

# Genocide Accusations and the Logic of Genocide

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## Abstract

Following earlier work we proceed with a detailed investigation of genocide accusations which we consider to constitute a particular class of extreme accusations. We focus on controversial real-time accusations of episodal genocide. We find that the logic of genocide and the logic of genocide accusations interact in complicated ways, and that there is a plausible use for a new term: tribocide. Tribocide entails the visible and often detrimental effect of genocide on the victims, while abstracting from the perpetrator's plans, motives, and intentions, as well as from side-effects which may be advantageous from the perpetrator's perspective. Importantly, validating a tribocide accusation is simpler than validating a genocide accusation because the focus is exclusively on the victim's perspectives.

## 1 Introduction

In Bergstra & Düwell [13] we introduced extreme accusations as a class of straight accusations (using the terminology of [12]), and in [14] we analyzed accusations of committing genocide as instances of extreme accusations.

Accusations are accounted for in a conceptual framework which is referred to as accusation theory. Accusation theory stems from [10] where it was developed on the basis of promise theory as originally developed by Mark Burgess, and subsequently further developed and extended as presented in Bergstra & Burgess [9]. The present paper extends the analysis of [13] in several directions:

- (i) The introduction of tribocide as an auxiliary notion for reasoning about genocide;
- (ii) Formal (or rigorously informal) aspects of the logic of genocide, including making a clear distinction between genocide denial and genocide accusation denial;
- (iii) Accusation sequencing: viewing a genocide accusation as the culmination of preparatory and less grave accusations, in order to avoid overaccusing and the risks of overaccusing;
- (iv) A lightweight account of calculations which may be relevant for genocide validation, including some form of, still qualitative, description of the strength or degree of an accusee's intent to avoid tribocide;
- (v) Genocide accusations are often controversial, we discuss the notion of a controversial accusation in general and of a controversial genocide accusation in particular. We find that genocide accusations are likely to trigger disagreement due to the multidimensional degrees of freedom (or fuzzy boundaries) of the concept of genocide. We arrive at the notion of inverse reading of a genocide accusation.
- (vi) In contrast with genocide, tribocide may in some cases allow justification. We discuss patterns for tribocide justification.

We begin with a survey of aspects of accusation theory which play a role in the appreciation of genocide accusations.

## 1.1 Features of accusation theory

Following the style of promise theory, accusation theory makes use of light-weight tools of logic in the following form:

1. An accusation is understood as a structured entity consisting of four components: accuser, accusee, body, and scope.
2. It is understood that an accusation in practice (i.e. as used in an application of the theory) describes some speech act equipped with a time and place, and with a modality of communication.

3. No ethical or moral judgments or claims come automatically with (the notion of) an accusation. Such aspects are to be explicitly attributed and are not constitutive of the notion of an accusation.

Stated differently: no ethical or moral judgment is presupposed with the notion of an accusation. It is rather assumed that those aspects have to be attributed and justified explicitly. It is particular assumed that it is possible to accuse someone without having the willingness to validate the body of the accusation.

We recall the assumption of promise theory (following [9]) that a promise need not necessarily create an obligation for keeping the promise. In the same vein we want to leave open for further analysis the question to what extent accusations create obligations. In particular we want to keep open the possibility that accusations are issued without the willingness to validate the body of the accusation. To discuss the relationship between issuing an accusation and the related obligations as a question open for discussion makes it possible to investigate various functions of the speech act of an accusation in different contexts, and shapes the possibility to investigate the normative question of which obligations may exist. These matters pertain to the logic of necessity more than to an analysis of the functions that accusations in general or genocide accusations in particular may have. We discuss this issue in more detail in Appendix C.

4. Our view of accusations contrasts with the perspective on accusations in a recent paper on conspiracy accusations [18] where the following norm on accusations is stated (in section 3 of [18]):

We said, also, that there is a norm governing accusation ... according to which one must make an accusation only if he or she has sufficient evidence for it.

In Appendix A we provide further comments on accusations as discussed in [18]. We mention that not even the prosecutor in court knows whether or not their evidence suffices for validation of the accusation, because that is what the court is about. It may be assumed that the prosecutor believes their evidence to suffice, but that is not the same.

It is, however, another question whether there are normative reasons to qualify accusations in a certain way if one has doubts as to whether or not one has sufficient evidence for them. This is in particular relevant for ‘genocide accusations’ which we have tried to cover by the distinction between ‘reporting accusations’ and ‘claiming accusations’.

5. Key arguments for the assumption that promises need not create obligations are as follows: (i) The logic of obligations (deontic logic) is particularly difficult and promises can be understood in many cases without embarking on deontic logic.

(ii) Promises play a key role in bringing about voluntary cooperation, and in that capacity promises bring about expectations rather than obligations (in Promise Theory, according to [9]).

Corresponding arguments pertain to accusations: obligations need not enter the picture and achieving side-effects on voluntary behaviour of the accuser as well as of agents in scope of the accusation may well constitute the prime motivation for issuing the accusation.

6. Validation (i.e. validation of the body of the accusation), justification (of issuing the accusation), effectiveness (understood from the perspective of the accuser), and assessment (of various qualities of an accusation by various agents) are distinguished and may be independently discussed and evaluated.

7. Various assessments of an accusation are made by agents from their own perspectives and may not be in agreement.

8. Accusations may be classified by means of the introduction of accusation types. Direct accusations are about alleged wrongdoings of the accuser. These actions of the accuser are referred to as the accuser's target behaviour.

In Bergstra & Düwell [12] so-called special accusation types are discussed, which are in contrast with straight accusations (i.e. accusations made by a known accuser, convinced of the justification of their accusation, about allegedly wrong behaviour of a known accuser and which are amenable to validation, at least in principle). Straight accusations are the normal case so to say.

As special accusation types we mention: anonymous accusation (the accuser is anonymous), non-evidential accusation (validation is hardly possible, if at all conceivable), and self-accusation (accuser and accuser coincide).

9. Genocide accusations are an instance of straight accusations. As a rule a genocide accusation is not anonymous, is not non-evidential, and is not a self-accusation.

Genocide accusations allow further subdivision and following [14] we distinguish:

(i) accusations about historical target behaviour,

(ii) accusations about non-episodal real time (flash and ongoing or very recent) target behaviour,

(iii) accusations about real-time episodal target behaviour.

In [14] we have focused on real-time accusations for episodal genocide.

10. Extreme accusations (as introduced in [14] are a special type of accusations for which, in a categorical sense, no justification can ever exist.

## 1.2 Additional aspects coming with genocide accusations

Extreme accusations in general, and genocide accusations in particular, come with additional aspects of accusation theoretic relevance.

1. We understand “genocide accusation” literally, that is as an accusation of committing or of having committed genocide, and not as an accusation of some form of behaviour, the description of which can, must or ought to be qualified as genocide. The meaning of the genocide accusation co-evolves with the development of the concept of genocide.

**Claim 1.1** *The concept of genocide is hard to define. These definitional complications are very persistent ever since the original proposals by Raphael Lemkin were made, and persist nowadays to such an extent that a genocide accusation may often be understood as one out of three options:*

- (i) *A sign of moral condemnation of the accusee’s behaviour without critical examination of the question why such criticized behavior really fulfils necessary criteria for the qualification of “genocide”;*
- (ii) *An expression of desire to contribute to the definition of genocide;*
- (iii) *Or rather a mere expression of one’s views on the meaning of the term genocide.*

Claim 1.1 suggests what we call the inverse reading of genocide accusations: an accusation says something about the (views of) the accuser rather than about the (behaviour of the) accusee.

**Claim 1.2** *(inverse reading option for genocide accusations.) It is often reasonable to apply inverse reading to a genocide accusation.*

2. Issuing exhortations like “Stop the genocide in L” with L some location, combines a genocide accusation with a demand to act as if the accusation were valid. The latter genocide accusation is implicit in said exhortation. We view such demands as genocide accusations unless either the implicit genocide accusation has been scholarly or legally validated or invalidated.

3. With genocide accusations come denials of genocide accusations. The denial of a genocide accusation  $X$  with accuser  $A$  may take one of two forms:
  - (i) (Accusation-framed genocide accusation denial) the form of an accusation (say with accuser  $C$ ) in the direction of  $A$  with a body that accusation  $X$  represents a misunderstanding of genocide and as a consequence that  $A$  is spreading unfounded and damaging allegations about the accusee of accusation  $X$ , and
  - (ii) (Genocide rejection-framed genocide accusation denial) the form of a mere statement claiming the absence of genocide. (We will not consider such statements as instances of genocide denial, and merely as instances of genocide accusation denial).

**Claim 1.3** (*inverse reading option for genocide accusation denials.*) *It is often reasonable to apply inverse reading to a genocide accusation denial.*

4. One might argue that the Holocaust accusation in the direction of German leadership during WWII constitutes a primary example of a valid genocide accusation. From the perspective of scholarly validation, the Holocaust constitutes an instance of genocide, and in fact Lemkin designed the concept of genocide in such a manner that it could be used as descriptive of fundamental events during and before WWII.

To the best of our knowledge, however, no international court has qualified by way of a formal judgment, the Holocaust (or some descriptions of the events an action which constitute the Holocaust or a significant part of it) as an instance of genocide, using precisely the term genocide, and in the context of proceedings aimed at producing a judgment about precisely that matter.

The meaning of “Holocaust” is non-obvious and so is its classification as an instance of genocide. We mention only one of several complications: while the genocide convention refers to a group or a part of a group, it is a controversial matter which group to include in the the Holocaust. Are, for instance Roma and Sinti included in the target group of the Holocaust? When classifying the Holocaust as a genocide (or not), several decisions about the meaning of both concepts must be taken and different outcomes are conceivable.

5. Whatever the cause, throughout the literature of Holocaust and genocide studies it seems to be taken for granted that The Holocaust has been a case of genocide, because the Holocaust matches with most if not all definitions of genocide and no need is felt to refer to legal proceedings in which such judgment was validated while explicitly being stated in terms of genocide. (An obvious obstacle for such legal proceedings comes about from the fact that, as a legal term/notion ‘genocide’ dates

back to 1948 and the term ‘genocide’ may, for that reason, not be applied in any straightforward manner to events predating 1948.)

We infer from this observation that scholarly validation is at the heart of genocide studies because scholarly validation (rather than legal validation in court) is considered sufficient, if not preferable, for the qualification of the Holocaust as a genocide.

We also infer from this observation that the field of genocide studies somehow carries a collective responsibility to arrive at scholarly validation (or refutation) of contemporary genocide accusations.

