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*To my students, whose passion for human rights is an inspiration
and a source of great optimism.*

http://www.state.gov/g/dp   Website of the United States Department of State Office to Monitor and Combat Trafficking in Persons.

http://www.childtrafficking.org/   Website of the UNICEF Innocenti Research Centre.

NOTE

1. See Bristow, 1977; Connelly, 1980; Walkowitz, 1980; Gibson, 1986; Corbin, 1990; Grittner, 1990; Irwin, 1996; Fisher, 1997.

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Genocide and Human Rights

Scott Straus

Chapter Contents

Reader's Guide

Genocide is one of the most extreme forms of human rights violations and the subject of an early human rights treaty. However, the definition of genocide is contested, and the treaty's promise of prevention oversells the actual international mechanisms put in place to stop genocide. The chapter examines different definitions of genocide as well as some of the treaty's weak points. Also explored in the chapter are theories of why genocide occurs. Over the years, social scientists have put forward a number of different explanations of genocide, focusing variously on inter-group divisions, authoritarianism, deprivation, ideology, wartime strategy, and political development. The chapter ends with case studies of Rwanda and Darfur. The case studies describe the background to the mass violence in both locations, as well as the international responses; the case studies also illustrate the conceptual and theoretical points raised earlier in the chapter.

Introduction

The problem of genocide has been and remains one of the most acute in the realm of international human rights. Frequently recognized as the 'crime of crimes' and one of the most extreme forms of human rights violation, genocide is the subject of an early and theoretically powerful treaty, the 1948 United Nations Convention on the Punishment and Prevention of the Crime of Genocide (Genocide Convention). The treaty obligates state parties to 'punish' and to 'prevent' genocide where it occurs. In recent years, international actors have intensified efforts to punish genocide perpetrators through international criminal justice mechanisms. Nonetheless, despite widespread ratification, the overall record on genocide prevention during the past sixty years has been dismal.

This chapter presents an overview of major topics in the scholarship on genocide. The first section focuses on the origins of the concept of genocide. The section introduces Raphael Lemkin, who coined the term in 1944, and subsequently became a leading advocate for an international treaty on the punishment and prevention of genocide. The section in turn discusses the resulting treaty, the Genocide Convention. Finally, the section presents some controversies and disagreements on how genocide is defined. In the second section, the chapter focuses on social scientific theories of why genocide occurs. The section discusses both classic theories of genocide, as well as more recent scholarship. The third section focuses on two contemporary cases, Rwanda and Darfur. The section presents empirical overviews of the cases, historical background, and summaries of the international response. The section also links the case studies to the conceptual and theoretical material introduced in the first two sections.

The Origins of the Concept of 'Genocide'

Raphael Lemkin and the Origins of Genocide

Few major human rights concepts have as clear a point of origin as the concept of genocide does (Courthoys and Docker, 2008). Although the Holocaust during the Second World War prodded the international community to recognize and pledge to prevent genocide, the term itself was coined by Raphael Lemkin, a Polish international lawyer (see Box 16.1). It combines the Greek 'genos' (meaning race, nation, or tribe) and the Latin 'cide' for 'killing'.

In his 1944 book and subsequent writings, Lemkin argued that the main idea of genocide was the destruction of human groups, specifically nations and ethnic groups (Lemkin, 1944, p. 79; 1947, p. 147). More specifically, Lemkin (1944, p. 79) defined genocide as, 'a coordinated plan of different actions aiming at the destruction of the essential foundations of the life of national groups, with the aim of annihilating the groups themselves'. These statements form the core of the common notion of genocide as group annihilation. The contemporary Oxford English Dictionary, for example, defines genocide as, 'The deliberate and systematic extermination of a national or ethnic group'.

Substantively, a key dimension of genocide is that the intent of violence is to destroy groups. What distinguishes genocide from other crimes is the focus on group destruction; even though individuals suffer violence, genocide is defined by this special intent or

purpose of annihilating groups. In Lemkin's words, 'The acts are directed against groups, as such, and individuals are selected for destruction only because they belong to these groups' (Lemkin, 1947, p. 147).

