muslims, and Buddhists, and China’s attempt to revise the Convention text so that the destruction of a family of two or three would be termed genocide. A letter from Carsun Chang (Zhang Junmai) in reference to the Chinese-language revisions can be found at the AJA; the NYPL has a detailed UN guide to the English text and Chinese translations. The NYPL also holds a document that is aimed at France’s attempt to “destroy” the Genocide Convention to “avoid responsibility for genocide in Algeria” (circa 1957).⁵⁷

Human rights legislation

Prior to and during the American Bar Association’s adamant stance against the Convention, Lemkin had to deal with human rights treaties: the Universal

Declaration on Human Rights and the Code of Offenses Against the Peace and Security of Mankind. Lemkin perceived these treaties as threats or attempts to undermine the strength of the Convention, even though Lemkin acknowledged that the Convention had some holes as written. Lemkin simply stated in one memo that “The Genocide Convention became wrapped up in a spider web of misunderstanding, political intrigue, and believe it not, communist subversion.”⁵⁸

The perceived attacks on the Genocide Convention, from the drafting of human rights legislation (beginning in 1948) and the criticism from individuals, lawyers, and law associations in the United States, were fierce at the start of 1949. Some who knew Lemkin were perplexed at his vehemence against the language of human rights-related UN bills. In actuality, Lemkin was perplexed that a set of declarations with no legal enforcement could actually trump the legal precedent of the Genocide Convention. Whereas one declared that “no persons should be deprived of his life” and should not “be subjected to torture or to cruel, inhuman or degrading treatment or punishment,” the Convention actually outlawed the taking of human life en masse and made the crime punishable and technically enforceable.⁵⁹ The collections contain numerous memos drawn up in defence of the Convention against these two human rights documents. Of special note in the AJA collection is the correspondence of 1951, which is concentrated mostly on the defeat of the Human Rights Convention.

We charge genocide

The question of Blacks in America was a tricky subject for the Genocide Convention. On one hand, the subject was used as a wedge by the Soviet Union against the United States in relation to human rights violations. On the other hand, the issue was an example of a “fringe group” misapplying the Convention. Could the US be charged with genocide due to its treatment of Blacks in America, say, in regards to, lynching? Cellar answered this question in his letter to Lemkin of February 26, 1949. “The lynchers do not seek to destroy a racial group—the negroes. Usually, only a small segment of negroes is involved. The Whites seek to intimidate the Blacks. Reference is not to isolated cases like lynching but to the collective action aimed at destroying a whole group . . .” A student paper located at the AJA, “The Genocide Convention and race relations,” discusses the matter and argues that even though “whites may desire to eliminate the Negro [in America], there is no intent to do so.” The intent of the White, argued Richard D. Gillam, was to force the Negro to remain in his place through scare tactics, not to systematically destroy the race, which was extremely intertwined with the White populace.⁶⁰

It was on the nature of scare tactics and discrimination that Oakley C. Johnson (teacher, author, social activist, and member of the Communist Party of America)⁶¹ wrote to Lemkin in response to a *New York Times* Op-ed (“Nature of genocide,” June 14, 1953). Johnson stated that for the most part, Lemkin’s Op-ed was convincing except in the discussion of “fright” and “discrimination.” On the topic of fright and genocide, Johnson stated that it was not the case of

White Americans frightening one Black American, but a case of terrorizing a whole race of people who were coloured. Johnson argued that Lemkin's suggestion, "Genocide is a *rare* crime of *great* magnitude," seemed to imply that unless all persons of a race were destroyed, then one could argue that the "Nazis did not commit genocide after all, since there are several million Jews still living!" Lemkin argued in the Op-ed that Blacks had conditions of increasing prosperity and progress in the US, to which Johnson primarily said, well, so had the Jews in Europe; could not genocide be applied to the Negroes in America? On discrimination, Johnson asked if discrimination against all the "individuals in a well-defined racial group" led to resistance, and if that resistance is put down by "laws, police, and courts" that is "consciously calculated to enforce 'white supremacy'" leading to anguish in the racial group, "isn't there a potential element of genocide in it?" Johnson was not confusing discrimination with genocide, as Lemkin contended in the Op-ed, but that discrimination is a factor in genocide.

Lemkin's answer to the query was not found in the collection, but a document entitled "Background paper: United States statement on the Civil Rights Congress publication 'We Charge Genocide'" can be found at the AJA. The paper claims that the "We Charge Genocide" group was a Communist front whose angle was leveraging the Convention against the US and away from the Soviet Union. Johnson was a contributor to "We Charge Genocide." Nonetheless, the points that Johnson brought up were relevant and needed to be asked in regards to Blacks in America and other places, such as South Africa. However, as Lemkin noted in 1953, "Genocide implies destruction, death, annihilation, while discrimination is a regrettable denial of certain opportunities of life. To be unequal is not the same as to be dead."⁶² It can be said, however, that the issue of racism did undermine the authority of the United States in the world when it came to issues of racial equality.

Dissemination

Lemkin sought to disseminate information on genocide in two ways: by highlighting contemporary genocides of his time (notwithstanding the Holocaust, and along with the Armenian genocide), and through publicity in the form of articles, radio addresses, interviews, and tours. In the first instance, highlighting any current atrocity would, he hoped, connect the public to the reality of genocide, and in the second instance, people had to be educated about genocide as no one would really talk about genocide unless they were forced to. After the Holocaust, it was difficult for the world in general, and Americans in particular, to speak about what happened in Germany as the Allied Powers' alliances crumbled.

