UDC 343.42
DOI 10.31733/2078-3566-2020-5-172-181

Faruk HADŽIĆ©
Independent Researcher
(Bosnia and Herzegovina)

RELIGIOUS AND CULTURAL VIOLENCE; THE 21st-CENTURY GENOCIDE AGAINST THE YAZIDIS

Abstract. The study analyzes religious and cultural violence, focusing on the Genocide against Yazidis within the broader Kurdish socio-political framework. The ISIL genocidal intent against Yazidis includes forced relocation and practice attitudes that apply to elitism and sexual violence. It is part of the destruction of the group in terms of destruction of the spirit, will live and life itself (members) of the group. However, it should be noted that such views do not mean the legal argument for recognizing cultural genocide but an attempt to clarify the meaning of physical and biological destruction. Violence committed «in the name of religion» belongs to the dark side of religion. Violence (mostly) does not arise from the moral teachings of religions but from a perverted understanding of religion. The killing of members of a religious group is a form of physical genocide, and the threat of murder to ban religion was a way to commit cultural, that is, religious genocide. Sexual violence is different from all other weapons. The global community needs to be united to protect women and children during the war. Religion is used as an excuse for violence when the struggle is to defend the essential identity, when it is inconceivable to lose the struggle and when the struggle cannot be won. Religious support for violence causes the terrorist policy to become uncompromising. Paradoxically, just as terrorism produces fear of violence, so does the fear of terrorism produce violence.

Keywords: *Religious violence, Cultural violence, Genocide, Yazidis, ISIL, Terrorism, Religion, Kurds*

Introduction. The 20th century had countless versions, the most significant of which was the secular phase of Arab nationalism, influenced by the realpolitik constellation in which the USSR played one of the critical roles. Arab nationalism, once constituted as the leading ideological force in the Middle East, disappeared in practice but left behind a powerful political legacy of autocratic regimes. The idea of Arab unification ceased to function as a dominant feature of individual and collective action.

Analysis of recent research and publications. Much has been said about cultural genocide since 1948, how by theorists of international (criminal) law and other experts. For the most part, this discourse refers to any armed conflicts, such as the conflicts in the Balkans or more or less permanent incidents in Tibet. Moreover, any that happened before has only been updated; the cases of East Timor or Cambodia. Indeed, today we cannot talk about «a specific genocide» without mentioning, or at least not implying, the destruction of the group's cultural and eligious identity, in addition to or independent of, biological destruction, which recognized by many relevant subjects and experts in international law. However, cultural genocide is not a crime in international criminal law, despite the efforts made in that direction in drafting the Convention on the Prevention and Punishment of the Crimes of Genocide of 1948, particularly those of Rafael Lemkin, to actions

© Hadžić, F., 2021
ORCID iD: https://orcid.org/0000-0003-1158-7858
faruk.hadzic01@gmail.com

ISSN 2786-491X (Print)

directed against cultural identity or survival groups are included in criminal acts of execution. However, it seems that more and more proposals in theory and indications of proposals in (international) case law that the incrimination of cultural genocide (again) seriously. Lemkin's definition of genocide encompasses a broader range of actions than what was later predicted in the Convention: «(...) Genocide does not necessarily mean the destruction of the people in one fell swoop, except in the mass killings of all members of the people. It is more of a coordinated plan that includes various actions to destroy the essential foundations of the group of people's lives, which means denying the people themselves. The goals of such a plan would be the disintegration of political and social institutions, culture, language, national feelings, and religion.

Moreover, the genocide is: «Prohibition or destruction of cultural institutions and cultural activities; on the way to respond the way to in the humanities with vocational education, in order to ban humanistic thinking, which is for the gathering dangerous because it promotes national consciousness». (Schabas, 2000: 27) The term «destroy» in the definition of genocide does not only include the physical extermination of members of a group. However, it is directed towards a group as a «separate and distinct entity», which «consists of individuals and history, tradition, ties between its members, ties to the territory.

After the overthrow of Saddam, power was handed over to the interim government established until the 2005 Iraqi parliamentary elections, after which Shiite politician Nuri al-Maliki became prime minister the following year Talabani was appointed president. Massoud Barzani in 2005 by KRG (Kurdistan Regional Government) elected president of the same (Gunter, 2018). The new Constitution of 2005 Iraq is defined as a federal and sovereign state, and the legitimacy over the autonomous region of Kurdistan as a federal unit is recognized. The constitution allows for the existence of its army, which legitimizes the status of the peshmerga, and prohibits the Iraqi army from entering the territories under the rule of the KRG (Kasapovic, 2016). The so-called disputed areas of the ethnically mixed population are Nineveh and Kirkuk and parts of Dijale and Salah ad-Din provinces. They provide for a referendum on their annexation of the Kurdistan Autonomous Region within two years of its adoption, which has never been achieved, and the areas themselves have remained a scene of constant tension and balance of power.

