

"Fire, Fire" and Legislating Denials of Holocaust and Genocide: Tolerable Free Speech or Criminal Incitement to Violence?

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Bless the United States for the fantastic gift of constitutional protection of free speech. The basic principle is so incredibly precious that it must be protected at all costs, even if that means in certain cases, allowing ugly and anti-democratic utterances. But what about denials of genocide that are not only ugly denials of the facts of history, but are patently incitement of actual violence and renewed genocide?

Some 13 European countries have laws against Holocaust denial. The following European countries presently have some legislation criminalizing the Nazi message including denial of the Holocaust: Austria, Belgium, the Czech Republic, France, Germany, Luxembourg, Lithuania, the Netherlands, Poland, Romania, Slovakia, Spain and Switzerland. Holocaust denial is also illegal in Israel. A number of those European countries also ban racist and hate speech. Laws vary. Thus, a law can be against justifying the Holocaust but not against denial. A number of those European countries also ban racist and hate speech. Some also criminalize the denial of other specific genocides, most prominently the genocide of the Armenians.^{1,2} Although all cover the Holocaust, not all cover denials of genocides before World War II, e.g., the Armenian Genocide, but a broadening of some of these laws may still come about because the basic idea of legislation against denials is a legitimate subject in European discourse.

In the United States, most citizens go into shock at the mere mention of possible legislation against denials of genocides, Holocaust very much included, because such

legislation indeed involves circumscribing and criminalizing of free speech! **Nothing could be more unkosher and downright sickening to a healthy American mind.**

In the United States, the First Amendment protects freedom of speech, press and association. Such guarantees even prohibit suppression of the Nazi message. Neo-Nazi parties are completely legal (as during the Cold War years - for all the legal processes against members of the Communist Party - the Communist Party of the United States was allowed to exist and was never fully outlawed). And neo-Nazi, anti-Semitic and racist messages are protected by the Constitution. The only limitations on free speech according to the Supreme Court are calls for imminent lawless violence. Even some calls for violence have been allowed by courts as long as they did not bring on imminent violence.

Yet for all this America has been and is a pioneering leader in the principle of free speech, any rational person understands that there may need to be *some* limits to free speech, insofar as free speech becomes manifestly toxic and a possible trigger for actual deaths of people.

Years ago I would have responded to a call for essentially unlimited free speech with a non-compromising "rejoinder" why, consistent with the aforementioned European countries, laws are needed to outlaw denials of genocide and I would have waited naively for the day when this evident truth would also hold sway in the U.S. Various of my earlier publications on denial in fact do include such calls for doing something about the scurrilous deniers by passing laws that punish bad Galileo's for their statement that the earth does not revolve around Auschwitz.

Now I am as it were of two minds. I continue to support legislation against denials of genocide but I also understand and yield to the fact that the legal and cultural traditions of the U.S. cannot allow such laws. At the same time I do believe American culture can - meaning could - incorporate laws against denials insofar as they are determined to incite violence.

One of the kitsch moments in my life was when I testified (which I don't regret at all) in a Paris courtroom as an expert witness against Professor Bernard Lewis, and I called out in English (which the court had translated into French, so that my kitsch voice was being heard not once but twice), "As a Jew and as a professor, I am deeply ashamed of Professor Bernard Lewis." I am glad the French sued Lewis, and I now understand and yield to the fact that under blessed American law we cannot and should not prosecute Bernard Lewis. I similarly agree that in the U.S. we cannot prosecute him for giving willfully false information to the *Princeton Alumni Weekly* about the court ruling in his case where he was declared guilty and fined but denied the outcomes once he was back home in Princeton; but in a French court I would approve his being called back on a charge of contempt of court. On the other hand, even in the U.S., I do think that Louis Farrakhan standing before a packed Madison Square Garden crowd and ranting that the Nazis were great in baking Jews in ovens, and that the job ought to be continued, should very much be punishable under U.S. law, rather than Farrakhan being left alone as an iconic 'religious leader' left to rant as he will.

So we now have a funny situation in our Western countries. Most Americans cannot possibly bear the very discussion of any limits on free speech such as laws against denials of genocide, while several significant and quite decent Western European democracies do carry on their books legislation against denials of genocide. I don't have too much faith that such a cultural gap can be bridged easily, and apparently it won't be in the foreseeable future. But I think both the American and European legal cultures are seeking genuinely to promote decency, and thus it becomes a blatant contradiction between the two cultures. It is almost as if in the long run we will have had a controlled scientific comparative study of the two systems.

