biiss journal

Shreejita Biswas

NORM CONTESTATION AND IDENTITY: THE NATIONAL BORDERS AND MARGINALIZATION OF THE ARMENIAN AND ROHINGYA COMMUNITIES

Abstract

The recurrence of persecution of communities belonging to a particular identity and the uneven response of the international community towards such crimes of genocide require a thorough investigation. This paper examines the situations that challenge the recognition of genocide and effectiveness of anti-genocide norms in the international platform. Therefore, it explores the inconsistencies associated with accepting certain norms over others vis-à-vis anti-genocide norms. In order to do so, the paper uses the theoretical model of norm contestation to explain the discrepancies in recognizing the crimes of genocide and compliance with the anti-genocide norms to prevent them and punish the perpetrators. Based on this theoretical framework, the study analyzes the various conditions in which norms are contested that influence the interpretation of norms by the diverse state actors. This shapes the compliance and effectiveness of the norms in their social interaction. To prove the theoretical conjectures, it empirically compares two cases of genocide: the Armenian annihilation which took place around the First World War and the recent Rohingya massacre that emerged in the South Asian region. The two case studies inferred that combination of two parallel competing conditions, e.g., the competing norms of sovereignty rooted in majority state identity at the domestic level and the competing interests of other state actors in terms of their foreign policy goals at the international level, lead to contestation with genocide recognition in both cases. Hence, state actors understand and influence the interpretation of norms differently, thereby making compliance building with anti-genocide norms difficult that impinges upon its operation.

Keywords: Armenians, Rohingyas, Genocide, Norm Contestation, Norm Interpretation, Norm Compliance, Identity

1. Introduction

The norm-oriented scholarship in International Relations (IR) has focussed on the influence of norms on the behaviour of the actors through the process of shaping and transforming them. Constructivist scholars like Katzenstein explain how the concept of norm is used "to describe collective expectations for the proper behaviour of actors with a given identity".[1] Others like Finnemore define norm as,

Shreejita Biswas is PhD Research Scholar at the Centre for International Politics, Organization and Disarmament, School of International Studies, Jawaharlal Nehru University, New Delhi. She is recipient of Doctoral Fellowship from Indian Council of Social Science and Research, New Delhi. Her e-mail address is: shreejitabiswas@yahoo.com. A version of this paper was presented at the International Political Science Association (IPSA) World Congress held in Brisbane, Australia in 2018.

[1] Peter J. Katzenstein, "Introduction: Alternative Perspectives on National Security", in Peter J. Katzenstein

"shared expectations about appropriate behaviour held by a community of actors".[2] The vast array of discussions that existed on norms around the 1980s and 1990s, have highlighted the self-explanatory capabilities of norms that influence the conduct of state actors. However, the first generation of constructivist scholars had limits in their analysis since they considered norms to be static entities that regulate state behaviour and promote international cooperation.[3]

In recent times, challenging this traditional consideration that norms are fixed entities progressing in a linear manner[4], a growing scholarly works on norm emerged which focussed on the potential for norm challenges and contestations in international arena of norm development.[5] This new wave of critical constructivist theory focuses on the contestation of international norms thereby exploring the challenges that norms face when it comes to its widespread acceptance and recognizes the agency role of the actors.[6] It takes into account the dynamic nature of norms as it elucidates how variety of actors understand and interpret norms in different contexts and environment that affect its effectiveness and compliance.[7] Therefore, norm contestation literature explicate how different interpretations of norms by the actors in their interaction attach varied meanings to the norm.[8] Interpretation and meaning attached to the norm are prior conditions to detect the compliance with the norm that in turn may affect its robustness or efficacy.[9] The myriad ways in which the actors

(ed.), *The Culture of National Security Norms and Identity in World Politics*, New York: Columbia University Press, 1996, p. 5.

[2] Martha Finnemore, *National Interests in International Society*, Ithaca, New York: Cornell University Press, 1996, p. 22.

[3] Jeffrey S. Lantis, "Theories of International Norm Contestation: Structures and Outcomes", *Oxford Research Encyclopedia of Politics*, 2017, available at https://oxfordre.com/politics/view/10.1093/acrefore/9780190228637.001.0001/acrefore-9780190228637-e-590, accessed on 10 April 2019; Mathew J. Hoffman, "Norms and Social Constructivism in International Relations", *Oxford Research Encyclopedia of International Studies,* 2010, available at https://oxfordre.com/internationalstudies/internationalstudies/view/10.1093/acrefore/9780190846626.001.0001/acrefore-9780190846626-e-60, accessed on 04 October 2020; Carmen Wunderlich, "Theoretical Approaches to Norm Dynamics", in Harald Müller and Carmen Wunderlich (eds.), *Norm Dynamics in Multilateral Arms Control: Interests, Conflict and Justice*, Athens and London: The University of Georgia Press, 2013, pp. 20-47 and Saira Bano, "Norm Contestation: Insights from Morphogenesis Theory", *The Korean Journal of International Studies*, Vol. 13. No. 1, 2015, pp. 1-28.

[4] Carmen Wunderlich, op. cit., pp. 26-27.

[5] Jeffrey S. Lantis, op. cit.

[6] Anjte Weiner, "Contested Meanings of Norm: A Research Framework", *Comparative European Politics*, Vol. 5, 2007, pp. 1-17; Betcy Jose, "Norm Contestation: A Theoretical Framework", in Betcy Jose (ed.), *Norm Contestation Insights into Non-Conformity with Armed Conflict Norms*, Switzerland: Springer, 2018, p. 34; Jeffrey S. Lantis, op. cit.

[7] Carmen Wunderlich, op. cit., pp. 27-32; Anjte Weiner, op. cit., p. 4.

[8] Anjte Weiner, op. cit., p. 4; Weiner Antje and Pueter Uwe, "The Quality of Norms is What the Actors Make of It: Critical Constructivist Research on Norms", *Journal of International Law and International* Relations, Vol. 5, No. 1, 2009, pp. 1-16; Saira Bano, op. cit., p. 2.

[9] Carmen Wunderlich, op. cit.; Nicole Deitelhoff, Lisbeth Zimmermann "Norms under Challenge: Unpacking the Dynamics of Norm Robustness", *Journal of Global Security Studies*, Vol. 4, No. 1, 2019, pp. 2–17.

understand the meaning of a specific norm, i.e., interpret them and ascribes their own connotations, indicate whether there is an inter-subjective understanding regarding the norm or conflict among the actors about it.[10] The variations in norm compliance may result from the different interpretations of the implications emerging from them.[11]

Though norm conflicts and the various aspects of contestation have been discussed in the literature and it has emerged as an important field of research, its scope has remained somewhat restricted. In this regard, scholars like Jose argue how norm contestation framework can be used as a tool to explain variations in norm-related behaviour and to analyze non-conformity with armed conflict norms.[12] Given the dynamic nature of norms and its significance, the paper explicates the different norm contestation conditions and their applications that influence norm interpretation. As a result, deviation from compliance building is often observed which affect the operation of norm in practice. The theoretical corroborations are empirically investigated to explore the inconsistencies in recognizing genocide and conforming with the anti-genocide norms[13] to provide proper responses to such crimes at the international platform by the state actors.

Therefore, interpretations of norms have become crucial to understand the phenomenon that despite the existence of a particular norm, the behavioural pattern differs when it comes to conformity to those international norms. It is found that the international community has largely remained divisive in its reaction or chose to be a silent spectator in acknowledging genocide which ultimately resulted in its denial. Against this backdrop, the paper revolves around the question of what are the different contexts that influence actors' interpretation of norms. The inadequate response to genocidal crimes showcases the necessity to illustrate the contexts/conditions travelling through which norms become contested and the meaning of norms gets translated differently by the actors. Holzscheiter opines the requirement to capture the normative insecurities of actors and situations in which different

---

[10] Betcy Jose, "Norm Contestation: A Theoretical Framework", op. cit., pp. 21-46.
[11] Carmen Wunderlich, op. cit., p. 30.
[12] Betcy Jose, "Introduction: How Contestation Provides Insight into Normative Behaviour", in Betcy Jose (ed.), *Norm Contestation Insights into Non-Conformity with Armed Conflict Norms*, Switzerland: Springer, 2018, p. 5.
[13] Daniel E. Solomon, "The Black Freedom Movement and the Politics of Anti-Genocide Norm in the United States, 1951-1967", *Genocide Studies and Prevention*, Vol. 13, No. 1, pp. 130-143; While he speaks of explicit and implicit anti-genocide norms, it is used mainly to explain the usage of the norm by black political activists in the US. Moreover, Africa has strengthened its normative framework in recent years to prevent genocide. See also, Godfrey Musila, "Preventing Genocide: Africa's Evolving Normative and Institutional Framework", available at https://africacenter.org/spotlight/preventing-genocide-africas-evolving-normative-institutional-framework/, accessed on 04 October 2020.

international norms are contradictory or difficult to reconcile in practice.[14] The paper contributes to investigating various social contexts and situations in which norms get contested and therefore, get interpreted in different ways by the agency of the state actors with varied identities.

