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# A Dictionary of Maqiao – In Medias Res

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Han Shaogong, *A Dictionary of Maqiao* (translated by Julia Lovell, Columbia University Press, 2003 (first published in Chinese 1996). Pp. 323. £24. ISBN 0231127448.

## 1 A Dictionary of Maqiao

*Lazy (as Used by Men)* ... I've often realized, not without a sense of disquiet, that talking isn't easy, that my words often propagate all kinds of misunderstandings once they've flown out of my mouth. I've also discovered that even a powerful propaganda machine lacks absolute controlling power over understanding and, similarly, sinks repeatedly into the mire of ambiguity ... he'd been an employee of the Country Film Company but had been relieved of his duties due to his exceeding the birth quota. It wasn't that he'd failed to comprehend the consequences of exceeding the birth quota: ... After I'd spoken with him, after I'd turned it over endlessly and uncomprehendingly in my mind, there was only one conclusion I could draw: he operated on another vocabulary system, one in which a great many words transgressed ordinary people's imaginings. For example, 'violating law and order' wasn't necessarily a bad or an ugly thing to do – quite the contrary, violating law and order was a proof of strength, a privilege of the strong, a crucial source of happiness and glory. ...

If the explanation given above is generally correct, then the whole affair comes down to a question of language, to an absurd coincidence of meanings interlocking and short-circuiting. In the end, the law-breaker lost his bowl of rice and paid a high price for one or two extremely ordinary words. The propaganda that the wielders of power directed at him had been entirely useless, had ended at cross-purposes: on encountering a totally alien dictionary, a totally impenetrable pair of ears, ... (at 267–271)

Han Shaogong brings his readers to the midst of the Cultural Revolution in China (1966–1976). With millions of other *Educated Youth* Han was relocated from city life to

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a remote village in the countryside. In these ‘new’ environs the *Educated Youth* were to perform primarily agricultural work together with the local population to build classless new China. Relocatees often perceived the conditions as harsh with exhausting demands for manual labour; many experienced the circumstances as alien and calous. Rural China represented a different reality – difficult to understand and adjust to.

The New Culture Movement in the early 20th century and Maoism represented a breakaway from Chinese tradition, Maoism’s isolation resulted in cultural erosion as well. This left a void in Chinese culture subjected initially to superficial modern influences. Han is a pioneer of the root-searching literature aimed at better understanding and reflecting the immensely rich Chinese heritage.

Han was relocated at the age of 15 to a tiny village in Hunan Province in Southern China, where he spent six years. Here he found strong inspiration for his later literary works as the influences of revolution and modernization had not eradicated regional customs, legends, and beliefs, instinctive thought could reign, and the rational was mixed with the non-rational.

Building on his experiences, Han provides a fictionalized portrayal of the era as seen from a village named Maqiao – inhabited by people, animals, and spirits. It becomes vivid as Han combines the contemplative and the narrative in countless small descriptions. The accounts are superficial ostensibly, but they submerge the readers in the ‘world’ of Maqiao in this period. The novel certainly, as such, deserves the attention of everyone interested in the gigantic social upheavals called the Cultural Revolution.

The format of Han’s novel is that of a dictionary. *A Dictionary of Maqiao* provides a narrative through 109 entries (six are used twice – the second time for further explanations), each presenting distinct parts of the overall chronicle. This is a most rare and inventive approach to providing an account of historical events whether fictional or not. With its format *A Dictionary of Maqiao* is, if not enlightening, so definitely thought provoking for anyone interested in presentation, communication, and the conveyance of information.

The editorial note in the original edition of the book states that Han had initially arranged the entries according to a Chinese character index. Arbitrary as this is, it illustrates the circle of knowledge with no marked beginning, middle point, and end – and no fixed circumference. But, ‘[i]n order to make it easier for readers to grasp the narrative thread and to increase the readability of the novel, the entries were rearranged into their present order (a logical order to provide for a more linear reading of the narrative).’ As a matter of personal taste, I would have kept the original format. A ‘List of Entries’ in alphabetical order is included in the English language version and may be utilized to enter the Maqiao universe at random – it is exciting to opt for such random reading! It moreover emphasizes the interdependence of fragments of knowledge.