Still it seems to me that even now on the American scene, it has to be clear that *some* situations where speech can cause or catalyze serious acts of violence and destruction must be limited and punished by law.

Personally, I have the privilege of being some kind of hybrid American-European. I am American in origin and education and continue to be happily identified as an American, but I am also a European by virtue of my living in Israel for 30 some years and my very happy identification as an Israeli too.

I truly appreciate the civilization-expanding brilliance of our American contribution of deep constitutional protection for free speech. At the same time I admit there is a part of me that regrets not being able to outlaw a whole variety of the endless nonsense to which I am exposed in every sphere of my personal and professional life. I admit that I would even love to have deconstructionists and postmodernists declared as violators of the law, along with wild historical revisionists and insane conspiracy theorists, let alone deniers of the Holocaust and genocide - *the US and Israel perpetrated 9/11!*

Nonetheless I really have reconciled myself with respecting the rights of so many of the people with whom I disagree and can't stand, and I know that they have inalienable rights to say their piece in the forums of our lives with one another. But I also feel extremely deeply the tragedy, agonies and evil of 9/11's, and the bombing in the London Metro, and bombings in mosques and churches in Iraq, let alone the endless horrors of the Holocaust and other genocides. Moreover I also live these years with the worry we experience in Israel of objective fears of those who threaten our extermination once again, I know that movement toward actual genocidal violence very much needs to be monitored, and counteracted with strong tools.

Apropos, as a practicing psychotherapist, I also know vividly that it is *essential* to put an end to actual violence say in family relationships, even as one understands, allows, and channels the expression of the deep angers that underlie the violence. The single best treatment technique I know to use with people who are violent in personal relationships is to say, very passionately, to the violent one, "You know that it is absolutely wrong to do physical harm to another human being, but I do understand that you are furious, and I will help you in every way with your anger." As a therapist I have done this many times, so far successfully, and have taken away knives and a gun and successfully brought to

an end many violences in families. In a way, I think that I am proposing the equivalent of this treatment for our handling of denials of genocide, namely, I am going to take a deep breath and help the rotten deniers say their nonsense, but at a minimum I want laws - tough laws - to stop those who are issuing the kinds of incendiary, agitating, explosive calls to actual violence - including jihadist Islamic terror in our times - that we know set off actual pogroms and mass murders.

Rwanda, for example, is now understood as a genocide that could not have taken place without the months of agitation on Hutu extremist radio. There are studies of many genocides that show the ability of people to kill the targeted victim is based on powerful speech-based dehumanizing techniques. So I am proposing that we have basically clear criteria for evaluating the extent to which statements of denial constitute *hate language*, and even more *incitement to violence*, and that the latter in particular be outlawed with criminal penalties in all jurisdictions, even in the U.S.

The Serious Problems of Limiting Any Free Speech

Legislating and criminalizing any type of speech is a complicated and dangerous matter. It is widely known that when you allow legislative bodies to set rules on what speech is illegal, no matter how good your intentions are, you are opening the door to the radicals, extremists and bigots who abound in any generation to seek to limit a whole range of other free speech. Thus, with the door more open to legislating restrictions on free speech, conservatives in the United States might try to make concepts like "abortion" and "evolution" into politically incorrect and forbidden statements, to be excluded from educational textbooks for consideration by the minds of young people, and/or even a lawful basis for loss of licenses by medical personnel who dare to use the concepts and for whatever further degrees of criminal punishment such as fines. Far fetched? Maybe for the "1984" which has happily passed us by and it didn't happen, but quite possibly for the "2084" we face ahead if we slide down the slippery slope of making various aspects of free speech illegal.

At the same time one has to ask, half bemusedly and half in earnest, are all the countries in Europe that passed laws against genocide denial doomed to authoritarian, totalitarian, repressive fascist futures?