The study sheds light to the fact that competing factors operating at the national and international levels are primarily responsible for such inadequate response to genocide crimes. It argues that simultaneous functioning of these two competing conditions have led to contestation with the anti-genocide norm and impacted its interpretation by the agency of state actors. Wunderlich and Peltner opine how norm contestation can be a result of different understanding of the norms meaning and also because of competing norms.[15] This paper, however, takes recourse and explores all such competitive conditions that lead to contestation of a specific norm. Norms become competitive when there are conflicting conditions that lead to interpreting and prioritizing a set of norms over others. Consequently, behavioural-differences can be observed as it is seen in genocide recognition and prevention.

The paper uses a qualitative method as it theoretically addresses the problem of unevenness in genocide response by international community. It employs a comparative approach in order to evaluate the empirical stance that how denial politics of genocide has operated across the spectrum of time. In this regard, the case studies of the Armenians and the Rohingyas are examined to explain the variations in norm compliance. Their long struggle of denial politics which got deep seated over time and the multiplicity of state actors involved make them important cases for investigation. Demands for recognition over the years have created sparks in international politics making their cases unique in their respective spaces yet bounded by commonalities. Analyzing the different conditions of denial of the two cases will enable to understand the causal factors behind the long-term denial. Comparing the Rohingya case with the Armenian provides useful insights as it scrutinizes how competitive conditions lead to long battles of denial struggle influencing the interpretation of the anti-genocide norm. Two sets of competing conditions have influenced the recognition of the crimes committed against marginalized Armenians and Rohingyas. Firstly, at the domestic level, a more dominant competitive sovereignty norm which is rooted in the state-identity dictated by Turkish and Buddhist majority identity. In other words, the superior race which distinguishes the other race (in this case the Armenians and the Rohingyas), on the basis of sovereignty and territorial claims, influence the interpretation of anti-genocide norms. Secondly, at the international

---

[14] Anna Holzscheiter, "Affectedness, empowerment and norm contestation-children and young people as social agents in International politics", *Third World Quarterly*, Vol. 3, No. 5-6, 2018, pp. 645-663.

[15] Carmen Wunderlich, op. cit., p. 30; Anne Peltner, "Competing norms and foreign policy change: humanitarian intervention and British foreign policy", *International Politics*, Vol. 54, 2017, pp. 745–759.

level, a complex network of competing interests of the other state actors at the international norm environment, which is rooted in their foreign policy choices and goals. As a result, state agencies with multiple identities at the international level will trade-off normative obligations, such as acknowledging crimes of genocide as they are more normatively grounded to their respective foreign policy preferences and goals. In case of Armenians and Rohingyas, international community preferred norms congruent with their foreign policy objectives and thereby denied genocide. Since, it is not possible to discuss about every possible country within the paper, it is argued how some of the significant players in international politics have interpreted the norms. These preference pattern leads to politics of genocide denial hindering the effectiveness of anti-genocide norms.

The paper is divided into five sections including introduction and conclusion. The second section provides the historical background. The third section presents a comparative analysis of the Rohingyas and Armenian genocide. The fourth section highlights the denial strategies adopted by the various countries, while the fifth section concludes the paper.

2.   Background to the Persecution of Minorities

This section mainly elaborates the existing debates in the genocide literature and takes into account its denial politics. After reviewing the existing literature, it deals with the history of persecution of two ethnically minority communities: the Armenians under the Turkish majority in Ottoman Empire and the Rohingyas under the Buddhist majority in Myanmar. It provides a foundation to understand why it is crucial to study those competing conditions that lead to contestations in addressing crimes of genocide since it moulds the meanings that norms would acquire as they get translated.

2.1   *Debates Regarding Genocide in the Literature*

The history of crime of genocides suggests that their frequent occurrences have raised debates and discussions from time to time. The debates and discussions in the existing literature suggest that genocidal incidents have faced challenges in terms of recognition and appropriate responses to such crimes in international politics. Both the perpetrator state of violence where the crime occurred and also the other state actors of international community have cumulatively failed to address the crimes related to genocide at the international platform adequately.

Firstly, genocidal crimes have faced definitional challenges. There exists a vast array of definitions to explain genocide which have divided the state actors of international community. Theriault argues how the term genocide has contested

since the time of its inception.[16] Raphael Lemkin was the first to coin the term genocide in 1944 from the Greek word, Genos(race/tribe) and Latin word, Cide (to kill). Due to his efforts, the definition of genocide was included in the United Nations Convention on the Prevention and Punishment of the Crime of Genocide. The Convention defines genocide as the intent to destroy, in whole or in part, a nationalist/ethnic group.[17] However, the Convention's definition of the genocide has come under criticism. It is considered as a narrow definition of the genocide because of not including the mass killings of the nationals within one's own country by the government.[18] The great powers while formulating the Convention were reluctant to include such a broad terminology because in recognizing the application of international law to crimes committed within one's territory, they might leave themselves vulnerable to future persecutions.[19] Moreover, the definition is considered to be a political compromise which produced through great power negotiations and therefore excluded the broader forms of societal and cultural destructions, not necessarily focussed towards direct physical killings.[20] Supporting this, Bilsky and Klagsbrun argue how international law limits itself to physical and biological extermination and neglects the cultural genocide which manifests itself in forced assimilation of groups.[21] Though the cultural definition as proposed by Lemkin in the original doctrine remains contested, Armenian genocide museum defines it as 'acts and measures undertaken to destroy nations' or ethnic groups' culture through spiritual, national, and cultural destruction".[22] Evidences also suggest that apart from the physical extermination of the Armenians, there was also a planned cultural genocide conducted against the Armenians as there was destruction of Armenian material testimonies, e.g., demolition of Armenian cultural monuments, mass scale annihilation of Armenian clergyman and intellectuals, and forceful conversion to Islam.[23] Therefore, genocides are conducted intentionally which aim to drive out not only the entire group physically but culturally as well.[24] However, the Convention

---

[16] Henry C. Theriault, "Genocidal Mutation and the Challenge of Definition", *Metaphilosophy*, Vol. 41, No. 4, 2010, pp. 481-524.

[17] "Convention on Prevention and Punishment of the Crimes of Genocide", available at https://www.un.org/en/genocideprevention/genocide.shtml, accessed on 26 November 2020.

[18] Israel W. Charny, "Classification of Genocide", in Israel W. Charny (ed.), *Encyclopedia of Genocide: Vol-1*, Santa Barbara California: ABC-CLIO Inc, 2000, p. 3.

[19] William A. Schabas, "The Odious Scourge: Evolving Interpretations of the Crime of Genocide", *Genocide Studies and Prevention: An International Journal*, Vol. 1, No. 2, 2006, pp. 93-106.

[20] Henry C. Theriault, "Genocidal Mutation and the Challenge of Definition", op. cit.

[21] Leora Bilsky and Rachel Klagsbrun, "The Return of Cultural Genocide?", *European Journal of International Law*, Vol. 29, No. 2, 2018, pp. 373–396.

[22] The Armenian Genocide Museum-Institute, "Cultural Genocide", available at http://www.genocide-museum.am/eng/cultural_genocide.php, accessed on 04 October 2020.

[23] Ministry of Foreign Affairs of Armenia, available at https://www.mfa.am/en/cultural-genocide/, accessed on 26 November 2020.

[24] Michael Mann, *The Dark Side of Democracy: Explaining Ethnic Cleansing*, UK: Cambridge University Press, 2005, p. 17.

states that a proven intent from the sides of the perpetrators to physically destroy a particular group is mandatory to determine genocide crimes and the sole criteria of cultural intent is not a sufficient ground to verify genocide cases.

