

The GENOCIDE Treaty

Only a national government has the power to produce “genocide,” which is the killing of an entire race of people. And only a government, when its troops invade other nations, can attempt to destroy an entire race outside of its borders. Neither an individual nor a group of individuals can commit genocide. And, if they try, they would quickly be jailed under already well-established criminal statutes. Thus we see that only nations can commit genocide, never individuals. Only a nation can blot out a race; an individual can only kill individuals.

But now we have a new international law governing nearly every civilized nation on earth,—that is able to charge innocent citizens with “genocide” for having done something that a national government considers harmful to other religions!

On December 11, 1946, the United Nations General Assembly voted unanimously to declare genocide as a crime under international law. Nearly a year later, on December 9, 1947, the same assembly unanimously adopted what is known as the “Genocide Treaty.”

Because of obvious omissions and inherent dangers in that treaty, the United States did not ratify that treaty for decades afterward. Finally, 40 years later, under immense political pressure from various sources, the United States approved it on February 19, 1988

Nearly eight months later, on October 14, 1988, the Senate gave final approval to the treaty as they enacted certain

legislation which would impose extremely heavy penalties to those found guilty of violating that treaty. The Genocide

Treaty (also called the “Genocide Convention”) was signed by President Reagan on November 11. On December 9, 1988, the treaty was ratified by the United States of America—and became an important law of the land—when it was formally filed by a representative of the United States president at the United Nations headquarters in Lake Success, New York. In an official ceremony, before all the delegates in the General Assembly Hall, the document was handed to the secretary general of the United Nations.

And, because it is now on the statute books of 96 different nations of earth,—the Genocide Treaty has become the first worldwide man-made law in the history of mankind! Why was the United States hesitant for so many years to adopt the provisions of that treaty as a law governing people of the United States? Why is it considered so dangerous?

First: Under this recently enacted treaty, one man can be held as a genocidist for killing just one other man. Yet we all know that the killing of one man by another is in no way genocidal!

“Genocide: the deliberate and methodical annihilation of a national or racial group” (*Macmillan Dictionary*), “the systematic killing of a whole group of people or a nation” (*Webster’s new World Dictionary*). “Genocide means the physical dismemberment and liquidation of people on large scales: an attempt by those who rule to achieve the total elimination of a subject people.”—*I. Horowitz, Taking Lives: Genocide and State Power, chapter 85.*

Second: A man can be tried and found guilty of committing “genocide,” which is the destruction of an entire race of people—without having killed anyone at all! “But the treaty definition differs substantially from that of the dictionaries. It includes such items as ‘mental harm to members of

the group,' or moving them from one place to another, or even birth control. It would not be difficult to imagine a situation at a later time in which a special class of people were hailed into court on the

charge of genocide. Their crime? having brought 'mental harm' to members of a certain religious organization, by their words, actions, or distribution of proscribed literature."—*The Genocide Treaty, October 1968, 5.*

Third: If a man is accused of "genocide," he can be hailed into a U.S. court or be sent to a foreign court to stand trial under non-U.S. laws as a Genocide Treaty violator. "[Senator Jesse] Helms had blocked action in the past, complaining that the treaty could threaten the Constitution and subject the United States to spurious lawsuits by other countries [that sought to have U.S. citizens arrested and turned over to them for trial]."—*Congressional Quarterly Weekly Report, February 22, 1986, 458.*

Fourth: The Genocide Treaty itself has such vague wording that leading American jurists and attorneys have declared it to be dangerous! They tell us that all kinds of people can be accused of having violated the Genocide Treaty.

"The Genocide Convention [Genocide Treaty]" is such a vague and dangerous treaty that to cure its imperfections would require changes so substantial that they would have to be regarded as amendments requiring renegotiation of the convention by the United Nations itself."—*Charles Rice, Professor of Law, quoted in Congressional Record, February 13, 1986, S-1288.*

Many of its terms are shrouded in uncertainty."—*Senator Strom Thurmond, of South Carolina, Senate debate, October 10, 1984, in Congressional Record, December 1984.* [Speaking of the Genocide Treaty] A statute which forbids or requires the doing of an act in terms so vague that man of common intelligence must necessarily guess at its meaning and differ as to its application, violates the first essential of due process of law."—*Orie L. Phillips, "The Genocide convention: Its Effect on Our Legal System, "American Bar Journal, 1949.*

Fifth: That which makes a man's actions to be in violation of the treaty—is the motive that *others assign* to those actions! "Motives" means the reason why he did it. Almost any kind of criminal action can be classified as "genocidal," according to this treaty.