Contemporary events in Algeria, Korea, Greece, China, Hungary, Czechoslovakia, Bulgaria, India, Pakistan, Chechnya and the Baltic States are featured in one way or another in the collections. Lemkin teamed up with Lithuanian groups, among others, to highlight modern-day oppression and cases of genocide. At the AJA, statements linking genocide with the ground situation in some of the above-mentioned countries can be found, while both the AJA and the AJHS

have pamphlets regarding a 1951 exhibit Lemkin was an advisor on, “Communism Exterminates Nations: Exhibit of Genocide in Lithuania.” More pamphlets and journals including several copies of the *Lithuanian Bulletin* are found at the AJHS. Two documents from the Free Algeria Front of the National Liberation Delegation from 1957 are of note: a statement by Jean Paul Sartre, “Make peace before it is too late” and “Genocide in Algeria,” a presentation of the case of genocide against France to the 11th Session of the UN General Assembly. The NYPL files mentioned earlier in regards to lobbying correspondence also contain instances of contemporary genocide cases and other hot issues, including a 1949, seven-page confidential memo draft translation on the “Present political situation existing in Latin America in general and in particular reference to communism in the Latin American policy of the United States.”⁶³ Various instances of correspondence regarding contemporary genocide can be found throughout the collections, as well as in the research notes for the *History of Genocide*.

Much of the push for ratification can be found in the articles by and about Lemkin during this time. He had become something of a minor star, and he took the limelight in stride, with the purpose of promoting ratification and the Convention. The publications of the three collections hold rich documentation from magazines, newspapers, and radio broadcast transcripts of and by Lemkin.⁶⁴ A screenplay and a radio play were written about him. The radio play, broadcast on NBC on May 1, 1949, dramatized Lemkin’s life from youngster to coiner of the word to powerhouse behind the passing of the Convention. It ended with a sweeping call from Judge Joseph Sherbow of the Supreme Court Bench of Baltimore, Maryland, announcing that the fight was not yet over, and that 20 nations were required to make the Convention an international law.⁶⁵

In regards to audiovisual material relating to Lemkin, there is only one that is known to exist, a statement by Lemkin on the Genocide Convention dated December 23, 1947.⁶⁶ There may, however, be other recordings of Lemkin that have yet to be unearthed. He appeared on various news programs around the world, and some of the recordings mentioned in the collection can possibly be tracked down by an intrepid researcher, particularly if a program was distributed through a major broadcasting company in the United States or abroad.

Research—History of Genocide

Lemkin’s masterpiece, what should have been the crowning achievement of his life’s work, was *The History of Genocide*. Unfortunately, due to the nature and subject of the work, publishing houses would not fund its publication. In addition, Lemkin had failed to win the recognition of the Nobel Peace Prize, an event that would have continued to hold him in the spotlight. Four years of intense publicity, from 1948 to 1952, ended as the US would not ratify the Convention, and the Korean War created an isolationist period in American history.

How many volumes this work was to be completed in varies. One letter, written on February 13, 1951, from the Littauer Foundation, said the study was to be in two volumes, though others cite three volumes, and still others, four. Generally,

one volume was intended as a general volume on genocide, while two–three additional volumes were to focus on genocide in ancient, Middle Age, and modern, time periods.⁶⁷ More than likely, the book expanded as time went on and Lemkin accumulated a wealth of material.

All three collections have extensive research summations of genocide-related incidents through history. On the whole, hired researchers or student assistants wrote the summations. Lemkin, however, seemed to work backwards; he wanted researchers to find evidence of atrocities in some cases, and then theories would be applied later. One researcher complained: “ordinarily on undertaking a work of this kind, one would have a theory on why people commit genocide and in the light of that theory the fact would be interpreted. So far, I am groping in the dark . . . I do not have an overall idea which would guide me to interpret certain happenings . . .” On the whole, correspondence between Lemkin and the researchers was amiable, but there was at least one instance of a researcher complaining of non-payment for his services and threatening to publish materials researched for Lemkin on his own in lieu of payment. In other cases, long-term friendships arose, including one with Miriam Milleren, who would be helpful to Lemkin for the remainder of his life.⁶⁸ Correspondence regarding the research begins in 1947.

The earliest parts of the research are numerous index cards and essays found at the AJHS. These cards, as well as the essays, are too numerous to catalog here. In general, excerpts of books, pamphlets, or journals were recorded on the cards that gave evidence of genocide-related abuses, along with their bibliographic sources. The essays also had excerpts from research works, but took more of a narrative form. There are 21 sets of index cards and over the three collections, 55 essays on genocide incidents. The NYPL has the actual manuscripts written by Lemkin, including outlines and descriptions of the project (the AJHS has early correspondence about the project), an introduction to Part 1, and chapters on “Genocide in sociology, psychology, anthropology, and economics,” along with the “Impact on the culture,” “Genocide as socially approved behavior,” “Psychological scars” and “International law.” Bibliographic references abound throughout these essays, and a long list of books Lemkin held overdue from the Yale Library shows a wide range of sources that Lemkin used for his work. The references are an excellent bibliographic resource on pre-mid-twentieth century sources.⁶⁹

Another source of materials for *History of Genocide* are journals and pamphlets found within the collection (used for historical purposes as well as contemporary issues) and the most intriguing of these are on the Armenian genocide. The AJHS collection has several rare documents (*La Suppression des Arméniens* by René Pinion, 1916, *Mémoires d'une Déportée arménienne* by Madam P. Captanian, 1919, and *Rapport du Comité Américain de New-York sure les Atrocités commises en Arménie*, 1915) on the subject, as well as Blue Books from the Armenian Youth Federation of America, and “What do the Armenians want?” by James G. Mandalian from 1946. This last pamphlet states that the recent war had given publicity to certain events (i.e. the Holocaust), but that the “Armenian case is an old case and a forgotten case which is being revived.” It goes on to

illustrate the history of Armenians, their grievances, and how Armenians contributed in World War II. A July 7, 1946 “Program of the voice of Armenia” bulletin honouring the Armenian struggle rounds out this excellent collection of pamphlets. A charge sheet, evidence, and testimony against Misshak Torlakian (sp), accused of assassinating Behbouth (sp) han Djevanshire, in Constantinople, circa 1921 is located at the AJHS. The trial testimony seems to be part of a military tribunal and Djevanshire may have been a member of the Azerbaijan government, killed by Torlakian, an “Ottoman,” or Turkish subject. The microfilm contains part testimony and part handwritten documents, possibly by Lemkin commenting on the case.⁷⁰

Reading through this material is an exercise in pain and horror, as instance after instance of cruelty and punishment are catalogued through the sources. It is too bad that publishers did not see fit to publish the work, but it is not difficult, when reading through the material, to understand why they would be reluctant to do so in the 1950s. Ultimately, the cataloguing of cruelty is somewhat too difficult to bear.