Apart from the limited approach of the genocide Convention, another challenge that impacts the recognition of genocidal crime is intention behind the crime committed. The intent of the perpetrator often becomes the source of debate and makes it challenging to determine the cases of genocide. It is because the intent of the genocide is difficult to prove and interpret due to its broad nature of the components - the intent to destroy a particular group and the commission of specific acts in support of the intent.[25] Since, proving the real intent becomes difficult due to its broad implication, it gives the state actors a leverage to determine and categorize the crimes as genocide. This happens particularly when the national government conducts the genocide or sides with the perpetrators of the crime of genocide. As a result, the debate on the real intent becomes the reason of conflict in the international community. As historian Barth correctly points out in his interview on the Rohingya genocide in 2017 that it becomes difficult to trace the intention behind genocide or that there has been an actual crime of genocide as a state will never reveal its true motives.[26] Further, another source of debate is that the term genocide is often considered to be closely knitted with the concept of ethnic cleansing. Unlike genocide which is a preventable and punishable crime under the Convention (despite its drawbacks), ethnic cleansing is not treated as a separate crime.[27] The term ethnic cleansing is considered to be a modern concept which came to be widely recognized since the 1990s, defined as rendering an area ethnically homogenous by eradicating a group of people belonging to a particular ethnic group forcefully or through intimidation. It is also considered to be a purposeful design carried by one ethnic group to remove civilian population of another ethnic group from certain geographical area.[28] Michael Man's discussion is significant in this regard as he argues how 'murderous ethnic cleansing' is a problem of modern civilization and associates it as dark side of democracy.[29] He argues that ethnicity becomes the basis of social stratification in modern societies, it channelizes sentiments of ethno-nationalism and therefore, the politicization of nationalism represents this perversion to modern aspirations of democracy in

[25] Kagusthan Ariaratnam, "The Difference Between Ethnic Cleansing and Genocide", *Modern Diplomacy*, 20 November 2018, available at https://moderndiplomacy.eu/2018/11/20/the-difference-between-genocide-and-ethnic-cleansing/, accessed on 28 October 2020.
[26] "Rohingya Conflict: What constitutes as genocide", available at https://www.dw.com/en/rohingya-conflict-what-constitutes-genocide/a-37125564, accessed on 04 October 2020.
[27] United Nations, "Ethnic Cleansing", available https://www.un.org/en/genocideprevention/ethnic-cleansing.shtml, accessed on 26 November 2020.
[28] Ibid.
[29] Michael Mann, op. cit., pp. 2-5.

the nation-state.[30] Likewise, Conversi argues that the concepts of genocide and ethnical cleansing are methods of 'social engineering' for radical homogenization to forge unified communities under national building process.[31] Scholars argue that it becomes difficult to clearly demarcate genocide and ethnic cleansing. Ethnic cleansing and genocide, despite their similar intent, are differentiated on the grounds how the method of ethnic cleansing focuses more on geography and forced removal of ethnic or related group from an area.[32] Yet, ethnic cleansing is overlapping with genocide when the forced removal takes the form of destruction leading to brutal mass killings. Therefore, ethnic cleansing often precedes genocide.[33] The Armenian massacres were considered to be the first modern genocide where almost 1.5 million Armenians were killed, which was preceded by massive episodes of ethnic cleansing throughout the Balkans.[34] There was a radical shift from pre-1915 anti-Armenian pogroms to the nationalist Young Turk annihilation campaigns, therefore 'cumulative radicalization' led to the genocide.[35] On the other hand, multiple atrocities carried out against the Rohingyas on the basis of their identity suggest that Myanmar is on the path of genocide.[36] As the Holocaust Museum recommends that the Rohingya population have suffered mass atrocities including ethnic cleansing resulted in an estimated 700,000 Rohingyas fled from Myanmar to Bangladesh since August 2017. Therefore, this usage of atrocity to intimidate the ethnic Rohingya minority suggests that genocide has been convicted against them.[37] The process of genocide begins when a particular ethnic group is systematically discriminated and their existence is considered to be illegitimate within the boundaries of the nation-state. Both the Armenian and Rohingya genocide reveal the persecution of minority ethnic groups by the majority population of Turks and Buddhists with which the state identifies its sovereign identity. The various definitional challenges and complexities indicate how

---

[30] Ibid.

[31] Daniele Conversi, "Cultural Homogenization, Ethnic Cleansing and Genocide", *Oxford Research Encyclopaedias*, 2017, available at https://oxfordre.com/internationalstudies/view/10.1093/acrefore/9780190846626.001.0001/acrefore-9780190846626-e-139, accessed on 28 November 2020.

[32] Benjamin Lieberman, "'Ethnic Cleansing' vs Genocide?", in Donald Bloxham and A. Dirk Moses (eds.), *The Oxford Handbook of Genocide Studies*, New York: Oxford University Press, pp. 42-60; Kagusthan Ariaratnam, op. cit.

[33] Ibid.; "Rohingya Conflict: What constitutes as genocide", op. cit.

[34] John Kifner, "Armenian Genocide of 1915: An Overview", *The New York Times*, available at https://archive.nytimes.com/www.nytimes.com/ref/timestopics/topics_armeniangenocide.html?mcubz=1, accessed on 28 November 2020; Daniele Conversi, op. cit.

[35] Daniele Conversi, op. cit.; Donald Bloxham, "The Armenian Genocide of 1915–1916: Cumulative Radicalization and the Development of a Destruction Policy", *Past and Present*, Vol. 181, No. 1, 2003, pp. 141–149.

[36] Michael Hart, "Is Myanmar on Path of Genocide", *The Diplomat*, 18 January 2017, available at https://thediplomat.com/2017/01/is-myanmar-on-the-path-to-genocide/, accessed on 28 November 2020.

[37] United States Holocaust Museum, "The Plight of Rohingyas", available at https://www.ushmm.org/genocide-prevention/countries/burma/case-study/introduction/the-plight-of-the-rohingya, accessed on 28 November 2020.

the concepts often form the core of the dispute regarding what are the parameters to identify genocide and as a result, get manoeuvred by the international and domestic policies of state-actors in recognizing genocide. In other words, there is contestation among international community regarding what constitutes as a crime of genocide. This leads to a selective biasness regarding the consideration of 'valid' ground of genocide. Definitional constraints determine which acts are covered and which will be included and also, which cases will benefit from international attention, intervention and repatriation.[38]

Secondly, there is denial politics associated with the crimes of genocide. The denial of genocide by the place of origin and the failure of international community to take action in cases of genocide highlights the intention behind genocide. The existing studies argue that the deliberate denial of a known genocide is a harmful act that can be included in the same moral domain which leads to the actual contributions to a genocide.[39] In order to understand genocide and denial, it is important to understand how the concept of genocide becomes specific practices where often the state perpetrates it or it is carried out by bureaucratic institution or individual.[40] Chalk, in this regard, opines genocide is a crime of the state and empirically it is not correct to claim that it appeared without intent.[41]

From the above discussion, three things are evident. Firstly, government vehemently denies the genocide. In case of accepting crime against Rohingyas, Aung San Suu Kyi has consistently denied that genocide crimes against Rohingya in the official platforms, such as her defence at The International Court of Justice (ICJ), where she acknowledged the fact that human rights violation has taken place in Myanmar but clearly rejected the intent of genocide.[42] She claimed the matter to be an 'internal conflict'[43] which suggests the domestic mode of defining atrocities as a matter for the country's own judicial system. The denial politics becomes a pre-emptive nationalist strategy of internal political denial against the fear of international political accusation. Similarly, Turkish government since the formation of the Republic of Turkey to the present day has continued to maintain a denial

---

[38] Henry C. Theriault, "Genocidal Mutation and the Challenge of Definition", op. cit.

[39] Eric Markusen and Israel. W, Charny, "Denial of Genocide, Psychology of", in Israel W. Charny (ed.), *Encyclopaedia of Genocide: Volume I*, Santa Barbara California: ABC-CLIO Inc, 1999, pp. 155-156.

[40] Alex Alvarez, *Governments, Citizens and Genocide*, Indiana: Indiana University Press, 2001, p. 8.

[41] Frank Chalk, "Genocide in the 20th Century: Definitions of Genocide and their Implications for Prediction and prevention", *Holocaust and Genocide Studies*, Vol. 4. No. 2, 1989, pp. 149-160.

[42] Kyaw Phyo Tha, "Legal Team defended Myanmar to' best of their Ability at ICJ, Daw Aung San Suu Kyi says", *The Irrawady*, 19 December 2019, available at https://www.irrawaddy.com/news/burma/legal-team-defended-myanmar-best-ability-icj-daw-aung-san-suu-kyi-says.html, accessed on 28 November, 2020.

