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Opinion Editorial

“A Genocide by Any Other Name: Debating Genocide in Rwanda and Sudan”¹

By Jared A. Cohen and Zachary D. Kaufman²

This week, while we mourn and discuss lessons learned from the tenth anniversary of the massacre in Srebrenica, Bosnia, Europe’s worst single human rights atrocity since World War II, we should also seize the opportunity to reflect on genocide in Rwanda and Sudan.

In July 2004 the U.S. Congress passed a joint House-Senate resolution calling the atrocities in Sudan “genocide”; two months later then-U.S. Secretary of State Colin Powell, in testimony before the Senate Foreign Relations Committee, also described the crisis as “genocide.” Scholars and journalists often argue that if similar statements had been made shortly after the Rwandan genocide began on April 6, 1994, the international community would have been compelled to intervene and thus the atrocities would have been significantly mitigated. As current events in Sudan tragically prove, this could not be further from the truth. Rather than serving as a catalyst for effective action to halt atrocities, debate surrounding usage of the term “genocide” (defined by the 1948 Genocide Convention as various “acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group”) continues to serve as a tool for delaying or completely avoiding moral and political imperatives and legal obligations.

In just 100 days in 1994, about 800,000 Rwandan people, or 11 percent of the total population (including 84 percent of the Rwandan Tutsi), were brutally slaughtered. As the death toll rose and bodies piled up on the streets of Rwanda, senior U.S. officials

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continued to prioritize issues in Bosnia, Haiti, and North Korea, and avoided labeling the Rwandan crisis “genocide.” While discussions over a possible intervention persisted at the lower levels of the U.S. government, State Department lawyers, under the direction of then-Secretary of State Warren Christopher, refused to call the atrocities in Rwanda “genocide.” Some policymakers, most notably then-Deputy Assistant Secretary of State for African Affairs Prudence Bushnell, argued forcefully for intervention to stop the massacres. Yet while Bushnell looked for a way to stop the killing, senior officials used a broad range of terms including “acts of genocide,” “killings of mass scale,” and “genocidal acts,” out of fear that the label of genocide could result in greater pressure on the administration to commit to intervention. Officials discussed the term “genocide” in the context of the Genocide Convention, which raised concerns over whether characterizing the Rwandan atrocities as “genocide” would legally, politically, and morally obligate the U.S. government to try to halt the crisis. In short, those who did not want to get involved in Rwanda used terminology as a way of avoiding commitment. In addition to the failed intervention in Somalia, these discussions thus also cast a shadow over any prospect for intervention. Then-National Security Advisor Anthony Lake recalls “the State Department was ridiculous in its blatant refusal to use the g-word.” The debate was absurd, and missed the point. As Bushnell reflects, “it shouldn’t have mattered whether we called it suicide or genocide, the fact is a lot of people were being killed and that should have been enough to do something.”

A similar conflict and debate began approximately two and a half years ago, in February 2003, this time concerning Sudan, where tens of thousands of people have died from atrocities and related illnesses and almost two million people have been forcibly displaced from their homes. More than a year and a half after the start of the conflict, in October 2004, at the request of the Bush Administration, UN Secretary General Kofi Annan appointed the International Commission of Inquiry on Darfur to investigate the atrocities, identify the perpetrators, and determine whether the crimes constitute genocide. On January 31, the UN Commission issued its report, finding that genocide had not taken place in Sudan, although it suggested that perpetrators may have acted with “genocidal intent.” The Commission did emphasize, however, that this conclusion “should not be taken in any way as detracting from the gravity of the crimes perpetrated” and that “the crimes against humanity and war crimes that have been committed in Darfur may be no less serious and heinous than genocide.”

Much of the world, including the victims and perpetrators of these crimes, does not see it this way. Despite the UN Commission’s findings of massive human rights violations, without a finding of “genocide,” Bahar Ibrahim, a spokesman for Darfur’s main rebel group, the Sudanese Liberation Army, said he fears that the victims will now be “forgotten,” while Jamal Ibrahim, a Sudanese government official, said that the Sudanese government was “relieved.” The reality is that a finding of genocide is politically and morally powerful, as it describes what much of the world considers the most heinous crime and consequently elicits greater outrage and demand for intervention. And there is legal significance as well. The Genocide Convention requires signatory countries, including the U.S., to “prevent and punish genocide,” but imposes no similar obligations in response to war crimes and crimes against humanity.

There are many similar lessons to be learned from the Rwandan genocide and the current atrocities in Sudan. First, the mere use of the term “genocide” does not guarantee effective U.S. action to halt atrocities: both in Rwanda, where the U.S. did not use the term, and in Sudan, where the U.S. has, the U.S. resisted pursuing a prompt and effective policy to stop widespread and systematic crimes against humanity. Thus, whether or not “genocide” is used to describe particular atrocities has little to do with the U.S. government’s willingness to intervene; other strategic factors play a much greater role in this decision-making process.

Second, inquiries into atrocities must be established and concluded promptly but thoroughly. Approximately 10,000 people were dying during each of the three months it took the UN Commission to conclude its findings on Darfur. Furthermore, the entire genocide in Rwanda took only three months, with the majority of victims slaughtered in the first three weeks. Inquiries must therefore be created and they must issue their findings more quickly so that they have the potential of helping to stop or at least to mitigate atrocities before more lives are lost. This requires more intensive and vigilant ongoing documentation and analysis of such crises so that extensive information will be available when it is demanded and most critical. The recent appointment of the first UN Special Advisor on the Prevention of Genocide is a promising first step in that direction.

Finally, the debate over using the term “genocide” should not obstruct or delay the formulation of an effective plan and policy to halt atrocities, bring perpetrators to justice, and help victims and societies heal and rebuild. Just as the U.S. and the UN Commission disagree over whether genocide has occurred in Sudan, the international community may disagree over the proper labeling of other atrocities. The international community must not allow debates over the use of the label of “genocide” to shroud a crisis in which humanitarian intervention is nevertheless justified. This debate misses the point that widespread and systematic atrocities have been committed in Darfur and elsewhere that must be stopped. Calling something “genocide,” alone, is insufficient to halt these massive human rights violations. Perpetrators must know that there is a credible threat of intervening in atrocities and holding individuals accountable, which means that the international community must be willing and able to do so, starting in Sudan right now. Only then will we be able to say that we have learned—and applied—the lessons of atrocities like Srebrenica.