IN August 2017, an array of groups attempted to “Unite the Right” in a rally in Charlottesville, Virginia, ostensibly to protest the removal of a statue of Robert E. Lee, the famous Civil War general and symbol of the Old South and its heritage of white supremacy. On the night of the 11th, a large group of mostly young, visibly angry, white men marched through the town carrying tiki torches and shouting “you will not replace us” and “white lives matter,” chants clearly meant to assert their racial superiority and hyper-masculinity, ideas consistent with the neo-Nazi and Ku Klux Klan sympathies of march organisers. The rally ended with a bout of violence near the Lee statue. The next day, the group held a second, larger rally, only this time, they were met by anti-fascist counter-protestors who sang songs and demonstrated to show their opposition to the “alt-right’s” message of hate. James Alex Fields, an Ohio man apparently in town to participate in the right’s rally, allegedly drove his car into the opposition crowd, throwing people into the air, and killing one, a young woman named Heather Heyer.

The Charlottesville march was a brazen effort to “put minorities in their place,” by asserting raw, majoritarian power. White nationalists, dressed in khaki pants and white polo shirts, were eerily reminiscent of Nazi demonstrators from an earlier time: convinced that they represented the ideal, Aryan man, Hitler’s acolytes were often seen literally shoveling aside those they considered inferior. The events in Virginia, which received widespread coverage, were shocking in their savagery. But they were hardly isolated incidents. As a candidate, Donald Trump began his campaign for President of the United States by declaring that Mexican immigrants to the country were “rapists” who “have lots of problems…they’re bringing drugs. They’re bringing crime.” Continuing his diatribe, he exclaimed, “It’s coming from all over South and Latin America, and it’s coming – from the Middle East. But we don’t know.” His solution was both simplistic and horrific: to build a wall along the southern border with Mexico, to ban Muslims from entering the country, and to restrict legal immigration. But Trump’s depredations had just begun. He challenged a judge based on his ethnic heritage, he mocked a disabled reporter, and he repeatedly denigrated women. He directed a particular venom at African Americans. Together with a much longer history of race-baiting comments, and a bizarre silence in the face of the Charlottesville tragedy, Trump has created an atmosphere in which white nationalists have become emboldened. Indeed, they now believe they have the support of the American president.

The results have been at once distressing and predictable. According to the US Federal Bureau of Investigation’s annual report, hate crimes within the country rose dramatically over the course of 2016, and spiked right around the time of Trump’s election. Jewish and black people...
were subjected to the most attacks, while incidents of anti-Muslim violence saw the largest increase. These trends have continued to worsen over the course of 2017. Killings of transgender people have hit a record high, according to the Human Rights Campaign.7 Anti-Semitic events are up 70 percent in New York State alone, according to the Anti-Defamation League, while anti-Muslim activities rose 91 percent nationally in the first half of the year, according to the Council on American-Islamic Relations, both when compared against the same period in 2016.8 But the US is just one corner of the world witnessing increasing instances of violence against minorities. Coinciding with the Brexit campaign and its aftermath, Britain, too, saw a 30 percent increase in hate crimes from March 2016 to March 2017, the “largest year-to-year increase in the five years that data has been collected” by the Home Office.9 Regional police forces paint an even more dire picture: a 100 percent increase in racially and religiously motivated attacks following the vote to leave the European Union.10 In Germany, according to Amnesty International, violence based on race is at its highest levels since the end of the Second World War.11 In India, the news is much the same. Since 2014, the number of crimes against Muslims and Dalits, and religious minorities more broadly, has climbed steeply upwards, according to a report by the US Commission on International Religious Freedom.12 Open Doors, an organisation that tracks the persecution of Christians worldwide, ranked the country fifteenth on its 2017 World Watch List.13 In what is surely one of the most alarming facets of our illiberal moment, distinct, diabolical, and deeply dangerous divisions are emerging in nation-states across the world. Authoritarian populists have tacitly supported a brutal majoritarianism in some cases, and actively fostered it in others, stirring resentments and animosities. Hungarian Prime Minister Viktor Orban, illustrating this point, recently declared that “mixing cultures will not lead to a higher quality of life but to a lower one. This should be forestalled…. In the end, the majority will follow our views.”14 US Congressman Steve King, a supporter of Trump and an admirer of the Dutch Party of Freedom Leader Geert Wilders, cited this and announced: “diversity is not our strength.”15

We have been here before, when in the interwar period of the twentieth century malicious actors stoked fears and resentments to turn latent hostilities into visceral ones. Then, as now, an imperfect tapestry of international agree-

ments loosely stitched together by idealists gradually came apart at the seams. The ensuing carnage remains the worst the world has ever seen.