My fascination with the book is primarily due to its thrilling format and approach to the ambiguity of language rather than for its content. Having read *A Dictionary of Maqiao* twice it ended up on my bookshelf, but its approach to sharing knowledge has revisited my mind time and again. The book is particularly intriguing reading for

anyone engaged or interested in complex investigations and the prosecution of core international crimes. It sustains an atypical creativity.

Han in his novel moves far beyond the ultra-leftist degradation under Maoism. He reflects on questions of identity, tradition, and modernity. Exploring and explaining he relies on Chinese culture, its mythology, and folklore. He utilizes Daoism and Buddhism as sources of inspiration. ‘Zhuangzi (c. 370–300 b.c.): a great Daoist philosopher of ancient China’, is included in the book’s glossary.

Zhuangzi, denounced by Confucianists for his strong relativity, has been an immense source of inspiration, having influenced both Buddhism and Neo-Confucianism. Zhuangzi’s writing is a blend of philosophy, history, and fiction with the looser structure of the classical Chinese novel. Zhuangzi is mystical, but guided by reason. Many of his imageries are common idioms in Chinese literature and philosophy.

In *A Dictionary of Maqiao* Han explores relativity by focusing on the ambiguity of language.<sup>1</sup> He highlights that the literal meaning of a word may be very different from the speaker’s meaning (sometimes even the opposite, such as when in *Maqiao* ‘asleep’ means clever and ‘scientific’ is the equivalent of lazy<sup>2</sup>). Han often doubts his own understanding of words and resorts to his imagination. He points to frequent distinctions between the emotive and the cognitive meanings of language. Han’s reflections on language are omnipresent.

Reading the dictionary may, inadvertently, help to internalize a distinct and subtle but indispensable awareness of the need for profound understanding, crucial when gathering and analysing information and evidence for the adjudication of the most monstrous of international crimes. To me *A Dictionary of Maqiao*, albeit never intended for that purpose, comes across as an ingenious implement for international criminal law practitioners.

## 2 Main Aspirations of International Criminal Law

In the Preamble to the Charter of the UN, the peoples reaffirm faith in the *dignity* and *worth* of the human person, and the equal and inalienable rights of all members of the human family. These are core values of the UN, regarded as preconditions for the maintenance of peace and security in the world. Human rights are biased in favour of the human being – *every member of the human family in that very capacity* – to safeguard the fundamental rights of the individual and especially to secure that the person is not subjected to serious crime.

The most heinous crimes – often entire patterns of criminal acts committed during armed conflict – are known as core international crimes (CICs). That is, genocide, crimes against humanity, grave breaches of the laws of war, and aggression. These are plagues of an immense magnitude, defined in the Statute (Rome Statute) of the International Criminal Court (ICC).

The paramount aim of international criminal law is to prevent CICs by ending impunity for these crimes. Ending impunity aims to free people from such gruesome

<sup>1</sup> Cf., e.g., the entry *Jasmine-Not-Jasmine*.

<sup>2</sup> Cf., the entries *Asleep* and *Science*.

crimes. A second objective of international justice is to write the records right. Victims of CICs are – like every crime victim – entitled to know what happened and to have their victim status recognized.

To end impunity the UN established first the *ad hoc* tribunals for the former Yugoslavia and Rwanda, later hybrid tribunals such as the Extraordinary Chambers in the Courts of Cambodia and the Special Court for Sierra Leone, and the ICC.

As I read the case law from the existing courts, I have one major concern. I would want the international criminal courts to work more like the International Military Tribunal (IMT) in Nuremberg (and the IMT for the Far East) operating after World War II. International tribunals ought, in my opinion, to deal with the overall and grand issues of the debacles, and the main perpetrators. Minor perpetrators ought to be subjected to justice in national courts; no country should provide perpetrators a safe haven. Prosecution on a national level is eased by the international criminal courts' handling of the general issues. Convictions in many separate and minor cases on an international level could be detrimental by diverting attention and resources.