Validation of genocide accusations is a very complicated subject. Three options for validation may be distinguished at least: legal validation (validation in court), scholarly validation (validation by genocide scholarship), and political validation (validation by law, or in political debate, or political motivation of policies). Speaking of validation of genocide accusations requires a language which makes no use of the term genocide to begin with: for instance in [30] the reference to the Armenian genocide is via: “the Ottoman Empire’s persecution of Armenian subjects during the First World War” (below OEPAS), a phrase in which little mention is made of the relevant accusee’s. In [30] several aspects of validation of genocide accusation are explained:

(i) Legal validation of an episode as an instance of genocide is problematic for episodes predating 1948. The objection applies to OEPAS.

(ii) Germany and France both arrived at political validation of the genocide accusation regarding OEPAS.

(iii) Turkey rejects the qualification of OEPAS as a case of genocide.

(iv) The qualification of OEPAS as a genocid may be understood as performative: the assertion becomes true by being asserted. (A claim made and elaborated in detail in [30]).

(v) Needless to say scholarly validation of OEPAS as a genocide leads to different positions, just as political validation does.

(vi) Rather than validation [30], speaks of recognition, where the recognition of a genocide (i.e, the political validation by a state of the underlying genocide accusation), is primarily valid within the jurisdiction of said state.

6. Genocide accusations are considered to be extreme accusations, a classification which expresses the widely held belief that genocide is never justifiable. We mention ([26] p. 194)

..there cannot be a justified genocide, genocide is not killing but murder. The definition of 'genocide', therefore, presupposes a normative theory which distinguishes justified killing from murder

We may generalise this statement to the following claim: The definition of 'genocide', therefore, presupposes a normative theory which distinguishes justified massacre from mass murder.

We refer to [44] for an account of the complexities of relating the term genocide to the events during WWII and before. Here it should be noted that during a war the occurrence of large numbers of casualties may under certain conditions be justified, though such justifications, if valid at all, have no similar counterpart in cases of genocide.

In [14] we discussed a typology of forms of validation for genocide accusations. By taking the Holocaust into consideration we can be more specific:

**Claim 1.4** *Scholarly validation of a genocide accusation in the absence of a legal validation of the same genocide accusation, constitutes an important pattern. Genocide cannot be understood exclusively on the basis of legally confirmed cases.*

**Claim 1.5** *The common assertion that the Holocaust was an instance of genocide may be understood as a reporting accusation.*

7. The axiom that genocide cannot be justified means that one cannot at the same time consider certain behaviour to constitute genocide and consider the same behaviour to be justified, unless one misinterprets either genocide or justification or both.
8. It is often stated that genocide is the crime of crimes. At the same time there is no established ranking in seriousness among the various crimes against humanity.

Nevertheless, informally, the genocide accusation may be considered the accusation of accusations. From this suggestion we infer that issuing a genocide accusation must not be taken lightly, as it dwarfs most other accusations.

At the same time not issuing (or supporting) a genocide accusation concerning certain behaviour, must in no way be constructed as an underestimation of the crime which may be at stake, but primarily as exposing the opinion that qualifying said behaviour as a genocide is a mis-qualification, and that different terminology must be sought.

9. As we have amply discussed in [14] most genocides are episodal and real-time accusations of episodal genocide have become the rule rather than the exception (after 1948).
10. As we have discussed in detail in in [14] for a real-time genocide accusation it is plausible rather than implausible that the accusation has not yet been validated (where in [14] discusses a variety of options for validation of genocide accusations).
11. A genocide accusation may very well be justified in spite of not having been validated. However, in such cases we propose (for details see in [14]) that the accuser follows certain rules of engagement.
12. In Schiffbauer [40] it is claimed that the international obligation to prevent genocide (and to prevent continuation of situations of genocide) creates an obligation for States to act once genocide is being committed. As a minimum a state may, and should, produce the relevant speech acts of naming and shaming. We understand that Schiffbauer assumes that naming and shaming is done only upon having scholarly validated the underlying genocide accusation. We also understand that according to [40] arriving at a presumption of genocide (a preparatory phase before issuing a genocide accusation) is likely to be necessary for taking active part in genocide prevention.

We understand from [40] that once a state has validated (to its own satisfaction, and by politically independent assessment) the validity of a specific genocide accusation it must in any case proceed to naming and shaming that case.

### **1.3 Logic of genocide**

It may strike a reader as implausible to impose a fairly formal logical structure on a heavily emotionally burdened subject, which genocide certainly is. We feel, nevertheless, that doing so is justified in the light of the fundamental difficulty of the subject.

As real-time accusations of episodal genocide are often about target behaviour for which the qualification as a case of genocide still lacks validation, it is to be expected that such accusations are controversial at the time they are issued, and are embedded in a complex and often emotional discourse about the demarcation of genocide. We arrive at the following observations:

(i) The logic of genocide (i.e., which reasoning patterns about genocide may be used), is non-trivial and without paying attention to the peculiar nature of this logic it is very difficult to reach agreements in any specific case.

(ii) The logic of accusations (what we call accusation theory) is non-trivial and sometimes counterintuitive, and when dealing with genocide accusations these non-trivial aspects require due attention.

A very clear explanation of the logical problems with the concept of genocide is given in Boghossian 2010 [17]. The critique given on “genocide” in [17] is so vast that one might give up on its use. However, we start out from the observation that the term genocide is nowadays widely used and we investigate its use granted the difficulties and ambiguities of its meaning. It is convincingly argued in [17] that the concept of genocide with the definitions that came about a few years after WWII is ill-suited for making precise demarcations. At the same time the term genocide seems in some sense indispensable for the accurate qualification of the events in question; that the demarcation raises difficulties is no decisive argument against its use in general. We are interested in developing a logic of genocide which can handle the intrinsic ambiguity and lack of clarity of the term and at the same time makes use of its formidable expressive strength.

By discussing genocide accusations in a systematic manner, we hope to achieve the result that most arguments, which may be used in the analysis of a specific case, by applying accusation theory to an actual genocide accusation, can be understood as instances (applications) of general reasoning patterns with more extensive validity than the specific case at hand.

Because (real-time) accusations of (episodal) genocide are likely to lack concurrent validation (in other words: validation is likely to come with a delay), such accusations often trigger a debate about the demarcation of genocide. Investigating “the logic of genocide” may be needed to avoid misunderstandings and conflicts, the origin of which is a matter of inner logic rather than being grounded in differences of opinion about the target behaviour.

Reasoning about genocide is far from easy, and obtaining shared inferences through reasoning about genocide is almost impossible. Moshmann 2001 [34] provides a useful survey concerning the complexity of the notion of genocide. We read this work as an incentive for further clarification, as well as a warning that developing a detailed formal theory of human rights violations, including genocide, may not be helpful either. Moshman emphasizes that the meaning of genocide is a matter of language design, and that such design determines which behaviours count as genocide.

We assume that harm done by genocide is a categorical matter, and that this harm is in principle not depending on the intent, motivation or rationalization which may be driving the perpetrators. Having made this design decision, we immediately find a difficulty, because genocide involves a combination of (i) harm caused by action, (ii) planning said action, and (iii) intention from the side of the perpetrator(s) (also called genocidaires). We

find that the intentionality requirement usually assumed in a definition of genocide refers to the intention to inflict said harm, rather than to an intention to commit genocide.

## 1.4 Additonal terminology: tribocide

It seems to us that genocide is both an incredibly successful neologism due to Raphael Lemkin, and a misnomer, because the suggested correspondence with homicide is misleading. For a survey of Raphael Lemkin's original views on genocide and its different forms, we refer to [32]. For a survey of the history of the codification of genocide in 1948 and subsequent adaptations we refer to [39]. Homicide done with the intention to commit homicide is murder. We feel that the logic of genocide merits further development.

In what follows we will argue that it is useful for the development of a logic of genocide to introduce a term or phrase for the harm that comes with genocide, irrespective of intentions, motives, and planning by the perpetrator. Stated differently, we assume that for a case of genocide one may always contemplate the harmful effect of the target behaviour, so it is helpful to have a simple name for this behaviour.

We coin "tribocide" to be this name. We then arrive at the the following equivalence:

$$\text{genocide} : \text{tribocide} = \text{murder} : \text{homicide}$$

The above statement must not be understood as an axiom for the logic of genocide but merely as an attempt to explain the role of the neologism tribocide in the envisaged logic of accusations. One might use mass atrocity to denote the harmful effect of a genocide but the phrase "mass atrocity" fails to express the idea that we need a notion the definition of which is strictly linked to the definition of genocide. In other words: a change in one's view on genocide is likely to come with a change in one's view on tribocide.

## 1.5 Tribocide versus democide

"Democide" was coined by Rudolph J. Rummel [36] as a notion which is more broad than genocide and with a focus on states as perpetrators. Democide involves killing, and according to [38] a minimum of 50,000 casualties/victims is taken as a threshold when speaking of democide. However, some other definitions of democide do not mention such thresholds.

The meaning of democide is only loosely coupled to the intended semantics of tribocide. For tribocide we have in mind that when using this term, the meaning assigned to it precisely correlates with the meaning one assigns to genocide. So that by definition it is the case that genocide involves tribocide, but not necessarily the other way around. Indeed, given a case of tribocide, it might in addition be the case that said case of tribocide

is actually part of a case of genocide. And if the later is the case that state of affairs may but need not be visible from the available information and documentation concerning the perpetrator's plans and intentions. Thus it may be so that a case of genocide is validated, that the suspicion of genocidal intent arose, but that no proof of genocidal intent could be given, so that (validation of) the genocide accusation fails due to lack of proof.

## **1.6 Genocide accusation denial**

With genocide accusation denial we refer to the speech act, presented in whatever form, of denial of the validity of a specific genocide accusation.

Genocide accusation denial may be understood as a promise or claim rather than an accusation. Genocide accusation denial may be performed by the accusee (first degree genocide accusation) or by an agent in scope of the genocide accusation (second degree genocide accusation denial).

### **1.6.1 Genocide denial versus genocide accusation denial**

An extensive literature on genocide denial indicates the relevance of denial in cases of genocide and other crimes against humanity. We notice that in the majority of works on genocide denial we could find, the underlying claim that genocide took place is implicitly assumed (see e.g. [5], so that the behaviour of deniers requires an explanation, more so than it would do had they not challenged the genocide accusation).

Genocide accusation denial must be distinguished from genocide denial, where the latter can only take place in case some validation of the genocide accusation has turned genocide accusation into a validated genocide claim.

Genocide denial is meaningless and unfounded (if not logically impossible) in the absence of a validated genocide claim. It is an advantage of thinking explicitly in terms of accusations that the notion (and act) of genocide accusation denial makes perfect sense in the absence of validation (or rejection) of a genocide accusation.

In Snow [43] it is argued that the meaning of genocide to a large extent may be inferred from its use. Taken literally genocide accusations, viewed as instances of use of "genocide" contribute to the meaning of the concept of genocide. We do not adopt the latter position, instead we adopt the view that genocide accusations may plausibly be understood in an inverse manner (see 1.3 above).