Instruction

Lemkin sought out opportunities to teach young people (as well as his law students) about genocide and the Genocide Convention. In 1954, he was asked to be a guest lecturer on the New York Times Youth Forums, with the topic of “Can the Genocide Pact stop barbarism?” The forum was a question–answer session, with Lemkin creating a series of questions for the young adults to answer. The ten sets of questions focused on the history of the Convention, the definition of the words “Convention” and “Pact,” and questions on who ratified the Pact and how many countries had signed on. Other questions asked what issues blocked the US from ratifying; did discrimination count as an act of genocide; and how is domestic legislation against genocide developed? These questions were rather intense for a teenage audience, but excellent in teaching on the Convention.⁷¹

When Lemkin gave a law school course on genocide, he always engaged his students in discussion by keeping them within the scope of the problem and then “almost casually [dropping] a thought which they would grab vividly like a ball in a basketball game.” He said that they understood and approved of the humanitarian aspects of the Convention, but could not see the implications of genocide in “terms of cultural losses.” Lemkin noted that their minds grasped the procedural aspects of the crime and not the substantive aspects. Lemkin also stressed the interdisciplinary concepts of psychology, sociology, anthropology and economics when he taught on genocide.⁷²

Totally unofficial

Another form of instruction was to be the publication of his autobiography. Though the autobiography cannot be termed “instructional” in the classic sense

of the word (in reality, the *History of Genocide* was much more of an “instructional” document), “Totally unofficial: the autobiography of Raphael Lemkin” was to introduce the world to the creator of the term genocide and in turn, bring a wider audience to bear on the issue of genocide, to expose the author and the issue. And its publication would have brought some form of relief for Lemkin, hopefully in the form of funds to sustain his life.

The NYPL collection has all of the materials regarding “Totally unofficial,” including multiple drafts of chapters and handwritten drafts of those chapters. Lemkin revised the outline a number of times, but primarily it consisted of about 12 chapters at around 450 pages, from childhood to an illness that Lemkin suffered in 1951. Publishers wrote that the language was too simple, the story did not have much dynamic action, and the grammar needed shoring up, but when it comes to reading the actual pages at the NYPL, one wonders what the publishers were thinking. Yes, the childhood details were too long and Lemkin didn’t explain (or didn’t remember) the things that really mattered, like how his educated mother and farmer father met and fell in love. He didn’t really go deeply into what drove him on toward the Convention, but then again, maybe he didn’t know, or it was too much of a psychological wound to delve deeply into. Whatever the case, Lemkin’s autobiographical pages are actually interesting to read and, with the proper editor, would have made a good read. It’s too bad that he didn’t live long enough to complete the work, or didn’t win the Nobel Peace Prize so that he could finally relax a bit, and possibly have a little garden with some roses in it.

Conclusion

Oh heart don’t stop beating
 in a fleeing to end it all
 I wish to see my roses
 bloom in my garden again
 Stop this cutting pain
 Delay eternity’s call
 (written on the back of a note, March 15, 1957⁷³)

Lemkin’s personal life

To say the least, Raphael Lemkin’s life was bitter and seldom sweet. He won a few major awards, including the Cuban Grand Cross Carlos Manuel de Cespedes, but the award that would bring him and his concepts the most recognition, the Nobel Peace Prize, eluded him. There is no indication on why the Nobel organization did not award him the Prize. The reasons may rest in several complicated realms; genocide itself was waning in the public eye and few people wanted to talk about the horror of WWII; anti-Semitism may have played a part; Lemkin’s reputation of “dreamer” or “fanatic” may have caused the Nobel Committee to shun him. Awards were reserved (not given) in the years of 1955–1956, the primary years

that Lemkin was nominated. Whatever the reason, Lemkin's personal life, though filled with friends (and more than a few enemies), was lonely and desolate and his life's work was only superficially recognized by the world during his lifetime.

Women fell in love with him, but time and again he shunned them, even so much so that intermediaries had to warn him of their wrath. Miriam Milleren, wrote Lemkin in 1948: "For a long time now she had been writing in this vein. Every letter to me since she [Trudy] went abroad has contained some nasty phrase the like of which I showed you the day Masaryk died . . . As a result of all this, she was telling all who were acquainted with you of the unscrupulous character of Dr. Lemkin."⁷⁴ Family members begged him to write them back, and complained that they had not heard from him and were worried about his health.

As a younger man, Lemkin cultivated roses and painted. As an older man with no time on his hands, these hobbies were put aside. The only indication of his penchant for art can be found in a few pen and ink drawings located at the AJHS.⁷⁵

William Cohen said, "He was very warm to those close to him." Looking through his more personal letters and autobiography shows his humour and his gratitude to those who remained close with him but they also portray a very driven and dedicated man, who pushed those same people away. Why he did this may rest in the psychological traumas he experienced in his life and his sense of responsibility, literally, to the world. He went hungry day after day, and worked a feverish schedule. Creditors hounded him, attempting to get blood out of a stone. Rejection letters for his books flowed onward from 1956. He was sick again and again, and had limited time for rests or vacations or love. He thought about genocide day and night. Raphael Lemkin's entire life and the concept of genocide are incredibly and irrevocably intertwined. He literally died of genociditis, exhaustion from working on genocide.

A final word: Lemkin's lost papers?