As I said earlier, were ours a more decent world, where I could rely on a more common sense humanity of people and societies, I would love to have a whole bunch of laws that penalize major false ideas, purposeful manipulation of known facts, anti-science fundamentalism, and disavowals of empirical knowledge. But I grant that my childish wishes would lead me and all of us into a hell of totalitarian mind control. So in the end I agree with Roger Smith and a great many other fellow Americans that there should *not* be laws against a considerable range of the denials of genocides, however ridiculous and however offensive the pseudo-questions and/or declarations as to whether there really was an Armenian Genocide; or against manipulative statements that we need more research to ascertain the answer about what 'really' happened to the Armenians; or against the obnoxious Norman Finkelsteins who are on an anti-Israel warpath and insist that the Jews clearly exploit the history of the Holocaust in order to hold on to Palestinian territories and aggressive acts against the Palestinians. Reluctantly, I have to yield to the reality that I cannot send people to jail for any of the above rottenness - I will have to fight these horrible ideas in our culture and in additional speech that shows how ludicrous they are and not via criminal persecutions in our courts.

However, I still return to question if we can afford *not* to have legislation against out-and-out incitement to renewed *actual violence and genocide*. Shouting "Fire, Fire" in a crowded theatre signifies using one's voice in public in a way that can lead to a stampede and death. "Kill the *named ethnic or national or religious or political group*" is a voice calling for a kind of stampede as it were. The former is dangerous in a crowded movie theatre because we know people panic and stampedes follow quite easily under conditions that very likely will lead to injury and death. The latter are uttered in other 'theatres of life' where the influence of the message by the speaker in an organizational context may enable or actually mobilize quite real genocidal killing. Thus, several European countries have instituted surveillance and measures of control of Islamic

mosques some of which are very much known to have been hotbeds of incitement for terrifying missions of destruction such as 9/11, the bombings of the London metro, and much more. In at least one case, a resident Imam in the mosque which fostered 9/11 has been deported from the UK.

I suggest a more thoughtful consideration of the issues of the laws against the denials of genocide could lead us to make a differentiation between denials that largely falsify and contaminate the historical evidence - which at least in the U.S. we will not control by law, and denials that are manifestly inciting the unleashing of renewed genocidal violence. I think even Americans should seriously consider criminalizing such incitements to actual violence.

Of course, there are definitional problems. Clearly there is no hard and fast differentiation between denials of genocide that incite violence and what Deborah Lipstadt has called more "soft denials."³

Moreover the larger truth is that the study of the psychology of denial has led to increased understanding of the fact that not only do many denials *explicitly* justify, forgive or minimize the evil of the violences that were done to the victims, but that even non-inciting denials inherently lay a groundwork for approving, encouraging and in effect inciting further violence at the first opportunity that one can get away with such.⁴

In recent lectures I have illustrated the connection between countries that practice major denial as a serious national project and the *facts* that these same countries are possibly engaged *already at the time of their denials* in considerable violence.⁵ By their denials of a past genocide, they are giving us notice of their being serious risks for further violent and genocidal acts. Two examples in our contemporary world are Turkey and Iran. Thus, Turkey which has made it a national priority, and in a sardonic sense almost a national anthem, to devote itself to denials of the Armenian Genocide -- and other accompanying victims such as the Assyrians and Greeks, at the same time has been and is engaging in full-blown genocidal destruction of thousands of Kurdish

villages and the genocidal murder of many thousands of Kurds - including at least one such incident reportedly involving the use of poison gas.⁶ And Turkey's Prime Minister Recep Tayyip Erdogan has recently threatened, on at least two occasions to expel some hundred thousand Armenians from their residences in Turkey.⁷ Iran, under its President Mahmoud Ahmadinejad, and the hard line clerical rulers led by Supreme Leader Ayatollah Ali Khamenei, has taken on a national dedication to Holocaust denial, including a government-sponsored international conference⁸ and a government-sponsored cartoon contest,⁹ with repeated Holocaust denials in international talks by Ahmadinejad,¹⁰ the latter along with his repeated predictions, threats, and promises of the extinction of Israel.¹¹

Iran too has already very much been practicing actual violence through the assignment of major means and missions of violence to surrogates, the Hezbollah in Lebanon and the Hamas in Gaza. See the important writings of Elihu Richter et. al.¹² on the considerable power of incitement to genocide.

Tools for Content Analysis of Denials of Genocide, especially for Incitement to Violence

I would like to suggest, even as American and European cultures continue (obviously without any assistance from me) their natural traditions, a possible tool for use in both instances to flesh out and identify incitement to actual violence in denials of Holocaust and genocide. The concept I propose for further consideration is that while only some cultures (European) may feel confident in their protection of basic free speech while outlawing manifest denials of the facts of a genocide, the crossover from denial to incitement to violence can be a possible basis for defining criminal responsibility in a wide range of legal systems possibly in both American and European legal cultures. In any case, where there are laws already in place against denial, it may also be a valuable to the legal system to have tools for content analysis -- to be progressively sharpened and tested by social scientists working with jurists that can be shown to be plausible activators and triggers (Please see here Figure 1) of violence.