Most Iraqis are Shiites, while Sunnis are a minority, and the issue of ethnicity is complex. In Iraq, along with Arabs (Shiites and Sunnis) and a significant Kurdish minority, there were Jews, Assyrians, Yazidis, Turkmen, and others. The Iraqis themselves are proud of their roots in ancient Mesopotamian civilizations, but as Arabic became the lingua franca of the area after the Islamic conquests in the mid-7th century, so did Arabism, which over time outgrew the most robust ethnic identity. After Iraq in 1932. gained independence and became a kingdom (the Kingdom of Iraq was ruled by a branch of the Hashemite dynasty in 1932–1958), part of its population considered Iraq to have a «special national identity», while others considered Iraqi identity «inherently related to those of other Arab peoples». (Holden 2012 p 93) Today, Arabs, with about 75%, make up the majority of the population in Iraq. Given the religious diversity, the Kurdistan region can rightly be called the «India of the Muslim world» (Maisel, 2018). Although the Kurds are predominantly Sunni Muslims by faith, they are Shiite, Alevi, Christian, Zoroastrian, and Yazidi.

Little is written about violence, although it is very present in social relations. Thus, religious and religious communities encounter various types of violence, either external (from society) or internal (from the religious communities themselves). The Yazidis, who number less than a million and live in Iraq, were victims of genocide perpetrated against them by the Islamic State in its barbaric attempt to eradicate the non-Islamic religion in the territory it occupied in 2014. with significant sexual violence to Yazidis women. In Bosnia and Herzegovina,

Muslim women gave birth to the children of their rapists. In Rwanda, Tutsis are infected with HIV. Hundreds of thousands of people fled Myanmar to a neighboring country after rumors spread about what the soldiers wanted to do with the women and girls of the Rohingya people. The list of humiliations continues with the Yazidis women. Yazidis are a sub-ethnic Kurd who mostly live in northeastern Iraq. Some consider it a separate Indo-European people. They speak the subdialect of the Kurdish language. Yazidis are an ethnic-religious community whose beliefs combine elements of several ancient religions of the Middle East. Historically, the Muslim majority persecuted the Yazidis because they professed Yazidism, which emerged based on Zoroastrianism, the monotheistic religion of Sassanid Persia. In the 7th century, the Yazidis rejected Islam. The Yazidis tried to Arabize and convert to Islam during the rule of Iraqi President Saddam Hussein.

The image of God, significantly more than any other aspect of religiosity, affects the understanding of religious messages, ways of salvation, and lifestyle formation (Kuburi, 2007, p. 43). If this image is distorted, there is a misinterpretation of religion, which ultimately leads to extremism. Once the use of violence for religious purposes is legalized and accepted by the social community, then religious violence conditions arise. The destructiveness of this phenomenon is, unfortunately, ubiquitous and frightening through the process of globalization. Today, attention is primarily focused on Islam, which does not know that tomorrow members of some other extremist groups will not resort to the same means. Cultural violence «in the name of religion» is not uncommon. The temples of another, their symbols, written sources («holy books»), and the like are desecrated and destroyed.

The purpose of our article is to analyze religious and cultural violence during the Genocide against the Yazidis in the broader Kurdish socio-political context.

Formulation of the main material.

1. Religious and cultural violence

In many war conflicts, violence and crime were committed against members of other religious groups simply because they were «others» because they did not belong to «us» and «our» religious tradition (Rwanda, Tajikistan). We had religiously motivated violence in Croatia, Bosnia and Herzegovina, and Kosovo in the 1990s. In the second half of the 20th century, we find such motivated violence in the Palestinian-Israeli conflict (although the real reasons for this conflict are different). Intra-state wars, waged in a religious society, prove to be the bloodiest wars. We are aware that religion can inspire believers to peace and tolerance and terrorism and other forms of violence. Without going into the issue of its definition, we can understand terrorism as an act of violence against the symbols of power and the state to point out both the enemy's weakness and mobilize a potential constituency. Fundamentalist terrorism uses these acts of violence as part of a cosmic war. It should be noted that the goal of terrorism is not to endanger the sovereignty of the state but symbols of its power.