On March 7, 1950, Lemkin, who had moved from Washington, DC to New Haven, received a letter from the Merchants Transfer and Storage Company. They informed him that the storage unit holding many of his possessions, transferred there by Milleren from a former apartment while Lemkin was in Europe more than a year prior, would be closed due to a non-payment of \$39.40 and the possessions auctioned at their next sale.⁷⁶

According to an undated *Washington Post* article, one Joseph J. Blondell, who had attended the auction at C. G. Sloan and Co., recognized Lemkin's name from the news and bought the papers for a \$12 bid, with the intent of returning them to Dr Lemkin. The article said that the papers consisted of documents relating to "the Nazis' heinous plans for annihilating Jews." The *Post* put Blondell in contact with an appreciative Lemkin, who promised to repay the fee that Blondell paid for the papers and move the documents. There is no record of Lemkin retrieving the papers.⁷⁷

On July 8, 1957, Milleren wrote to Lemkin saying that she had gone to “inspect your papers . . . And as I looked over the collection and repacked some in new cartons, I couldn’t help wondering if these boxes might not contain things you have forgotten you have that could be of value to your work. It’s nine years since you last saw these papers. You probably haven’t the vaguest memory of what is here.” Miriam complained that over a year prior Lemkin had said he would make arrangements to move the papers, but he had not written nor spoken with her since then. It is not known whether the documents were eventually given back to Lemkin before his death or whether they were lost or destroyed. If the papers did relate to “the Nazis’ heinous plans,” then these documents might have related to Lemkin’s work on the Nuremberg Trials and possibly *Axis Rule in Occupied Europe*. Maybe the kimono that so captivated Lemkin in 1941 might have been included within the boxes or valises as well.⁷⁸

In response to the *Post* in 1950, Lemkin said of the papers, “They are of great sentimental value to me. They’re not worth much money now, I guess, just documents, you know. But perhaps, who knows, after I am dead, someday they may be worth something.”

Now that Lemkin has passed away and his papers are “worth something,” he would probably still say, “So what? So now what?”

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Collection key

The following is a list of archival repositories included in this collection, along with their identifying acronym:

AJA—MC-60	Raphael Lemkin Papers, Jacob Marcus Rader Center of the American Jewish Archives, Cincinnati, OH
AJHS—P-154	Raphael Lemkin Collection, American Jewish Historical Society at the Center for Jewish History, New York, NY
COL—AWD-CLS	Raphael Lemkin (Collection)—Nuremberg Tribunal Materials, Arthur W. Diamond Law Library, Columbia University, New York, NY

DODD—MSS1994006587	Thomas Dodd Papers, Personal Notes and Comments, Thomas J. Dodd Research Center, Archives and Special Collections, University of Connecticut, Storrs, CT
JM	Jewish Museum, New York, NY
LEAGUE	League of Nations Archives, Geneva Switzerland
NYPL	Raphael Lemkin Papers, Manuscripts and Archives Division, New York Public Library, New York, NY
SOCIAL	National Council of Christians and Jews, Social Welfare History Archives, University of Minnesota, Minneapolis, MN
UN—PF 12, Track 3	Prof. Lemkin—Statement on Genocide, United Nations Archives, Sound Recordings, New York, NY (located at JM)
USHMM	United States Holocaust Memorial Museum, Washington, DC
YIVO	YIVO Institute for Jewish Research at the Center for Jewish History, New York, NY

Notes and References

- 1 Michael Ignatieff, lecture on Raphael Lemkin's "Moral imagination," United States Holocaust Memorial Museum, December 13, 2000, <http://www.ushmm.org/conscience/events/ignatieff/ignatieff.php>.
- 2 Charles Howard Allen, Jr to Lemkin, October 18, 1950, verso, handwritten notes by Lemkin, Raphael Lemkin Papers, Box 1, Folder 1, MC-60, Jacob Marcus Rader Center of the American Jewish Archives (AJA), Cincinnati, OH. Allen had forwarded to Lemkin a newly published pamphlet entitled "International crime and the U.S. Constitution," and wrote that the document contained an "exhaustive legal discussion to date contending that the United States does *not have the power to ratify* the United Nations [Genocide] Convention." Lemkin may have been bothered by this statement, as he hoped his new homeland would ratify the Convention as an example to others. He scribbled, "So what now? Now? Now? Now? Now? Now? SO WHAT? What? What? What?" and a series of three "What's" are struck out. Biographical Sketch, pp 4–5 (one of several drafts), Raphael Lemkin Papers, Reel 2, Box 1, Folder 33, New York Public Library (NYPL), New York. Lemkin had a particularly difficult time writing his autobiography, as it (1) dredged up old memories, (2) was a matter of life and death as to its publication, in terms of what funds and recognition it could bring for himself and for the cause of promoting the new concept of genocide, and (3) he was constantly ill and penniless. His publisher pushed for more emotion, while he struggled with the English vernacular and pondered what it meant to him having read Henryk Sienkiewicz' *Quo Vadis* as a young man, the book that started him on a tortured path of mass killing. The book's title is written several times, along with "Why? Why," "So what?" "So [not] what?" along with "Australia," "character assassination [sic]," "Delegate," "Russian delegate" and "I never gave one exclusive interview." Notes—Unsorted, Reel 5, Box 4, Folder 2, NYPL. A series of handwritten notes appear, written again in conjunction with his autobiography, "What? What? What? What? So What? What?"
- 3 Raphael Lemkin, *Axis Rule in Occupied Europe: Laws of Occupation—Analysis of Government—Proposals for Redress* (Washington, DC: Carnegie Endowment for International Peace, 1944). Jim Fussell relates that the word is used in the preface dated November 15, 1943, earlier than the publication date of 1944. Elizabeth Nowinsky, a friend of Lemkin's, wrote that she saw the word defined as such in the 1950 addenda of *Webster's New International Dictionary*, 2nd edn, p 6, and goes on to say that "This work is also entered and defined in *Webster's New Collegiate Dictionary* although the definition is, of necessity, a shorter one." Elizabeth Nowinsky to Lemkin, February 15, 1950, Reel 1, Box 1, Folder 1, NYPL. The word itself is a combination of the Greek *genos* or race, and Latin *cide*. Lemkin also considered the word ethnocide, consisting of the Greek word "ethnos"—nation—and "cide." More information on the publishing of *Axis Laws* might possibly be found at: the Carnegie Corporation of New York Records, Rare Book and Manuscript