In contrast, using a sharp definition of genocide has as an important disadvantage that it stands in the way of using genocide as a label for conveying moral condemnation. However, we do not agree with the view that the use of "genocide" in genocide accusations must be primarily assessed in terms of the way it may facilitate moral judgments, however,

sincere, and however justified these may be. Snow suggests that naming and shaming of genocide perpetrators will in general do more good than harm. Snow seems to pay no attention, however, to the case that the underlying genocide accusation is invalid.

### **1.6.2 Motives for genocide accusation denial**

A significant literature discusses the motives for and mechanisms of genocide denial by perpetrators and their allies. Motives for genocide accusation denial require separate attention. In case of, say, first degree, genocide accusation denial (which is not a case of genocide denial) the accusee intends to argue that their behaviour does not qualify as genocide. In other words genocide denial expresses the belief that a certain genocide accusation will not (or in any case should not) be validated in due course.

Whereas genocide denial may be considered to be an additional wrongdoing on top of criminal behaviour the extent of which has been already established, genocide accusation denial must not be understood as an additional wrongdoing, if only for the obvious reason that that validation of a specific genocide accusation is always difficult and controversial.

## **1.7 On developing a logic of genocide**

Ever since its inception, the term genocide has generated extensive debates about its function and meaning. Our plan is to introduce additional neologisms around genocide which are helpful by being more easily definable, that is, by allowing a definition which is less prone to dispute and disagreement.

Different dimensions of variation of “genocide” each create different options for novel terminology where, given a dimension, one presupposes an extreme in said dimension. We see three major dimensions of variation for genocide:

- intent (ranging from intent centric to intent dismissive accounts of genocide),
- group specificity (ranging from highly group specific victimization to somehow more random and incidental victimization), and
- degree of violence (ranging from structural mass violence, via physical mass violence to lethal mass violence).
- the property of being essential (see [4.4](#) below).

The first dimension of variation which we will mainly consider below is intent. Concerning group specificity we notice [\[42\]](#) where negative group identity (as perceived by the perpetrator) is indicated as one of three characteristics of genocide.

## 2 Tribocide

We define tribocide as the material effect of genocide, that is genocide while abstracting from intentions. In other words tribocide is the intention agnostic component of genocide.

**Definition 2.1** *Tribocide is a crime or potential crime committed with the effect to destroy a national, ethnic, racial or religious group, in whole or in part.*

The definition of tribocide may seem vague but the idea is to follow the equally vague wording of genocide definitions.

A key property of tribocide is that it may come about as a collateral damage of war, or as collateral damage of ethnic cleansing, or in some cases as collateral damage of oppression. We hold that not every tribocide is a case of genocide while every genocide is (or better: comes with) a case of tribocide.

If one's definition of genocide includes destructive attacks against political groups, that aspect comes within the definition of tribocide as well, as both notions are interconnected by design (that is: genocide and tribocide have correlated definitions due to the design of the terminology).

**Definition 2.2** *A straight accusation X with target behaviour P is pre-extreme if the following conditions are met:*

(i) *The accusation is implied by an extreme accusation X' which reads as a plausible minor modification of X; it must be obvious from the wording of X how to formulate X'; the latter accusation is called the associated extreme accusation for X;*

(ii) *X misses out some aspect of the associated extreme accusation so that it is conceivable, in principle, that the target behaviour P can be justified in the presence of specific conditions;*

(iii) *Unless, and until, the accusee provides information regarding the conditions which may (in their perception) justify the target behaviour P the accusation X merely constitutes a justifiable way of packaging the associated extreme accusation.*

**Claim 2.1** *The tribocide accusation is a pre-extreme accusation with the corresponding genocide accusation (obtained by writing genocide instead of tribocide) as its associated genocide accusation.*

The following definition is vague, but nevertheless useful.

**Definition 2.3** *A candidate genocide is a process (target behaviour) P which might very well in hindsight be qualified as genocide.*

**Claim 2.2** *Every tribocide is a candidate genocide until its qualification as a genocide has been either scholarly or legally refuted, in which case it is not a candidate genocide anymore.*

With the notion of tribocide available several further definitions are possible, first of all genocide may be redefined as follows:

**Proposition 2.1** *Genocide is intentional (i.e intent driven) tribocide.*

We assume that intentional (or “with intent”, as often stated in the genocide definition) is meant to express first of all that the pertaining intentions stand in a causal relationship with (i.e. serve as a cause of) the resulting tribocide, and secondly it is assumed that these intentions aspire to bring into effect the tribocide “as such” (i.e., the opposite of instrumental tribocide as defined in Definition 2.5 below.

Now there are weaker, or rather different, forms of mental correlates of tribocide which are meaningful to contemplate as well:

**Definition 2.4** *Mood driven tribocide is tribocide which comes with expressions and attitudes of willful destruction by participants to the process (yet there may not be some well-organized intentional driver to the process).*

Mood driven tribocide may result from mass-hysteria or may be triggered by forces in the background who are capable of focusing the bad mood of large numbers of people against some victim group. The idea is that the actual perpetrators do not carry out orders from above, but may be considered to follow their personal mood and vision.

**Definition 2.5** *Instrumental tribocide is (possibly as well mood driven) tribocide which may or may not come with expressions and attitudes of intention and destructive purpose, while instead of these suggested intentions, other grounds for enacting the tribocide are the real causes of its occurrence.*

The other grounds as mentioned in the definition of instrumental tribocide may include for instance:

- (i) Military objectives, including military objectives in other areas than the crime site of the tribocide,
- (ii) The objective to provoke a reaction from the victims of the tribocide or from one or more of their allies, which then enables or justifies an even stronger move in return,
- (iii) The preparation for ethnic cleansing elsewhere,

We find that the intentionality criterion in the definition of genocide is ambiguous: meant is an overarching intention (so we believe), rather than a derived intention as it features in instrumental tribocide.

## 2.1 Tribocidal intent

The notion of intent has a long history in philosophy and in particular in Law, with various ramifications of relevance for different circumstances. We refer to [28] for an accessible survey of these matters. In [28] the phrase genocidal intent is used. It seems preferable to us to use *tribocidal intent* instead because of the fact that the concept of genocide already involves the presence of intent so that “genocidal intent” somehow creates a non-trivial self-reference w.r.t. intent.

**Proposition 2.2** *Genocide is tribocide perpetrated with and driven by tribocidal intent.*

Tribocidal intent shares with the intent usually meant for genocide in that it is an intent to achieve tribocide “as such”. For tribocide we may also consider variations of intent including instrumental intent.

The objective for introducing the notion of tribocidal intent is to allow for a distinction between intentional tribocide and tribocide with tribocidal intent. As an example of intentional tribocide we mention the allied bombing of Dresden in WWII which we believe to count as planned and intentional tribocide. Qualification of the destruction of Dresden as an intentional and planned tribocide does not imply that tribocidal intent was present, and for that matter leaves open for further investigation the possible qualification of the destruction of Dresden as a genocide. The latter qualification might in principle come about after further analysis of its motives and underlying intentions. Assuming an instrumental intention, the true objective being weakening of the German war effort, the bombing escapes being classified as an instance of genocide (but we are uncommitted to such judgment).

The notion of tribocidal intent largely corresponds to what is usually called genocidal intent, but we need a concept which may be used on cases where one is not yet prepared to issue a genocide accusation, and it is problematic to speak of genocidal intent without coming close to issuing a genocide accusation as well.

The central role of intent for defining and understanding genocide is convincingly motivated in [21].

## 2.2 Derived tribocide accusations

Given a genocide accusation  $X$ , with  $TC_{acc}(X)$  we denote the derived (or underlying) tribocide accusation.

**Proposition 2.3** *If an genocide accusation  $X$  is validated then also its derived tribocide accusation  $X$  is validated.*

Accusations are issued because the accuser wishes to achieve certain objectives. An accusation is effective if it helps to achieve the objectives of the accuser. As possible objectives for an accuser say A of an accusation X, we mention the following options (without any claim of completeness):

1. To have the accuser punished for their wrongs, (the accuser is a formal prosecutor),
2. To discredit the accuser in the eyes of the agents in scope of the accusation, so that they lose political/military power,
3. To achieve that allies of the accuser (on which the accuser may have some influence) will discontinue their support of the accuser,
4. To bring the derived tribocide to an end,
5. To prevent that the accuser gets away with a tribocide accusation and then succeeds in finding justifications for their behaviour,
6. To contribute to the scholarly debate on genocide by ranking a case of tribocide as genocide as well,
7. To repeat the judgment made by genocide scholars in order to inform some or all agents in scope of that matter,
8. To make a good impression on friends and relatives who are also inclined to agree with accusation X, and to obtain positive rewards from their sympathy,
9. To feel happy on the basis of the belief that one is contributing to a positive development,
10. To give expression to one's dissatisfaction about the derived tribocide, with the idea that issuing a stronger accusation is likely to be more effective,
11. To provide an incentive to other agents (say A') in scope of the accusation to produce an accusation X' with the same body, accuser, and scope as X but with A' instead of A as the accuser.

When speaking of effectiveness, comparing a genocide accusation with its derived tribocide accusation, becomes a thought experiment which must be done under the additional hypothesis that the concept of tribocide, as introduced above, has become as well-known as genocide already has become.

## 2.3 Comparing the effectiveness of a genocide accusation with the effectiveness of its derived tribocide accusation

We will now assume, by way of a thought experiment, that tribocide has become, just as genocide already is, a household term with a meaning as discussed above.

**Claim 2.3** *The derived tribocide accusation can be more effective than the underlying genocide accusation in cases where communication between accuser and accusee is relevant for ending the target behaviour.*

Issuing a tribocide accusation is a means to communicate to the accusee and to agents in scope that the accuser considers it vital to keep the options for communication with the accuser available.

**Claim 2.4** *The derived tribocide accusation can be less effective than the underlying genocide accusation in case primarily accumulating opposition towards the accusee is relevant for ending the target behaviour.*

It matters for our thought experiment to what extent there are rules of engagement in place (see [14]) which create a mechanism for compensation of the accusee for wrongly being accused of genocide. Assuming that such rules of engagement are in place including some scheme of compensation for wrongly accused accusees we formulate the following Proposition.

**Proposition 2.4** *The compensation due to the accusee of a genocide accusation  $X$  for having been wrongly (though not intentionally wrongly) accused of genocide is at least as high as the compensation due to the accusee for having been wrongly (though not intentionally wrongly) having been accused by way of the corresponding tribocide accusation  $TC_{acc}(X)$ .*

## 2.4 Justification of a genocide accusation with human accusee's

Compensation for wrongly having been accused of genocide (or of tribocide) is of relevance for human accusees rather than for institutional accusees or for states. Now an accuser may reason as follows when contemplating a genocide accusation (which has not yet been issued):

- (i) The derived tribocide accusation is valid (scholarly validation);
- (ii) The tribocide accusation documents a crime (of the accusee) by any means (a non-trivial requirement in view of the fact that tribocide may under some conditions be justifiable;

(iii) Even if the genocide accusation proves to be wrong in due course, having wrongly accused the accused of genocide is fully unproblematic for the accuser in the light of the crimes (i.e. tribocide) for which accused is held responsible.