Religion is a sensitive issue in states that are establishing and maintaining a secular territorial nation-state, as opposed to the process of solid mass religiosity and the vital lobbies of religious elites struggling to decide the role of religion in politics. The aspiration to build a nation-state has increased criticism of established religious authorities. They oppose the use of religion to achieve secular goals, using various means from reform to revolution. When neither revolution nor reform seems possible, terrorism is the last resort. Can binding rules for political action in the modern world be drawn based on «holy scriptures» or written religious authorities? It seems to be – no. Although the «scriptures» contain religious messages and teachings, one can glimpse the attitude towards what we call politics.

In the seventies of the last century, Donald Smith pointed out that religion is a mass phenomenon in traditional societies, and politics is not. In transitional societies, religion can, as a mass phenomenon, Smith argued, serve as a means by

 ISSN 2786-491X (Print)

which the masses become politicized. Followers of religions, especially militant religious movements, are associated with several political phenomena: irredentism – an attempt to annex a territory once owned by a neighbor; to unite with it often because of the same religious affiliation of the population; secession – an attempt to separate the population belonging to the same religion from the internationally recognized state; migration – the migration of the population from the environment in which they form a religious minority to the state in which its majority lives is encouraged; diaspora – when due to coercion, or some other reason, goes to other countries, but maintains relations with compatriots and the religious community in the home country; international terrorism – support for the religious community in the world. In that case, they are exclusive, militant, intolerant of others, especially those who do not believe. There are such groups from Christian, Islamic, Hindu, and Shinto to sects and new religious movements.

«What bloodthirsty terrorism has so far caused the West is truly minor compared to the long history of massacre and oppression of the West itself» (Eagleton 2010 p. 67). Let us recall Dresden, Hiroshima, and Nagasaki. From the moment European powers and US became involved in changes to the political systems of Iraq, Libya, and Syria, one could expect extremism to 'flourish.' The fact is that «the US has killed incomprehensibly many more innocent civilians in the past fifty years than have been killed in the New York tragedy». (Eagleton 2011 p. 169) The theologian Tomislav Ivančić states that «Islamic terrorism is a kind of punishment for Europe because it is becoming more and more atheistic», which is a precedent for cynicism. Fundamentalists emphasize the sharp difference between politics and religion, which contributes to the dogmatic interpretation of the scriptures and the deepening of the Manichean visions of the world, the belief in a cosmic conspiracy against the proponents of «true faith». Such an attitude makes it possible to create the idea of a «holy war» that must be waged against the forces of evil. When differences in attitudes are perceived as fundamental and mutually exclusive, conflict can be interpreted as cosmic. It is a war between order and chaos, good and evil, truth and lies. In such a war, the use of violence is justified.

If we accept the thesis of 'Islamic terrorism as the unifying determinant of one bestial violence, then it would produce the view, for example, that not all Muslims are terrorists, but that all terrorists are Muslims. It, of course, is not true. Terrorism itself longs for a type of society in which violence, fear, unrest, sadness, and chaos will prevail, which is contrary to the very essence of the Qur'an and Islam. There are many examples in the distant and recent past. The general cultural development, scientific achievements, education of the population help a little. Exactly the opposite. In societies where science and technology and the population's education have advanced, funds are being created for the bloodiest destruction. Isn't it an instructive example that «the most literate people in the world created concentration camps for mass torture and burning of Jews», writes the Argentine writer Ernesto Sabato in the novel About Heroes and Graves (2012, p. 281)? The change in the purpose of churches (as they did in Russia immediately after the October Revolution) or mosques (as the Enver Hoxha did in the middle of the last century in Albania) has shown that he can be cruel religious and religious institutions in civil wars. Such war conflicts show the darkest side of human nature and leave behind «monuments of human suffering and tombs of human dignity. Gerd Bauman believes that one of the elements that violate multiculturalism as a way of promoting peace and coexistence is the interpretation of cultural and ethnic conflicts as religious» (Knezevic, 2012, p. 108). Hovanesian by cultural genocide of Armenians means expulsion of Armenian intellectuals, destruction of archives, manuscripts, works of art, renaming of historically significant places, destruction of churches, the prohibition of raising other nations and practicing their religions and cultures, closing Armenian schools and other similar activities. (Hovanissian, 1999).