Evidence is the *sine qua non* for indictment and guilty verdicts. To achieve convictions one first needs information – as comprehensive and detailed as possible – to secure a profound understanding of the overall situation. In the process of gathering and analysing information one should be mindful of the need for evidence and try to secure or prepare for that at the same time. For general understanding there may be numerous leads that later may not serve as evidence.

There is further a need for a profound understanding of the *elements of the crimes* in question. The elements of CICs may be subdivided into: (i) specific elements – what particular act was committed; (ii) contextual elements or common elements – describing the circumstances in which the particular act was committed that elevate the act to the level of a war crime, a crime against humanity, an act of genocide, or aggression; and (iii) linkage elements or the mode of liability – describing the manner in which one or more alleged perpetrator(s) committed the act directly or indirectly or through command or superior responsibility. The requirements as to both *actus reus* and *mens rea* must be fulfilled.

Gathering and analysing information about CICs demands that one understand a unique 'world'; it is necessary to know its geography, history, culture and way of life, religion and ideologies, etc. The usual questions of who, what, when, where, how, and why are relevant as always, and not solely in relation to the criminal acts as such but on almost every level. In certain respects the issue of causation may best be left out as being metaphysical. It is crucial to know how someone knows something, or what it was that led a person to a certain conclusion.

Looking back at my work in relation to the former Yugoslavia, and reading case law from the international criminal tribunals I consider that the profound understanding of the overall situation is the single most challenging aspect of ending impunity for CICs. It is in this context that I have been revisited time and again by *A Dictionary of Maqiao*.

### 3 *In Medias Res* – History and the Narrative

In his treatises on poetry Horace advocates the stylistic convention utilized by the ancient Greek epic poet Homer in the *Iliad* and the *Odyssey*. Homer does not begin his narrative of the Trojan War from the beginning, but – as always – he commences with the main action, and catapults the audience *into the middle of things*.<sup>3</sup>

*In medias res* is the narrative technique of relating a story from the midpoint. The story opens with dramatic action, not with a logical step by step presentation of the relevant characters and circumstances that are leading up to the drama. As the same characterizes most ‘dramas’ presented to international investigators of CICs, it might be of interest to explore if the *in medias res* narrative technique in any way helps in investigating alleged CICs. In one way the *in medias res* presentation of a narrative supplements the one found in *A Dictionary of Maqiao*. The latter exposes the meaning and ambiguity of language whereas the former highlights the impact of time. In relation to investigations the two perspectives come together and mix in an immense intellectual challenge.

Utilizing the *in medias res* technique an artist will subsequently need flashbacks or non-linear narratives or both to uncover earlier events, the background of the drama. When a case is adjudicated on in a criminal court, the crime represents an *in medias res* introduction and the background to and the full picture of the crime are presented through evidence.

Some additional concepts used to describe narrative techniques in the arts are of interest as well. A *sequel* is a narrative that continues the story of an earlier work or expands upon it. A *prequel* is focused on events that happened before the original narrative. An *interquel* may bridge two existing narratives forming a *sequel* to one work and a *prequel* to the other. In a parallel story the focus is on the characters and previously unrevealed information. A companion piece is complementary to another work. On the other hand, a reboot or a remake is a retelling or new envisaging of a story – a new version.

A narrative is a representation of events (real or fictitious). It serves as a chronicle, an account, a record, or a report. There may be numerous versions of the narrative of the same events – sometimes because the events are seen from different angles, sometimes because facts and fiction are blurred, and on occasion because facts are replaced by fiction. In the arts this represents creative diversity. Difficulties occur when conflicting narratives all pretend to give *the* authentic historic record.

### 4 *In Medias Res* – the Starting Point for Investigations

The Security Council responded to the situation in Rwanda *in medias res*. Having asked in vain for an end to the mindless violence engulfing Rwanda, a commission to gather information and analyse the situation was established by the Secretary-General. The starting point for crime investigation is the crime itself even if it represents the culmination of a long development.