"The description of the 'crime' of genocide provided by the restricted Genocide Convention is so expansive and all-inclusive as to cover almost any wrongdoer, perpetrating almost any criminal act of violence or advocacy of violence against almost every type of victim."— *Robert A. Friedlander, "Should the U.S. Constitution Treaty-Making Power Be Used as the Basis for Enactment of Domestic Legislation?" Case Western Reserve Journal of International Law, Vol. 18, No. 2, Spring 1986, 268-269.*

Sixth: Instead of being worded to stop genuine genocidists— which are the national governments and political

groups trying to kill races within their borders or outside of it,—this treaty gives no mention of nations or political

groups, but only of individuals. And the terms of the treaty are construed against, rather than in favor of, the defendant.

This is against American law. "Political genocide is nowhere mentioned in this Genocide Treaty. History relates the reason that the treaty was originally accepted by the UN members in 1948, and then signed by many of the individual nations in

later years. The nations had nothing to fear from it, for the Genocide Treaty deals neither with governments nor with political actions."—*The Genocide Treaty*, 7. "The definitions proffered by articles II and III of the convention (the treaty) are vague and overbroad, arbitrary and capricious, and statutorily unreasonable both in their construction and application. They are, in Ameri-

can Constitutional phraseology, violative of substantive due process and could not withstand strict Constitutional scrutiny by the United States federal courts, since criminal statutes in this country have to be strictly construed in favor of the defendant."—*Fiedlander*, 268-269.

Seventh: An individual need not kill an individual of another race, but only "mentally harm" him by his words— in order to be eligible for Genocide Treaty violation. "Genocide is mass murder perpetrated by repressive government. To say, as does article IV, that private individuals commit genocide is not only pure hyperbole but, in the context of the so-called criminality of article II, it is a loaded weapon pointed at the citizenry of any signatory state."—*Friedlander* 268, 271.

Eighth: One need only do or say that which appears harmful to the best interests of another religion in order to be brought into court for having violated the treaty,—where he will receive a heavy penalty. "That penalty (assigned by the U.S. Senate on October 14, 1988, to Genocide Treaty violation) was about the greatest that could be assigned, in this present generation,

of no capital punishment: A fine of up to one million dollars and a twenty-year-to-life sentence in a federal penitentiary was the Senate decision in the matter! Murderers in California routinely get no fine and six years in prison, but 'harming' 'part of' a 'religious group' is more dangerous."—*The Genocide Treaty*, 10.

Ninth: The Genocide Treaty (also known as the Genocide Convention") threatens U.S. Constitutional sovereignty,

because the United States Constitution declares that international treaties made by America take precedence above—

are more important than—the internal laws of the nation. "It [the Genocide Treaty] ran afoul of conservative objections that it threatened U.S. sovereignty and Constitutional objections."—*Washington Post*, February 20, 1986, A27.

Tenth: No treaty signed by the United States government has ever been found unconstitutional by its Supreme Court—or any lower court for that matter. The reason: Our Constitution binds the laws of our nation to yield to the wording of treaties we enter upon with other nations. "No treaty has ever been found to be unconstitutional by the Supreme Court. Lacking explicit statutory language, the U.S. Supreme Court has been very reluctant to find Congressional abrogation of treaty right (*Washington vs. Washington State*, 443, U.S. 690, 99 S. Ct. 3077 (1979))."—*The Genocide Treaty*, 7.

Eleventh: The treaty says nothing about political crimes: only individual crimes; yet genocide is being carried on by political groups and political governments all around the world, even as I write these words. "For 37 years the convention [treaty] met with considerable opposition. Various opponents were concerned that the convention would supercede the U.S. Constitution; acts against political groups were not made criminal offenses; the convention would be enforced in ways

detrimental to the U.S.”—*Gist, Bureau of Public Affairs, Department of State, June 1986, 1*. “The Union of the Soviet Socialist Republics signed the Genocide Treaty on December 16, 1949, yet the Soviet Union regularly imprisons Christians in Russia and

its satellite countries, but the Genocide Treaty has nothing to say about government genocide of religious groups. Moscow is entirely free to continue on with such atrocities, even though it is a signatory to Genocide Treaty.”— *The Genocide Treaty, 3*.