(iv) Even if the genocide accusation is legally or scholarly rejected in due time the accuser is disinclined to provide the accused with any compensation whatsoever.

On the above grounds the accuser may feel morally justified when issuing a genocide accusation against humans, rather than its derived tribocide accusation.

## 2.5 Accusation sequencing I

A significant difficulty that comes with issuing a genocide accusation is that not only validation but also invalidation of a genocide accusation may be considered an objectionable challenge for those experts on genocide who initially sympathize with the accused.

We refer to [29] for an example of a rift between different groups of holocaust/genocide scholars concerning the validation of a specific genocide accusation.

A deadlock may result wherein both sides of the argument do not even try to understand the opposite position. By working in the following order the risk of this form of deadlock may be reduced:

(i) A tribocide accusation is issued (it is assumed that such an accusation is less controversial than a genocide accusation because the option of justification of tribocide is conceivable, besides, of course, denial of genocide),

(ii) In a second phase, following scholarly debate (perhaps creating consensus) on a tribocide accusation, and in case of a sustained tribocide accusation, a tribocide intent accusation is issued (preferably only to be made once the scholarly validation of the initial tribocide accusation has been successful),

(iii) Once both the tribocide accusation has been scholarly validated and the tribocidal intent validation has been scholarly validated, a genocide accusation is issued, thereby combining both previous accusations.

(iv) In 4.3.2 below it is indicated how the scholarly debate may proceed, and be yet unresolved even after the first two accusations were validated.

We will denote with deliberate accusation sequencing a policy for using an order of accusations where the risk is minimized of forcing (and thereby alienating) the scholars supporting the accused to contemplate (or contradict) the validity of accusations (genocide or otherwise) which they are highly doubtful about, and which they may consider objectionable or offending.

## **2.6 Accusation sequencing II**

Besides tribocide also war crimes may constitute the body of a weaker accusation which may precede a genocide accusation. In particular, if a genocide is claimed to take place during a war, it should be demanded of accusers that they first consider the war crimes accusation towards the accusee.

A war crime accusation requires the admission that a war is taking place, and that very fact introduces questions of proportionality which do not enter assessments of genocide in the same way.

Here we are facing a hidden assumption behind the notion of genocide: it is implausible, if not impossible that a group “as such” constitutes an existential threat to another group. Around 1950 it was hard to imagine that a group or population without a visible standing army could be a threat to another group or population which is in the possession of strong military forces. But times have changed and technology has made formidable progress, in particular by way of miniaturization and the inclusion of informatics and artificial intelligence in weapons.

The definition of genocide predates the existence of intelligent micro-missiles which, when available in large numbers, allow a group to be an existential threat to another group (without the first group being equipped with a standing army in a conventional style). Perhaps the notion of genocide can be considered technically outdated and pre-micromissile. In any case once a war is acknowledged it must be understood first how, in principle, the war can be won by either side. Indeed the principled rejection of justification for genocide must be complemented with the right to fight a war and the right to know how the war can be won, or lost. Only then can issues of proportionality be convincingly and conclusively considered.

## **2.7 Accusation sequencing III**

It is not uncommon that an accusation of genocidal action(s) is formulated in advance of a genocide accusation. Intuitively a genocidal action is an action which constitutes significant (characteristic) part of the tribocide involved in a genocide. However, the phrase genocidal action can be justified only, or primarily, if the action said to be genocidal is indeed part of a genocide, otherwise using the phrase genocidal action may be considered an overaccusation. The notions genocidal action and genocidal behaviour are remarkably difficult to define, and we will devote an entire section to that matter.

### 3 Genocidal action, genocidal behaviour, tribocidal action, tribocidal behaviour

Is buying a gun an instance of murderous behaviour? Few people would agree with the qualification as murderous of an action (a purchase) which in many countries is entirely legal. Although buying a gun may in some cases be included, as part of a preparatory phase, in murderous behaviour, the qualification 'murderous' will not easily trickle down to the various separate actions which together constitute (an instance of) murderous behaviour. On the other hand buying an extremely poisonous substance on a secretive black market in a quantity far in excess of what might be needed for an attempted suicide might be considered a murderous action.

With the notion of genocidal action one faces comparable conceptual difficulties. We will assume that the notions of tribocidal/genocidal action and tribocidal/genocidal behaviour are conceptually linked as follows:

**Definition 3.1** *Tribocidal behaviour is any behaviour which includes one or more tribocidal actions.*

and similarly:

**Definition 3.2** *Genocidal behaviour is any behaviour which includes one or more genocidal actions.*

We also assume that the following Assumption is valid:

**Assumption 3.1** *Any genocidal behaviour is also tribocidal behaviour.*

Definition 3.2 reduces the definitional problem to finding adequate definitions of tribocidal action and genocidal action. We expect that no single definition of genocidal action will satisfy all users (both active and passive) of that phrase, but we will make up our mind on this matter.

**Definition 3.3** *(Tribocidal action.) A tribocidal action is any action (activity) P such that:*  
(i) *P is part of a sequence of actions S which together constitute a case of tribocide,*  
(ii) *Action P is characteristic for the tribocidal nature of the sequence of actions S.*  
(In other words: without actions like P, the qualification of the sequence of actions S as a case of tribocide would not apply).

**Definition 3.4** *(Genocidal action.) A genocidal action is any action (activity) P such that:*  
(i) *P is part of a sequence of actions S which together constitute a case of tribocide,*

(ii) *P* constitutes a tribocidal action in action sequence *S* according to Definition 3.3, and

(iii) Said tribocide is part of a genocide (that is: tribocidal intent is present for said sequence of actions *S* as a whole).

We notice that (with Definition 3.4) for a specific action *P* to count as genocidal, there is no requirement that the action *P* is caused or explained by tribocidal intent. Moreover, a mere exposure of tribocidal intent (as a speech act of some kind) will not count as tribocidal, and for that reason it will not count as genocidal either.

### 3.1 Threshold issues: a major complication

One might be tempted to think of a tribocide as a sequence of actions *S* which involves tribocidal actions  $P_1, P_2, \dots, P_n$  such that from some stage (say  $k$ ) onwards the threshold for tribocide is crossed. Similarly one might be tempted to think of a genocide as a sequence of actions *S* which involves a subsequence of genocidal actions  $P_1, P_2, \dots, P_n$  such that from some stage (say  $k$ ) onwards the threshold for genocide is crossed. However, Definitions 3.3 and 3.4 stand in the way of this very idea because right from the start of the subsequence  $P_1, P_2, \dots, P_n$  of *S* already the qualification of  $P_1$  as a tribocidal (genocidal) action can only be based on the qualification as a case of tribocide (genocide) of the initial segment of the sequence of actions *S* leading to (and including) action  $P_1$ .

### 3.2 Pre-tribocidal actions, pre-genocidal actions

In order to solve the threshold issues mentioned in 3.1 above, we will introduce as new qualifications pre-tribocidal and pre-genocidal. These notions will be designed in such a manner that the following definitions are workable.

**Definition 3.5** *Pre-tribocidal behaviour is any behaviour which includes one or more pre-tribocidal actions.*

**Definition 3.6** *Pre-genocidal behaviour is any behaviour which includes one or more pre-genocidal actions.*

We also assume that the following assumptions are valid:

**Assumption 3.2** *The pre-versions of these notions are more inclusive than the original versions thereof:*

(i) *Any pre-genocidal behaviour is also pre-tribocidal behaviour.*

- (ii) Any tribocidal behaviour is also counted as a pre-tribobocidal behaviour.
- (iii) Any genocidal action is also a pre-tribocidal action.
- (iv) Any tribocidal action is also counted as a pre-tribobocidal action.

Now we proceed with providing definitions for pre-tribocidal action and pre-genocidal action.

**Definition 3.7** (*Pre-tribocidal action, when viewed as an action in a given sequence of actions S.*) A pre-tribocidal action is any action (activity) P such that either (A) or (B) is the case:

(A) P is part of the sequence of actions S which together constitute a case of tribocide, and P is a tribocidal action in S according to Definition 3.3;

(B) P is part of the sequence of actions S and this sequence of actions S may (hypothetically, conceivably) be extended to a sequence of actions S', such that the following three conditions are met:

(i) S' constitutes a case of tribocide,

(ii) P is a tribocidal action in the sequence of actions S' according to Definition 3.3,

(iii) Action P is characteristic for the tribocidal nature of the sequence of actions S'.

(In other words: without actions like P, the qualification of the sequence of actions S' as a case of tribocide would not apply).

An alternative way of stating condition (iii) of the above definition is to assume that the extension S' of S is chosen in a minimal way and to require that while S' counts as a case of tribocide, upon (hypothetically) removing action P from S' (thus obtaining S'') it would not be the case that S'' is considered to be a case of tribocide. The following Claim indicates that the threshold complication has been overcome.

**Claim 3.1** A tribocide is a sequence of actions S some of which, say P<sub>1</sub>, P<sub>2</sub>, ..., P<sub>k</sub>, ... P<sub>n</sub> are pre-tribocidal (as actions in S) and such that with, say P<sub>k</sub>, the threshold to tribocide is crossed and each initial segment of S including P<sub>k</sub> is considered an instance of tribocide.

Of course concerning Claim 3.1 there may be differences of opinion about at which stage the threshold to genocide is passed.

**Definition 3.8** (*Pre-genocidal action, when viewed as an action in a given a sequence of actions S.*) A pre-genocidal action is any action (activity) P such that either (A) or (B) is the case:

(A) P is part of the sequence of actions S which together constitute a case of tribocide, and P is a tribocidal action in S according to Definition 3.3, moreover S is the tribocide component of a genocide.

(B) *P* is part of the sequence of actions *S* and this sequence of actions *S* may (hypothetically, conceivably) be extended to a sequence of actions *S'* (now also containing speech acts and determination and expression of intent related actions), such that the following three conditions are met:

(i) *S'* constitutes a case of genocide, thereby including a tribocide, say *S\** which includes action *P*;

(ii) *P* is a tribocidal action in the sequence of actions *S\** according to Definition 3.3;

(iii) Action *P* is characteristic for the tribocidal nature of the sequence of actions *S\**. (In other words: without actions like *P*, the qualification of the sequence of actions *S\** as a case of tribocide would not apply, and qualification of its extension with intent related behaviour as included in *S* would not qualify as genocide either.);

(iv) The actions in *S* give rise to the suspicion of tribocidal intent.