Now, once again, we stand watching as the fragile post-war order unravels around us. Can we learn from our past mistakes in time to address the weaknesses of the liberal international order, and to create more sustainable and just systems to manage global relations for the future?

After World War I, the victorious Entente powers, guided by the liberal internationalism of US President Woodrow Wilson’s Fourteen Points, opted to create a new League of Nations to ensure the future peace. Along with the idea of safeguarding against future war, what was central to the new international organisation were a series of minority rights treaties. The victors wished to impose harsh penalties upon the Central Powers as a cost for aggression and as compensation for all that they had endured.

The old, multi-national Ottoman and Austro-Hungarian – as well as the German and even the Russian – empires all dissolved at the end of the war. A number of smaller successor states and mandates emerged in their place.16 These territories were very diverse, and the treaties were put into place as a protective measure to ensure that new state citizens would be treated fairly and justly. As French Prime Minister Georges Clemenceau wrote to Poland concerning its specific arrangement:

This Treaty does not constitute any fresh departure. It has long been the established procedure of the public law of Europe that when a State is created, or even when large accessions of territory are made to an established State, the joint and formal recognition of the Great Powers should be accompanied by the requirement that such States should, in the form of a binding international Convention, undertake to comply with certain principles of Government…. It is on the support which the resources of these Powers will afford the League of Nations that the future Poland will to a large extent depend for the possession of these territories. There rests, therefore, upon these Powers an obligation, which they cannot evade, to secure in the most permanent and solemn form guarantees for certain essential rights which will afford to the inhabitants the necessary protection, whatever changes may take place in the internal constitution of the Polish State.17
Wilson himself framed things less idealistically, doing so within the context of competing interests and compulsory “collective security”: “Nothing, I venture to say, is more likely to disturb the peace of the world than the treatment which might in certain circumstances be meted out to minorities. And therefore, if the great powers are to guarantee the peace of the world in any sense, is it unjust that they should be satisfied that the proper and necessary guarantees have been given?”

Despite such assertions, the Paris Peace rested on a shaky foundation. Its most critical weakness stemmed from the US itself, where the president had been unable to sell his foreign policy plans to his own people. The American Senate failed to ratify the necessary treaty, thus rejecting membership in the League of Nations. Moreover, all of the Great Powers exempted themselves from the Minority Treaties on the grounds that they were already “civilised,” a term which, of course, they themselves defined howsoever they wished. In practice, the US would brook no interference with how it treated African Americans, while Britain and France wanted to shield their imperial policies. As a result, Japan got nowhere when it tried to insert racial equality language into the League’s covenant.

The Minority Rights regime of the interwar period was therefore hobbled by hypocrisy from the outset. Within the confines of how they were conceived – select application only to new states and European peoples – the treaties did get several things right. Historical precedent was taken into account. Advocates provided clear and compelling rationales. And, most significantly, the treaties took monitoring and enforcement seriously. But advocates and policymakers failed spectacularly in one crucial respect: they did nothing to cultivate the consent of the governed. Most states, especially those with substantial, local minority populations (as opposed to migrant outsiders or “external minorities”), resisted complying with the treaties fully. Poland, for instance, allowed anti-Semitic activities to proceed even as they made some effort to incorporate Jews into the democratic process. Since the Great Powers were themselves guilty of discriminatory practices, there was simply no authority that could make a larger, moral case, or a political one, to put meat on the legal bones and to make minority rights a living, breathing idea.

Germany, perhaps in a twist of irony, made the greatest effort to make the minority rights system work, arguing that loopholes and exemptions had to be eliminated, and that all countries, Germany included, needed to opt in. Gustav Stresemann, a Foreign Minister of the Weimar Republic, warned in 1929: “It is precisely with regard to the protection of minorities that many countries have set their hopes on the League and have believed that the League would bring support to all whose religious and other sensibilities are not those of the State in which they live. The League must protect minorities and respect their rights. If it does not do so, these Powers may well ask themselves whether the League still represents the ideal which induced them to join.”

While he would be proven right, he could not have foreseen that the dagger to the heart of the system would be wielded by his own country. By the 1930s, Adolf Hitler had come to power on a platform of ethno-nationalism, talking of German racial pride. Hitler made much of the fact that Germans were in fact the largest ethnic minority in Eastern Europe at the time. Crucially, as the historian Mark Mazower has explained, the Nazis retheorised the idea of the minority to fit their warped worldview. Rather than conceiving of different ethnic groups as citizens of whatever country they made their home in, the Germans would now claim that the “members of a nation or an ethnic group living in a foreign environment constitute, not a total number of individuals calculated mechanically but on the contrary the members of an organic community…. The very fact that they belong to a nation means that the nation in question has a natural and moral right to consider that all its members – even those separated from the mother country by state frontiers – constitute a moral and cultural whole.”