[43] Kyaw Phyo Tha, "Myanmar State Counselor Asks World Court to Reject Genocide", *The Irrawady*, 13 December 2019, available at https://www.irrawaddy.com/news/burma/myanmar-state-counselor-asks-world-court-reject-genocide-case.html, accessed on 26 November 2020.

posture over the years to recognize genocide.[44]

Second, international community also fails to take any collective action and remained divided. The wider international community while considering the crimes of genocide to be a matter of concern, the various state actors remain divisive in officially recognizing crimes of genocide in their foreign policy and undertaking collective actions against them. Burchett and Rana speak of the inherent conflict present in the norms of international community that prevents them to take action and they make passive decisions.[45] This could be seen both in the Armenian and Rohingya cases as discussed subsequently in the later sub-sections. The denial by the governments and divisiveness by international community drive the various state actors to contest with certain norms thereby deviating from their normative obligation of recognizing the crimes of genocide. Also, it leads to analyze how such conditions impede the compliance building with anti-genocide norms. The paper does not delve into a detailed historiography behind the two genocides but provides a brief account of them to understand the variables that led to norm contestation in both cases.

2.2   *The Forgotten Genocide and the Armenians*

The Armenian genocide was considered as 'the forgotten genocide', 'the unremembered genocide', 'the hidden holocaust' or 'the secret genocide'.[46] The Armenian genocide was the systemic violence conducted by the Ottoman Turks from 1915-1917 during the early First World War period when the Ottoman Empire was going through a period of transformation. These massacres were perpetrated throughout different regions of the Ottoman Empire by the Young Turks government which was in power at that time.[47] Through analyzing the history, the study highlights how the multiple factors led to the emergence of strong Turkish nationalist sentiments that culminated in the process of centrally organized mass murders of the Armenian Christian minorities. It illustrates that majority identity of the Turks brought into the forefront a Pan-Turkish policy of genocide which was required for a homogenous majoritarian nation-state and led to the subsequent denial syndrome of the crime committed. The genocide of 1915-1917 was the result of the

[44] Tim Arano, "A Century After Armenian Genocide, Turkey's Denial Only Deepens", *The New York Times*, 17 April 2015, available at https://www.nytimes.com/2015/04/17/world/europe/turkeys-century-of-denial-about-an-armenian-genocide.html*, accessed on 10 May 2020.

[45] Amnett J. Burchett and Amna Q. Rana, "The International Community's Inaction Amidst the Rohingya's Suffering", *Townson University Journal of International Affairs*, Vol. LI, No. 1, 2017, pp. 1-17.

[46] Peter Balakian, *The Burning Tigris: the Armenian Genocide and America's Response*, USA: Harper Collins, 2003, p. ix.

[47] Ministry of Foreign Affairs of the Republic of Armenia, "Genocide", available at https://www.mfa.am/en/genocide/, accessed on 24 February 2018.

simultaneous push and pull of internal and external conditions during the nineteenth century, when the Empire started collapsing till the establishment of the Republic at 1923. Hence, "the historical context led to incremental victimization of the Armenian people culminating in genocide".[48] First, the Armenians lived as minority in the Ottoman Empire under the millet system where they were treated as second class citizens. However, in the late nineteenth century the millet system started to break due to the collapsing Empire paralleled by the cultural revival of the Armenians through their economic success by coming in contact with the West.[49] The expansion of the economic powers of the minority Armenians made them revolt against their marginalized position in form of uprisings and asked for social reforms as a result of which they were considered as 'internal threats' intensifying the ethnic rivalry between the majority Turks and minority Armenians.[50] Secondly, the involvement of the great powers of Europe in the internal matters of the Ottoman Empire and series of wars in the region increased Turkish threat from the Russian front and the West. Moreover, while the Armenians themselves fought for their position in the Empire, their cultural revival and contact with the West also enabled them to take help from the great powers which increased hatred between the two ethnic communities.[51] The multi-ethnic system of the Empire got dismantled with the Crimean (1853-6) and the Russo-Turkish Wars (1877-8) and it deepened the cracks of the collapsing Empire. Therefore, Turkish frustration of losing territories, great power intrusion in the region combined with the demand of Armenian minorities for reforms to improve their social status terminated into the genocide of the 1915-1917.[52] Next, the growing hatred for Armenians resulted in the Turkish-Armenian polarization led to the formation of nationalistic Pan-Turkish identity where the majority Turks wanted a homogenous nation-state without the minority Armenians. The Armenian demand for emancipation made them as 'aliens' and 'suspected' minorities for violence.[53] The Ottomans perceived this as 'secessionist tendencies' and 'loss of sovereignty'. Hence, deportation of Armenians became essential.[54] Further, the Young Turks

---

[48] Richard Hovannisian, "Introduction: Confronting the Armenian Genocide", in Richard Hovannisian (ed.), *Confronting the Armenian Genocide: Looking Backward, Moving Forward*, New Brunswick and London: Transaction Publishers, 2003, p. 4.

[49] Levon Chorbajian, "Introduction", in Levon Chorbajian and George Shirinian (eds.), *Studies in Comparative Genocide*, Great Britain and US: Macmillan Press Limited and St.Martin's Press Ltd, 1999, pp. xv-xxxv.

[50] Berch Berseroglu, "Nationalism and Ethnic Rivalry in the Early Twentieth Century: Focus on the Armenian Community in the Ottoman Turkey", *The Indian Journal of Political Science*, Vol. 52, No. 4, 1991, pp. 458-494; Peter Balakian, *The Burning Tigris: The Armenian Genocide and America's Response*, USA: Harper Collins, 2003, pp. 35-52.

[51] Norman M. Naimark, "Preface", in Ronald Grigory Suny, Fatma Müge Göçek and Norman M. Naimark (eds.), *A Question of Genocide: Armenians and Turks at the End of Ottoman Empire*, Oxford: Oxford University Press, 2011, p. xv.

[52] Peter Balakian, op. cit., pp. 35-52; Norman M. Naimark, op. cit., p. xv.

[53] Levon Chorbajian, op. cit., p. xxiii.

[54] Donald Bloxham, *The Great Game of Genocide: Imperialism, Nationalism and the Destruction of Ottoman Armenians*, New York: Oxford University Press, 2005, p. 30.

nationals took power in the Ottoman Empire in 1909, establishing a brand of ethnic nationalism and paving the way for an ultra-nationalistic fervour of creating a homogenous modern nation-state from the remnants of the Empire. The demand for 'Turkification' or Turkish nationalism suggested that the Young Turk rulers did not want to have a pluralistic society consisting of the two ethnic groups but rather want the eradication of the minority communities whose image was constructed as an internal threat and a potential blockade for creating a nation-state system based on a Pan-Turkish identity. Thus, Naimark argues, modern ideologies of nationalism and religious and racial hatred played a crucial part in the Armenian genocide.[55] The ideologies of nationalism led to construction of the minority community as the 'other' constituting as 'threat' whose expulsion from the territory had become an important part for the creation of a nation-state whose borders were identified with the pedigree of the majority Muslim Turks. After the defeat of Ottoman Empire in the First World War, Pan-Turkishness formed the basis of formation of the New Republic of Turkey which continued the systemic violence on Armenians. Thus, the history suggests how norm conflict/contestation have led to non-compliance with anti-genocide norms leading to the problem of norm-interpretation in IR.

2.3   *The Rohingyas of the Rakhine Region: World's Persecuted Community*

The Rohingyas are the stateless minority ethnic group who have experienced a similar story of brutal persecution in the hands of the majority Buddhist population within the territory of Myanmar. The massacres of the Rohingyas in Myanmar are the product of a long drawn historical process since the independence of Myanmar from the British rule. The process of otherization of the Muslim Rohingyas was the result of a historical competition for a territorial space defined by the boundaries of the region of Myanmar between the two groups: the majority Buddhists and the minority Rohingyas. The contestation of Rohingya Muslim identity by Buddhist nationalism has led to perpetration of violence against the minority Rohingyas. Allard K. Lowenstein International Human Rights Clinic at Yale Law School[56] claimed that the rapes, murders and assaults on the Rohingyas shows that final stages of genocide have been conducted against them under the norms of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide ("Genocide Convention" in brief). The otherization of the Rohingyas in Myanmar are the result of multiple factors. First, the construction of Rohingya identity as 'illegal' and therefore, considering them as outsiders by the Burman authorities and majority Buddhists. The Burmans resentment of the Muslims has its roots in the

---

[55] Norman M. Naimark, op. cit., p. xv.
[56] Yale MacMillan Center, "Commentary: Lessons of Rohingya Genocide", available at https://macmillan.yale.edu/news/commentary-lessons-rohingya-genocide, accessed on 10 September 2017.

massive immigration of the Muslims during the British colonial rule and therefore, they till now are not considered as the original ethnic descendants. The majority nationalist monks consider this massive Muslim invasion as endangering to their religion Buddhism. Francis Wade has explored the cultural and historical roots of the Rohingya crisis and how Myanmar historically associated the Burmese identity as ethnically Barmar and majority Buddhist religion while the Bengali Muslim minority were treated as an outsider.[57] He showcases how the Buddhists considered that the Muslims were a threat who would 'swallow up' the Burmese ethnic population and Buddhism.[58] Myanmar government considers that the Rohingyas are illegal Bengali immigrants from Bangladesh having no legal citizenship right within the territory of Myanmar.[59] However, the Rohingyas claim that they are the Muslim ethnic group who can trace their origin from the northern Rakhine region of Western Myanmar which was earlier known as Arakan State and resided there for centuries.[60] Their collective identity, with which they have identified themselves with as 'Rohingyas', was politicized by the Burmese military nationals with the 1982 citizenship law which did not include the Rohingya ethnicity among the 135 officially recognized national races.[61] This social construction of the Rohingya identity as non-Burman Bengali foreigners has deprived the Rohingyas of their rights. The interests defined in terms of the majority identity leads to the reconstructing of the identity of the minorities whom they consider as a threat to the homogeneity of the nation-state.