Figure 1 "Rating the Extent of Hate Speech and Incitement of Actual Violence" presents such a proposed schema for rating content of denials." The schema lays out a range of meanings and inducements of behavior understood to be embedded in hate speech and violent speech including denials of Holocaust and genocide. 'Simple' statements of prejudice and bigotry are identified as such - dislike, intolerance and prejudice to another people. Denials - even flagrant distortions of reality - of the historical facts of a genocide are recorded for what they are, ranging from ignorance and indifference to the facts, including what I have identified in the literature as "innocent denials," on to a full range first of relativizing and minimizing the extent and significance of destruction of others, and then to blatant counterfactuals and distortions of firm historical evidence a la David Irving, for example, or blatant Turkish accusations of the Armenians as the genociders of the Turks, but even at this stage direct incitement to actual violence is not registered even though the deniers may be on the threshold. Even ethnic claims of superiority over an inferior other are recorded as the stuff of bigotry and humiliation of others, but not necessarily incitement to violence against them.

The above are content analyses to be made of the statements of nasty people speaking of hate, denying the Holocaust and genocide, and to some extent already about violence. Insofar as American legal culture (USA) is inclined to allow such bigotry and/or approval and incipient incitement of violence to stand exposed to the freely circulating streams of pro and con about bigotry, they will not be legislated. Insofar as a legal culture sees in such statements basic building blocks of bigotry and incitement, there will already be criminal definitions and sanctions of such speech. However, the penalties invoked may be less severe than for the openly raw inciting speech to which we now advance.

The schema of content analysis moves on to categories of explicit dehumanization -- a full blown stripping of the equality of a designated people target group in the human race, relegating them to a despicable most often as if pathogenic garbage heap of sub-humanity -- hence underserving and not qualifying for protection normally extended by human society to fellow human creatures.

Further, the content analysis proceeds to categorize and identify explicitly dangerous attributions of demonic danger to another people. Such speech seeks to provide a prima facie justification for attaching the *other* people in self-defense. *In other words, the "other people" are so powerful and are imminently out to destroy US, we have every reason and right to attack them preemptively - and cruelly and totally.*

In the work that Chanan Rappaport and I did on developing a GENOCIDE EARLY WARNING SYSTEM (GEWS)¹³, this combination of dehumanization and demonization of another people proved to be the most frequent and virulent early warning indicator. When inciters mix together the potent cocktail of dehumanization and demonization, the inherent contradiction that a people could be both inferior and superior at the same time is often overlooked. But the two contradictions fuse, powerfully, into a justification for attacking and killing the both despicable and dangerous non-humans -now designated as legitimate objects of genocide.

Other markers now pick up on glaring, full-blown calls for and inspiring leadership of organization of actual violence against the target group, including legalization of violence and organizing the violence. *The perpetrators march into a village. They line people up for mass executions, they select victims for immediate lethal gassing, mass graves or incineration...*

Woe onto our human race. This is not a benign academic article over whatever facet of human society and behavior, but is about an ultimate crisis in our basic orientation to our human experience - what kind of animal we really are to begin with, and what kind of creature will make ourselves become with the brilliant tools given us for defining much of our evolution.

Figure 1 presents a "Combined Index of Incitement to Violence in Denials of Genocide, Celebrating Past and Enabling Future Genocide and Leadership Roles for Violence and Genocide."

Each legal culture necessarily will choose its red lines for legislating and criminalizing dangerous behavior. I have previously suggested that it is possible to utilize social science tools to analyze the extent of intentional denial versus not knowing the basic historical facts of a genocide; and I also suggested analyzing the weight or extent of incitement to violence in various statements of denials of a genocide.¹⁴ My proposal for rating the denials involved a two-tier classification of the psychological motivations of deniers, how blatantly the denier is distorting facts and how openly the denier is inciting violence, with each placed along a continuum.