Our definition of genocidal action turns out to be remarkably complicated. We find that the threshold complication has now found a satisfactory solution:

**Claim 3.2** *A genocide is a sequence of actions  $S$  (say  $S = S_1, S_2, \dots, S_m$ ) some of which, say  $P_1, P_2, \dots, P_n$  are pre-genocidal (as actions in  $S$ ) and such that*

(i) *With, say  $S_k$ , the threshold to tribocide is crossed and each initial segment of  $S$  including  $S_k$  is considered an instance of tribocide, and*

(ii) *With, say  $S_l$ , the threshold to tribocide is crossed and each initial segment of  $S$  including  $S_l$  is considered an instance of behaviour with tribocidal intent, so that*

(iii) *With action  $S_{\max(k,l)}$  the threshold to genocide is crossed.*

We finalize this Section on pre-versions of the action form of genocide accusations/claims with some remarks:

- We notice that (unlike passing the threshold to tribocide) passing the threshold to genocide may take place with an action which is not tribocidal.
- It follows from these definitions that without including clause (iv) of (B) in Definition 3.8 every pre-tribocidal action *P* (w.r.t. *S*) would be also pre-genocidal (w.r.t. *S*). This is the case because one may always imagine that later in the process (in the hypothetical extension *S'* of *S*) that is, later in *S'* than *P* the presence of tribocidal intent can be validated on the basis of non-tribocidal actions in *S'*.
- Unlike the definition of a pre-tribocidal action, the definition of a pre-genocidal action critically depends on the concept of tribocidal intent, which we will discuss in depth below. Disagreements on how to determine the presence of tribocidal intent, will carry over to the hypothetical reasoning patterns used when considering pre-genocidal actions.

- An action may be considered pre-genocidal (according to Definition 3.8) in a stage at which the entire progression of actions has not yet reached the threshold of being genocidal.

## 4 Metrics

In this section we will discuss qualitative and (pseudo) quantitative methods for reasoning with and about the concept of genocide. We will first consider some elementary logical aspects of the concept of genocide, thereby concluding that semantic controversy is almost built-in the concept.

Secondly we consider the fact that tribocide as well as genocide combines a qualitative aspect with a quantitative aspect. In other words: volume or numbers count, and may contribute to the proper qualification of events and episodes.

We will propose a rather naive quantitative approach to the relevant definitions and we find that “quantification” to the analysis of concepts is both illuminating (quantification is not too much of an overhead) and confusing (because a significant degree of arbitrariness is exposed)

### 4.1 Genocide’s meaning is an evolving compromise, a matter of logic

We assume that genocide studies is a field of research which, among other tasks sets itself the task to contribute on a sustained basis to the improvement and stabilization of the notion of genocide.

Now consider a participant C of the area of logic studies. We assume that C adopts the common view that it is an objective or motive of genocide studies to contribute to the prevention of genocides.

It then follows for C that a positive contribution can be made by changing (or at least contributing to a change coming about) in the definition of genocide in such manner that it becomes less inclusive. As a side-effect of the later change it is to be expected that the number of genocides decreases (in comparison with what it would have been, had the name not been changed). Paradoxically, the “best” result, in terms of reducing occurrences of genocide, is found if the definition of genocide becomes self-contradictory so that no genocides can occur at all.

A way out of the above dilemma for C is found upon making the following four additional assumptions:

(i) C has in mind some concept  $GC_C$  (genocide according to C) which is robust against changes in the definition of genocide, and

- (ii) In fact C has the desire/ambition to prevent occurrences of  $GC_C$ .
- (iii) For C both the term genocide and the meaning of that term are mere tools which C considers useful for preventing occurrences of  $GC_C$ ,
- (iv) C is aware that the definition of genocide constitutes a compromise between different agents who all maintain their own priorities in terms of which crimes against humanity must be prevented and how that must be done.

Now it is an unpleasant but unavoidable complication that for agent D, a colleague of C there is a need to maintain a notion  $GC_D$  and that there is no mechanism which ensures some equivalence between  $GC_C$  and  $GC_D$ .

Assuming that the notion of genocide is adapted in successive stages and that such adaptation is a matter of negotiation and compromise then it becomes very plausible that at some given stage some participants to the debate will consider the notion of genocide as defined in that stage too restricted, while other participants to the debate may consider the same definition to overly inclusive.

In practice the situation is far more complicated because agent C also assigns their own meaning  $\llbracket GC \rrbracket_C$  to the concept of genocide, which may differ from the hypothetical true (average, agreed etc.) meaning of  $\llbracket GC \rrbracket$  where it is to be expected that  $\llbracket GC \rrbracket_C$  lies somewhere in between of  $\llbracket GC \rrbracket$  and  $GC_C$ .

An informative example of such complications is discussed in a pair of papers in the Journal of Perpetrator Research. Martin Shaw [41] argues that the concept of genocide is useful and up to date and that in particular it helps to understand (by way of classification as genocide) the wrongs of a certain behaviour P of a certain state (perpetrator) P. Thus according to [41] the behaviour P is within  $GC_{Shaw}$ , and within  $\llbracket GC \rrbracket_{Shaw}$ , and also within  $\llbracket GC \rrbracket$ . In response [41], Dirk Moses writes [33] where one finds that the behaviour P is within  $GC_{Moses}$ , but outside  $\llbracket GC \rrbracket_{Moses}$ , and outside  $\llbracket GC \rrbracket$ .

We notice that Moses and Shaw agree on the rejection of the relevant behaviour P in this particular case (as P is in  $GC_{Shaw}$  and in  $GC_{Moses}$ ). However, Moses and Shaw disagree about the application of the concept of genocide in this case (as P is in  $\llbracket GC \rrbracket_{Shaw}$  and in  $\llbracket GC \rrbracket_{Moses}$ ). They both consider their own view on genocide classification (for this particular case) to be valid in general, and Moses infers that P is not in  $\llbracket GC \rrbracket$  while Shaw infers that P is in  $\llbracket GC \rrbracket$ . Shaw concludes that the concept of genocide is fruitful in connection with P while Moses concludes (from this and other examples) that genocide is insufficiently specific, that its use delays legal proceedings, and that it is best abandoned.

Without making any choice about the disagreement between Moses and Shaw we formulate the following claims:

**Claim 4.1** *For the concept of genocide to be useful and practical it is essential that it is not all-inclusive. In other words moral rejection, however strong and however justified, is by no means sufficient for the validation of a genocide accusation.*

**Claim 4.2** *For the meaning  $\llbracket \text{GC} \rrbracket$ . of genocide it is to be expected that some agents consider certain behaviours P mistakenly (and disappointingly for the agent) classified outside  $\llbracket \text{GC} \rrbracket$ .*

## 4.2 On appreciating genocide accusations

We consider a genocide accusation X with accuser A and accused B and body “Behaviour P of agent B constitutes genocide”. Now agent C in scope of the accusations speculates on what accusation X brings to light concerning the views of A.

(i) Plausibly A considers P to be wrong and assumes that the concept of genocide is a useful descriptor of that state of affairs, in which case P is contained in  $\text{GC}_A$ .

(ii) It may also be the case that A has read the literature about genocide and came to the conclusion that P lies within  $\llbracket \text{GC} \rrbracket$  (which A derives from their conclusion that P lies within  $\llbracket \text{GC} \rrbracket_A$ ).

(iii) Finally it may be the case that A has read the literature about genocide and came to the conclusion that P is not contained in  $\llbracket \text{GC} \rrbracket$  while A concludes (perhaps as a minority position among genocide experts) that P is contained  $\llbracket \text{GC} \rrbracket_A$ . In this case the genocide accusation X may be understood as an expression of A’s views on the concept of genocide.

## 4.3 A symbolic approach to the assessment of relevant weights

Let Z be a behavioral process, which we think of as being combined with its intent or motivation (i.e. mens rea). Any genocide is a behaviour paired with an intention/motivation. For process Z the observable behaviour involved (that is, the process understood without any consideration of the mens rea) is denoted with

$$B_{\text{ob}}(Z)$$

and the mens rea involved is denoted with:

$$\text{MR}(Z).$$

Now degrees of fit with a concept will be measured as (trans)real numbers (augmented with signed infinite numbers), where 0 represents the manifest absence of any fit, and  $+\infty$  represent full fit, while 1 represents neutrality, no tendency to fit and no tendency not to

fit. We propose to adopt the entropic transreals of [15] as a model of arithmetic for this case. The degree of the visible behaviour being tribocidal is denoted

$$TC_d(B_{ob}(Z))$$

and the degree of the intentions and motivation being tribocidal is denoted with:

$$TCl_d(MR(Z)).$$

### 4.3.1 Intentional avoidance of tribocide

It seems reasonable to require that for a tribocide not to be counted as a case of genocide, not only the absence of tribocidal intent must be established but that a visible intent is present to avoid or at least to minimize tribocide.

The intention to avoid tribocide, denoted  $ATCl_d(MR(Z))$  is measured as the inverse of the intention to achieve tribocide.

$$ATCl_d(MR(Z)) = \frac{1}{TCl_d(MR(Z))}.$$

We assume that some metric of the degree of being genocidal is given by

$$GC_d(Z)$$

We may now postulate the following equation:

$$GC_d(Z) = TC_d(B_{ob}(Z)) \cdot TCl_d(MR(Z)) = \frac{TC_d(B_{ob}(Z))}{ATCl_d(MR(Z))}.$$

If  $TC_d(B_{ob}(Z)) = +\infty$ , i.e. there is no doubt on the tribocidal consequences of  $Z$  and  $TCl_d(MR(Z)) = 0$  i.e.  $ATCl_d(MR(Z)) = +\infty$  then  $GC_d(Z) = +\infty \cdot 0 = 0$ , i.e.  $Z$  represents no genocide. Conversely, if the intention to achieve tribocide is maximal ( $TCl_d(MR(Z)) = +\infty$ ) while the tribocidal effect is minimal ( $TC_d(B_{ob}(Z)) = 0$ ) then also  $GC_d(Z) = (0 \cdot +\infty) = 0$ .

The significance of these equations calculations lies in illustrating the symmetry between observable behaviour and intention/motivation in the construct of genocide. Given behaviour  $Z$  we denote with  $actor(Z)$  the agent (or collective of agents) who is (or has been) performing  $Z$ .

Working with  $ATCl_d(MR(Z))$  rather than with its counterpart  $TCl_d(MR(Z))$  creates an incentive for an observer to assess and imagine the various options for  $actor(Z)$  to mitigate the consequences of its actions for  $Z$ .

### 4.3.2 Definitions with a threshold

We assume that the definition of tribocide is related with quantification in such a manner that tribocide is a correct qualification of behaviour  $Z$  if  $TC_d(B_{ob}(Z)) \geq 100$  and that tribocidal intent is indicated if  $TCl_d(MR(Z)) \geq 100$ . Now for genocide to be present we require in addition that  $TC_d(B_{ob}(Z)) \cdot TCl_d(MR(Z)) \geq 15.000$ . In other words we leave room for tribocide with tribocidal intent which does not yet count as genocide in order to mark the extreme nature of genocide in quantitative terms.