For Lemkin, genocide entailed not only killing, but also a range of different activities that prevented or substantially endangered the life of groups. That is, genocide included not just murder, but acts that destroyed the social, economic, cultural, religious, and moral foundations of a group. In his original formulation, Lemkin listed acts of genocide ranging from forced sterilization, abortion, artificial infection, deliberate separation of families, as well as replacing one nation's institutions with those of another nation (Lemkin, 1944). Genocide, Lemkin wrote, consisted of two phases: destroying a group and imposing the 'national pattern of the oppressor' (Lemkin, 1944, p. 79).

Genocide in International Law

Having coined the term, Lemkin worked tirelessly to promote it. The first official use of the term came in the indictments of twenty-four Nazi officials by the International Military Tribunal (IMT) at Nuremberg (the Nuremberg Tribunal). The IMT charged the Nazi defendants with crimes against peace, crimes against humanity, and war crimes; under the latter, the tribunal alleged that the defendants had 'conducted deliberate and systematic genocide, viz. the extermination of racial and national groups, against the civilian populations of certain occupied territories' (International Military Tribunal at Nuremberg, 1946, Section VIII A). However, the ultimate judgment from the IMT did not make reference to genocide.

The next major development was a 1946 Resolution from the United Nations General Assembly—a resolution that was indebted to Lemkin's lobbying effort. The resolution formally recognized genocide as a crime under international law and called for a draft convention on the prevention and punishment of genocide. The drafting process began about a year later, and, in a series of sessions, different state representatives debated exactly how genocide would be defined and incorporated into treaty form. The net result was the Genocide Convention, which the General Assembly adopted on 9 December 1948—a day before endorsing the Universal Declaration of Human Rights.

The topics of debate in the drafting process are instructive. Most famously, the Soviet Union objected

to 'political groups' being included as a protected category. The Soviets worried that Communist policies could fall under the Convention were political groups protected (Kuper, 1981). Lemkin similarly argued that political groups did not have the same permanency as racial, national, and ethnic groups (Schabas, 2000). For its part, the USA opposed a statement on 'cultural genocide' in the Convention—a position Lemkin opposed. Other debates focused on the place of intentionality, whether a group could suffer 'partial' destruction, how genocide related to crimes against humanity, how parties to the Convention should respond to genocide where it occurred, and how genocide should be prosecuted (Schabas, 2000). The debates were prescient: each of these issues in the sixty years since the Convention was drafted has proven complex and at times confusing.

In the end, the drafters defined genocide as the 'intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such' (see Box 16.2). The definition's key dimensions are as follows:

1. there must be *intent* to destroy a group as such; in other words, to demonstrate genocide a deliberate, usually planned campaign of violence with the express purpose of destroying a protected group must be in evidence;

2. only national, ethnical, racial, or religious groups are protected—political, disabled, regional, gender, and other conceivable groups are not explicitly protected;

3. genocide may be constituted by 'partial' destruction of a group, which courts have subsequently interpreted to mean that a 'substantial' part of the group must be destroyed.

No genocide ever succeeds in total extermination; at the same time, the standard for determining when 'substantial' group destruction indicates intent to destroy a group is murky.

In Article III, the treaty lists a number of different methods of genocide. These include killing, causing serious physical or mental harm, inflicting 'conditions of life calculated to bring about its physical destruction in whole or in part', preventing birth, and transferring children (see Box 16.2). Several ideas resonate with Lemkin's notion that genocide may take the form of preventing the reproduction of a group; however, the methods are indirect, making proof of the special intent to destroy groups difficult.