- Library, Columbia University Libraries, Series III: Grants, Grant Files 1911–1988, Carnegie Endowment for International Peace, <http://www.columbia.edu/cu/libraries/indiv/rare/guides/Carnegie/index.html>.
- 4 Steven L. Jacobs, "The papers of Raphael Lemkin: a first look," *Journal of Genocide Research*, Vol 1, No 1, 1999, pp 105–114. Jacobs mentions that the number of people who have consulted the Lemkin papers over four decades "have been very, very few" (p 112). Records had been rarely accessed at the American Jewish Historical Society, while Kevin Proffitt, archivist at the American Jewish Archives, notes that in the last two years, interest in the Lemkin papers has increased. The publication of Samantha Powers' book "*A Problem from Hell*": *America and the Age of Genocide* (New York: HarperCollins, 2002) may have increased awareness, while both the AJHS and the AJA have recently put their collection finding aids online. AJHS: <http://www.cjh.org/academic/findingaids/AJHS/nhprc/Lemkin02-03.html>; AJA: <http://www.huc.edu/aja/Lemkin.htm>. At the AJHS as of December 2004, the Lemkin collection has been accessed by researchers at least 11 times since the finding aid went online in March 2003. No records of access prior to March are available. The majority of the inquiries have been from researchers located outside of the United States. The NYPL has yet to put an accessible finding aid for their collection on the Internet.
 - 5 Powers, p 79.
 - 6 Currently, several biographies are in the works, including one by Jim Fussell, of the Prevent Genocide organization. Mr Fussell is an expert on Lemkin, as well as historical and contemporary instances of genocide. His website, www.preventgenocide.org, is a repository of articles and laws on genocide, and contains several Lemkin publications, including Chapter 9 on genocide in the hard-to-find book Lemkin wrote, *Axis Rule in Occupied Europe*. The only full-length book regarding Lemkin was published by a Holocaust revisionist, Dr James Joseph Martin, *The Man Who Invented Genocide: The Public Career and Consequence of Raphael Lemkin* (Torrance, CA: Institute for Historical Review, 1984). Samantha Powers did much to bring Lemkin back into the light, as the first several chapters of her book recount Lemkin's life and work.
 - 7 Testimonial Luncheon Statement, January 18, 1951, Reel 2, Box 1, Folder 34, NYPL. In a statement given by Lemkin at a luncheon in his honour hosted by the New York Region of the American Jewish Congress at the Hotel Pierre in NY, Lemkin said that during WWII he heard a radio broadcast given by Churchill in which he stated that the Nazis "commit[ed] a crime without a name." This, according to the testimonial, led him on the search for the word genocide. Lemkin often referred to this story. Powers notes that Churchill did not directly "refer to the extermination of Europe's Jewry (which Churchill did not mention) but to the Germans' 'methodical, merciless butchery' of the Russians" (p 523).
 - 8 Steven Schnur, "Unofficial man: the rise and fall of Raphael Lemkin," *Reform Judaism*, Vol 11, No 1, 1982, pp 9–11, 45; Steven L. Jacobs, "The papers of Raphael Lemkin: a first look," *Journal of Genocide Research*, Vol 1, No 1, 1999, pp 105–114. Jacobs called Lemkin the premier genocide studies scholar and says that "his research, his writing, and his thinking may very well open doors to our own work and energize and stimulate us even more, not only in our own scholarly pursuits, but in our moral commitment to eliminate the very acts which are our concern" (p 111). Lemkin often referred to himself in correspondence and campaign letters as the "Founder of the Genocide Convention."
 - 9 There are differences of opinion concerning his birthdate. See endnote number 22.
 - 10 Information was derived from the following: (E) Offices Held, Book Proposal, undated, pp 6–7; Raphael Lemkin Papers, Reel 1, Box 2, Folder 1, NYPL; Collection Guides to the AJA and AJHS Lemkin Papers; Jacobs, p 106; Powers, Chapters 2–4.
 - 11 Schur's article "Unofficial man: the rise and fall of Raphael Lemkin," from *Reform Judaism*, chronicles the Robert Lemkin donation and somewhat, the Saperstein donation. There is conflicting information between Schnur's accounts of how a portion of the documents came to the NYPL, and there are two versions of the story. Samantha Powers, as reported by William Korey (Powers, p 157), says that Robert Lemkin approached Korey after reading an article on his cousin written by Korey; Schnur says that Korey suggested to Robert that he donate the documents to the AJA; see endnote number 14 for an additional account. Schnur may have confused the three collections.
 - 12 Access and Provenance Note, An Inventory to the Raphael Lemkin Papers, Manuscript Collection No 60, AJA, p 1. Anecdotal information relayed from Greg Naranjo of the USHMM regarding documents destroyed in a fire. Information was also provided or confirmed by Jim Fussell in an interview regarding the provenance of the collections conducted on Tuesday, November 9, 2004. According to Schnur, Maxwell Cohen recalled that the one room that Lemkin lived in contained "several international awards and a number of honorary degrees in odd places and memoranda prepared for foreign ministries and ambassadors with respect to the Genocide Convention . . . There were five hundred books, each which had been read, underlined, and interlined . . . at the insistence of the Landlord, Cohen and several of Lemkin's students hastily emptied the one-room apartment, carting the papers to Robert Lemkin's basement." Schnur, p 45, notes that Maxwell Cohen, a friend of Lemkin's, and Robert Lemkin were present, but does not mention that Elias and Saul Lemkin were present. Possibly Elias and Saul came after the apartment had been initially cleared of items.