## 4.4 Essential genocides

The Holocaust involved systematic theft of property belonging to those who were prosecuted. So it may be said that the Holocaust was a case of organized theft. Obviously, however, indicating the Holocaust as a case of organized theft comes nowhere near a characterization of the crime which the Holocaust constitutes. We may express this observation in other words as follows: the Holocaust is not essentially a case of organized theft. These considerations lead to the following Definition.

**Definition 4.1** *A genocide is an essential genocide if the crime it constitutes is essentially characterized (qua crime) by its classification as an instance of genocide.*

With  $GC^\#$  we denote the class of essential genocides as a subclass of the class of genocides  $GC$ . The Holocaust may be considered unique (as a genocide) because of the systematic individual persecution of all members of the victim groups (and in particular of the Jews). This characteristic aspect of the Holocaust is not part of the definition of genocide. We find that under these assumptions the Holocaust, is in  $GC$  while the Holocaust is not an essential genocide, i.e., not included in  $GC^\#$ .

For an observer who believes that a genocide must necessarily be an essential genocide, the Holocaust lies outside  $GC$ . A genocide which is non-essential might be called a collateral genocide, because the genocide involved is collateral damage of an even more problematic crime.

The metrics of 4.3 above are independent of the quality of being essential for a genocide.

## 5 Controversial genocide accusations

We will assume below that “genocide accusation” refers to a real-time accusation of episodal genocide thereby following the explanation of this notion given in [14].

We imagine a case where agent  $A$  accuses agent (or collective of agents)  $B$  with scope  $S$  of committing genocide by way of stating body  $\beta$ . We will refer to this accusation as  $X$ .

In its simplest form the body  $\beta$  of  $X$  merely asserts the presence of genocide as a consequence of  $B$ 's actions along with rough coordinates in space and time of the target behaviour of  $B$ , whereas in more elaborate forms  $\beta$  includes an explanation of the target behaviour  $P$  in detail as well as why such behaviour is to be seen as an instance of genocide.

It is non-trivial to define or explain what it means for accusation  $X$  to be controversial. We will list obstacles for understanding whether or not an arbitrary accusation  $X$  is controversial with comments on these obstacles:

## 5.1 Generic aspects of controversy for accusations

We first examine some aspect of controversial accusations which pertain for accusations in general.

1. It seems reasonable to understand the accusation  $X$  being controversial as some form of weighted assessment of the assessments made of the accusation by all agents in scope of the accusation including accuser and accusee.

Two issues arise: How to assign weights to the views of different agents in scope, and whether or not to take views of other agents into account?

2. It is plausible that the accusee  $B$  disagrees with the claims made by  $A$  as expressed in body  $\beta$ .

We feel that mere opposition of the accusee to the accusation is insufficient to render it controversial for the simple reason that such opposition is to be expected. With the same argument, one might claim that opposition by friends or supporters of the accusee will not render the accusation controversial.

We refer to [45] for a thorough analysis of a case of genocide denial by its perpetrators. In particular, it is shown how certain scholars of specific cases of genocide may contribute to controversy and thereby support genocide denial in other cases.

Apparently, mere disagreement between agents in scope of the accusation is insufficient for qualifying an accusation as controversial. What matters for the existence of relevant controversy, is a difference in assessment between independent and unbiased agents in scope.

## 5.2 Genocide accusation specific aspects of controversy

In the specific case of a genocide accusation, much more can be said regarding the plausibility and origin of controversy. Two forms of controversy may be distinguished:

**Generic root controversy:** controversy coming about from differences in understanding of the concept of genocide (for instance someone may oppose the ranking of the Holocaust as a genocide because such ranking would obscure the crucial uniqueness of the Holocaust).

**Case specific controversy:** controversy about the validity and/or justification of the use of the genocide qualification in a specific case, which comes about from differences of judgment which concerning the absolute and relative weight of critical parameters of a shared definition of genocide.

Now clearly in a specific case, both the accuser and the accused may seek to have their own preferences concerning the interpretation of the concept of genocide honored. It is to be expected that the accuser and the accused differ on both matters: their understanding of genocide in general, and their application of such understanding in a specific case. We list some aspects of controversy for a genocide accusation X.

1. Following [27] we notice the importance of adopting a historical view on genocide instead of or at least besides a merely legal view of it. In particular issues of intent may only be adequately evaluated in hindsight after thorough historic analysis and even for the Holocaust determination and assessment of the presence of intent as a causal factor for the target behaviour has proven to be far from trivial, and differences of opinion remain on that matter. It may be simpler to validate the derived tribocide.

The tension between a formally legal and a historical appreciation of genocide may, according to [27] lead to a situation where the legal process do not acknowledge the presence of genocide in cases where subsequent historical assessment does.

In other words, in spite of much progress in genocide studies, it remains unclear to what extent it is possible to achieve reliable real-time identification of genocide among a range of war crimes, crimes against humanity, and genocide-like events.

2. Controversy may arise from qualifying the status of genocide accusations among other extreme accusations. From [6] we quote:

The question is do we want genocide to enjoy the status of the “crime of crimes”? Dirk Moses, in *The Problems of Genocide*, posits that we do not.

As explained in [6] the unlimited and unconstrained quest for permanent security might eventually replace genocide as the ultimate crime.

3. Controversy may arise from different views on the significance of substantiality. For the latter concept, which may be understood legally (the intent to pursue the harm as understood in classical definitions of genocide) as well as sociologically (the volume of harm caused by the target behaviour). In [35] it is argued that a primary focus on a sociological interpretation of substantiality is counterproductive.
4. Controversy may arise from a grey area between ethnic cleansing and genocide. Especially when basing one’s assessment about genocide being present in a specific case on existing legal assessments of genocide (of which there are remarkably few, rendering comparative genocide quite difficult, see [37] for an explanation and application of comparative genocide studies) then ethnic cleansing may be easier to confirm than genocide.

In [25] quasi-genocide is used for cases which require as much moral condemnation as genocide in spite of perhaps not fulfilling certain criteria for being legally qualified as genocide. According to [25] the field of genocide studies risks becoming futile if its power and ambition to prevent quasi-genocide is absent because of a formalistic adherence to criteria for genocide.

### 5.3 Self-incriminating accusers

A peculiar situation arises in the seemingly implausible but nevertheless conceivable case that the accused agrees with the accusation X. In such a case the accused may be considered to be self-incriminating (at least from the perspective of the accuser).

In that case the accused sees justification for the target behaviour (which is not seen as such by the accuser). Now the accused claims to perform justifiable genocide, which indicates a disagreement about the very concept of genocide. Here we assume that according to the accuser as well as most agents in scope of X justifiable genocide is a self-contradictory notion which cannot occur for that reason.

In such a case one may expect a generic controversy: then accuser may disagree with the accused that genocide is morally wrong, or the accused may (unlike the accuser) confuse genocide with tribocide and consider the latter to be justified (in their own system of values).

**Claim 5.1** (*Extremity claim*): *Justifiable genocide is a self-contradictory phrase; genocide can never be justified whatever the context of its occurrence.*

In a public communication concerning some specific event (which may be either historic or ongoing and which may be a flash event or an episodal event) the term genocide may occur in different roles. Below we only list positive occurrences (somehow consistent with the event being or being considered a case of genocide), where each category of positive occurrences come with a corresponding category of negative occurrences.

- As an accusation (an instance of an accusation-type genocide accusation);
- As a part of a description of matter of fact about a real-time or historic event; such use may have two extremes (a) and (e) with various options in between:
  - (a) An implicit accusation (comparable to the well-known example phrase “stop beating your wife”),
  - (b) As a scholarly supported implicit accusation (i.e., a documented and proven judgment based on the application of a reasonable selection of research works from the scholarly area of genocide studies.
  - (d) A documented and proven judgment based on the application of international law.
  - (e) As a reference to an assessment of the event in which it is portrayed as an instance of genocide.
- As a notion in social sciences/philosophy/law, occurring in a text about such topics.

**Claim 5.2** *For real-time events, qualification as genocide is often done in the context of an accusation or in the context of an implicit accusation.*

We adopt the following claim, which seems obvious but which nevertheless contradicts [1] where it assumed that genocide needs not constitute morally wrong behaviour.

## **5.4 Autogenocide, hybrid genocide**

**Claim 5.3** *When a genocide accusation is made it is assumed by default that the target behaviour is (seen from the perspective of the accuser) a wrongdoing by the accusee.*

However, one can not exclude that a mixed form of genocide and autogenocide is at stake. For autogenocide see [42]. One may imagine a war where an Agent (i.e., state) B attacks an

agent B' and where after having lost in practice the leadership of B' is unwilling to surrender so that B continues its operations against B' with destructive consequences suggestive of tribocide. Now one may consider the option of viewing the matter as a combination of genocide perpetrated by B and auto-suicide from the side of B'.

**Claim 5.4** *When a genocide accusation is made it is in exceptional cases possible that the target behaviour is a wrongdoing by the accusee as well as the victim of the target behaviour. In such cases the genocide is an auto-genocide at the same time.*

**Definition 5.1** *Scholarly confirmed genocide is given in case a target behaviour of agent A is qualified as being a case of genocide by the consensus of majority of a relevant community/group of scholarly investigators of said target behaviour.*

Scholarly confirmed genocide may be contrasted with legally confirmed genocide and with unconfirmed genocide. Unfortunately it is far from easy to determine when and to what extent one may speak of a scholarly confirmed genocide. Importantly the scholarly literature must be accessible for authors with different views.

Here we notice some tension with the self-image of genocide studies as a field of research the application of which lies primarily in genocide prevention (we refer to [22] for an extensive discussion of the role, status and perspective of prevention in genocide studies).

A protracted dispute in scholarly circles over whether or not certain target behaviour constitutes genocide may stand in the way of effectively bringing a case of genocide to an end. The threat of futility of genocide studies as mentioned by [25] capitalizes on the risk of stagnation in the progress towards scholarly consensus of a cautious research community.

For Raphael Lemkin it was a basic assumption that genocide must be named categorically in order to create preconditions for its prevention. However, the situation as it occurs in practice when a specific case of a candidate genocide has been identified, may be different, as the need or urge to obtain scholarly consensus about the classification of the relevant target behaviour as genocide may paralyze persons and institutions whose intervention would be vital for ending the target behaviour. These difficulties are extensively discussed in [22].

## **6 Justifiable tribocide: patterns for tribocide justification**

Unlike genocide it is conceivable in principle that tribocide is justifiable. Justifiable tribocide may arise in case military imperatives require or strongly indicate a destructive attack

on a national, ethnic, racial or religious group in whole or in part. Justification of tribocide may be controversial, but in any case it is not logically incoherent.

