

International Criminal Law MOOC Friday, March 21

Jimmy Marr got the ball rolling at about the 15min mark with the question, "Isn't it dangerous to consider setting up tribunals in Syria when all Western Governments are involved in perpetuating genocide against their indigenous populations? This could back fire. I don't want to end up hanging from the rope."

Shun Lai Yi: Yes

pandacat: wait...what genocide

The Deans one and only response before he ordered everyone back on to the approved topic:

Dean Scharf: Re: Jimmy. Since Nuremberg the issue of "unclean hands" has been raised in relation to setting up war crimes tribunals. But just because crimes are being committed with impunity in one country, does not mean that nothing should be done to not seek justice in a place like Syria where hundreds of thousands of civilians are being brutalized.

Daniel Genseric: Jimmy, it can't be genocide if the victims are of Russo or Anglo descent. i.e White

Shune Lai Yi: genocide is the systematic killing of all or part of a racial, religious or national group.

Daniel Genseric: Actually Shune Lai Yi, it is defined as ANY action intended to wipe out a population.

Diana: Why should it be genocide when the victims are of Russian or English?

Shune Lai Yi: Population or ethnicity.... Daniel??

Pandacat: what White genocide? I'm confused

Bob Whitaker: Dean, We never heard about the German genocide either, while it was happening.

Diana: Didn't know about that Daniel, will get more information about that.

Bob Whitaker: There is a genocide against Blacks, Orientals, Jews but the only threatened population on earth that is actually threatened by present

policy is the doomed whites.

Bob Whitaker: But the only prediction is the end of the white race.

Shune Lai Yi: lentil..."Genocide" became a key word. which had several connotations. "White" genocide or "white" massacre denoted the repression, assimilation, or forced migration of Armenian from their historical lands (which were far larger than Soviet Armenia and included Karabakh, as well as areas belonging to contemporary Turkey). [9]

Jimmy Marr: I think genocide is worthy of discussion regardless of who is being targeted, and more importantly by whom.

Pandacat: troll2-~~Informal~~-- submit a deliberately provocative posting to an online message board with the aim of inciting an angry response.

Moses Eboigbe: the ways to bring a lasting peace to Syria is to see how support is withdrawn from Syrian back by Russia and the militias by the western powers bring all parties to the negotiating table

Jacquelyn Foster: On the death penalty, I know the US, in many states, still has the death penalty, as well as many other countries. To receive most or all the funding from Saudi, Qatar and other countries that strongly support the death penalty, wouldn't that be caving into political pressure from the Syrians? Just because the death penalty is the way things have been done since Hammurabi doesn't mean it's right or should continue to exist. Simply my opinion.

Bob Whitaker: Shune, if you read the international law, genocide is not just violence.

Jimmy Marr: It seems to be considered trolling and therefore laughable only when the targets are White. What's up with that?

Bob Whitaker: Foster, are you being a troll?

Bob Whitaker: You are talking about the death penalty, not Syria.

Emily: Students: Please focus your discussion on the topic of this live online session and to direct questions for Professor Scharf.

Dean Scharf: 10. Re Maria (Syrian government). The government of Syria has resorted to massive repression and commission of atrocities. And it is now using the terrorist group Hamas as its proxy against the insurgents. The government justifies these

actions because it's facing an insurgency which includes some terrorist organizations. But that can't justify commission of international crimes.

Mervin Jerome Hutchinson: I think that the some of the opinions and views being expressed encapsulates the confusion in Syria and how difficult it will be to return the country to anything approaching normalcy!

Daniel Genseric: WILL Dean Scharf please explain how genocide can only happen to people of non-Europid/non-Russo descent?

Bob Whitaker: Professor Scharf is used to the protected environment of academic, not open discussion.

Susan: Are any posters (here) from Syria or near by countries? If so how do you feel?

Walter: It seems there is more interesting and Important conversation going on here. I find it very interesting and stirring
<http://www.preventgenocide.org/law/convention/text.htm>

Jimmy Marr: I feel like genocide is genocide regardless of its location.

Jacquelyn Foster: With the highest respect to Dean Scharf, I am removing myself from this discussion. I don't feel name calling is appropriate and find it unprofessional and inappropriate for an academic forum.

lentil: Okay! I can see where you are going with the "white genocide" theme here...interesting!

Bob Whitaker: Foster, is your so-called academic discussion getting out of hand?