The first continuum has to do with the extent to which the denier does or does not know the facts, hence how malevolent or innocent is the denial; *This continuum ranges from "innocent denial" to more "malevolent denial."* (Please see here Table 1.¹⁵)

The second continuum refers to the extent to which the denier engages in celebration of the deaths of the victims and thereby evokes welcoming images of future mass deaths of the same or other victims: *This continuum ranges from "innocent disavowals of violence" to "celebrations of violence."* (Please see here Table 2.¹⁶)

Each rating scale includes illustrative uses of language for evaluating the extent of the celebration. Thus, in respect of acceptance, celebration, and incitement of violence "I am against all violence" is assigned the first rank of disavowal of violence so that even a denier of the facts of a genocide may be heard and seen as saying he definitely does not seek any renewal of violence. Dry statements reporting a genocide matter of factly, without moral outrage and/or sympathy for victims is given a mid-level ranking on the continuum. In its apathy or lack of empathy it is headed toward the other end of the spectrum -- approaching open espousal of further violence. "The *name of victim group* deserve what they got," or "I respect and admire *Hitler/Stalin/Mao*" are obviously at the far end of the spectrum as avowals of violence.

Returning to the Question: To Legislate or Not to Legislate

In the wake of the mad shooting at US Representative Gabrielle Giffords in January 2011 - at an indiscriminate cost killing a child and several adults as well (what one writer described as "a murky landscape where worldviews get cobbled together from a host of baroque conspiracy theories, and where the line between ideological extremism and mental illness gets blurry fast")¹⁷, there were (again, as after Columbines and other sprees, but basically to no avail) calls for expanding-toughening up the obstinate lack of lawful regulation of violence in the U.S.

One op-ed columnist in the prestigious *International Herald Tribune* wrote that "the first two amendments of the Constitution - a clause that guarantees even crazy people to say horrible things, and another one that seems to give these same crazy people the right to own a lethal weapon" must give the nation "a chance to think about what happens when words are used as weapons, and weapons are used in place of words."¹⁸ Editorially the same day the *International Herald Tribune* called for laws "quieting the voices of intolerance, demanding an end to the temptations of bloodshed and imposing sensible controls on its instruments."¹⁹

But we have seen such columnists and editorials are written after various vicious 'American mass murders,' yet the legislators and especially the courts typically retreat to an intransigent totalistic defense of free speech. One might suggest that the great American democracy has not dared to attempt to develop a greater maturity of differentiation between the sacredness of basic free speech and modern variants of incendiary bigoted calls of "Fire, Fire" inciting to violence.

The technique of content analyses is a perfectly familiar technical procedure for many social science and communication professionals, possibly to some extent also by some legal professionals. We have countless examples in social science research of content analyses, including schema that were subject to scientific tests of their repeatability - reliability - and the realness of their predictive relationships - to validate the behaviors to which they refer.

A rare American who does not immediately totally banish the idea of legislation against free speech, Gregory Glazov, Professor of Biblical Studies at Seton Hall University, has commented that "Not even God violates our freedom to choose" and that "even paradise enables people to entertain evil thoughts and choices"²⁰ Glazov goes on to say however, "At the same time, scripture suggests that it is by the provision of principles, laws and commandments that free choice and human flourishing are grounded."

As noted, an overwhelming majority of Americans are absolutely nauseated and infuriated by any mention of legislation. Alan Dershowitz says, "Experience has shown that it is better to live in a society in which false facts, even facts as false as Holocaust denial, are not criminalized than in a society that puts people in jail for their malicious lies."²¹ Deborah Lipstadt, whom we all treasure for her brave victory over antisemitic David Irving in a British court, says, "One simply can not legislate such things and one should not try. The result will be more problematic than not doing so".²²

Still, an unlimited exercise of democratic freedom brings with it serious dangers. A recent article in the *Chronicle of Higher Education* discusses the question of whether Holocaust denial is protected by academic freedom.²³ The article opens with a hypothetical situation where a student wants to write a paper in literature class on poetry of Holocaust such as by Yevgeny Yevtushenko ("Babi Yar") or Paul Ceylan ("Todesfuge) and the instructor says, "You can't write the paper unless you recognize that the Holocaust is a myth." Is the situation a mythical one? I had the personal experience of submitting a scientific paper to a journal published by the University of Virginia Medical School in which the then-editor, Vamik Volkan, a distinguished psychoanalyst who I knew was of Turkish extraction, wrote me back that my paper could not be considered because I referred to matters that are "known to be" non-factual. He meant the Armenian Genocide.