With this strategic shift in understanding, the Germans
proceeded to use the altered language of minority rights opportunistically to press their claims not only on “their” people in other states, but also on the land in those states where Germans lived. Germans everywhere were part of one, larger community; thus all those places that they called home were part of one, larger ethno-state.

The minority rights treaties effectively died around this time. The weak and ineffective League was incapable of halting Nazi aggression. Germans picked off territory at whim, and began implementing procedures to target Jews and other minority groups in what would become the largest mass atrocity of the twentieth century.24

THERE is no such thing as Rohingya,” stated U Kyaw San Law, a Burmese state security officer operating in the country’s Rakhine state. “It is fake news,” he added. 25

In just the last few months, the world is once again witness to a massive, forced migration, as wave after wave of people displaced from their homes in Rakhine have fled to neighbouring Bangladesh, their number now swelling to 620,000, or roughly 75 percent of the total Rohingya population of Burma in 2016. News accounts reveal that the ongoing repression of this Muslim minority has included internment camps with no schools, jobs, or healthcare.26

Since August, according to a report issued by the Office of the High Commissioner for Human Rights at the United Nations, the Rohingya community has been targeted in a “well-organized, coordinated, and systemic manner” by the Burmese military and vigilante groups. The state purposefully “targeted teachers, the cultural and religious leadership, and other people of influence…in an effort to diminish Rohingya history, culture, and knowledge,” effectively to wipe the record of the people’s existence.27

The US Holocaust Museum undertook a year-long investigation and issued its own report in November 2017, concluding that there was “mounting evidence of genocide against the Rohingya,” and that the community has suffered crimes against humanity and systemic cleansing at the hands of the government and its military.28 Anti-Muslim hate speech has accompanied this overall campaign of elimination, which has included “mass gang rape, killings – including of children and babies – and disappearances….”29 According to Mohammed Rafiq from Maungdaw Town-ship: “They tried to kill us all.” “There was nothing left,” he declared.30

With talk in India and Bangladesh of sending refugees back to Burma under such conditions, the UN High Commissioner for Human Rights, in a presentation before the UN Human Rights Council, asked: “Considering Rohingyas’ self-identity as a distinct ethnic group with their own language and culture – and [that they] are also deemed by the perpetrators themselves as belonging to a different ethnic, national, racial, or religious group – given all of this, can anyone rule out that the elements of genocide may be present?” 31 Lieutenant General Romeo Dallaire, who commanded UN peacekeeping forces in Rwanda, told Sky News: “You’re into the mist of a very slow moving and deliberate genocide, there is no doubt in my military mind that the way they’re operating, the way they’re conducting, the way they’re using their forces. The way the government is camouflaging it. They’re all very significant indicators of genocide in operation. They want to wipe them out and they’ve said that’s what they operating [sic] to do.”32

THE protection of minorities has been a key goal of the world order that emerged from World War II, though it has been subsumed within the language of human rights and the international instruments meant to guarantee them.33 From the outset, India played an outsized role in expanding human rights norms, seeking to bridge a divide between Western notions of civil and political liberties centred on the individual, and economic, social, and cultural rights more often focused on groups and favoured by the countries of the East and South. Combining the two, India believed, provided a holistic approach to protecting individuals and groups, and to providing a better way of life for all.

Above all, India was sensitive to globally dispersed populations, with many people from the sub-continent spread throughout the world as a result of employment from or edicts by the British Empire. Moreover, the country had provided sanctuary to many refugees during the war, and was looking to formulate an enduring solution to prevent such tragedies from reoccurring. India’s views are perhaps best demonstrated by its actions in 1946 to protect diasporic Indians living in South Africa, who were facing harsh discrimination as a result of a domestic law known as the Ghetto Act. The Indian government, knowing what had just transpired in the interwar period, contended that Indians living in South Africa were South Africans, and should be protected as citizens of that country. It was South Africa that was responsible for the correct treatment of any people living there, not India or anyone else. But since South Africa had passed discriminatory laws, it was incumbent upon the nascent international community to
take action and thus compel South Africa to live up to a higher standard. India made its case in the UN and eventually won a two-thirds majority in the General Assembly condemning South Africa for its actions. This victory—and the precedent for intervention that it set—established the standard for the UN’s human rights documents: the Universal Declaration and the International Covenants that followed.