Dean Scharf: Re White genocide side discussion. As I said in my opening, this discussion needs to be confined to the topic of accountability for Syrian atrocities.

Bob Whitaker: On campus, a so-called "seminar" could be kept Politically Correct.

Jimmy Marr: This is academic genocide!

Bob Whitaker: Don't get silly, Marr. This is simply the inability of today's academia to deal with open discussion.

Daniel Genseric: Dean Scharf, You are holding a seminar on genocide and only want to talk about "this" genocide. How convenient. What if I drew a parallel to the Holocaust? Would you listen

Pandacat: he's not holding a seminar on genocide, he's holding a seminar on Syria

Bob Whitaker: They should keep these so-called "seminars" under campus control.

Daniel Genseric: 6 million ? TRY 600 MILLION Europids and Russos.

Laura 2: This is interesting Dean Scharf, I would like your opinion on this subject. Will you address their claim that it is White Genocide? I have looked up genocide law and it appears they are correct.

Bob Whitaker: Academics can't handle the internet

Dean Scharf: 11. Re Jacqueline (more death penalty). Without the prospect for referral to the ICC or creation of an ad hoc tribunal, justice in Syria will have to be home-grown. It will have to be a court and process that the Syrians are comfortable with. That means it will have such things as investigative judges following the civil law model, trials in absentia, and likely the death penalty. If the Syrians don't feel comfortable with the type of court, they won't feel ownership, and justice will not facilitate long term peace and rule of law.

Daniel Genseric: Dean Scharf, being the preeminent leader and voice against international crimes and genocide, this is an opportunity for you to lead on white genocide.

Mervin Jerome Hutchinson: Dean Scarf would it not be difficult to prosecute military commanders if they all claim that they, were as far as they knew, following lawful orders?

lentil: I second that Dean Scharf, could we please get your opinion on this? These people seem to be making a lot of sense.

Tom Bowie: I doubt they're trolls, I'm aware of the concept of White genocide and it's a somewhat widely held belief, just not reported on. That in itself is interesting, that it would not be a topic of discussion in a media that covers everything else.

Hyder Syed: The topic of "white genocide" is clearly outside the scope of promoting accountability in Syria. Let

Daniel Genseric: please. no drawing parallels from one genocide to another, unless it is a state-sanctioned rhetoric

Jimmy Marr: It's not MILITARY commanders who are flooding all White countries and only White countries with millions of non-Whites.

Hyder Syed: Let's focus on the discussion at hand.

Bob Whitaker: Noble effort, Dr. Sharf. But you should stay inside your walls.

Daniel Genseric: The cult of political correctness strikes again and shuts down OPEN DISCUSSION

Jimmy Marr: But those walls are closing in, Bob

Pandacat: so how can the international community facilitate a bottoms-up domestic accountability effort without the consent of the government?

Pandacat: bottom up*

Dean Scharf: 12. Re Jerry (command responsibility). Great question, right out of our readings and lecture on modes of accountability and defenses. Military commanders are responsible for the actions of the subordinates who they effectively control. Subordinates cannot rely on the defense of obedience to orders if the order is manifestly unlawful. An order to use chemical weapons, or to target civilians with barrel bombs would be manifestly unlawful. The test is whether a reasonable soldier should know the order is unlawful.

Jimmy Marr: It's not MILITARY commanders who are flooding all White countries and only White countries with millions of non-Whites.

Daniel Genseric: "Just following orders: is not an excuse to commit genocide, even against WHITES

Bob Whitaker: Pandacat, who is at the top, you?

Ann Lane: The article discussed obtaining judges for these tribunals, are there judges that are not on the side of Assad

Dean Scharf: 13. Re Panda Cat. The international community can help government's establish "internationalized" domestic tribunals. But if the ruling regime doesn't want a tribunal in the territory it controls, nothing can be done for the time being. That doesn't mean that one or more tribunals could not be established in the territory controlled by the opposition.

lentil: I'm gathering "white genocide" is a huge topic. Why is Dean Scharf not responding to these claims???

Walter: Dean Scharf, It is disturbing that YOU wont give your opinion on the largest Genocide claim in history. Why??

Laura 2: Isn't it dangerous to consider setting up tribunals in Syria when all western governments are committing genocide against their indigenous White populations. This could backfire. I don't want to end up dangling from the end of a rope.