Justification of tribocide is inevitably a complex matter, and probably is bound to be controversial. But as it is possible in principle it is relevant to understand how such justification might work. If tribocide is committed by an agent who insists to be justified in their actions, it is plausible that these actions are both planned and intended.

Justification of tribocide comes with the idea that tribocide may not be committed as the result of a primary intention (for committing that specific instance of tribocide) but may merely be planned (and in that sense intended) as a part or phase of the adequate “means to an end” for a quite different but fundamentally justifiable objective.

We believe that there are only a limited number of reasoning patterns which might lead to the justification of an instance of tribocide, and we will now list and survey some such patterns.

(Self-defense upon attack) A state B may for instance justify (or in any case try to justify) tribocide (i.e. their behaviour  $P_{tc}$  which encompasses said tribocide) towards a group G, by claiming that an attack from the state C of which group G constitutes a core component may (or could) only be resisted by military means (involving behaviour  $P_{tc}$ , the effect of which includes tribocide.

The carpet bombing of German cities during WWII (which arguably amounts to tribocide) may perhaps be justified retrospectively in this manner, and was probably justified along these lines at the time, although the argument appears to be rather unconvincing in hindsight.

(Preventive strike) Comparable to self-defense is the situation where a state B acts as mentioned in item 6 though by way of a preventive attack under the assumption that by further delay there is an unmanageable risk that even an attack involving tribocide may not suffice to defend B against a future attack by A state C.

(Cross-enemy preventive strike). A rather more complex situation can be imagined as follows:

- We imagine that state B retaliates to an attack from state C in a way which comes with tribocide;
- The motive for a state B for retaliating in a tribocidal manner (thereby running the risk of committing genocide, and being accused of doing so) to an attack from state C does not lie in the threat immanent from C (now or in the future) but elsewhere;

- State or entity D may fear a future attack by state or entity D (a long term ally of C); at the same time A may be uncertain that a preventive attack on D is accepted by the international community (and A may fear subsequent problems after a preventive strike on D);
- Now state B may expect that its actions towards state C will trigger an attack from D so that a decisive response to the attack by D may serve as a preventive strike against D (without risking a problematic response by surrounding states).
- In this case A engages in a deliberate balancing act where the risk of being accused of genocide is balanced with the probability of being able to enact a preventive strike on D without problematic outside interference.

(Tactical retaliation aiming at a reversal of current genocide denial.) State A may claim to have been the victim of past genocide towards a group G in A from the side of D. Now A may accuse both D and the international community (or parts of the international community allied with D including state or entity B) of genocide denial.

In this situation, we imagine that B attacks A. Upon having been attacked by B, A may respond in a manner involving tribocide, thereby risking to commit genocide. State A takes care that the tribocide implied in the genocide that was perpetrated by D is more serious (in terms of the volume of harm, and in terms of the relative volume of harm in relation to the size of the victim group) than the tribocide which A is subsequently inflicting on B during its response on the attack recently mounted by B. Now A may expect that validation of a genocide accusation towards A cannot succeed without a validation of their genocide accusation towards D becoming validated and recognized as well. It will then be a demand of A that B recognizes the past genocide as perpetrated by B towards A.

Admittedly, it is fairly hard to imagine a setting where the tactical retaliation pattern thus explained is convincing, but the idea cannot be excluded. Ideological positions may be matters of life and death for a state and recognition by B of a past genocide victimhood of tribe G in A may conceivably have fundamental and positive consequences for A.

In [46] the slogan “Genocide is worth it” is taken seriously as a rationale for perpetrators of mass atrocity who see little risk of being punished after involvement in such atrocities. We emphasize that justified tribocide goes beyond the suggestion that in some cases “Tribocide is worth it”, as justification is meant to exist from an outsider perspective, and not merely from a perpetrator perspective.

A serious complication in these considerations is that tribocide may occur in cases where either no war has been declared or the laws of war hardly apply, while at the same time the perpetrator of a tribocide may explain their actions in terms of a war the existence or the character of which may be disputed so that application of laws of just war may be problematic. For instance the perpetrator may claim to be under threat, and claim the right to proceed by means of proactive attacks, while supporters of the victims see no significant threat which might justify such attacks.

## **6.1 The preventive strike in more detail**

If B carries out a preventive strike on A, making use of its armed forces, and if A is equipped with an ordinary army then the latter knows that surrender is needed and reasonable when ongoing resistance has no chance of success. Under these circumstances it is unreasonable if a tribocide is taking place in the context of the attack and the subsequent war.

However, if the resistance of A is successful and A threatens to invade B in return, there is no justification for a response by A amounting to tribocide in order to force A into submission. In both cases no justifiable tribocide on A can occur.

We will now make a series of assumptions concerning A which together create a context wherein a preventive attack by A (if justified) can degrade into a justified tribocide.

- (i) As a part of the population A contains paramilitary forces pMF;
- (ii) The pMF is entirely embedded in the population of A;
- (iii) Distinguishing members of pMF from other civilians in the population of A is hardly possible for the regular forces B;
- (iv) Most members of pMF shelter in the key facilities of A;
- (v) Most key facilities of A provide shelter from members of pMF, with as a consequence that a successful and victorious strike against pMF must unavoidably come with collateral tribocide against the population of A.
- (vi) pMF maintains a principle of no surrender irrespective of the amount of suffering in the population of whatever the sacrifices of the population of A at large. They will fight until the last man standing is gone, and will regroup and rearm if possible after some cease-fire has come into force.
- (vii) pMF has de facto the power of government in A;
- (viii) Unless entirely defeated the remaining forces of the pMF will, once a cease-fire has been agreed, regroup and rearm and will recruit new members from the population.

When the above conditions are met, it may be justifiable for B to carry out a preventive strike with expected collateral damage which amounts to tribocide.

## 6.2 Tribocide justification denial and intrinsic tribocide justification

At first sight denial of (an instance of attempted) tribocide justification amounts to providing a fatal critique of the arguments brought forward (by the accusee or their allies or representatives) in favour of the justification of the tribocide at hand.

However, we suggest intrinsic tribocide justification as a stronger version of tribocide justification. Intrinsic tribocide justification requires that an analysis is made of the context in which the tribocide took place, and by doing so arguments explaining (and potentially justifying) its occurrence may be uncovered even if such arguments were not brought forward by the accusee in the first place. For instance political pressures may prevent the accusee from bringing forward motives they had for perpetrating tribocide which depend on assessments which they do not want to share with the public at large, even at cost of being considered culpable of unjustified tribocide, and in a later stage at the even greater cost of being considered culpable genocide.

## 7 Concluding remarks

In 1.7 we have outlined the methodology of introducing notions with simpler and more stable definitions next to notions which offer conceptual problems, in order to find a way to deal with such conceptual problems. As an instance of an approach in that line we mention the introduction of transreal numbers in [3, 4]. Transreals provide a clear picture of a number system containing so-called peripheral numbers which can be used when contemplating the reals as available in IEEE 754 floating point arithmetic. From the perspective of pure mathematics working with infinite values as in transreals may be obscure, the mainstream approach being surreal numbers or nonstandard arithmetic, but confronted with the conceptual complications of floating point arithmetic, working with transreals is informative. Connections with pure mathematics may still be found, for instance following [24]

One of us (JAB) has made extensive efforts for concept analysis and clarification in this manner before, to mention:

(i) Next to fraction (an ambiguous notion in arithmetic) the neologism “fracterm” was introduced (with as its meaning less ambiguous notion), for details see [7];

(ii) Next to program (i.e. computer program) comes instruction sequence, a notion which admits a reasonably clear definition, which, remarkably, plays almost no role in the theory of computer programs). Subsequently with the help of instruction sequences one may define the notion of a (computer) program.

And next to algorithm (an amalgam between an open-ended family of different programs and the design idea shared by the members of this family) comes algorhyme (like

algorithm but with a bias to a prototypical and design explaining/exposing abstractly programmed implementation, i.e., high level pseudocode. For instruction sequences and algorithms we refer to [8];

(iii) Next to process (as a notion in the theory of computer science) comes thread (as a specific form of process, which does away with the complexities of non-determinism, see [16]).

In a similar vein tribocide is suggested as a novel term and notion besides genocide, where tribocide has a simpler definition than genocide, yet is closely related to it. The introduction of additional terminology, such as tribocide as proposed in the present paper, complicates the field, possibly without advantage. In [2] it is noticed that the introduction of additional terminology may weaken the expressive power of existing terminology. However, as an instance of extreme accusations, a genocide accusation, when applied in a practical case, comes with the risk of overaccusing, a risk which as discussed in [13], must not be taken lightly. We consider the introduction of the term tribocide justified as an instrument for avoiding overaccusation.

There is a notable connection between tribocide accusations and conspiracy theory. Although this connection seems to be of lesser relevance for the logic of genocide and the theory of genocide accusations, we have spelled out some details of the mentioned connection in Appendix B. The conclusion of these considerations is that it is plausible for an accusation of tribocidal intent to involve a conspiracy hypothesis, so that a tribocidal intent accusation then comes with a particular conspiracy accusation.

Finally we wish to spend some words on the connection of our work with the objectives of the journal *Transmathematica*. At the basis of the editorial policy of this journal lies the conviction that total systems have additional value. Totality means: every function has a value on every argument in its intended domain, and every predicate can be evaluated as a function into an appropriate set of truth values. Whereas the use of many-valued logics constitutes a well-known approach to the totalization of (evaluation of) predicates and logical expression, the use of peripheral values in datatypes is less common.

Our contribution to genocide studies may be understood from the same perspective. We try to reformulate the theory of genocide in such a manner that it becomes easier to evaluate the qualification ‘genocide’ (i.e., to validate a genocide accusation) in actual cases. We propose that thinking in terms of tribocide in addition to and in advance of genocide will be helpful for achieving that objective.

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## A Conspiracy accusations

In [18] an intriguing case of accusations is discussed. We will not discuss the case in detail, though it rests upon the reaction (by collectively walking away from the public discussion in parliament) of the Dutch Cabinet after a member of it had been accused (by way of what the authors of [18] see as a conspiracy accusation). We discuss some aspects of the analysis of [18] in relation with our work.

1. The label conspiracy accusation is used (in [18] for an accusation in which the term or even notion of a conspiracy does not occur. In fact we see not even a remote suggestion of a conspiracy in the accusation at stake (see below). We will say that [18] uses associative labeling of the accusation body.

In contrast with associative labeling we speak of a genocide accusation in case the term genocide literally occurs in the accusation.