Second, the rise of Buddhist nationalism which dominates the state politics of Myanmar. The Buddhists are majority population in Myanmar. The construction of the Rohingya identity as non-Burman Bengali foreigner is the product of Burmese nationalism which has furthered the interests of majority identity in Myanmar. The Burmese nationalism has been the result of the anti-colonial sentiments towards the British who dominated the region. It united the colonial subjects under the Buddhist faith which became the founding pillar of the nation-state in independent Myanmar.[62] The Burmese dominated regime under the Buddhist faith went through a process of Burmanization where they wanted to fit the minority communities through constructed image of an ideal nation-state.[63] The military junta consistently

[57] Francis Wade, *Myanmar's Enemy Within: Buddhist Violence and Making of Muslim Other*, London: Zed Books. Ltd, 2017.
[58] Ibid., p. 25.
[59] Sayeda Naushin Parnini "The Crisis of the Rohingya as a Muslim Minority in Myanmar and Bilateral Relations with Bangladesh", *Journal of Muslim Minority Affairs*, Vol. 33, No. 2, 2013, pp. 281-297.
[60] Ibid.
[61] Krishnadev Calamur, "The Misunderstood Roots of Burma's Rohingya Crisis", *The Atlantic*, 25 September 2017, available at https://www.theatlantic.com/international/archive/2017/09/rohingyas-burma/540513/, accessed on 10 May 2019.
[62] Jobair Alam, "The Rohingya of Myanmar: theoretical significance of the minority status", *Asian Ethnicity*, Vol. 19, No. 2, 2018, pp. 180-210.
[63] Ibid., p. 193.

attempted to erase the Rohingya ethnic identity, which has been combined with that of genocidal Buddhist racism against the Rohingyas. The Buddhist imagery of the Muslim Rohingyas as a threat to the majority Buddhist religion led to the emergence of a form of militant Buddhism. As a result, the monks have engaged in nationalist politics and generated xenophobic and fundamentalist views using religion as means of violence.[64] Since 2011, with the transition to democracy, Buddhist nationalism has seen a significant rise.[65] This idea of Buddhism differs from the pacifist meditative and compassionate Buddhism and believes that Buddhist faith needs to be protected from other religions such as Islam that is 'overrunning' Buddhist Myanmar.[66] Therefore, the fear of the 'other' led to the widespread violence against the Rohingya minorities.

3.   Norm Contestation and Norm Interpretation: A Comparative Analysis of the Armenian and the Rohingya Genocides

This section delves into the comparative analysis of genocidal crimes of the Armenians and the Rohingyas under the theoretical framework of norm contestation and interpretation. The historical narrative showcases how, divided by a vast spectrum of time, it is uncannily similar that both the communities are confronted with such brutal denial politics involving a multiplicity of state-actors. It also points that in one geographical space, the majoritarian Turkish Muslims inflicted sufferings on the minority Armenians, but in another geographical space, an ethnic clan of similar faith, comprising of the Rohingya Muslims are victims of Buddhist majoritarian persecution. This suggests the value of norm dynamics in global scenario. It elucidates how norms interpreted by majoritarian state-actors influence the normative obligations to recognize crimes of genocide. The normative obligations are confronted by the combined effect of competitive conditions as a result of which state actors depart from complying with anti-genocide norms.

The denial politics is the key ingredient of genocide and the struggle of both communities for recognition had made it clear about their sufferings. The struggle for recognition of Armenian genocide has continued for more than a decade and the journey of Rohingya genocide so far suggests that it has taken a similar trajectory. Along with the domestic challenges, the other state-actors of international

---

[64] Mikael Gravers, "Anti-Muslim Buddhist Nationalism in Burma and Sri Lanka: Religious Violence and Globalized Imaginaries of Endangered Identities", *Contemporary Buddhism*, Vol. 16, No. 1, 2015, pp. 1-27.
[65] Peck Grant, "Myanmar Rohingya Hatred has Roots in Buddhist Nationalism", *Fox News*, 29 September 2017, available at http://www.foxnews.com/world/2017/09/29/myanmar-rohingya-hatred-has-roots-in-buddhist-nationalism.html, accessed on 10 May 2018.
[66] Paul Fuller, "Myanmar and Buddhist Extremism", *The Conversation*, 14 November 2017, available at https://theconversation.com/myanmar-and-buddhist-extremism-86125, accessed on 10 May 2020.

community have also failed to undertake adequate measures to ensure justice to the minority Armenians and Rohingyas. It is ironical that on one hand the Turkish authority has consistently refuted the occurrences of Armenian genocide in their domestic boundary, while on the other they have considered the killings in Myanmar as crimes of genocide at the international level.[67] Other key players in international politics such as US or India too have either remained divided or neglected the issues of genocide. Such discrepancies at the international level, also necessitate providing an answer to how normative obligations get interpreted at the international normative environment. Before analyzing these two sets of competing conditions operating at the domestic and international levels respectively that led to anti-genocide norm denial, the paper first situates these issues within the theoretical framework of norm contestation and interpretation.

3.1   *Theoretical Framework*

After making a ground for the challenges faced by the recognition of genocide crimes in terms of their constitutional parameters and denial intentions, the study looks into the theoretical justifications behind such denial practices. The paper uses the framework of critical constructivist theory to explore the role of norm contestation.

The first wave of constructivist literature emerged in the 1980s and 1990s as an alternative to the rationalist and materialist theories of IR such as realism and liberalism. This first wave of constructivist scholars brought about a surge in the discussion of the norms and their significance in international politics. They considered the independent explanatory power of norms in international politics by shaping the behaviour of actors.[68] However, this earlier paradigm in their analysis of explanatory role of norms has ignored the flexibility of the norms. While exploring the norm dynamics and change in political processes, Finnemore and Sikkink consider the norms to be fixed entities evolving in linear stages.[69] Hoffman, in this regard, argue that the discussions on the dynamic nature of norm by Finnemore and

---

[67] "Turkish PM calls Rohingya Killings in Myanmar as genocide", *Reuters*, 20 December 2017, available at https://www.reuters.com/article/us-myanmar-rohingya-bangladesh-turkey-idUSKBN1EE1RL, accessed on 13 October 2020.

[68] Friedrich Kratochwill, "The Force of Prescriptions", *International Organization*, Vol. 38, No. 4, 1984, pp. 685-708; John Gerard Ruggie, "What Makes the World Hang Together? Neo-utilitarianism and the Social Constructivist Challenge", *International Organization*, Vol. 52, No. 4, 1998, pp. 855-885; Annika Björkdahl, "Norms in International Relations: Some Conceptual and Methodological Reflections", *Cambridge Review of International Affairs*, Vol. 15, No. 1, 2002, pp. 9-23.

[69] Martha Finnemore and Kathryn Sikkink, "International Norm Dynamics and Political Change", *International Organization*, Vol. 52, No. 4, 1998, pp. 891-892; Carmen Wunderlich, op. cit.