Contextual theology raises an essential anthropological question: «Where was man…, and where did God disappear in such a man?» (Knezevic, 2012, p. 97). Peaceful believers and extremists also think about religion differently. Religious extremists believe that faith is an end in itself; that is, they are not fighting to destroy evil on Earth but to usher in an era in which their faith will dominate. Some may be a theocracy, while others believe that an apocalypse will ensue that will culminate in the world's spiritual transformation. Since religion is the ultimate goal, human sacrifice is allowed to establish and strengthen religion's social stronghold. For peaceful believers, religion is a means to an end, primarily consecration, truth, or spiritual fulfillment. Religious principles and customs are a method designed to lead individuals to their destination. Teaching is only a signpost to be followed, but not the very goal to be reached. Thus, for peaceful believers, the goal is spiritual enlightenment and truth, not only for individuals but also for society. They must not be confused with religious extremists who seek to establish a religious government or culture. Their teaching should be interpreted as a desire to integrate religion-inspired principles of justice and respect for all people into society as a whole.

Although the nature of religious extremism is fundamentally different from acts of political violence, no systems or data have yet been obtained on whether and how differently organized state administrations influence the tactical choices of religious activists. It can be assumed that critical historical events and shifts in the economy have influenced religious violence globally. Similar data are needed on how changes in the environment affect the creation of religiously oriented peaceful movements. Social organization within religious groups deserves attention on whether the hierarchy of religious groups encourages moral dualism and dogmatic views of truth, or more than is the case with decentralized groups that define and implement doctrine at the local level? If we link religion and violence, we must not neglect the link between religions and nonviolence. It is difficult to find a written religious source that does not contain provisions on the prohibition of killing, taking another's (even one's own) life («Thou shalt not kill!» – the Bible; Qur'an 6, 152; in the Indian religions ahimsa). Why this has not worked that way throughout the history of religions is for some other analysis. Of course, there are also differences in the interpretation of nonviolence provisions in different religious traditions. However, religious values about nonviolence have led to the emergence of several pacifist movements. Let us not forget that the basis of Buddhist and Jain ethical teaching (and other religions originated on the Indian subcontinent) is ahimsa – nonviolence against all living things (man, animal). The Jewish (Shalom) and Muslim (Alekumus-Selam) greetings contain the word «peace». The golden rule, which we find from Confucius, Jesus to Kant, is: Do not do to others what you do not want them to do to you. If members of all religions (and not only them) adhered to this rule, there would be no form of violence in society.

To not come to the wrong conclusion that fundamentalist groups occur only in non-Western societies, we can show the example of the USA. Namely, during the crisis of 1920, Christian groups appeared that wanted to return to the foundations of the faith. They focused on reading the Bible literally, and the focus of the struggle is no longer against social injustice as at the beginning of the birth of American democracy, but a historical-critical method of reading the Bible. A similar phenomenon occurred in the Catholic Church with the First Vatican Council in 1870 and the dogma of the pope's infallibility, which was a reaction to the modern world.

«What is amazing about terrorists is that no one sees them, only their results». (Zink, 2012). As soon as a terrorist act occurs in the West by migrants, fans of Huntington's thesis on civilizations' clash (Christian and Islamic) appear. Moreover, they do not see that even greater tragedies and conflicts occur not between, but within these civilizations (Shiites and Sunnis in the Arab world; conflicts between Catholics and Protestants in Ireland; Catholics and Orthodox in the former Yugoslavia in the 1990s).

ISSN 2786-491X (Print)

2. Genocide against the Yazidis

Most Kurds in Turkey, Syria, Iraq, and Iran belong to Sunni Islam which they took over from the Arabs in the 7th century. Thus, in addition to the already mentioned tribal ones, religious leaders – sheiks – are also of great importance. The rest of the confessional "mosaic» comprises Shiite, Alevis, Yazidis, Christians, Jews, Muslims (Gunter, 2018). The Kurds have retained some pre-Islamic religious traditions such as ancestral cults and animistic beliefs associated with natural elements such as fire, stones, water. They are building stone hills representing a kind of altar dedicated to ancestors (Ferrera, 2003). The most important holiday that unites all Kurds is Novruz – the Iranian New Year celebrated on March 21 by all Iranian peoples and all peoples closely associated with Iranian culture. It is a Zoroastrian tradition that has been preserved in areas where Zoroastrianism was practiced before the Islamic conquests (Bruinessen, 2000). The year 2011 was marked by violent demonstrations in Sulejmanija caused by the poor situation in the autonomous region, which pointed to the inadequate rule of the KRG and accusations of corruption, nepotism, and pervasive poverty. Intellectuals and journalists warned of violations of the right to freedom of speech and freedom of the press. The protests emphasized that the Barzani and Talabani families had turned Kurdistan into «personal property».