- 13 Guide to the Raphael Lemkin Collection, P-154, AJHS, p 7. The AJHS collection remained largely unprocessed, until 2003. The author of this paper, an archivist, reprocessed and created a new finding aid (guide) to the collection. The author had never heard of Raphael Lemkin, nor had any knowledge of the creation of the word genocide. Jim Fussell provided anecdotal information to the author regarding Mr Ladin and Mr Spector. The added article is William Korey's "Raphael Lemkin: 'The unofficial man'," *Midstream*, June–July 1989. Korey's hard-to-find *An Epitaph for Raphael Lemkin* (New York: Jacob Blaustein Institute for the Advancement of Human Rights, 2001), donated by the American Jewish Committee, will be added to the collection.
- 14 Email from NYPL Manuscripts and Archives Division, November 2004 led to the Steven Schnur article regarding the AJA and NYPL acquisitions. Schnur, p 45, writes that: "Alexander Gabriel then offered . . . to transfer the essential records to the Dag Hammerskjold Library . . . [but] the library had refused the papers because of their disorganized condition . . ." After the Hammerskjold refused the documents, Gabriel may have then transferred them to his office, though the NYPL says the documents were given to Gabriel by former secretaries of Lemkin's; Fussell interview, November 9, 2004.
- 15 For access to the four collections, please contact the archives or the compiled collection custodian.
- 16 Any artefacts prior to 1941 that Lemkin may have retained were more than likely destroyed in the fire that Saul Lemkin recalled to Jim Fussell or lost when Lemkin was unable to retrieve trunks stored at a Washington, DC storage unit. Though the records were saved, there is no indication that Lemkin personally retrieved them.
- 17 There are living members of Lemkin's family located in Canada and the US, but none were contacted for this article. There may be some photographic evidence still housed with them, but it is doubtful, as related by Fussell and Saul Lemkin. Family photographs taken in the 1950s of Elias Lemkin and his two sons can be found at the AJHS, Box 1, Folder 15.
- 18 Jim Fussell related that in 1951, when Lemkin was writing his autobiography, the film version of *Quo Vadis*, starring Robert Taylor, Deborah Kerr and Peter Ustinov, was released, and Lemkin may have been attempting to link his past passion with a present icon of the era.
- 19 Powers, p 21.
- 20 Powers, p 20.
- 21 Powers, p 522. Powers notes that William Korey in *Epitaph for Raphael Lemkin* (pp 11–12) states that Lemkin did not attend the conference and Lemkin wrote in his autobiography that he did not attend the Madrid conference; Korey corrected the record by way of Stephen Jacobs. See Chapter 2 of autobiography. In addition, there are numerous newspaper articles that claim that Lemkin was injured in the leg either during the resistance or while travelling from Poland to Sweden. Lemkin did not write about this incident in his autobiography.
- 22 The AJHS collection contains two documents that point to 1900 as Mr Lemkin's year of birth. One is his War Department identification and a *Who's Who* entry sent to Lemkin for his approval. Identity Cards, Raphael Lemkin Collection, Box 1, Folders 2 and 12, AJHS. Library of Congress authority files also point to 1900, and the Prevent Genocide website (www.preventgenocide.org/lemkin/birthdate) says a 1952 Social Security card application records 1900. Lemkin's gravestone also bears the year of birth as 1900. Even William Korey contradicts himself between 1989's *Midstream* article and *An Epitaph for Raphael Lemkin*.
- 23 James Joseph Martin, *The Man Who Invented "Genocide": The Public Career and Consequences of Raphael Lemkin* (Torrance, CA: Institute of Historical Review, 1984).
- 24 Unnamed Simon and Schuster editor to Lemkin, Reel 1, Box 1, Folder 2, NYPL.
- 25 A bibliography of Lemkin's writings can be found at <http://www.preventgenocide.org/lemkin/bibliography.htm>. Jim Fussell has compiled this list using the catalogs of the University of Warsaw, the Library of Congress, and Raphael Lemkin's papers. Fussell writes that the complete list of Lemkin books and articles "includes items on comparative penal codes, international offenses and jurisdiction in domestic penal codes, family law (including juvenile and divorce law), expert witnesses in the judicial process, tax and amnesty law, international private law (conflict of laws), currency and exchange control law, law of wartime occupation, and lastly international public law (focused specifically on genocide)."
- 26 The English version can be read at <http://www.preventgenocide.org/lemkin/madrid1933-english.htm>, and the French version can be found at the AJHS, Box 1, Folder 11. A curator located at the United States Holocaust Memorial Museum conveyed that one of their researchers had travelled to Geneva to ascertain the Lemkin documents located there, though a report of their findings was not available.
- 27 Writings—Autobiography, Reel 2, Box 1, Folders 36, 40–43, NYPL.
- 28 "Recording on military government in Europe," compiled by Raphael Lemkin, School of Military Government, Raphael Lemkin Papers, MC-60, Box 6, Folder 1, AJA.
- 29 Lemkin autobiography, p 87, Chapter 5, Reel 2, Box 1, Folder 36, NYPL.