Sikkink, is relatively circumscribed.[70] He further identifies how such approach to norms as 'constant' entities have resulted to 'freezing' of norms.[71] Other scholars such as Florini draw a connection between norm development and Darwin's theory of evolution thereby making an analogy between norms and genes. However, such evolutionary model does not capture the dynamic natures of norms sufficiently.[72]

The critical constructivist theory provides a new dimension in norms research by shifting the focus on dynamic nature of norms as it emphasizes on norm contestation and challenges. This theoretical paradigm explores norm compliance as significant research areas within norm contestation approach.[73] This recent paradigm on normative research also highlights the role of agency and examines the relationship between actors and the norms.[74] Further, critical constructivism also speaks of contexts and practices which were neglected by the previous scholars.[75] As actors operate in their social practices embedded in context, Wiener calls it as 'discursive interventions' that provide a cognitive roadmap for interpretations of norms.[76] Interpretation of meanings of norm is a pre-condition for its sustained compliance and it also enhances the probability of establishing shared understanding of that particular norm.[77] Therefore, actors in their social environment attach meanings to a norm in different ways thereby influencing the compliance building of the norm and also simultaneous impacts on the robustness or effectiveness of the norm.[78]

Hence, norm interpretation is a significant variable to explain how some norms get compliance in a contested environment over the others. Jose argues regarding the different behavioural variations in actors and explains that while the various actors can subscribe or agree to a norm but may differ in their opinion regarding the timeline and situations when it should be established.[79] This can be further affected by the interpretative power of those dealing with the compliance building mechanism of the specific norm, which he calls as norm enforcers.[80] Hoffman also makes a similar argument regarding the ability of the actors to reason 'through or about' norms and therefore, pointing out the actors' behavioural patterns

---

[70] Mathew J. Hoffman, op. cit.
[71] Ibid.
[72] Ann Florini, "Evolution of International Norms", *International Studies Quarterly*, Vol. 40, No. 3, 1996, pp. 363-389; Carmen Wunderlich, op. cit.
[73] Mathew J. Hoffman, op. cit.
[74] Ibid.
[75] Saira Bano, op. cit.
[76] Anjte Weiner, "Contested Compliance: Interventions on the Normative Structures of World Politics", *European Journal of International Relations*, Vol. 10, No. 2, pp. 189-234.
[77] Ibid., p. 201.
[78] Ibid., pp. 200-201.
[79] Betcy Jose, "Introduction: How Contestation Provides Insight into Normative Behaviour", op. cit., p. 5.
[80] Ibid.

towards the norm, e.g., manipulate norms or get constituted by them.[81] Therefore, two things are vital to the norm contestation literature. First, the agency role of the actors, who interpret the meaning of norms in different ways in their social contexts. As the norms get translated through the different situations, their meaning becomes contested. Second, the actors operating in various contexts can arrive at different norm interpretations of the shared norm. This has an effect on the norm's compliance and efficacy.

Norm contestation and interpretation focusing on the deviation in the normative behaviour of state actors in recognizing the crimes of genocide advocate the necessity to examine the contexts in which the norms get translated in their social interaction. In other words, what are the different conditions in which norms get interpreted in a particular way by the actors. It is observed in both cases, simultaneous functioning of two competing conditions is responsible for undermining the effectiveness of anti-genocide norms and making compliance building difficult. As, the struggle for recognition of genocide gained momentum, the denial politics of the Armenians and Rohingyas only got entangled with time. The amalgamation of the two sets of normative conditions, one operating at the domestic level and other at the international level, encapsulates how those conditions have moulded the interpretation of anti-genocide norm and affected its efficacy.

3.2   *Norm Contestation and Genocide Recognition: Comparing Norm Interpretation in the Armenian and Rohingya Case Studies*

This section elaborates how in both the cases of genocide, two sets of competing conditions at the national and international levels, respectively, influenced the norm interpretation.

3.2.1   *Competing Norm of Sovereignty*

Firstly, in the Armenian case, it is found that the denial has remained an important position of the Turkish government.[82] The norm of sovereignty which formed the basis of majoritarian Pan Turkish state identity has affected the recognition of genocide. The historical narrative of the Rohingyas also suggests a similar argument of contestation. The norms of sovereignty governed by the majority Buddhist community has been responsible for denial of the Rohingya genocide. Thereby, the both were part of a social structure that had led to their discrimination. The Armenians were a part of the millet system, having inferior

---

[81] Mathew J. Hoffman, op. cit.
[82] Tim Arano, "A Century After Armenian Genocide, Turkey's Denial Only Deepens", op. cit.

status as religious minority and were treated as second class citizens within the Ottoman territory.[83] The Rohingyas too were never considered as a part of the Myanmar social structure where the majority community were the Buddhists. They have been denied citizenship consistently and have been the targets of the communal violence.[84] In both cases the norm of sovereignty is rooted in Turkish and Buddhist homogenous nationalism that have denied the rights of the minorities. Hence, the Pan-Turkishness and a majoritarian Buddhism from which the state drew its sovereignty as a nation-state resulted in the genocide. The historical proceedings of the alienation of both communities explain how both cases are linked by some common parameters of homogenous nationalism which has further led to institutionalization of the denial posture. Next is the factor of systemic otherization which was a product of both histories. Wills argues how Buddhist nationalism associated with religious fanaticism has led to the otherization of the Rohingyas and resulted in ethno-religious civil strife.[85] Similarly, Chorbajian argues that how as soon as the Armenians demanded for reforms because of their cultural revival along with the involvement of the entente powers in their politics, the Ottomans started treating Armenians as aliens.[86] In the territorial space, the majority who outnumbers the minority and suffers from a supremacy syndrome, tries to eliminate the 'others' who they consider as a threat to their homogenous nation-state identity. Therefore, the competing norm of state sovereignty that derives its significance from a particular state identity (in both cases a homogenous majoritarian identity) led to the expulsion of the minorities. This has had impact on recognizing genocide as the norm of sovereignty and has made both countries to maintain a posture of denial.

3.2.2   Competing Interests of Other States in Terms of Foreign Policy Objectives

The other state actors, driven by their respective foreign policy goals, have chosen to support Turkish denial or maintained an ambiguous posture with respect to recognizing the genocide. Hence, collective action to punish the perpetrators and ensuring effectiveness of anti-genocide norms are overpowered by such competing norms, challenging the interpretive environment of the anti-genocide norms. The world community, particularly countries of Southeast Asia have also remained divided in acknowledging the Rohingya crisis. This denial of Armenian and

---

[83] Stephan Astourian, "The Armenian Genocide: An Interpretation", *The History Teacher*, Vol. 23, No. 2, 1990, pp. 111-160; Belinda Cooper and Taner Akcam, "Turks, Armenians and the G-Word", *World Policy Journal* Vol. 22, No. 3, 2005, pp. 81-93.
[84] Matthew Wills, "How Buddhism is Being Used to Justify Violence in Myanmar", available at https://daily.jstor.org/how-is-buddhism-being-used-to-justify-violence-in-myanmar/, accessed on 10 May 2018.
[85] Ibid.
[86] Levon Chorbajian, op. cit., p. xxiii.

Rohingya genocide necessitates studying the variation in such behavioural pattern towards recognizing the crimes of genocide.

In both Armenian and Rohingya cases, the countries have debated and dissented from whether the crimes can be considered as genocide. Immediately after the First World War was over, the allied great powers during that time consisting of Great Britain, France, and Russia immediately intervened to provide justice to the victims but quickly changed their position as soon as they signed the Treaty of Lausanne with the Turks in 1923. This was a peace treaty that ended the First World War officially and defined the new borders of Republic of Turkey. With this treaty, Turkey gave up its claims to the remainder of the erstwhile Ottoman Empire and in return the allied powers recognized Turkish new sovereignty. Therefore, Turkey was exempted from taking further responsibilities of the policies of the previous Empire.[87] The allied powers' interests in territories of the collapsing Ottoman Empire led them to discard the normative considerations. In recent times, the governments of more than 20 nations including Canada, Sweden, Italy, France and Russia have made an attempt to recognize the genocide of the Armenians, however, other powerful countries, e.g., US, Britain and Israel have maintained a denial posture. Their diverse opinions have raised a dilemma as to how does the norm get interpreted by the other actors in their social interaction. The paper argues that competing interests defined by the foreign policy preferences of the countries often lead them to prioritize one norm over the other. Countries such as US have considered Turkey as an important alliance of North Atlantic Treaty Organization (NATO) and this foreign policy objective has been the primary condition for the US to deny the Armenian genocide. This alliance which was developed during the Cold War period continued to remain as an important hindrance to recognize the genocide. However, in the present times, the US senate passed a resolution in 2019, to accept the Armenian history as crime of genocide. However, it has faced opposition from the US president Donald Trump.[88] Following the footsteps of the United States, other powers like UK and Israel too have not recognized the Armenian genocide in their official policy in fear of alienating Turkey. The UK government has refuted the usage of the word 'genocide' for the 1915-1917 events.[89] Similarly, Israel has maintained a posture of denial due to its strong political and strategic relationship with Turkey. For instance, for the provision of water, gas and oil from Turkey and as an important ally against other