<sup>3</sup> Quintus Horatius Flaccus (65–8 BCE), *Ars Poetica*, 147–149.

At all events, *factum est* – it happened. Gathering information means searching for the facts and the truth – the two converge in their existence and the existence of a narrative. The challenge is to find the facts. That can hardly ever be a purely intellectual exercise. The search will, among other things, be confronted with the confines of pre-existing perceptions – the more so the more unfamiliar the ‘world’ entered.

Most perpetrators attempt to hide their crimes. The relevant *prequel* is replaced by one or more reboots or remakes. One *sequel* or several are crafted to divert attention and to prevent or hinder a proper understanding of the crime. Parallel stories may be contrived for the same purpose, and so may companion pieces. The more culprits or crimes or both, the more multifaceted the picture is likely to become. But the devil is in the detail. It may not be that difficult to produce a reboot covering the main aspects of an event, but the further away from the core elements one moves the more difficult it may prove to defend a remake as true.

*Cui bono* – to whose benefit? – suggests a hidden motive or it indicates that the party responsible may not be who it first appears to be. The question proposes that the person or people guilty of committing a crime are to be found among those who have something to gain from it, be it financially or otherwise.

*Cui bono* in war or war-like situations of mass atrocities is a relevant question on two (or more) levels. In relation to leaders the question is if the crimes are likely to enhance their strength. Immediate offenders are likely to have instant gains in terms of being able to line their pockets and excel in unrestrained misbehaviour if they please. Immediate culprits are frequently regarded by their masters as ‘disposables’ just as are the victims of their crimes – all of them are people who may be seen as a hindrance to the leaders’ ambitions. The Nazis had a special programme to kill their own surviving soldiers from the Eastern Front who suffered from grenade shocks and other war related injuries and disabilities. Members of the White Eagles, Arkan’s Tigers, and other Serbian paramilitary groups were on their own and no one in the state would take any responsibility for them the moment they were wounded or in any way unable to continue their gruesome activities. Such perpetrator *cum* victim groups may be valuable informants for investigators.

When it comes to mass atrocities committed in war and war-like situations – the context of the CICs – there are further obstacles to recover the narrative of what actually happened. Sun Tzū in *The Art of War* teaches that all war is based on deception. Laozi in *Daodejing* asserts that war is fought by stratagems. In these respects little has changed from the realities of ancient China more than 2,000 years ago. In old age, American veteran and former US Secretary of Defense, Robert Strange McNamara, emphasized as a key insight that *in war everything is not as it appears and not what you think*.<sup>4</sup> Among the ‘Eleven Lessons’ listed in the film *The Fog of War – Eleven Lessons from the Life of Robert S. McNamara* were also: rationality will not save us; get the data; be prepared to re-examine your reasoning; and never say never.

Besides, as conceded by Serbian general Veljko Kadijević in charge of the Yugoslav National Army at the time of the war in the 1990s, if we do not have a pretext in the

<sup>4</sup> McNamara in the film *The Fog of War – Eleven Lessons from the Life of Robert S. McNamara*.



form of a provocation, we create one. On the afternoon of 31 August 1939, there were ‘Polish’ attacks on German border villages and the German Gleiwitz radio station. These fake attacks made by Germans served as a propaganda pretext for the Nazis to start the Second World War.

A significant characteristic of war is that it in numerous respects has a paradoxical character. What is good in peace time may be bad in war. The openness that is a quality of a democratic society can be used to the same society’s detriment in war. Everything good and significant in peace, such as well-functioning and sophisticated social structures, may be abused by an enemy. Even the organization of the tiniest Jewish *shtetl* could be turned around in war. Censuses relating the name of each Rwandese to ethnic identity were used for the killings that began in April 1994.<sup>5</sup>

Black propaganda and tell-tales are also utilized to divert attention from the true facts. The issue for investigators is to search for the main relevant story. Even when CICs are committed mainly by one party to a conflict, there will always be things that a mainly victimized population ought to have done differently or should not have done – but that will generally not change its victim status. An egg ought never to fight a stone; but it cannot be expected that people passively accept being annihilated. On many occasions, all fighting forces descend to savagery and commit CICs – the civilians being targeted by every side as the luck of war may change. Numerous modern wars are wars by proxy, where the main strings are pulled from afar.