Syrian Kurds have also found themselves the target of ISIL jihadists because of their secular orientation and women's emancipation. Under the leadership of the Party of Democratic Unity (PYD), which also follows Ocallan's teachings, and the protection of its armed wing, the People's Defense Units (YPG), Syrian Kurds established autonomy in Rojava, the majority northeastern province of Syria. a civil war between the regime of Bashar al-Assad and the rebels. Of course, the Kurds were also victims of violent repression in Syria before the war.

The Yazidis are a religious sect spread mainly in Kurdistan (its headquarters are in the vicinity of Mosul, which fell into the Islamic State's hands), in Iraq, Syria, Armenia, Iran, and the Caucasus. Yazidis are often described as mysterious people who cannot reveal their religion to outsiders; they keep their true beliefs hidden from strangers. The sect's doctrine consists of Zoroastrian, Manichaean, Jewish, Nestorian, Christian, Islamic, and other elements. The supreme religious leader is the sheik. It originates, according to tradition, from the Caliph Yazid ibn Muawiya (p. 645-683) of the Umayyad dynasty. The main symbol of birds' belief is the peacock, the fallen angel Melek-Taus (Malak Ṭā'ūs), who in Yazidis is not a symbol of evil but is good by nature. The just mentioned Melek-Taus, whom Muslims call Satan, is the problem for which they were persecuted throughout the past, especially during the Ottoman Empire. Yazidis do not believe in hell or heaven, but the transgressor of divine laws purifies the soul by metempsychosis (migration of the soul). According to the Croatian Encyclopedia, Metempsychosis is philosophical-religious teaching according to which the same soul can revive several bodies in succession until it is freed from its material form; transmigration. In a narrower sense, the soul's passage through mental stages, where reincarnation is not always necessary. Their greatest saint is Sheikh Adi ('Adī ibn Musāfir), a 12th-century Muslim mystic who became a deity through metempsychosis. The main shrine is in Sheikh Khan (Šaikhān), where the faithful makes a pilgrimage every year to the tomb of 'Sheikh Adi.' There are about 700,000 of them, and in addition to Iraq, they also live in Syria, Turkey, Georgia, Armenia, and Germany. They speak the Kurdish dialect. They are divided into three castes, and women are exclusive to each other. (Srzic, 2014)

The Yazidis themselves call their religion sharkfin. They believe in one God, the world's creator, and the supreme angel (deity), Malak Taus (in the form of a peacock). They call their God Shihadi. They believe in the reincarnation of the soul. There are many examples of violence in the name of religion. For the sake of illustration, we will mention only some from the distant and recent past. Let us say bonfires across former Europe «Islamists are upgrading today by removing their

heads in front of the cameras». (Simonitit, 2014, p. 43) Believers were crucified because of their religious affiliation.

The Yazidis are, namely, a minority of Kurdish origin, persecuted by the self-proclaimed Islamic State as heretics. In Iraq, which is considered a «post-Islamic state», the consequences of the torture suffered by Islamic State paramilitaries by children and adults from 2014 to 2017 are still being felt. Islamic State paramilitaries tortured and killed the Yazidi community in northern Iraq during that period. ISIL exterminated the Yazidis in a mass killings campaign when members of that group from Syria and Iraq attacked the Iraqi region of Sinjar in August 2014. Members of the Islamic State of Iraq and the Levant are committing genocide against thousands of members of the Yazidi religious minority, who were brought to Syria from Iraq. The genocide continued with sexual slavery, forced labor, torture, and forced conversion to Islam. Some Yazidi families managed to ransom their captured members from ISIL terrorists for $ 10,000 to $ 40,000. (UN, 2016) During the offensive, Amnesty International, in a report entitled «The Legitimacy of Terror: The Situation of Yazidi Children Survivors of ISIL», informed the world in detail about children who were victims of horrific crimes and now have to face the consequences of that terror. A 56-page Amnesty International report writes about boys who were forcibly enlisted and girls who were sold as slaves, sexually exploited, and forced to marry Islamic State soldiers. Most of these children are now struggling with various illnesses, physical disabilities, or psychological consequences, such as post-traumatic stress disorder, anxiety, depression, and girls, the inability to conceive.