But India’s victory did not produce transformative, positive results. Instead, the Ghetto Act morphed into apartheid, and South Africa would resist change over many decades. More broadly, the Great Powers moved subtly to reorganise the UN during the 1960s, just as waves of decolonisation were resulting in the emergence of new countries that would become member states. The Security Council took on greater importance and the General Assembly much less, thereby keeping power in the hands of a select few states.

As a result, the Cold War came to skew all matters at the UN even more heavily. And the form of human rights that subsequently gained ascendancy over the 1970s was largely driven by Western views, and so primarily concerned the political rights of the individual. Human rights as a result did not maintain the universality with which they were conceived, and for which India had fought. Rather, they became a convenient cudgel for Western powers to use against their communist opponents, and to justify a variety of “humanitarian interventions.”

Since then, just as in the interwar period, the Great Powers themselves have kept themselves exempt from any investigation of their own human rights abuses. As before, illiberal forces have taken advantage of such inconsistencies to gain a foothold, and thus to advance their own fiendish objectives.34

And so we find ourselves, unfortunately but unsurprisingly, in familiar territory, facing a catastrophe of an unimaginable scale, even when compared to the twentieth-century’s own appallingly distinctive benchmarks. The writing is on the wall. A moral imperative is before us: we must shore up minority protections with all deliberate haste.

All of the efforts to define the mass violence in Rakhine with terms like “genocide, ethnic cleansing, and crimes against humanity,” are made to trigger the Genocide Convention and the Responsibility to Protect, UN mechanisms to allow for foreign intervention and stiff penalties for perpetrators. These are meant to put an end to the worst barbarisms, but their threshold is high, and they do nothing about simmering cauldrons and overheating passions. In this way, existing international anti-atrocity measures miss all the indicators of the boiling pot until it is simply too late. And that is why new action is now called for.

The slaying in February 2017 of Srinivas Kuchibhotla in the US, as well as other incidents, underscores why it is in India’s national interest to make minority rights a priority.35 The young software engineer and his friend Alok Madasani were enjoying after-work drinks in local bar in Olathe, Kansas, when a white stranger approached, hurled racial epithets, and screamed for them to leave the country. He then opened fire and shot both of them, killing Kuchibhotla.36 A mere two weeks later, another incident occurred—strikingly similar—which saw someone approach Deep Rai, a Sikh man standing in his own driveway in Seattle, Washington. After shouting for him go back to his own country, the assailant shot him.37 Not surprisingly, Indian immigrants, who already felt targeted post-9/11, have since more forcefully questioned whether they and their families remain safe in the US. Closer to home, Hindus and other minorities have been attacked in Bangladesh and Pakistan, and Muslim citizens who have spoken out against radical forces responsible for such violence and for secularism have been murdered.38 India simply can no longer afford to not make clear precisely what principles and values it stands for, especially as its role on the global stage increases.

The assault on minorities is an international problem. Now ablaze, the fire of anti-minority hatred can spread quickly, and few will then escape its fury.

Authoritarian regimes fostering jingoistic nationalism have grown in strength and number around the world, contributing to the weakening of rules and the erasure of norms, leaving us particularly vulnerable now.39 But liberal societies had never fully come to terms with minority rights beforehand either, failing to fully and honestly reckon with the interlaced legacies of racism, patriarchy, inequality, and colonialism.

The postwar consensus created a system easily manipulated and selectively applied, and far too detached from local needs and concerns. This eventually undermined faith in our institutions, and laid the foundation for the successful assault on globalism we are witness to today. And so international efforts like the 1992 UN Declaration on Minorities and the byzantine patchwork of protections and mechanisms created by human rights treaties are unable to douse the flames of rising hatred.40 We lack a mass
movement to confront the past and denounce extremism, to build sufficient popular and political will to make any legal regime work.41

Ultimately, we must grapple with what citizenship means in the twenty-first century. Where do stateless peoples fit into the equation? Only when we can defend the universal equality of citizens both within and without states can we truly say that all people, whether as individuals or as groups, are safe.42

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14 “Hungary’s PM: Mixing cultures will not lead to a higher quality of life but to a lower one,” Voice of Europe, December 8, 2017, https://voiceseurope. com/2017/12/hungarys-pm-mixing-cultures-will-not-lead-to-a-higher-quality-of-life-but-to-a-lower-one/.


21 Ibid., 93-94.


23 Quoted in Ibid, 384.

24 The material in this section generally stems from and is a synopsis of Ibid.


26 Ibid.