Prior to the Second World War, Raphael Lemkin, a Polish Jew and jurist, had been attracted to legal constructs as a way of protecting civilian social groups against mass violence. As a young legal scholar, Lemkin proposed the term 'barbarity' to outlaw the premeditated destruction of specific population categories. However, his proposal never gained much traction and effectively died prior to the outbreak of war. During the Holocaust, Lemkin's family was decimated, but he managed to survive by fleeing Poland in 1940. Lemkin eventually landed in the United

States where he first worked as a law professor at Duke and later as an adviser to the US War Department. During the war, Lemkin amassed a collection of information about policy in Nazi-occupied territory and subsequently published a book on the topic. That book, *Axis Rule in Occupied Europe*, not only catalogued Nazi practices, but also coined the term 'genocide' to refer to the atrocities. Having given the crime a name, Lemkin did all he could to use the law to prevent and punish genocide.

(Power, 2002)

BOX 16.2 The United Nations Genocide Convention (Selected Articles)

The Contracting Parties

Having considered the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world,

Recognizing that at all periods of history genocide has inflicted great losses on humanity; and

Being convinced that, in order to liberate mankind from such an odious scourge, international co-operation is required,

Hereby agree as hereinafter provided

Article 1

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

Article 2

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

a. Killing members of the group;

b. Causing serious bodily or mental harm to members of the group;

c. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

d. Imposing measures intended to prevent births within the group;

e. Forcibly transferring children of the group to another group.

Article 3

The following acts shall be punishable:

a. Genocide;

b. Conspiracy to commit genocide;

c. Direct and public incitement to commit genocide;

d. Attempt to commit genocide;

e. Complicity in genocide.

Article 4

Persons committing genocide or any of the other acts enumerated in Article 3 shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

Article 8

Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in Article 3.

On the question of prevention, Article 1 of the Genocide Convention holds that contracting parties 'undertake to prevent' genocide. However, what 'undertaking to prevent' means is unclear, and the matter received comparatively little attention in the drafting process (Schabas, 2000). Article 8 holds that parties 'may call upon competent organs' of the United Nations to take action under the Charter to prevent and suppress acts of genocide (see Box 16.2). In short, the treaty language implies that states may intervene, perhaps against the wishes of a sovereign state, to stop genocide. Many have interpreted the Convention this way. However, in reality the treaty language is fairly vague and weak as to specific mechanisms, policies, and procedures that states must take to prevent genocide. The example of Darfur is a case in point, as we will discuss.

By contrast, the Convention has considerably more on punishment. The treaty lists five specific charges and conditions for extradition. The law additionally states: that individuals may be punished whether or not they are public officials; that contracting parties must enact legislation outlawing genocide; and that persons charged with genocide must be tried by a domestic or international court. In recent years—more specifically, with regard to the crises in the former Yugoslavia, Rwanda, and Sudan—the Genocide Convention's punishment provisions have proven more effective than those on prevention. That reality is consistent with a general strengthening of international judicial mechanisms for the criminal punishment of mass violations of human rights. Today there are international or hybrid domestic–international courts for crimes committed in the former Yugoslavia, Rwanda, Cambodia, and Sierra Leone. The International Criminal Court has also come into existence in the past decade. Nonetheless, embedded in the language of the 1948 Genocide Convention is clearly more specific language on punishment than on prevention.

The Genocide Convention came into force in January 1951. Today the treaty has 142 state parties and wide regional endorsement. Among the first states to ratify were Australia, Bulgaria, Cambodia, Costa Rica, Ecuador, El Salvador, Ethiopia, France, Guatemala, Iceland, Israel, Jordan, Laos, Liberia, Monaco, Panama, the Philippines, Korea, Saudi Arabia, Sri Lanka, and Turkey. The United States was one of the first to sign the treaty—President Truman's administration did so only two days after the General Assembly adopted the Convention. However, the treaty ran into a phalanx of opposition when the Senate considered ratification. The American Bar Association took aim at the ambiguities in the Convention: in particular, the potentially low threshold of 'causing mental harm' and the notion of group destruction 'in part'. Southern Senators, in particular, opposed ratification, worrying that discriminatory laws against African Americans could constitute genocide under the Convention. The treaty died in the Senate until William Proxmire (Wisconsin, D) took it up as a personal cause, making thousands of speeches on the Convention. Eventually, a controversy during Ronald Reagan's second term, in which the president visited a German cemetery where SS officials had been buried, triggered a process that ultimately led to US ratification in 1988 (Power, 2002).