The article in *Chronicle of Higher Education* goes on to discuss recent reports of a faculty member at Lincoln University, Kaukab Saddique, who teaches literature and

mass communications, and has declared the Holocaust a "hoax," though so far outside of his classrooms.

Cary Nelson, President of the American Association of University of Professors says, "Holocaust denial is speech promoting falsity as truth ... Holocaust denials counters fundamental and well-established knowledge. It is also effectively hate speech whatever the intent of the speaker. It denies people their history and obliterates the fate of their relatives on the basis of their religion and ethnicity."²⁴ Yet Nelson too objects to legislation.

In a rejoinder to him, Naomi Schaefer Riley, who is introduced as author of a book on how religious colleges are affecting America as well as a book on academic tenure, notes that Saddique stated in a pro-Palestinian rally in Washington D.C., "I say to the Muslims, dear brothers and sisters, united rise up against this hydra-headed monster which calls itself Zionism ... each one of us is their target and we must stand united to defeat, to destroy, to dismantle Israel," though he adds, "if possible by peaceful means."²⁵

Riley also reminds us of the case of Arthur Butz, Prof of Electrical Engineering at Northwestern, who has been famous since his 1976 publication of a book, *"The Hoax of the Twentieth Century"* in which he denies the Holocaust. Butz is flagrantly quoted in an interview with the Iranian press in recent years saying about Ahmadinejad, "I congratulate him on becoming the first head of State to speak out clearly on these issues and regret only that it was not a Western head of State".²⁶

Summing Up: A Proposal both in the United States and in Europe to Criminalize Denials of Genocide that Incite Actual Violence and Genocide

To recap, the likelihood of promoting legislation against denials of genocide in the United States is negligible. At the same time, we have seen that such legislation is clearly on the books of a good number of European countries. It seems that people of good will have no alternative but to live good naturedly with the contradiction and

difference. This also means that when we make thoughtful recommendations for advancing the current situation in each of the cultural landscapes, we need to make different recommendations for the U.S. and Europe - or we end up being essentially irrelevant in respect to one of them at least.

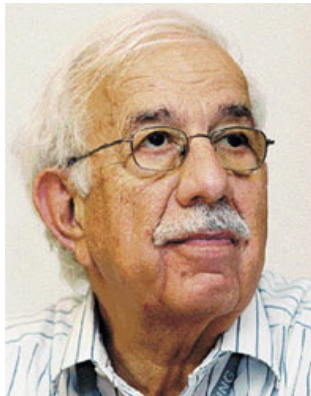
It is virtually inconceivable that there will be legislation in the United States against the free speech of denials of the historical facts of genocides. Every jerk and every bigot who wants to sound off that the world is flat, that Auschwitz is an exaggeration, that Turks kindly escorted the Armenians through the desert to a new life, will continue to be able to spout his ill-meaning opinion. The question remains whether the denier who takes an extra step towards celebrating the actual deaths of the victims of a genocide - *"the so and so's got what is coming to them,"* or who take the platform of denial as a launching pad for calling for renewed killing of the same or other victims - *"The Holocaust should be finished,"* or *Those who deny Christ don't deserve to live,"* or *"All Muslims are terrorists and sooner or later we are going to have to show them their places"* - should or should not be subject to legal sanctions and control. Here too reality tells us that First Amendment judicial processes are long and laborious and generally end with allowances even of fairly incendiary speech. Nonetheless, it is acknowledged at least in theory that there have to be limits, to speech that is seen as having a potential to trigger and explode immediate violence.

It seems to me that it would be consistent with both the American traditions of protecting free speech while also seeking to prevent actual violence, if very serious statements of incitement to violent actions could nonetheless be subject to criminalization and fines; while more serious punishment such as incarceration would be reserved for incitement that has the potential to zap people into immediate out-of-control terrible behaviors such as "Fire, Fire" does in the crowded theater.

Content analyses of denial statements are a workable tool both for social science analysis of the predominant motifs in any statement of denial as well as for the possible

use of legal authorities who quite often evaluate the contents of people's statements as a basis for the judgments of the intentionality and intended severity of an illegal act.

The author thanks his colleagues, Roger Smith and Gregory Gordon, for their reading and comments on this article.