Changes in political discourse created a new competitor among Kurdish political parties – the Gorran party, which ran in the 2013 parliamentary elections. «squeezed out» PUK from another place (Gunter, 2018). Political turmoil and panic among Iraqi Kurds have been exacerbated by ISIL jihadists who occupy Mosul the following year and attack Sinjar, committing crimes against Kurdish Yazidis. While the Iraqi military was preoccupied with Mosul's military action, KRG's military forces managed to occupy Kirkuk and some other disputed areas. As the ISIL fighters then came within reach of Erbil, the remaining US air force helped the peshmerga prevent further jihadist advance. ISIL's progress in the disputed areas has been facilitated by Iraqi and Kurdish troops' disparate performance. In 2015, KRG faced significant political instability, the economic crisis 40, and the influx of refugees from areas that ended up under IS control (Gunter, 2018). About the victims, the Yazidis (an ethnic-confessional group of Kurds, with about 1.5 million members, mostly living in Iraq and Turkey, partly in Syria, Iran, Georgia, and Armenia, confessional Zoroastrians with a touch of Christianity, Judaism, and Islam) after six years few speak, although the UN Security Council, by Resolution 2370, labeled the crime against them as the first genocide in the 21st century. The faith of the Yazidis is based on oral tradition. There are also two sacred books depicting dogma, canon, cosmogony, and rituals: Kitêba Cilwe (Book of Revelation) and Mishefa Reş (Black Book). The language of literacy is Kurmanji (North Kurdish), and there are also works written in Arabic. The founder of religious teaching is Sheikh Adi ibn Musafir (pp. 1072-1162).

The campaign to erasing their identity corresponds to the definition of genocide, as stated in the 1948 UN convention. Under the UN Convention, genocide is defined as the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group. The Convention states that this can be done by killing members of the group, causing severe physical or mental injury, and deliberately creating such conditions that the community is physically destroyed by preventing children's birth or forcibly transferring children to another community. In her book Sinjar, Susan Shand (2018) reminds us of this world-forgotten tragedy, the horrific crimes committed by jihadists, when they began to systematically massacre large groups of Yazidis with the clear intention of exterminating them. The deep internal

 ISSN 2786-491X (Print)

political crisis and the disintegration of Iraq were some of the main causes of ISIL's wartime successes. Consequently, the genocide of the Yazidis, who were treated by both the Iraqi regime and the jihadists as a «foreign» body, excited when the world was flooded with horrific images of their mass liquidations.

The combined forces of the Syrian and Iraqi Kurds, and an allied coalition led by the US, which tirelessly bombed Islamists' positions, inflicted the heaviest defeat on the caliphate in the city of Kobani on the Syrian-Turkish border. It is genuinely astonishing to ignore the crucial role of the Kurdish people in the current conflict. Even the British Parliament Parliament released a report on the situation in Iraq in January this year, in which, prompted by fierce Kurdish resistance and protection from exiled Yazidis and Christians, it made it clear that it would not insist on Iraqi unity after the end of the conflict and defeat. Ready to support Kurdistan's demand for independence if the independence process is carried out by peaceful and democratic means (read: by referendum) and if it takes place in agreement with the central authorities in Baghdad.

Nadia Murad and Lamia Aji Bashar from Iraq are the winners of the 2016 Sakharov Prize for Freedom of Thought. They survived sexual slavery after being kidnapped by the Islamic State. «I will never forget that day. It will stay cemented in my head for the rest of my life. It was early morning. No one even guessed what would happen to us. We lived beautifully and in peace. Suddenly, out of nowhere, terrorists were created. As soon as they broke into the village, they killed all the men. After that, all the women and girls were captured. The older ones, about eighty of them, including my mother, were killed immediately. They also killed six of my brothers», Nadia said through tears. She remembers the date exactly – on August 3, 2014, jihadists stormed her village of Kosho, located in Iraq's Sinjar province». (Diab, 2016). They were raped every day, several times.

«We did not know where they were driving us. They crammed us into buses like cattle. Even today, when I think of their faces, I feel fear. As soon as the bus left, their leader, unfortunately, an Iraqi, my countryman, appeared and threatened with a knife in his hand: «As of today, you are slaves. You are the property of the Islamic State. We can do whatever we want with you. Those who do not listen will be beheaded». Riding the bus, while the cries of our loved ones that we had lost forever resounded in our heads, as well as the threats made, rapes began. They took turns and made fun of us. The worst feeling is rape. You feel like you are nobody and nothing», said Nadia and emphasized that she was abused several times in the camp every day. «I was raped by whoever arrived, fighters from all parts of the world, from Iraq, the Middle East, Europe, and the Balkans. They competed to rape more women because they believe that the one who rapes a Christian or a Jesuit goes to heaven», said Nadia. (Diab, 2016).