A further characteristic of war is well illustrated by legislation three times adopted by the Nazis: no one shall have information not needed; no one shall have more information than needed to carry out his or her functions; and no one shall have any information before they need it. In war or war-like situations many, if not most, people of any knowledge are afraid or unwilling to speak, and those able to provide *the* full and cohesive true narrative are next to none.

To gain the fullest possible picture of an era in history visited by mass atrocities qualifying as CICs, demands an ability to access and collect bits and pieces – some only leads – from a variety of sources and concerning every aspect of life in the area in the minutest detail, and to assemble the gathered information. CICs – especially genocide and crimes against humanity – more often than not follow a similar pattern in several areas. Having investigated one geographical area in detail, one may thus have the ‘key’ to understanding what has happened in other areas as well. The Prijedor study<sup>6</sup> is an example of that.

It is not possible to get a full picture if the investigation is limited to one particular type of crime, for example sexual violence – a crime in itself, but a CIC only if it is an act of genocide, crimes against humanity, or a war crime. A limited focus may furthermore be quite insulting for a victim of such crime who may be more deeply wounded by and preoccupied with the murder of a family member to which the investigator

<sup>5</sup> Cf. *Final report of the Commission of Experts established pursuant to Security Council resolution 935 (1994)*, at para. 61.

<sup>6</sup> Cf. *supra* note \*.

may pay no attention. Too narrow an approach will fail to capture the magnitude and the organized character of these crimes.

The initial analysis of the events in Prijedor was primarily based on almost 400 interviews with surviving victims and witnesses who, when interviewed, lived outside Prijedor spread across the globe. These informants presented descriptions of different parts of the events and also various versions of the events, but their accounts differed only with respect to details. When it came to the overall and general picture, the witnesses spoke as if with one voice. From the statements it was possible to reconstruct a picture of what happened almost hour by hour in the entire district in the period when the CICs were committed, and on a day by day basis in the time leading up to the cataclysm. More often than not, available Serbian media reports and statements made by Serbian leaders to foreign visitors supported the overall information obtained from the victims and witnesses. As always when mass killings and deportations occur, there were considerable logistical challenges for the perpetrators, traces of which could not be hidden.

## 5 Entries Vital to Information

The basis for legal analysis is information. Evidence is information. In both respects the accuracy and the comprehensiveness of the information are of paramount importance. Corroborative and explanatory information are central elements when investigating and adjudicating on CICs. As far as evidence is concerned one significant maxim holds that *the absence of evidence is not evidence of absence*. In situations of mass atrocities there are likely to be significant paper trails that may only be found at a late stage.

Mass atrocities have some semblance to Chinese boxes. There are likely to be many levels to be considered – from the local theatre of barbarism to the stage of grand strategy.

*Sweet:* Maqiao people have a very simple way of expressing flavors. Normally, one umbrella term suffices for anything that tastes good: ‘sweet’....

Perhaps in the past, Maqiao people had had only just enough food to avoid starvation, and had never achieved a thorough understanding and analysis of food flavor. Years later, I met some English-speaking foreigners and discovered that they suffered from a similar poverty of vocabulary for taste sensations. For example, any piquant flavour – pepper, chilli, mustard, garlic, anything that made your head sweat – was described as ‘hot.’ I secretly wondered to myself, did they too, like Maqiao people, have a history of famine that prevented them from selecting their food and differentiating flavors? ... (at 14)

Having exposed these blind spots with respect to nutrition Han proceeds to consider if similar limitations in terms of expression and comprehension may occur within other domains. He responds in the affirmative. Gathering information one is likely to face countless linguistic challenges. Entering a new ‘world’, one will frequently need to familiarize oneself with the precise meaning of ‘well-known’ words and concepts. Every new setting may require its own dictionary. Small children and the mentally disabled may use words that carry a specific meaning only for themselves and different from the common meaning.