---

[87] Rouben Paul Adalian, "Armenian Genocide, International Recognition of", in Israel W. Charny (ed.), *Encyclopedia of Genocide: Vol-1*, Santa Barbara California: ABC-CLIO Inc, 2000, p. 100.
[88] Neha Banka, "Explained: Why Donald Trump objected the US senate to recognising the Armenian Genocide", *The Indian Express*, 21 December 2019, available at https://indianexpress.com/article/explained/explained-why-donald-trump-objected-to-the-us-senate-recognizing-the-armenian-genocide-6177975/, 2019, accessed on 12 May 2020.
[89] Ibid.; Julien Zarifian, "The United States and (Non) Recognition of Armenian Genocide", *Études Arméniennes Contemporaines*, Vol. 1, No. 1, 2013, pp. 75-95.

countries in the region with which Israel does not have cordial relation.[90] While some leaders have recognized the crime, as a nation state it has refused to take any official position.[91]

On the other hand, in the South Asian region, the politics of other state actors have taken a different shape towards the Rohingyas. While they have addressed the Rohingya crisis, there has been a failure to take any concrete measure to stop the atrocities. The Rohingya persecution has created a huge refugee crisis in the region but the other external countries have not been able to take concrete steps to repatriate the refugees in Myanmar. The refugee crisis gave rise to immense security challenge in the entire region, particularly in Bangladesh where most of the refugee influx has taken place. Bangladesh consistently hosted the Rohingya refugees and gave them shelter in Cox Bazar district. However, such massive inflow created pressure on Bangladesh's resources to fulfil national interests and at the same time uphold human rights for Rohingyas.[92] Prime Minister Sheikh Hasina in 'Dhaka Global-Dialogue 2019' claimed how the Rohingya crisis is not only a threat for Bangladesh but also for the entire region.[93] Considering the security challenge, Bangladesh tried to negotiate with Myanmar for the repatriation of Rohingya in 2018 and 2019, which did not bear any concrete result.[94] Further, Bangladesh has urged the international community to take action on the Rohingya matter. However, international community's response (such as UN, US or the Organization of Islamic Cooperation (OIC)) has been inadequate and limited to condemnation.[95] Moreover, other member states of regional organizations such as Association of Southeast Asian Nations (ASEAN) maintained a foreign policy motto of non-interference.[96] The repatriation processes of ASEAN progressed very slowly with just 878 out of

---

[90] Michael A Moodlan, "Why Does Israel Refuse to Recognise the Armenian Genocide?", *The Huff Post*, 27 April 2016, available at http://www.huffingtonpost.com/michael-a-moodian/why-does-israel-refuse-to_b_9775078.html, accessed on 17 December 2019; Yair Auron, *The Banality of Denial: Israel and the Armenian Genocide*, New Brunswick: Transaction Publishers, 2003.

[91] Emily Schrader, "Israel's Failure to Recognise Armenian Genocide is indefensible, *The Jerusalem Post*, 24 April 2020, available at https://www.jpost.com/israel-news/indefensible-israels-failure-to-recognize-the-armenian-genocide-625722, accessed on 10 October 2020.

[92] "Rohingya Refugee in Bangladesh is a Threat to Security: Sheikh Hasina", *NDTV*, available at https://www.ndtv.com/world-news/rohingya-crisis-sheikh-hasina-says-rohingya-refugees-in-bangladesh-are-threat-to-security-2130945, accessed on 10 October 2020.

[93] Utpala Rahman, "The Rohingya Refugee: A Security Dilemma for Bangladesh", *Journal of Immigrant & Refugee Studies*, Vol. 8, No. 2, 2010, pp. 233-239.

[94] Neha Banka, "Failed Rohingya Repatriation from Bangladesh to Myanmar: A Status Check", *The Indian Express*, 13 September 2019, available at https://indianexpress.com/article/explained/explained-failed-rohingya-repatriation-from-bangladesh-to-myanmar-a-status-check-5990560/, accessed on 10 October 2020.

[95] Ibid.; Human Rights Watch, "ASEAN: Overhaul Regional Response to Rohingya Crisis", available at https://www.hrw.org/news/2020/06/26/asean-overhaul-regional-response-rohingya-crisis, accessed on 10 October 2020.

[96] "Non-Interference and the Rohingya Crisis", *The ASEAN Post*, 30 June 2018, available at https://theaseanpost.com/article/non-interference-and-rohingya-crisis, accessed on 15 May 2020.

8,032 being approved in 2018.[97] Therefore, foreign policy preferences of security and non-interference have prevented collective action in case of the Rohingya genocide. The actors trapped in their own uncertainties could not forge a proper dialogue in the Rohingya crisis. Moreover, countries like India and China who are significant regional powers supported the Myanmar government. China has expanded its investment in Myanmar and the countries signed China-Myanmar Economic Corridor under China's One Belt One Road diplomacy.[98] China has blocked the attempts of the United Nations Security Council (UNSC) to address the Rohingya issue through using veto powers in order to create strong diplomatic ties, while India deepened military engagement with Myanmar as a buffer to Chinese influence and has agreed to deport Rohingyas who have fled to India.[99] Similarly, Japan has asked international community to stop criticizing the Myanmar government in order to compete with China in the region.[100] It is also significant to mention about Turkey's ironical position in the Rohingya matter as it recognizes the crime to be genocide unlike the Armenian case. Providing humanitarian assistance to Rohingyas has been a key foreign policy drive of Turkey which has fostered Turkey-Bangladesh cooperation.[101] Therefore, complex web of competing interests of various state actors determined by their foreign policy preferences has manoeuvred the norm interpretation in the international norm environment.

An extensive discussion on the two competing conditions suggests how the combination of the two factors has governed norm interpretation in genocide cases. At the domestic level, a more dominant norm of sovereignty having roots in majority state identity in both cases has moulded the norm interpretation by the perpetrating state-actors, while at the international frontier, other state agencies having various foreign policy objectives and insecurities have affected normative obligations of genocide recognition. The state actors prioritize only those norms which are conducive to their foreign policy goals.

---

[97] Ibid.

[98] Human Rights Watch, "World Report 2019: Myanmar", available at https://www.hrw.org/world-report/2019/country-chapters/myanmar-burma, accessed on 11 October 2020.

[99] Aisha Ismail and Elliot Dolan-Evans, "International Community's response to Rohingya crisis", *Australian Outlook*, 12 September 2017, available at http://www.internationalaffairs.org.au/australianoutlook/international-community-response-rohingya/, accessed on 12 May 2020.

[100] Human Rights Watch, op. cit.

[101] Md Kamruzzaman, "Helping Rohingya is Turkey's one of main foreign policy objectives", *Anadolu Agency*, 25 August 2020, available at https://www.aa.com.tr/en/asia-pacific/-helping-rohingya-is-turkeys-one-of-main-foreign-policy-objectives/1952518, accessed on 10 October 2020.

4.   Denial of Genocide Through Different Channels: Anti-genocide Norm Compliance and Their Effectiveness

A comparison of the long denial struggle of both genocide cases reflects upon the different denial strategies adopted by both the Armenian and Rohingya government and also, by the wider international community. These denial methods reflect the deviations in the actors' interpretation of recognizing the genocide and anti-genocide norms to prevent such grave crimes. In the Armenian genocide, immediately after the formation of Republic of Turkey, Kemal Ataturk's government initially acknowledged the crime, but the nationalist regime later refuted that such crimes have occurred.[102] The Turkish authority has used alternative scholarship to disseminate that the crimes of genocide never took place. Dixon argues that since the 1970s onwards, Turkish denial campaign had gained momentum and it continues even today with adopted policies, e.g., centralized control of official narrative, publishing of books that contain defences of official narrative, teaching the official narrative to students and gaining international support for the official narrative.[103] These strategies manoeuvred the Armenian issue and supported the majoritarian Turkish narrative.[104] Turkish denial politics institutionalized through a strong propaganda of falsified view of history claimed that the genocide never occurred.[105] Such propaganda found strong establishment in US where the Turkish government has channelled funds in research institutes and paid historians in order to discredit scholarship on the Armenian genocide.[106] It also funded lobbies in the US for maintaining its state-identity of denial, such as the Anti-Defamation League, which is a leading Jewish civil rights organization that actively lobbied US leaders on behalf of Turkey.[107] In order to maintain its state identity defined by homogenous Turkish nationalism, it has maintained posture of denial over the years.[108]

Likewise, the Myanmar state government under Aung San Suu Kyi has denied the genocide against Rohingyas in every international platform thereby supporting a sovereign state identity defined by the Buddhist majority. Genocide claims were denied in global platforms such as the ICJ.[109] While Aung San Suu Kyi

---

[102] Henry C. Theriault, "Genocide Denial and Domination: Armenian Turkish Relations from Conflict Resolutions to Just Transformations, *Journal of African Conflicts and Peace Studies*, Vol. 1, No. 2, pp. 82-96.