Sexual violence as a weapon of war is the most heinous, insidious, and unacceptable crime in today's world. It destroys the community and has a long-term negative impact on the victim and her family that lasts for generations. Wars have their own rules that are written in international humanitarian law. The law is clear: rape and other forms of sexual violence are prohibited. According to the International Court of the former Yugoslavia (ICTY) verdicts in The Hague, rape in Bosnia and Herzegovina has been qualified as a systematic war crime for the first time in history.

The Geneva Conventions have regulated this ban clearly and universally. Nevertheless, 70 years later, we are facing failures and insufficient accountability. Today, there is hardly a clear line between international criminal law in the narrower sense (international crimes in the narrower sense, i.e., war crimes, crimes against humanity, genocide, a crime against peace, i.e., aggression) and human rights law. Especially when we bear in mind that prohibitions on certain conduct extend beyond internal armed conflict and beyond internal armed conflict beyond the armed conflict itself. Moreover, international human rights instruments are not always effective: the first reason is that they are primarily declarations or conventions that do not prescribe

adequate protection mechanisms, and the second reason is that the conviction itself does not show seriousness. International human rights instruments neglect specific elements of individual crimes – in this case, to destroy, in whole or in part, a group of people as such, which is usually based on low motives for hatred of the group. All this evidence of the inadequacy of international human rights instruments in cultural genocide would serve as a second argument for criminalizing cultural genocide.

It could be argued, in this context, that sufficient protection of the cultural identity of a group provided by international humanitarian law, through the 1954 Convention on the Protection of Cultural Property during Armed Conflict (249 UNTS 240, May 14, 1954, entered into force). August 7, 1956) or the Geneva Conventions of 1949 (75 UNTS 31; 75 UNTS 85; 75 UNTS 135; 75 UNTS 287, of August 12, 1949, entered into force on October 21, 1950) and their additional protocols from 1977 (1125 UNTS 3; 1125 UNTS 609, June 8, 1977, entered into force December 7, 1978), as well as other sources of international criminal law (ICTY Statute, Rome Statute), through the prohibition of violations of the laws or customs of war in the form of destruction of religious, charitable, educational institutions and institutions intended for art and science, historical monuments and works of art and science. It should be noted here that otherwise, cultural property destruction is culturomics, which we must distinguish from cultural genocide, where the emphasis is on the destruction of the group's identity.

Conclusions. Violence committed «in the name of religion» belongs to the dark side of religion. ISIL should be primarily remembered for the genocide of the Yazidi people, the mass crimes they committed against others in Iraq, Syria, Egypt, and only then for the terrorist attacks across the West. Understanding the group's destruction, the author concludes that the ISIL genocidal intent against Yazidis includes forced relocation and practice attitudes that apply to elitism and sexual violence. It is part of the destruction of the group in terms of destruction of the spirit, will live and life itself (members) of the group. However, it should be noted that such views do not mean the legal argument for recognizing cultural genocide but an attempt to clarify the meaning of physical and biological destruction. The killing of members of a religious group is a form of physical genocide, and the threat of murder to ban religion was a way to commit cultural, that is, religious genocide. Sexual violence is different from all other weapons; it is a slow murder. Behind sexual violence lies a perfidious tactic of fear, stigmatization, and psychological pressure within war's horrors. It is the systematic and planned humiliation and destruction of primarily one nation. The global community needs to be united to protect women and children during the war.

Violence (mostly) does not arise from the moral teachings of religions but from a perverted understanding of religion. Religion is used as an excuse for violence when the struggle is to defend the essential identity, when it is inconceivable to lose the struggle and when the struggle cannot be won. Religious support for violence causes the terrorist policy to become uncompromising. Paradoxically, just as terrorism produces fear of violence, so does the fear of terrorism produce violence. Many commentators present Islam as an inherently violent religion and the Islamic State as a manifestation of Islam's genuine aspirations as a religion. Such comments primarily show a lack of understanding of the entire history of terrorism, which was not religious during its most notorious period in the 20th century, let alone Islamist in nature (moreover, it was ethnonationalism and secular) a lack of understanding of the history of Islam.