Twelfth: This treaty was quickly signed by the very nations that are practicing genocide on a day-by-day basis! They signed it because its wording could not include their governments,—but could be used by those governments in bringing accusation, imprisonment, or death to their citizens! “A list of the signatories of the Genocide Treaty reveals that it includes the leading practitioners of post- World War II genocide: Albania, Bulgaria, Red China, Cuba, Czechoslovakia, Vietnam, and the Soviet Union.”— *The Genocide Treaty, 7*.

Thirteenth: This treaty lacks proper wording for just handling cases in a court of law. “The various classifications of subject victim groups put forward by article II (national, ethnical, racial, religious, etc.) encompasses virtually all conceivable persons, except for those having a particular political affiliation . . . No American citizen or resident alien (legal or otherwise) seems to be excluded from the sweep of this article. “As for the enumerated crimes, (a) ‘Killing of the

group,’ does not allow for any [legal] defenses; (b) ‘Causing serious bodily or mental harm to members of the group’ does not specify the degree of mental harm or distinguish whether the injury includes psychological disorientation of a temporary nature; (c) ‘Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part’

can lead to charges raised by minority groups suffering from residential discrimination or ghetto life . . . The list of possibilities for creative lawyers is practically endless.”— *Friedlander, 268-269*.

Fourteenth: Domestic laws—laws governing our own people—have now been decided by foreign powers. In this treaty, governments outside the United States are reshaping the regulations governing our own citizens. “The offenses listed in the Genocide Treaty are not international but domestic. That is, they concern crimes committed by Americans within our own country. Thus, for the first time in our nation’s history, a treaty has been used to invade an area of domestic law. In other words,

we are letting foreigners make our laws for us, the laws that will decide which of our citizens will be imprisoned, and for what crimes”—*The Genocide Treaty, 7*.

Fifteenth: It is possible that those violating this treaty can be requested by foreign powers to be shipped from the United States and tried in foreign courts. “Such foreign nations, upon learning of individuals living in America even though U.S. citizens—who they can show are working to ‘destroy’ a certain religion, or part of it, can ask for extradition of those individuals so that they can be judged under a non-American tribunal in the World Court of Switzerland, in regard to the nature, extent, and punishment due their crimes.”—*Op. cit., 3*.

Throughout this book, we have discovered that a primary way in which mankind seeks to destroy one another— is through religious persecution. A person speaks and lives differently than is agreeable to another’s religion,—so he is persecuted for it. This newly ratified treaty permits one man to hail another man into court on the charge of genocide violation,—for having spoken words that bring “mental harm” to another person, part of a group, or entire group. We have also seen that our free land is gradually moving toward the emplacement of a National Sunday Law that, when enacted, may at first appear to be a great blessing,— but which will rapidly bring in its train persecution of minority churches, including Sabbathkeeping churches. When religious orthodoxy

becomes the law of the land, soon a narrow view of what constitutes “orthodoxy” is also legislated and enforced.

The very vagueness of this treaty is such that it can be used in many ways, quite separated from what may have been the motives of its authors or enactors. This Genocide Treaty could provide a powerful tool in enforcing the National Sunday Law—when that law is finally enacted. And because it is on the statute books of 96 different nations, a rapid international aspect has been added. The entire world will be able to quickly work together to enforce Sunday observance. The crucial part is that a worldwide standardized crime has been established, with most terrible penalties for its violation. The penalties of the Genocide Treaty could be applied at will to any individual who violated the National Sunday Law.

And, because this treaty is based on a 96-nation mutual pact, or treaty, each nation will be required by all the others to search out and bring the specified criminal into court.

Although commonly called the “Genocide Treaty,” technically, it is a “convention” and not a “treaty.” A treaty is a bilateral agreement between *two* nations; a “convention” is a multilateral agreement between *many* nations, in this case, most of those on our planet! But there is no provision for a convention in the U.S. Constitution! Because it is a convention and not a treaty, every signatory nation involved is bound to defend it, adhere to it, and be ready to persecute individuals according to its ambiguous terms, as agreed upon by the member nations. This makes this genocide convention one of the most powerful international laws in the history of mankind! Yet, no matter how the nations of earth may plan and devise, there is a God in heaven who has a rule of right: the Ten Commandments. And the time is nearing when He shall judge men according to that rule. One of the ten is the Sabbath commandment. It stands as a great memorial to the creative power of the One who made us all. And it is bulwarked by twelve great pillars of truth. Here they are, in the next chapter.

“Render therefore unto Caesar the things that are Caesar’s; and unto God the things that are God’s.”—*Matthew 22:21*.