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Prof. Charny is widely respected and credited as a prime mover in the development of the field of Genocide Studies in which he has persevered in his leadership for 30 years, often notwithstanding considerable resistance from those in the "Jewish establishment" who have sought to establish the overarching uniqueness of the Holocaust at the expense of denying the genocides of other peoples or minimizing their significance and comparability to the Holocaust. The Institute on the Holocaust and Genocide in Jerusalem which he directs may have been the first to create the conceptual linkage between Holocaust and genocide, and in any case has been at the forefront of addressing the genocides of all peoples, and genocide in the past, present and future of all peoples.

The current major project of the institute is the publication on Internet of a "Web Magazine," GPN GENOCIDE PREVENTION NOW, with the support of the Carnegie Corporation of New York. In its first year of publication (2010), GPN has quickly climbed high in Google listings of the magazine as a whole and of many of its original articles, reports and innovative timelines. The articles are presented first on a journalistic level of a 'good magazine read' without reference notes, and are then followed by a pdf version with complete reference notes in a traditional academic style.

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**Figure 1. RATING THE EXTENT OF HATE SPEECH AND INCITEMENT OF
ACTUAL VIOLENCE
A POSSIBLE BASIS FOR DEVELOPING A SCALE OF CRIMINAL RESPONSIBILITY
FOR INCITMENT TO VIOLENCE IN VIOLENCE SPEECH AND HATE SPEECH,
INCLUDING DENIALS OF HOLOCAUST AND GENOCIDE**

	1 <i>prejudice</i>	2 <i>claims of superiority</i>	3 <i>dehuman- ization and incitement</i>	4 <i>promoting violence and genocide</i>	5 <i>commission and leadership violence and genocide</i>
Attacking another people— religion, race, nationality, polity...whatever	Dislike, Intolerance, prejudice	ethnic claims of superiority over inferior other	dehumanization -defining the other as subhuman, or not at all of the human species	attribution of demonic danger to the other	lethal combining dehuman- ization and attribution- <i>most frequent early warning sign*</i>
Denial of the harm and destruction done to another people—denials of full blown genocide and Holocaust	ignorance, indifference, sidelining, relativizing, normalization of the destruction	counterfactuals- denials of fully known facts and evidence	accepting, approving legitimizing, celebrating past violence and genocide	approving legitimizing, celebrating present or future violence and genocide	inciting violence and genocide
Style of public communication, influence, and active roles	hate speech	violence approval speech	actual violence activation	collaborating, enabling, participating in genocide	leadership roles in genocide
COMBINED INDEX OF INCITEMENT IN DENIALS OF GENOCIDE, CELEBRATION OF GENOCIDE, & LEADERSHIP FOR VIOLENCE AND GENOCIDE	BIGOTRY ENABLING PREOGRESSION OF HATRED AND VIOLENCE	POSITIONING OF SUPERIOR POSITION TO INFERIOR OTHER, HUMILIATION, AND DEVELOPING THREAT TO OTHER	INCITEMENT OF VIOLENCE LEADING TO POSSIBLE GENOCIDE	CELEBRATING, TRIGGERING, ENABLING, COOPERATING IN COMMISSION OF VIOLENCE AND GENOCIDE	COMMISSION AND LEADERSHIP OF VIOLENCE AND GENOCIDE

*See GENOCIDE EARLY WARNING SYSTEM by Israel W. Charny and Chanan Rapaport

TABLE 1

A Continuum of the Malevolence of Denial of the Facts of a Genocide:
"Innocent Denial" of the Facts of a Genocide

<i>Conceptual Categories</i>	<i>Illustrative Expressions</i>
1. Lack of knowledge of the basic facts of a genocidal event.	Examples of Israeli university students asked if they know of genocides such as the Armenian Genocide or Cambodia or Sri Lanka, who truly do not know of the genocide.
2. Limited or vague recognition, perhaps of having heard of a genocidal event but without clear knowledge.	Yes, I have heard something. It sounds familiar, but I don't really know if it's true or what was supposed to have happened.
3. Preservation of an illusion of a just world of human goodness—insistence that a given group or nation are not capable of being so monstrous as to commit systematic mass murder.	The Turks are a fine modern people, struggling to build a bridge between Islam and the West. See how they are tolerant of Jews; they saved Jews from the Inquisition 500 years ago and then again from the Holocaust.
4. Denials in the service of self-interest, careerism, or pragmatism that enhance one's own purposes.	Established deniers, such as the Turkish government, may be a valuable and appreciated source of research grants and opportunities. Revisionist or provocative denial position may catapult the academician into a maverick position that draws a great deal of attention and notoriety.
5. Active questions and doubts if the "claims" of a genocide are true or entirely true.	I know there are many doubts as to whether it really happened, even by established researchers and professors.
6. Specific denials or doubts are focused on essential aspects of a genocide.	The supposed telegrams by Talaat about killing the Armenians have been questioned/ shown to be forgeries.
7. "Definitionalism" or insistence on defining cases of mass murder as not qualifying as true genocide.	Of course people died. It was a civil war/ time of war, and there were atrocities but not genocide.
8. Insistence on the uniqueness of one's own people's genocide, and consequent devaluing or delegitimization of another people's genocide.	Only the Holocaust involved an effort to destroy every living Jew, and that is genocide; other mass killing is regrettable mass murder but not genocide.