2. The authors of [18] show understanding of the reaction of the Dutch ministers, and in fact we do not. We see nothing in what was said in parliament by the accuser (an MP) in terms of an accusation towards a specific minister that could not be dealt with by simply responding in words. The MP said the following about finance minister Sigrid Kaag:

It is a fact that Sigrid Kaag studied at St. Anthony's College in Oxford. And it is also a fact that this is a perfect example of the connection between secret services, Marxism and the recruitment of a global Deep State.

For instance the prime minister might have said: "dear MP, I and my cabinet, we are all proud of having a finance minister who studied in Oxford and the idea that a VVD minister is a crypto-Marxist is utterly hilarious, and has no ideological backing at all. You too should be happy with having a finance minister with solid international experience".

3. It seems to us that labeling the accusation discussed in [18] as a conspiracy accusation renders the ministerial response of leaving the floor more plausible than it actually was.
4. Scope plays an important role in the analysis of [18]. In theory the scope of an accusation made in parliament by a Dutch MP is the members of parliament plus the cabinet. In practice the scope is much larger, and includes the countrywide constituency of the accuser and their political entity.
5. In [18] it is suggested that the validation of the body of the accusation at hand differs for different scopes, for instance for many MP's the accusation would be clearly invalid, while for others (in particular for the political allies of the accuser) validation of the MP's accusation would be more easy.

We believe, however, that it is not so much the case that the accusation is invalid from a conventional liberal or social-democratic perspective, but rather that its content is utterly meaningless when taken literally, and the government (ministers) may be considered to have been being unwilling (or unable) to clarify that disgust of the accuser, rather than dismissal of the body of the accusation, triggered their reaction.

6. We agree with [18], however, that the response by the team of ministers may well have been counterproductive when appreciated in terms of their respective political interests.

## **B Conspiracy studies, theories of conspiracy, and conspiracy theories**

We have argued in Section 7 the relevance of the notion of a conspiracy in connection with the accusation of tribocidal intent. Indeed in the absence of visible positive information, an accusation of tribocidal intent, in the presence of a confirmed tribocide, amounts to the accusation that a conspiracy exists or was in existence the participants of which shared tribocidal intent and that said shared intent was a driving factor for the tribocide at hand.

Proving the existence of a conspiracy if one suspects its existence may be very difficult in practice. Even for the Holocaust it has been remarkably difficult to uncover a conspiracy of persons who shared several particular tribocidal intent, while at the same time it is almost impossible to imagine such a level of organization and dedication in the absence of a driving conspiracy which was at the same time keen to avoid permanent documentation of their existence as much as possible.

**Claim B.1** *An accusation of tribocidal intent, unless obviously provable, amounts to a particular conspiracy accusation (the expression of a particular conspiracy hypothesis) about the leading perpetrators of the tribocide which involves shared tribocidal intentions of participants of the conspiracy and explains the organization and operation as having been decisively caused by the conspiracy. (Herewith is not necessarily assumed that all executioners of the tribocide were part of the conspiracy.)*

In order to substantiate Claim B.1 we must repeat some terminology concerning conspiracies.

1. A conspiracy consists of a perhaps loosely coupled group of individuals who share certain intentions and objectives and who together enact certain events or developments while keeping their activities, roles and identities secret, or in any case in visible for the public eye, as much as possible.
2. (The existence of) a conspiracy may be coined as an explanation of a certain event or development (with The Watergate burglary as a classic example). We will speak of a conspiracy hypothesis in such cases, and once validation of the hypothesis has succeeded we will speak of a conspiracy explanation.
3. The hypothesis that an at first sight implausible conspiracy is central for the explanation of a certain particular event, or of a pattern or sequence of events (such as the 9-11 disasters) is often called a conspiracy theory (rather than a conspiracy hypothesis).

4. We will refer to someone who proposes a conspiracy hypothesis, or who is working on the validation or invalidation of a particular conspiracy hypothesis, as a conspiracy investigator. (Here we depart from the terminology of [18], where a conspiracy hypothesis is considered a potentially unproblematic instance of a conspiracy theory, and where “conspiracy theory” is used without the customary pejorative connotation.)
5. We will understand “conspiracy studies” (rather than conspiracy theory) as the whole of theories about conspiracy (and such theories may take particular conspiracy theories (see below) into account, as well as particular conspiracy hypotheses and particular conspiracy explanations).
6. A theory of conspiracy is a general conceptual approach to the phenomenon of conspiracies. Conspiracy studies consist of a plurality of theories of conspiracy.
7. The notion of “a conspiracy theory” is to be used with care:
  - (i) “A conspiracy theory” is plausibly not used as a reference to (or qualification of) a chapter in conspiracy studies (i.e., as some specific theory of conspiracy). We will instead assume that conspiracy theory consists of a plurality of conspiracy meta-theories. Said plurality grows in time, and so do various of its members.
  - (ii) A conspiracy theory is unlikely to mention the term conspiracy, rather it is an external judgment that qualifies a particular conspiracy hypothesis as a conspiracy theory.
  - (iii) The proposer of a conspiracy theory is unlikely to portray themselves as a conspiracy theorist.
  - (iv) Labeling a proposal as a conspiracy theory always comes with a negative connotation about the quality of its evidence base and the reliability of the proposer.
  - (v) The conventional problematic connotation of this notion is linked to a judgment (prejudice?) about the originators of the conspiracy theory at hand (where it is taken for granted that these originators have no interest in collecting an evidence base for their hypothesis).
  - (vi) One might think that a conspiracy theory is proposed by a conspiracy theorist, but then it is important to notice that prejudice against the proposer of the theory (as a conspiracy theorist) causes the prejudice against the conspiracy hypothesis which they put forward, rather than the other way around.

8. A conspiracy accusation is an accusation by which a loosely described though anonymous accuser (collective of accusers) is claimed (by the accuser) to participate in a conspiracy which causes certain wrongs.

A conspiracy accusation is often framed by an external observer in scope by stating that the accuser is a conspiracy theorist.

9. It is plausible that a conspiracy investigator who proposes a conspiracy hypothesis (or who tries to validate a conspiracy hypothesis) is accused of being a conspiracy theorist.

The very idea that a conspiracy can in principle cause (and be blamed for) a tribocide is itself a claim that belongs to a theory of conspiracy aimed at generating action at large.

10. Conspiracism is the hypothesis (as a part of philosophy or of social sciences) that some people have an inclination to support (or invent) conspiracy theories (and by definition are disinclined to look for any thorough evidence for their suspicion).

11. According to [23] it remains to be seen to what extent conspiracism is true. Following [23] we mention the notion of a conspiracist.

12. A conspiracist is a person who has an inclination to support (or invent) conspiracy theories (and who is disinclined to look for any thorough evidence for their suspicion).

13. Thus conspiracism is the theoretical position that conspiracists exist.

14. In contrast with [18] we hold that conspiracism is a convincing position and the some individuals are clearly conspiracists.

## **C On the presence or absence of accusatory obligations**

We assume that accusation theory allows to theorize accusations while identifying the precise demarcation of accusations is ongoing and pending, and perhaps even controversial. Obvious as this may seem, it is a state of affairs with non-obvious implications.

### **C.1 Accusatory obligations: a dilemma in focus**

A promissory obligation is an obligation (for a promiser) which comes about from their making a promise. We speak of an accusatory obligation if the obligation (for the accuser) comes about from their issuing an accusation. We consider the following claim:

**Claim C.1** *Issuing an accusation may but need not create an obligation for the accuser. (In other words: there may be but need not be accusatory accusations the come with a specific accusation.)*

One of us (JAB) takes it for granted that claim **C.1** may be adopted thereby making the concept of accusation independent of an underlying concept of obligation. Now MD is afraid that upon having accepted claim **C.1** the question “Do accusations necessarily come with obligations for the accuser?” has become irrelevant because a positive answer has been excluded beforehand. MD assumes that here different theoretical viewpoints on the relationship between accusations and obligations are at stake. While it is possible that an analysis of the social functions of accusations in actual conversations will show that agents issue accusations without the willingness to validate the body of the accusation, an ethical analysis could show that the claim is justified that issuing an accusations is only legitimate if there is such a willingness. MD counts with the possibility that this position is correct. Then JAB states that denying claim **C.1** is just as problematic, as that gives rise to:

**Claim C.2** *Issuing an accusation necessarily creates an obligation for the accuser. (In other words: the set of accusatory obligations for an accusation is never empty.)*

Claim **C.2** Gives rise to a situation in which, whenever an accusation is specified it is plausible if not mandatory to explain which obligation the accuser is taking on board (i.e., to specify at least one such obligation), whether consciously or not. When working in accusation theory, however, one may prefer not to specify obligations which do not play any significant role. We may then assume the following Claim:

**Claim C.3** *There exists an empty obligation  $O_\epsilon$  which will always be complied with by any agent.*

Now it is always an option to have  $O_\epsilon$  as an obligation which comes with some accusation, and then to adopt the convention that when specifying an accusation the obligation  $O_\epsilon$  will not be mentioned explicitly as it is always present.

Given the latter option and upon adopting Claim **C.3**. JAB agrees with the suggestion of MD to prefer adopting Claim **C.2** over adopting Claim **C.1**. Adopting Claim **C.3**, however, is a formalistic approach which JAB would prefer to avoid, because there seems to be no possible ground for any agent for being obliged to  $O_\epsilon$ .

So JAB prefers to adopt Claim **C.1** while noticing that Claim **C.1** leaves open the possibility that in practice all accusations do create one or more obligations, while the latter merely happens to be the case (in all reasonable worlds) but need not necessarily be the case (in all conceivable worlds).

At this stage MD might object that adopting Claim C.1 restricts the outcomes of future research by rendering it impossible that eventually it is found to be the case that necessarily accusations come with accusatory obligations.

We are now seemingly trapped in a dilemma leaving no option for an escape. An option might be to proceed by explicitly leaving key questions unanswered.

## **C.2 Leaving open the necessity of the existence of accusatory obligations**

We may be explicit about the idea that the concept of an accusation is potentially evolving while working on and within accusation theory. The Claims C.1, C.2 and C.3 may be refuted while adopting Claim C.4.

**Claim C.4** *The development of accusation theory may proceed while leaving open whether or not the presence of accusatory obligations is a necessity. In practice this means that one may write about accusations also when avoiding any mention of corresponding accusatory obligations, and at the same time without claiming the absence of accusatory obligations*

Kripke's theory on naming and necessity [31] allows for the circumstance that a necessary state of affairs is not known a priori. In terms of our discussion about accusations: it is conceivable that the necessity of obligations for an accuser that come with issuing an accusation is a discovery which is made in due time, and which should not, merely in view of principles of necessity be taken for knowledge that is initially available when considering accusations. Stated differently: one may believe at some instant of time that a given accusation (say X) need not come with any obligation, while conceivably it will eventually become clear that all accusations come with some obligations (including accusation X), and yet in spite of the looming refutation of said belief there is no problematic incoherence present in the thought process on accusation theory at hand.