In times of extreme crimes, perpetrators normally attempt to hide their crimes. They furthermore try to avoid alarming their future victims in advance. To deceive and conceal they may use euphemisms – positive or neutral words that are applied to express something bad or offensive. Codes may be used as well.

Victims are likely to recognize the euphemisms used by their tormentors, and may apply these euphemisms themselves. Victims may, however, lack the vocabulary to explain the most gruesome of crimes or find it too embarrassing or shameful to try to explain certain events, and for this reason victims may look for less ‘difficult’ words that may be far less precise. Victims of acute savagery may furthermore often describe their suffering with the use of understatements. A survivor from Auschwitz is likely to presume that you know that it was an extermination camp, even if you have not been there. When Khmer refugees were interviewed by US immigration officials, not a few were accused of having lied about their names. Khmer families do not all have *one* family name. But when an interviewer noted the name of the head of family as a surname for all family members, many refugees, especially women, were too humble to correct the mistake.

As explained in *A Dictionary of Maqiao* the standing and status of a person may influence the way a person speaks and feels entitled to speak – ‘[f]orm and speech rights were linked together in external-internal, cause-effect relations: people with form naturally had speech rights; people with speech rights definitely had form’ (at 152). People may furthermore have been subdued to the extent that they believe in what their tormentors have told them about themselves.

*Traitor to the Chinese:* ... When we Educated Youth were newly arrived in Maqiao, when we saw how much rotted ox manure he carried, how energetically he worked, we naturally nominated him as a model worker; momentarily aghast, he waved his hands in agitation, ‘That’s awakened, impossible: I’m a traitor to the Chinese!’ (at 121)

Another obstacle to obtaining accurate information may be feelings of shame, especially where fatalism or the understanding that each receives what he or she deserves reigns. When humble people are visited by serious crimes they may feel doubly targeted.<sup>7</sup>

To ease learning the human mind is universalizing. There is a dialectic mental moving between the universal and the particular. Even if we continue to generalize and need to do so, our understanding of the universal becomes ever more nuanced as we gain experience and knowledge. Every part of our natural habitat and all that is in it is unique regardless of common denominators. The histories of countries, social forms, cultures, beliefs, and ideas also vary almost infinitely. When it comes to researching CICs, general knowledge must be supplemented with an understanding of myriad *distinctive details* to acquire knowledge about the unique complexity of every situation surrounding alleged CICs.

*Beginning (End):* In Maqiao dialect, the word for ‘end’ ... is pronounced the same as the word for ‘beginning’ (*yuan*). Two temporal extremes are thus phonetically linked. In that case, when Maqiao people say ‘yuan,’ do they mean end? Or do they mean beginning?

<sup>7</sup> Cf. the entry *Root* (at 192–194).

If things always have an end, then time always advances forward in a straight line, never repeating itself, with forward and back, this and that, right and wrong permanently in diametric opposition to each other, implying a certain standpoint for making comparisons and judgments. If, conversely, things always go back to the beginning, then time moves in a circle, always going around and starting again, with forward and back, this and that, right and wrong always confusingly overlapped and overturned.

As I see it, history's optimists insist on the division between beginning and end, viewing history as an ever-advancing straight line, in which all honor and disgrace, success and failure, praise and blame, gains and losses are always precisely recorded, ready to receive true and just final judgment. Perseverance will receive its final reward. History's pessimists, however, insists on the unity between beginning and end, viewing history as an ever-repeating loop in which their retreats endlessly advance, their losses are endlessly gained, everything is futile. ... (at 310)

On 6 April 1994, the presidents of Rwanda and Burundi were killed when their aircraft was attacked. The disaster unleashed severe human rights violations, including systematic, widespread, and flagrant breaches of international humanitarian law, large-scale crimes against humanity and genocide.<sup>8</sup>

In 1992, an official in the president's revolutionary movement delivered a speech at a party conference calling on the Hutus to kill Tutsis and to dump their bodies in the rivers of Rwanda. Racist hate propaganda was disseminated on a widespread basis in 1993. Posters, leaflets, and broadcasts dehumanized Tutsis. Individuals targeted in such radio broadcasts and their families were among the first killed in April 1994.<sup>9</sup>