- 30 In 1937, Lemkin met law librarian John Vance, at the Congress of Comparative Law. Vance worked at the Library of Congress and introduced Lemkin to Colonel Archibald King of the Military Division of the War Department. Chapter 6, "Totally unofficial," Reel 2, Box 1, Folder 36, NYPL.
- 31 This note is possibly located at the AJHS, Raphael Lemkin Collection, Box 1, Folder 4. The note is dated May 25, 1941, and consists of short notes front and back, one from his father, the other from his mother. There are several accounts from articles concerning what happened to Lemkin's parents and brother, and Lemkin briefly speaks about the fate of his parents in Chapter 7 of his autobiography, though he never found out precisely how they perished.
- 32 For a summary on *Axis Rule in Occupied Europe* and the full text of Chapter 9, see: <http://www.preventgenocide.org/lemkin/AxisRule1944-1.htm>. The Axis laws were signed over to the Bureau of Economic Warfare on December 7, 1942. The School of Military Government at Charlottesville, VA, printed *Readings on Military Government in Europe*, located in Box 6, Folder 1, AJA; "Part I: the new word and the new idea." Reel 3, Box 2, Folder 1, NYPL.
- 33 AJHS, Box 6, Folders 7 and 9; NYPL, Reel 5, Box 3, Folders 3–4 (Threats to the Genocide Convention) and Reel 6, Box 4, Folder 7; AJA has some correspondence on the Nuremberg Trials, Box 1, Folder 13.
- 34 Biffy to Lemkin, February 16, 1949, Box 1, Folder 8, AJA.
- 35 Deposition of witnesses at the Nuremberg Trials, 1945–1946; reprint of trial transcript (fragment), Box 5 Folders 1–2, AJA; Raphael Lemkin (Collection)—Nuremberg Tribunal Materials, AWD-CLS, Columbia University Law Library Archives, Columbia University, New York. (Fussell notes that this collection may have been left at a friend of Lemkin's apartment or with someone who worked for him); "The significance of the concept of genocide in the trial of war criminals," by Raphael Lemkin, Thomas Dodd Papers, Box/Folder 387:8580, Thomas J. Dodd Research Center, University of Connecticut.
- 36 Correspondence at AJHS is filed by year; AJA, by last name (though Elias's letters in Yiddish are filed in Unidentified, Box 2, Folder 19); NYPL has the least amount of correspondence of the three collections, but some personal letters (Reel 1, Box 1, Folder 31). Other NYPL correspondence is filed by year, Reel 1, Box 1, Folder 1.
- 37 "Nazi genocide" (Untitled Manuscript) and *Hitler Case*, Box 7, Folders 12 and 13, AJA; Jacobs, Steven L., ed., *Raphael Lemkin's Thoughts on Nazi Genocide: Not Guilty?* (Lewiston, NY: Edwin Mellen Press, 1992); Jacobs, p 110.
- 38 Notes and Drafts, Handwritten, Misc., Box 6, Folder 6; Sixth Committee, General Assembly Proceedings, 1946–1947, Box 4, Folder 2; "Discussion on genocide in the legal committee," November 22, 1946, 11:00 A.M. and Resolutions of 12 November 1946, Box 6, Folder 11; Draft Press Release, Box 7, Folder 1, AJHS. An undated (possibly September 23, 1947) memorandum for Mrs Pandit, addressed to Vijaya Lashmi Pandit, is located in Box 2, Folder 5, AJHS.
- 39 Subseries 2: United Nations, Box 2, Folder 13, Boxes 3–4, AJHS. Box 4, Folder 7 contains a photo of Lemkin amid a roomful of the Ad-Hoc Committee on Genocide delegates, April 5, 1948, AJA.
- 40 Notes and Drafts, Handwritten, Misc., Box 6, Folder 6, AJHS. Handwritten (and typed) material at the NYPL can be found in the Writings—Autobiography and Writings—Genocide (Reel 2, Box 1, Folders 35–43; Reel 2, Box 2, Folders 1–16.) There are also several notebooks at the NYPL: Reel 5, Box 4, Folders 1–3. One may belong to Alexander Gabriel.
- 41 Genocide Convention—Writings, Box 5–Box 7, Folders 1–4, AJHS; Box 3 and Box 4, AJA; Printed Material, Reel 6, Box 4 and Box 5, NYPL.
- 42 AJHS: Delegate Statements, 1947–1948, Box 2, Folder 13; Jacob Blaustein, "The eyes of the world are watching," Box 6, Folder 12, p 9; "Memoranda to the reservations of the U.S.S.R., Byelorussia, and Ukraine concerning Article 9 of the Genocide Convention," Box 6, Folder 12, AJHS; AJA, Box 4, Folder 4–5. Quote is from "Memoranda on Genocide Convention," Reel 5, Box 3, Folder 1, NYPL.
- 43 Djalel Abdo to Lemkin, January 17, 1950, Box 1, Folder 1, AJA.
- 44 Argentina–Venezuela Correspondence, Reel 1, Box 1, Folders 3–30; General Correspondence, Reel 1, Box 1, Folders 1–2; NYPL. The AJHS collection is in three correspondence sections: Personal Correspondence (Box 1, Folders 4–10); Genocide Convention: Lemkin Correspondence, 1945–1951 (Box 1, Folders 18–19 and Box 2, Folders 1–5) and US Committee for a UN Genocide Convention Correspondence, 1947–1951 (Box 2, Folders 7–12). The AJA correspondence contains letters about genocide or the Convention, though all correspondence, including personal, is included in one series (Boxes 1 and 2). The Viau letter is in Spanish. See also Printed Matter, Gerard Viau Incident, undated, Folder 15, Kurt Fisher/Haitian History Collection, Schomburg Center for Research in Black Culture, New York Public Library, New York for more information.
- 45 Korey, p 48. Korey mentions an initial proposal for the Committee, possibly "Emergency proposal for the creation of an international committee for the adoption of the United Nations Convention on the crime of genocide" in footnote 98, p 119. The AJHS collection has been reorganized since Korey wrote in