Enduring controversies in the definition of genocide

The Genocide Convention is the first binding international human rights treaty to emerge from the post-War United Nations system. The law is theoretically one of the most powerful in its obligation to punish and prevent genocide where it occurs, and the treaty itself is testament to a rhetorical commitment to end one of the worst forms of human rights violation. Nonetheless, embedded in the concept of genocide and the Convention are issues that limit the power of the innovation. In particular, genocide is a contested concept with important ambiguities around the types of groups protected, the extent and means of violence that would constitute genocide, and the difficulty in demonstrating intent. Since the Convention, there have been numerous attempts to redefine genocide (Straus, 2001).

To account for the ambiguities, scholars have proposed other terms, such as *politicide* (the systematic destruction of political groups; Harff, 2003), *democide* (mass killings by governments; Rummel, 1994), and *mass killing* (the intentional killing of more than 50,000 civilians in a five year period; Valentino, 2004). The net impact is that within the literature there is neither a set definition of genocide nor a settled list of cases. The literature veers between narrower definitions of genocide (as the extermination of racial, ethnic, or religious groups) and broader definitions (intentional mass killing on the basis of group membership). The differences in definitions have important consequences for what is counted as 'genocide' or a related term (see Table 16.1).

Moreover, despite the rhetorical international commitment to prevention and 'never again' to allow genocide to occur, the key international treaty lacks clear and specific enforcement mechanisms that could trigger collective action to stop genocide. The conceptual openness and the status of genocide as the crime of crimes ironically make the genocide label one that is attractive to diverse actors, who use the term to grab attention to their case. At the same time, the conceptual ambiguities and weak enforcement provisions make debates about whether acts constitute 'genocide' frequently irresolvable and often without dramatic practical consequences.

KEY POINTS

Genocide was first defined in 1944 by Raphael Lemkin during the Holocaust.

The 1948 Genocide Convention obligates state parties to punish and prevent genocide.

The Convention has wide international acceptance. The punishment provisions have been more influential than the prevention ones.

The meaning of the term 'genocide' is subject to significant disagreement.

Table 16.1 Genocide cases in the twentieth century.

Manus Midlarsky	Barbara Harff
The Killing Trap: Genocide in the Twentieth Century (2005, p. 23)	'No Lessons Learned from the Holocaust? Assessing Risks of Genocide and Political Mass Murder Since 1955' (2003, p. 60)
Narrow definition of genocide	Broad definition of genocide and politicide
Three genocide cases in twentieth century:	1955-9 cases include:
Armenian Genocide, 1915-6	Sudan, 1956-72
The Holocaust, 1941-5	China, 1959
The Rwandan Genocide, 1994	Algeria, 1962
	Iraq, 1963-75
	Rwanda, 1963-4
	Congo-Kinshasa, 1964-5
	Burundi, 1965-73
	Indonesia, 1965-6
	South Vietnam, 1965-75
	China, 1966-75
	Pakistan, 1971
	Philippines, 1972-6
	Uganda, 1972-9
	Chile, 1973-6
	Pakistan, 1973-7
	Angola, 1975-2001
	Cambodia, 1975-9
	Indonesia, 1975-92
	Argentina, 1976-80
	Ethiopia, 1976-9
	Congo-Kinshasa, 1977-9
	Afghanistan, 1978-92
	Burma, 1978
	Guatemala, 1978-96
	El Salvador, 1980-89
	Uganda, 1980-86
	Iran, 1981-92
	Syria, 1981-2
	Sudan, 1983-2001
	Burundi, 1988
	Iraq, 1988-91
	Somalia, 1988-91
	Sri Lanka, 1989-90
	Bosnia, 1992-5
	Burundi, 1993-4
	Rwanda, 1994
	Serbia, 1998-9