[103] Jennifer M, Dixon, "Defending the Nation? Maintaining Turkey's Narrative of the Armenian Genocide", *South European Society and Politics*, Vol. 15, No. 3, 2010, pp. 467-485.

[104] Ibid.

[105] Henry C. Theriault, op. cit.

[106] Roger G. Smith, Eric Markusen, and Robert J. Lifton, "Professional Ethics and the Denial of Armenian Genocide", *Holocaust and Genocide Studies*, Vol. 9, No. 1, 1995, pp. 1-22.

[107] Henry C. Theriault, op. cit.

[108] Tim Arano, op. cit.

[109] Owen Bowcott, "Rohingya fury at Aung San Suu Kyi's genocide denial to world court", *The Guardian*, 14 December 2019, available at https://www.theguardian.com/world/2019/dec/14/myanmar-genocide-hearings-

has dismissed the credibility of Rohingya genocide which was brought to ICJ by Gambia, she did not exonerate the army and argued that the statements provided by the Rohingya refugees to the court were exaggerated.[110] Suu Kyi opined that whatever happened was an internal conflict and would be dealt domestically.[111] Further, official statements by social welfare minister, Win Myat Aye, such as "there is no case of military killing of Muslim civilians" has further added to the denial politics of the Myanmar.[112] The Government officials, opposition politicians, and religious leaders have been unified behind the narrative that the Rohingyas are not rightful citizens of Buddhist majority Myanmar and the minority is falsely trying to garner the world's sympathy.[113] The Burmese society also established the various institutional mechanisms to discard the violence against Rohingyas including social media websites and state media outlets.[114] Many of the foreign and Burmese human rights activists have faced cyber threat and hate speech in their attempt to condemn violence.[115] Therefore, denial becomes a strategy to protect the sovereign majoritarian identity in light of international accusations.

Other countries have maintained a position of denial as well towards the genocide shaping the interpretation of the norm. Internationally, it becomes a strategy of political denial in the light of foreign policy choices. Powerful countries, such as US have supported the Pan-Turkish state politics that discredits the Armenian genocide. The foreign policy goals of US have prevented it to recognize the Armenian genocide for two reasons. Firstly, geopolitical interests of the US in the region immediately after the First World War. In this regard, Balakian shows how geopolitical considerations for the oil market was the driving force to support the Turkish denial politics over the Armenian cause after the First World War.[116] Secondly, Turkey emerged as an important ally of the US during the Cold War. In the light of the rising importance of Turkey in American foreign policy, as a significant ally for Middle Eastern stability in the region, the Armenian issue took a back seat.[117]

---

victims-fury, accessed on 12 May 2020; Maung Zarni, "Why Myanmar's genocide will come back to haunt it, *Washington Post*, 15 January 2020, available at https://www.washingtonpost.com/opinions/2020/01/15/aung-san-suu-kyi-must-be-held-account/, accessed on 10 May 2020.

[110] Francis Wade, "The persecuted Rohingya now has legal protect, but will it amount to anything?", *The Guardian*, 24 January 2020, available at https://www.theguardian.com/commentisfree/2020/jan/24/rohingya-legal-protection-icj-ruling-myanmar, accessed on 28 November 2020.

[111] Ibid.

[112] Hannah Beech, "Across Myanmar, Denial of Ethnic Cleansing and Loathing of Rohingyas", *New York Times*, 24 October 2017, available at https://www.nytimes.com/2017/10/24/world/asia/myanmar-rohingya-ethnic-cleansing.html, accessed on 10 May 2018.

[113] Ibid.

[114] Maung Zarni, "Buddhist Nationalism in Burma Tricycle", *The Buddhist Review*, Spring 2013, available at https://tricycle.org/magazine/buddhist-nationalism-burma/, accessed on 10 May 2020.

[115] Ibid.

[116] Peter Balakian, op. cit., p. 365.

[117] Donald Bloxham, "The Roots of Armenian Genocide Denial: Near Eastern Geopolitics and Interwar

Therefore, NATO partnership became an important foreign policy conjecture that led to the denial of genocide.

Since the First World War, the US has maintained a cordial relationship with Turkey which further strengthened as it entered into the NATO.[118] Therefore, the subsequent Clinton and Bush governments did not want to tarnish relationship with President Erdogan and therefore, continued to deny the genocide in its official state policy.[119] For a very long period, the US senates did not pass resolutions to recognize the genocide, however, in 2019, the Congress passed the resolution for genocide recognition which was opposed by the Trump administration. Moreover, countries, such as Israel which has strong political ties with Turkey stuck to their support for Turkish denial of genocide.[120]

Similarly, key regional players like India and China have backed up Myanmar.[121] India has opposed probe by the ICJ in the Rohingya matter and tried to maintain a balanced posture.[122] Both India and China have made claims that the international community should be supportive of the Myanmar government's effort to national development and stability to create peaceful environment to mitigate the Rohingya crisis.[123]

These denial strategies suggest the long-term struggle of the two minority communities and how various state actors have understood and interpreted the meanings of anti-genocide norms. The denial strategies have overpowered the effectiveness of the anti-genocide norms and made the compliance building difficult in both cases.

5.   Conclusion

The paper analyzes the variations in contestation by observing different behavioural patterns towards the anti-genocide norm. It traverses through two different

Armenian Question", *Journal of Genocide Research*, Vol. 8, No. 1, 2006, pp. 27-49.

[118] Vigen Guroian, "The Politics and Morality of Genocide", in Richard Hovannisian (ed.), *The Armenian Genocide: History, Politics and Ethics*, London: Macmillan, 1992, pp. 311-339.

[119] Brian Knowlton, "Bush Urges Congress to Reject the Armenian Genocide Resolution", *The New York Times*, 10 October 2007, available at http://www.nytimes.com/2007/10/10/world/americas/10iht-turkey.5.7842263.html, accessed on 15 May 2018.

[120] Michael. A Moodlan, op. cit.

[121] Charlotte Gao, "On Rohingya Issue, Both China and India Back the Myanmar Government", *The Diplomat*, 13 September 2017, available at https://thediplomat.com/2017/09/on-rohingya-issue-both-china-and-india-back-myanmar-government/, accessed on 04 October 2020.

[122] Devirupa Mitra, "Explained: India's Opposition to ICC Probe on Myanmar's Rohingya Crisis", *The Wire,* 10 May 2019, available at https://thewire.in/diplomacy/myanmar-rohingya-icc-bangladesh-india, accessed on 20 July 2020.

[123] Charlotte Gao, op. cit.

timeframes and compares the denial politics of Armenian genocide and Rohingya genocide. The comparative observations showcase how recognition of genocidal crimes has faced challenges in their social environment where multiple actors interpreted and attached meaning to anti-genocide norms in various ways. Hence, the fulcrum of the argument revolves towards scrutinizing the various conditions or context through which norms are translated. It is evident that a combination of two sets of competitive conditions have created hurdle for recognizing crimes of genocide and reduced the effectiveness of anti-genocide norms.

At the domestic level it has been challenged by the dominant competing norm of sovereignty, rooted in the majoritarian Pan-Turkish identity and majoritarian Buddhist identity of the state actors. This majority identity with which the particular state identifies itself, has led to norm contestation. At the international level, it has been challenged by a multiplicity of other state actors due to their own competing interests which are driven by their foreign policy preferences. The foreign policy goals and national interests have led them to side with the perpetrators over recognizing the genocide. Various foreign policy objectives of different state actors have created a cobweb of strategies leading to the norm contestation. Therefore, various contradictory postures of multiplicity of actors have led them to trade off one norm over the other. In the international normative environment, state actors will prioritize those norms which are conducive to their foreign policy goals while deviating from others. Hence, culmination of both these factors affects the interpretation of anti-genocide norm and challenges its effectiveness in the normative scenario. As a result of this two-tier competing conditions, there is a departure from the normative responsibility in both cases of genocide. In such circumstances, compliance building becomes difficult as conformity to genocide norms is not prioritized by the various state actors functioning at the domestic and international level respectively. Hence, complying with norms becomes dependent on the way they are interpreted by the state actors operating at different levels. By explaining Armenian and Rohingya genocides and linking these with issues of dynamic nature of norms, this paper delves into the research area of norm contestation and thereby seeks to expand the horizon of critical constructivist theory as it deals with the inconsistencies in behavioural patterns of the actors in light of norm contestation. Thus, the study showcases how norm contestations operationalize in different ways by analyzing the relationship between actor and anti-genocidal norm in their social contexts thereby seeking rescue via critical constructivist ambit.