After this conflict, the Middle East map might no longer be the same, and a new state will exist in that area. It seems that it will not be the Islamic State but maybe Kurdistan.

Conflict of Interest and other Ethics Statements
The author declare no conflict of interest.

 ISSN 2786-491X (Print)

References

Bruinessen, M. (2000). Transnational aspects of Kurdish question. European University Institute.

Diab. H. (2016). Vecernji. Shocking confession of Yazidi women held as 'slaves' by Islamic State terrorists. URL : https://www.vecernji.hr/vijesti/one-su-glas-svih-zena-koje-je-silovao-isil-1136077 [in Croatian].

Eagleton, T. (2010). Reason, Faith, and Revolution, Reflections on the God Debate. Yale University press.

Eagleton, T. (2011). On evil. Yale University press.

Ferrera, M. (2003). Peoples of the world. New Delhi Om Book Service.

Gunter, M. (2018). Historical Dictionary of the Kurds. Rowman & Littlefield.

Holden, S. (2012). A Documentary History of Modern Iraq. University Press of Florida.

Hovanissian A. (1999) Turkey: a Cultural Genocide. In: Chorbajian L., Shirinian G. (eds) Studies in Comparative Genocide. Palgrave Macmillan. DOI: https://doi.org/10.1007/978-1-349-27348-5_8.

Kasapovic, M. (2016). Middle East, politics, and history. Fakultet političkih znanosti. [in Croatian].

Knezevic, N. (2012). Contemporary Political Theology in the West. Otacnik [in Serbian].

Maisel, S. (2018). The Kurds: An Encyclopedia of Life, Culture, and Society. ABC-CLIO.

Sabato, E. (2012). On Heroes and Tombs. Penguin Books Ltd .

Schabas, W. (2000). Genocide in International Law: The Crimes of Crimes. Cambridge University Press.

Shand, S. (2018). Sinjar, 14 Days that Saved the Yazidis from Islamic State. Lyons Press.

Simonitit, I. (2014). Three gods, two cultures, one civilization. Naklada Pavicic. [in Croatian].

Srzic, A. (2014). Yazidis – persecuted because they worship a fallen angel. URL : https://www.autonomija.info/jezidi-proganjani-jer-obozavaju-palog-andela.html. [in Serbian].

UN Report, (2016). UN human rights panel concludes ISIL is committing genocide against Yazidis. https://news.un.org/en/story/2016/06/532312-un-human-rights-panel-concludes-isil-committing-genocide-against-yazidis.

Zink, R. (2012). The installation of fear. Teodolito. [in Spanish].

Фарук Хаджич

РЕЛІГІЙНЕ ТА КУЛЬТУРНЕ НАСИЛЬСТВО; ГЕНОЦИД 21 СТОЛІТТЯ ПРОТИ ЯЗИДІВ

Анотація. Автор аналізує релігійне та культурне насильство, зосереджуючи увагу на Геноциді проти єзидів у ширших курдських соціально-політичних в межах. Геноцидний намір ІДІЛ проти єзидів включає примусове переселення та практикує відносини, що стосуються елітарності, зґвалтування та сексуального насильства. Це частина руйнування групи з точки зору руйнування духу і самого життя (членів) групи. Однак слід зазначити, що такі погляди не означають аргумент для визнання культурного геноциду, а спробу пояснити значення фізичного та біологічного знищення. Насильство, вчинене «в ім'я релігії», належить до темної сторони релігії. Насильство (здебільшого) походить не від моральних вчень релігій, а від збоченого розуміння релігії. Вбивство членів релігійної групи є формою фізичного геноциду, а загроза вбивства для заборони релігії була способом вчинення культурного, тобто релігійного геноциду. Сексуальне насильство відрізняється від усіх інших видів зброї. Світова спільнота повинна бути об'єднаною для захисту жінок та дітей під час війни. Релігія використовується як привід для насильства, коли боротьба полягає у захисті сутності, коли неможливо програти боротьбу і коли цю боротьбу неможливо перемогти. Релігійна підтримка насильства спричиняє терористичну політику безкомпромісною. Парадоксально, але як тероризм породжує страх перед насильством, так і страх перед тероризмом породжує насилля.

Ключові слова: *релігійне насильство, культурне насильство, геноцид, єзиди, ІДІЛ, тероризм, релігія, курди*

Submitted: 26.11.2020
Revised: 17.02.2021
Accepted: 16.03.2021