Theories of Genocide

If one major question concerns the definition of genocide in and outside law, a separate major area of focus is explaining why genocide occurs. For many years, that question was marginal to the social sciences—for at least three reasons. First, some objected to the notion that genocide could be explained. To some, genocide is unimaginable violence; moreover, explaining genocide risks rationalizing it. Second, until the 1990s, the principal reference point for discussing genocide was the Holocaust, and to some that case was unique in the extent and method of violence. Comparison was thus discouraged. Third, genocide was not a matter for considerable discussion in the public domain. The key turning point was the mid-1990s: in particular, with the mass violence in the former Yugoslavia and Rwanda. Genocide became a matter of pressing concern as well as a political phenomenon that could and should be explained like other social outcomes. As a result, after a period of slow development, there has been a surge of research on genocide since the early 1990s.

Genocide is a big outcome and a quite complex phenomenon. Genocide involves multiple social dimensions and sometimes lasts many years. Different aspects of state and government frequently play a part, including—in different cases—the political elite, the military, a state-backed militia, the police, and administrative institutions. Private actors in the media and business are also often part of how genocide is perpetrated. On the victim side, genocide usually entails the loss of hundreds of thousands, if not millions, of lives, and how groups are targeted and how they survive are complicated stories. The literature on particular cases or genocide in general reflects the macro-nature of genocide, as well as the diversity of topics that can be examined.

In this section, the focus is on studies that seek to explain the root causes of genocide. Broadly speaking, such studies emphasize either the macro-level conditions that shape why genocide occurs or micro-level dynamics that prompt individuals at the local level to perpetrate atrocity. Social scientists in various disciplines—anthropology, history, psychology, political science, and sociology—have addressed both sets of questions. For brevity's sake, the concentration here is on macro-level explanations.

Classic Theories of Genocide

The early scholarship on macro-level causes of genocide reflects three main lines of analysis, each importantly influenced by understandings of the Holocaust. One set of arguments focuses on inter-group antipathy. At the most general level, the insight is that genocide is more likely to occur in societies that exhibit deep misgivings between ethnic, racial, or religious groups. In one of the first formulations, Leo Kuper argued that the root of genocide is a divided society, one in which there are 'persistent and pervasive cleavages' between different groups often created by colonial rule (Kuper, 1981, p. 57). In the extreme, deep divisions take the form of stratified, unequal groups where one group dominates another. Kuper argued that different genocides had different processes—some were more, some less organized—though all involved the state. Another constant was the dehumanization of the other (Kuper, 1981).

Kuper, a political scientist, is recognized as a pioneer of genocide studies. Another pioneer is sociologist Helen Fein. In a 1979 book, as well as in subsequent publications, Fein contends that a precondition for genocide is a form of prejudice and dehumanization—namely, that a perpetrator group defines a victim group 'outside the universe of obligation' (Fein, 1979, p. 9). The 1979 book is based on an innovative study of Jewish victimization rates in different countries during the Second World War, in the book, she proposes a four-part hypothesis. In addition to dehumanization, she argued that state decline, ideologies of group domination, and war all matter for shaping the calculus of genocide (Fein, 1979).

A second stream of argumentation pivots less on inter-group antipathy and more on state power and authoritarianism. Two theorists stand out here. The first is Irving Louis Horowitz, who in 1976 published *Genocide: State Power and Mass Murder*. Horowitz argued that genocide is connected to the absolute concentration of power. Genocide, Horowitz claims, is the 'operational handmaiden of a particular social system, the totalitarian system' (Horowitz, 1997, p. 36). The second author of note is Rudolph Rummel who claims that 'absolute power kills absolutely' (Rummel, 1994, p. 19). For both Horowitz and Rummel, the institutionalization of democracy is the best bulwark against genocide. In Rummel's language, limits and restraints on power diminish the likelihood of democide.