2001. Documents have been shifted. This document now resides in Box 2, Folder 12 of the Lemkin papers at the AJHS.
- 46 Korey, 48. AJHS: Buck, Pearl S., Correspondence and Proposed Manifesto, Box 1, Folder 17; Lemkin Correspondence, 1948 Box 1, Folder 19 (includes letters to Buck from Count Bernadotte of the International Red Cross and Chilean author Eduardo Bello who wrote, "Yesterday on looking at the black board with the news of the end of Gandhi, I had the impression that every one of us is a part in the whole of Human kind," February 1948).
 - 47 US Committee for a UN Genocide Committee Correspondence, 1947–1921, Box 2, Folders 7–11; ... Membership List and Minutes, undated, 1948–1949, Box 2, Folder 12, AJHS; US Committee for a US Genocide Convention, 1948–1952, Reel 1, Box 1, Folder 3, NYPL. Printed matter can be found at: AJA, Box 3, Folder 3; AJHS, Box 14, Folder 6.
 - 48 A Petition Respectfully Submitted to the General Assembly of the United Nations, September 1948, Box 3, Folder 9, AJHS; Petitions to the UN General Assembly to adopt the Genocide Convention, Box 4, Folder 1, AJA. Korey, p 52. The Universal Declaration of Human Rights was approved by the General Assembly on December 10, 1948. The Draft International Covenant on Human Rights resumed in Committee in May 1949.
 - 49 Korey, p 36, quoting Lawrence J. LeBlanc, *The United States and the Genocide Convention* (Durham NC: Duke University Press, 1991), p 19. LeBlanc wrote that "dreamer" and "fanatic" were the two words used most by diplomats in describing Lemkin.
 - 50 Powers, p 60 as recalled from Lemkin's autobiography, Reel 2, Box 1, Folder 37, p 61 of several drafts, NYPL.
 - 51 Korey, p 44, the Genocide Convention was adopted partially by Lemkin's "ceaseless striving and unflagging determination."
 - 52 US Committee ... Notice of Meeting, February 23, 1949, Box 2, Folder 12; Cellar to Lemkin, February 26, 1949, Box 2, Folder 1, AJHS.
 - 53 Law Association Journals, "Documents for Study" American Bar Association, February 1949, Box 11, Folder 1, AJHS. Additional Law Association Journals may be found in Box 11, Folder 2.
 - 54 Though archivists do not favour the artificial combining of collections, it is worth noting that the Jacobs compilation contains all correspondence in one place. It is not known how this collection is organized. Pamphlets and articles: Box 3, Folders 3–5, AJA; Box 4, Folder 9, NYPL (and other materials interspersed in the Printed Material series); Box 5, Folders 3–4, 7, 9–10, Box 7, Folder 4; Box 10–Box 11, AJHS. A draft of a US Committee brief in support of the Convention can be found in Box 2, Folder 12. ABA Debate Transcript and Address, 9/49, Box 5, Folder 2, AJHS.
 - 55 US Law and the Genocide Convention Essays, Stephen Gorove, "Mental harm," Box 7, Folder 4, AJHS. It is not clear whether Mr Gorove was a student of Lemkin's or merely sending him a summary of a monograph he had written.
 - 56 Box 4, Folders 3–5, AJA; Box 1, Folder 34, NYPL.
 - 57 Chinese Revisions, Box 3, Folder 5; Chinese Text Translation, Box 4, Folder 2; France, Algeria, and the Convention, Box 3, Folder 4, NYPL; Chang to Lemkin, Box 1, Folder 3; Box 3, Folder 5, AJA.
 - 58 "The truth about the Genocide Convention," Box 3, Folder 1, NYPL.
 - 59 Article 3 of the Universal Declaration on Human Rights would later read, "Everyone has the right to life, liberty and security of person."
 - 60 Cellar to Lemkin, *ibid*; "The Genocide Convention and race relations," by Richard D. Gillam, Jr, p 42, Box 4, Folder 6, AJA.
 - 61 Johnson's archival papers can be found at the NYPL Schomburg and SUNY Stony Brook University.
 - 62 "Background paper: United States statement on the Civil Rights Congress publication 'We Charge Genocide,'" Box 4, Folder 7, AJA. Powers, p 75.
 - 63 Statements and Speeches, 1949–1957, Box 4, Folder 4, Box 3, Folder 1, Algeria: Box 4, Folder 4 and Box 5, Folder 5, AJA; Box 11, Folder 5, Box 12, Folders 1–3, AJHS. See also Box 3, Folder 4 for French attempts to weaken the Convention in regards to Algeria, and Reel 1, Box 1, Folder 25, "Peru," NYPL.
 - 64 AJHS: Box 1, Folders 1–2; Box 5, Folders 3–7, 9–11; Box 6, Folders 1, 3, 8; AJA: Box 3, Folder 1–5; Box 4, Folder 2; NYPL, Box 4, Folder 4, 9.
 - 65 "Portrait of dedication," *The Eternal Light*, NBC, May 1, 1949, Box 1, Folder 3; Mittler, Leo Screenplay, "Genocide," Box 6, Folder 3, AJHS.
 - 66 UN Casebook "Genocide Convention Chapter XXI, 1949." A copy of this program is in the National Jewish Archive of Broadcasting at the Jewish Museum in New York (Archive No T316). Mr Ernest Gross—Genocide (November 1948); Mr B. Ikramullah (Pakistan)—Def. Genocide (October 7, 1948); Dr W. J. Digman (Australia)—Genocide (October 6, 1948); Mr E. Wikborg (Norway)—Genocide (October 11, 1948); Dr Alfano Ricardo—Genocide (October 6, 1948); Prof. Lange (Poland)—Genocide (October 8, 1948); Prof. Emile Giraud—Genocide (July 24, 1948 (French)); and Memo from Lake Success #7—Human Rights (November 13, 1948).

WHAT YOU SEE BEFORE YOUR EYES

- 67 Starr to Lemkin, February 13, 1951, Box 8, Folder 11. Korey, p 85, cites three volumes; Powers, p 77, cites four volumes.
- 68 Anonymous to Lemkin, June 9, 1949, Box 2, Folder 1; Kurt Grossman to Lemkin, September 17–October 21, 1947, AJHS.
- 69 Yale Library to Lemkin, May 23, 1949, Box 1, Folder 7, AJHS. The *Hitler Case* and “Nazi genocide” (Untitled Manuscript) are included as part of the research essays at the AJA.
- 70 Turkey–Armenia Publications, 1915–1919, 1946–1948. Box 12, Folder 3, Turkish–Armenian Trial Transcript, Box 9, Folder 23, AJHS.
- 71 *The New York Times* Youth Forum Study Outline, Box 3, Folder 2, NYPL.
- 72 “Climbing a mountain again” (The Years of Trial), Autobiography, Box 1, Folder 38, NYPL.
- 73 Poem, verso, Hamparian to Lemkin, March 15, 1957, Box 2, Folder 1, AJA.
- 74 Milliren to Lemkin, June 13, 1948, Box 1, Folder 6, AJHS.
- 75 Medical Papers, Position Appointments, Final Grades and Drawings, Box 1, Folder 13, AJHS.
- 76 Merchants Storage to Lemkin, Box 1, Folder 8, AJHS. Milliren had written to Lemkin on September 13, 1948 that she had to leave Washington, DC, and did not know what to do with documents and books. They had lived in the same boarding house in DC.
- 77 Robert E. Baker, “Owner will regain genocide documents,” *Washington Post*, undated, Box 5, Folder 7, AJA.
- 78 Milliren to Lemkin, July 8, 1957, Box 2, Folder 8, AJA. If these were given to Gabriel, the NYPL might have that record in their files, but donor records are usually confidential.