Daniel Genseric: @lentil Listen to Dean Scharf's silence on white genocide. It's astounding.

Jimmy Marr: Dean Scharf: Are you suggesting we seek accountability for White genocide in Russia?

Diana: @Dean Scharf: and what are the immediate consequences for disobedience to an unlawful order by soldiers?

Bob Whitaker: Anyone who brought it up inside the Good Dean's walls would be beaten up by their bullies.

Bob Whitaker: And kicked off campus.

lentil: @Daniel Genseric Why is he not answering your questions?

Daniel Genseric: "Syria for Syrians. Lebanon for Lebanese. Diversity for white countries" I think diversity is just a code word for white genocide.

Dean Scharf: 14. Re Ann (judges). There are many qualified Syrian judges throughout the country who are not fans of the Assad regime. Some are in areas controlled by the opposition and some are in the Syrian capital. As in Iraq, there would need to be a vetting process to ensure judicial independence. And the use of foreign judges, working side-by-side the Syrian judges, would help ensure independence and deter abuse.

Shune Lai Yi: Is it True that An attack on Syrian military sites to punish the al-Assad regime for using chemical weapons may be motivated by an attempt to preserve the credibility of various parties.

Jimmy Marr: Africa for Africans. Asia for Asians. White countries for everyone!

Bob Whitaker: Good. The "seminar" is back within academic walls, where it belongs.

Walter: In the present Convention, Article III: The following acts shall be punishable: (e) Complicity in genocide.

Jimmy Marr: I can hardly wait for upcoming seminar on cyber warfare.

Bob Whitaker: Any questioning on white genocide is simply blocked out.

Laura 2: Dean Scharf - Importing non-whites into a white majority nation and drastically changing the racial demographics of a nation is genocide because it has been done by force. What is your legal opinion on this?

Walter: You are on RECORD here DEAN!

lentil: I'm really confused.

Ann Lane: Although I understand about "taking orders" as not a defense to war crimes, the fact is so many soldiers are just following orders, can you elaborate more on this

Bob Whitaker: Laura, the Good Professor is not obligated to discuss international law on a forbidden subject.

Diana: so is everyone else I guess @lentil

Dean Scharf: 15. Re Dianna (consequences for disobeying an unlawful order). When a soldier thinks he or she has received an unlawful order, the soldier should first ask for clarification. Second, the soldier should try to see review by a higher authority (this is not usually possible on the battlefield). If the soldier decides to refuse to carry out the order, there is a risk that the soldier will be courtmartialed , but they can use the defense that the order was unlawful at that proceeding.

Daniel Genseric: Dean Scharf, why are you silent on white genocide, but not Syrian genocide? Is this a double standard?

Pandacat: I read an article on Vice that one of Assad's concerns is that if he loses power, the minority tribe he belongs to would be massacred. When there are so many communal intricacies like that on the ground, how would that be accounted for when engaging the opposition. Wouldn't they just use the international endorsement to further their own political goals?

Bob Whitaker: Academic freedom only means freedom for academics

Pandacat: pardon my spelling

Jimmy Marr: Too bad the 101st Airborne didn't do that when they fixed bayonets on the White kids of Arkansas.

Tom Bowie: I'm sure Dean Scharf will address the issue of White Genocide; it'd seem odd otherwise.

Daniel Genseric: Liberal free speech means "free speech for liberals"

Daniel Genseric: @Tom Bowie. I dunno. There's a whole mountain of white genocide questions for him to pick from. Still, nothing but the silence from Dean Scharf

lentil: Why is it that Dean Scharf won't answer any of the people on here about white genocide?

Bob Whitaker: When I was a professor, students trying to hijack a lecture was part of the game.

Diana: I'm sorry guys, would anyone please remind me how the topic of white genocide has been brought up?

Jimmy Marr: I hope it's not because he is complicit in White genocide.

Daniel Genseric: @Bob Whitaker, that must have been a LOOONG time ago

Hyder Syed: Again, the question of white genocide has nothing to do with accountability in Syria. This is not an issue of stifling open discussion, but rather sticking to the topic. It's really not that difficult.

Bob Whitaker: Diana, in a real seminar, participants bring up things.