There was ample evidence of extensive preparations and planning in advance of the carnage, indicating the concerted and premeditated character of the CICs.<sup>10</sup> Events immediately after the aircraft crash underscored this. The mandate of the Commission of Experts referred nonetheless to alleged CICs *committed in Rwanda during the conflict*. The UN Sub-commission on Prevention of Discrimination and Protection of Minorities called on the Commission to inquire into *events leading to the CICs*. When the Commission of Experts called for a criminal tribunal it asked that the court *cover crimes under international law committed during the armed conflict in Rwanda that began on 6 April 1994*. The mandate of the ICTR was confined to crimes committed in 1994.<sup>11</sup>

President Kagame of Rwanda has recently criticized the fact that alleged involvement by foreign countries and their citizens was never investigated. The limitations concerning the 'relevant' time may have contributed considerably to this. There is much power in deciding which time period to cover when investigating a crime.

Relating to history, it is in some respects meaningless to speak of beginning, middle, and end. Every moment – the wheel of time and history turns constantly forward – is all three at the same time. What represents a beginning in one sense is a continuation in another and an end in a third.

<sup>8</sup> Cf. *supra* note 5, at para. 56.

<sup>9</sup> Cf. *ibid.*, at paras 63–64.

<sup>10</sup> Cf. *ibid.*, especially paras 29, 35, 58, and 62.

<sup>11</sup> Cf. SC Res. 935 (1994) and SC Res. 955 (1994).

## 6 Some Concluding Remarks

It is averred that the world at large has improved over recent decades in terms of there being fewer wars and armed conflicts. But as human beings we subsist in specific areas, and far too many people have no possibility of moving elsewhere if their home area is visited upon by savagery and mass atrocities. In consequence an intolerably high number of individuals suffer immensely still as the international community remains in part unable and in part unwilling to prevent CICs and to end impunity for these gruesome crimes. A reference to the current tragedy in Syria and Iraq suffices to make the point.

*The suffering of the innocent* has long been considered one of the world's most acute moral challenges. The Western response represented by eloquent thinkers such as Kant has almost exclusively been based on the rational aspect of the human mind. Eastern European thinkers have contested this perspective as being too narrow. A beautiful example is provided by Dostoyevski in *The Brothers Karamazov* where the youngest brother does not limit himself to responding to the suffering of the Other in a rational manner but acts with compassion where there otherwise would be no involvement to alleviate the suffering. In Buddhism the twin virtues are wisdom and compassion.

Dealing with suffering of the most severe kind in conjunction with constant arduous intellectual challenges, international criminal law practitioners are undoubtedly acutely aware of their need to keep professionally on top. The significance of this cannot be overestimated.

Yet it is when professional skills are stretched to reach out beyond their established limits, when the abilities are extended towards the arts in creativity, that major changes may come about. In international criminal law, as in every profession, the world needs people that can do more than repeat and apply the existing teachings.

*A Dictionary of Maqiao* illustrates the almost infinitely varied environs in our shared habitat, the diversity in our perceptions and in the usage of language. The book is encouraging and empowering. It invites one to respect – *re spectare* – to look again. And, not to be forgotten, it is entertaining and makes for a joyful journey; it is amusing reading! It is charming! At the same time, *A Dictionary of Maqiao* may be regarded as a practical implement that facilitates the work both on self and for humanity. More than anything *A Dictionary of Maqiao* challenges the imagination.

*Asking Books:* ... In another letter, he wrote that Maqiao people used to say that people who 'read books' (a phrase which in Chinese also means, more generally, 'study' or 'learn') 'asked books' – this was what his dad used to say. Read, ask, read, ask: if you don't ask, how can you read (and learn)? 'Reading books,' by comparison was now a fairly meaningless term for learning, as it manifested a tendency to overemphasize mechanical memorizing and rote learning. He recommended that all schools all over the country revive the phrase 'ask books' as a phrase more beneficial to national modernization. (at 232–233)