A third stream of argumentation focuses on hardship and crisis. The causal logic here is that in the context of widespread social deprivation and deep social crisis—economic depression, starvation, war,

even rapid social change and revolution—groups blame other groups for their suffering: they scapegoat. The argument is especially well articulated in the work of psychologist Ervin Staub. Staub claims that, in the context of 'difficult life conditions', human beings feel threatened and frustrated, which in turn gives rise to a feeling of hostility and a desire to blame others for their troubles. That desire to find an outlet for the anger is channelled through existing cultures: in particular, where certain groups are denigrated or where there exists a culture of obedience. The result can be genocide (Staub, 1989).

In many respects, these three streams of analysis—on inter-group antipathy, regime type, and widespread hardship—formed the core of a 'first generation' of macro-level analysis of the causes of genocide. To be sure, other influential research was conducted (e.g. Melson, 1992), but the three identified approaches were especially prominent.

Recent Theories of Genocide

In recent years, there has been a new surge of comparative research on genocide. The impetus was primarily the high-profile cases of the 1990s: in particular, the former Yugoslavia and Rwanda. As these cases captured scholars' attention, comparative social scientists began to ask what the cases had in common with historical cases of genocide. The result is a newly-energized field of inquiry (Bloxham and Moses 2010; Straus, 2007). The new research on genocide is diverse. Some is quantitative (Harff, 2003; Valentino et al., 2004). The majority, however, is qualitative, country-case comparisons of different episodes of genocide in different regions of the world. The new work is exciting, broad, and rapidly expanding. To summarize the emerging scholarship, the section focuses on three emerging lines of argument and emphasis.

The first argues that *ideology* in some way is the root of genocide. To be sure, the importance of ideas was present in the earlier studies of genocide, but in the new wave of literature ideology receives a new primacy and articulation. Historian Eric Weitz, for example, claims that genocide emerges from quests to achieve utopia. When leaders seek transcendence for their societies based on racial or nationalist ideals, Weitz argues, the idea of eliminating categories of people becomes thinkable (Weitz, 2003). In a similar

vein, French political scientist Jacques Sémelin argues that quests to achieve purity in the context of acute crisis constitute the main origins of genocide (Sémelin, 2007). In a sweeping study of genocide through time, historian Ben Kiernan argues that there are several ideological pathways to genocide, including ideologies based on race or religion, agrarian romanticism, cults of past glory, and fears of biological contamination (Kiernan, 2007).

The second line of argument focuses on the strategic aims of leaders and state interests. The claim is most clearly articulated in the work of political scientist Benjamin Valentino (2004). He argues that leaders engage in mass killing and genocide when they believe that doing so is the best available means to achieve their most cherished political and military goals. Valentino identifies several principal scenarios in which elites will engage in mass killing and genocide: in particular, in the contexts of guerrilla war, Communist revolution, and ethnic conflict. A key insight for Valentino is that leaders who commit mass killing and genocide make calculated decisions; genocide is not the product of totalitarianism *per se*, deep social hatred, or even widespread deprivation. Fellow political scientist Manus Midlarsky similarly claims that leaders choose genocide from a decision-making calculus. But Midlarsky argues that the decision is less rational, more a product of 'imprudent' thinking after a state has lost territory in a war. Midlarsky also points to the importance of international allies who create a permissive environment for genocide to happen (Midlarsky, 2005).