Dean Scharf: 16. Re Pandacat (re opposition treatment of minorities). One of the reasons the opposition was interested in drafting a Statute for Accountability for Syrian Atrocities (which would apply to atrocities committed by the regime and opposition alike) was that it would send a signal that the opposition is committed to the rule of law and that opposition leaders will not tolerate atrocities committed by opposition forces against government forces, supporters, or minority groups. Whether that would be successful remains to be seen but it's a step in the right direction.

Bob Whitaker: I doubt there are any real seminars inside your walls today.

Tom Bowie: Well, that's true I guess mr. Genseric; he does seem to some what silent on something so important.

Daniel Genseric: I like how Dean Scharf has provided us a pdf template from which we can use to insert white genocide charges

Daniel Genseric: Thanks Dean Scharf.

Jimmy Marr: What happens in countries where genocide IS the law?

Bob Whitaker: Outside the walls and before Political Correctness, it was understood: "If you can't stand the heat..."

Daniel Genseric: SILENCE is what happens. and reprisal

Mervin Jerome Hutchinson: Dean Scarf if the countries supporting the Syrian opposition with funds etc, find that these funds and materiels are used unlawfully against the Syrian regime and its supporters, how will redress be sought?

Kund Dávid: Dean Scharf: 15. I as Hungarian police officer m allowed to refuse an order if it is clearly crime, which is more then unlawfull, different from other forms

lentil: I still would like to hear an answer regarding this supposed "real" white genocide

Daniel Genseric: all roads to the tribunals run through academia. why is that Dean Scharf?

Bob Whitaker: UN policy is that ALL white countries and ONLY white countries must accept massive immigration an forced assimilation.

Pandacat: k im out. Thanks Dean Scharf for holding this live discussion. It was helpful and don't mind the KKK trolls.

Dean Scharf: 17. Paula (moral reparations). The reference to moral reparations in the Statute are to things like creating memorials to victims.

Walter: Second that. This silence stinks like complicity

Bob Whitaker: Pandacat, you forget Nazi and Heretic.

Bob Whitaker: Real Intellectuals! Labeling is all they've got.

lentil: How are these people KKK trolls??? They are are asking justified questions. I just can't understand why they are not getting answers.

Bob Whitaker: Stay inside the walls, Professor.

Daniel Genseric: name-calling is a sign that the one has lost

Susan: The original document was a start in the right direction, but as everyone knows, by the time one person states to the next and so on and so on, things are misrepresented or misinterpreted. How will the writtings remain as written?

Walter: (b) Causing serious bodily or mental harm to members of the group; Anti-White HATEWORDS cause mental harm.

Dean Scharf: 18. Re Mervin (providing funds that facilitate war crimes). The Special Court for Sierra Leone in the Chalres Taylor Appeal decision confirmed that when a foreign government provides material support for insurgents with knowledge that the insurgents are using the support to commit atrocities, the foreign officials can be held criminally responsible for aiding and abetting the international crimes. This has potential application to foreign government assistance to either the Assad regime or the opposition forces in this conflict.

Daniel Genseric: "RACIST!" is a Hate Word used against European Americans

Daniel Genseric: and Europeans

Tom Bowie: I must admit the silence is rather disturbing and makes me want to investigate this issue of White genocide more.

Daniel Genseric: @Walter Not only that but anti-white pejoratives are meant to silence pro-white dissidents

Jimmy Marr: It's not complete silence. There's been news recently that "Diversity" is an academic code word for White genocide.

Dean Scharf: 19. Susan (evolution of the draft). We wrote the Statute as a discussion draft with options and footnotes to inform the ultimate drafters of the best practices and consequences of their choices. The opposition has been reaching out to experts from around the globe to continue to advise them during this process. But as anyone who has read my book "Enemy of the State" (St. Martin Press) about the Saddam Hussein trial knows, a lot can go wrong in the implementation of international justice. I am keeping my fingers crossed that the Saddam Trial will stand as a cautionary tale for the Syrians!

Ann Lane: Has any foreign government ever been tried for war crimes

by aiding one side or the other?

lentil: @Daniel Genseric What about other parts of the world, like New Zealand and Australia, is this happening there too?

Ann Lane: I am thinking about previous Cuban involvement in Africa

Dean Scharf 2: Thank you everyone for joining us for today's discussion on Accountability in Syria. We hope to see you again for our next live online session!

Daniel Genseric: If Diversity is NOT a code word for white genocide and "White genocide isn't happening", then explain WHITE FLIGHT?

END