TABLE 1 (cont'd)

<i>Conceptual Categories</i>	<i>Illustrative Expressions</i>
9. Acknowledgement of genocide, but no less or greater emphasis is placed on right to "free speech," or presentation of "controversial" or "other" point of view of revisionists.	Democracy must allow unlimited free speech; the other point of view has a right to be heard.
10. Acceptance of the "party line" of a prejudiced or bigoted group or movement which includes acceptance at face value of the denial of a known genocide.	The Institute for Historical Review in Torrance, CA has published pseudo-scientific research proving there could never be a system of ovens for cremating so many dead bodies as are attributed to the Nazis.
11. Dissimulation and conscious manipulation which pretends innocent denial and unknowing in order to infiltrate with a denial position, e.g., presenting the "other side of the argument" in a university newspaper.	Revisionist-financed advertising campaigns, such as the articles denying the Holocaust placed by Bradley Smith in college newspapers, or the infamous ad by 69 academicians insisting that further research must be awaited on the questionable Armenian Genocide.
12. Explicit denial propaganda by bigots, neo-fascists, and fascists.	The Holocaust is the hoax of the 20th century. Claims of the Armenian Genocide are lies and accompany violence against Turkish officials. There was no massacre of students in Tiananmen Square.
13. Brazen denials of a genocide by perpetrators or their successors who identify with them, such as a government or ethnic collective who continue the tradition of the original perpetrator.	The Turkish government denies the Armenian Genocide, and undertakes many efforts to censor research and discussion of the event, not only in Turkey, where many have been jailed, but in countries around the world.

TABLE 2

**A Continuum of Celebration of Violence in Denials of a Known Genocide:
"Innocent Disavowals of Violence" to Celebrations of Violence**

<i>Conceptual Categories</i>	<i>Illustrative Expressions</i>
1. Disavowal of whatever violence may have taken place and explicit disavowal of violence in future.	I am against all violence. All peoples need to live in peace.
2. A historical perspective is employed to call for forgiveness and peace now. Emphasis is laid on the fact that bearing historical grudges can be a basis for renewing destruction.	These events aren't new. Hatred will only bring more bloodshed. Let the peoples make peace. It happened a long time ago. You can't bring back the dead. People should forgive and forget, so the world can be more peaceful.
3. Acceptance of the inevitability of violence; affirmation that facts can't be changed as a subtle, indirect way of approving the violence to the specific victim.	The strong always eat the weak. There has always been genocide and there always will be. What happened to the [Jews/Armenians/Cambodians/Blacks...] has happened. That's their place in history. You can't go back there to change it.
4. A pragmatic realpolitik orientation is taken as justification for "doing business" with the historic genocider and/or other forces complicit with the genocide, thereby exonerating the violence.	It is a practical world. The only sensible thing is to let bygones be bygones and go on with life today.
5. Intellectual descriptions of a history of genocide without any moral or emotional protest and without decrying deadly violence to the victims.	Any dry statement of fact, e.g., history books reporting the Holocaust matter-of-factly: Many millions of Jews were murdered and the killings did not cease until the war was over.
6. Implicit acceptance of the violent fate of the victim people as if it were the victim's doing.	They place themselves above others, so this is what happened.
7. Explicit affirmation of the right of the State (or Church or Party or Whoever) to "deal" with its internal problems with problematic people(s), without directly acknowledging the exterminatory purpose or procedures of the governing authority.	The government [Turkey/Germany/ Russia/ Cambodia...] had a right to deal with the problem it had with its disloyal population of [Armenians/Jews/Chechens/opponents to the revolution] and "simply" intended to transfer them to another area where they would not constitute a security threat.