The third major recent approach is to situate the genocide in the context of long-term political development. Two exemplars of the approach are sociologist Michael Mann and historian Mark Levene. Mann directly challenges the claim that genocide is the product of authoritarianism; rather, he argues that genocide is a perversion of democratic ideals. The key for Mann is organic nationalism—namely, the idea that a state belongs to a core ethnic group. Mann contends that this idea is rooted in a democratic quest to establish a state in the name of the people. Organic nationalism arises when 'the people' is conceptualized as an ethnic group (Mann, 2005). Levene focuses more on the development of the modern nation state. Genocide, Levene argues, is rooted in the ways in which a modern state monopolizes violence, homogenizes populations, and aggregates power (Levene, 2005).

The above discussion of the determinants of genocide is not meant to be comprehensive, but rather indicative of some major ways of approaching the subject from a social scientific perspective. Two points should be especially clear. First, the literature is rich with different ideas about the causes of genocide. If micro-level theories and other theories were added to the mix, the literature on causes would appear even more diverse. Second, there is relatively little consensus on the determinants of genocide. Different scholars emphasize inter-group animosity, authoritarianism, deprivation, ideology, strategic objectives, and the historical development of nationalism and nation states. Theoretical consensus about the determinants of large-scale political and social phenomena eludes many topics. The field of genocide studies may have specific reasons for the lack of theoretical convergence (Straus, 2007). Nonetheless, given the importance of the outcome, the topic of what causes genocide is likely to remain a lively field of inquiry in years to come.

> ### KEY POINTS
>
> Since the 1990s, there has been a surge of scholarship on genocide.
>
> Classic theories of genocide emphasize inter-group antipathy, authoritarianism, and hardship.
>
> More recent theories emphasize ideology, strategic calculations and state interest, and political development.
>
> The literature lacks consensus on the primary causes of genocide.

Case Studies: Rwanda and Darfur

Having addressed the history of the concept of genocide and macro-level theories of genocide, the chapter now turns to two cases to illustrate some of the points. In particular, the chapter focuses on the mass violence in Rwanda in 1994 and in Darfur from 2003 to 2006. Genocide occurs in all regions—indeed, the most famous case (the Holocaust) was in Europe, as was Bosnia in the mid-1990s, which some argue was a case of genocide. In Asia, genocide arguably occurred

in Cambodia under Pol Pot during the late 1970s, and in Latin America some scholars argue that genocide occurred in Guatemala in the 1970s and 1980s (Sanford, 2008). The Africa focus here is partly because Rwanda and Darfur have received considerable attention in the past decade; they are also critically important human rights cases not covered extensively in other parts of the volume.

Rwanda

The mass violence that occurred in Rwanda in Central Africa in 1994 is widely acknowledged today as an unambiguous case of genocide and one of the worst mass atrocities of the second half of the twentieth century. In approximately three months, Hutu hardliners in the government and military orchestrated a systematic campaign of violence against the Tutsi minority in that country. In a country of roughly seven million persons, Hutus constituted a majority of between 85–90%, and Tutsis a minority of 10–14%; Rwanda had a third major group, the Twa, who comprised 1% of the population. Estimates differ as to the total number killed during the genocide, but the most careful calculations put the toll at around 500,000 Tutsi civilians murdered by government forces (Des Forges, 1999). That number constitutes roughly three-quarters of the resident Tutsi population in Rwanda at the time of the genocide. In addition, rebel forces killed primarily Hutu civilians as the soldiers advanced. While the extent is not known, the rebel violence was on a smaller scale in 1994 than the genocidal violence committed by government forces.

Historical Background

The immediate context in which the genocide occurred was twofold. On the one hand, Rwanda was undergoing a democratic transition from one-party rule to multi-party elections. Rwanda's transition was part of a broader post-Cold War trend in Africa in which sub-Saharan states were pressured to end single-party dictatorships in favour of competitive, multi-party politics. In Rwanda, the ruling regime was headed by Juvénal Habyarimana, a Hutu military general who had been president since he took power in a *coup* in 1973. The main domestic opposition was composed of Hutu politicians, who drew support from people and regions of the country that were not well represented under Habyarimana.

On the other hand, the Habyarimana regime was in the middle of a civil war. The armed opponents were primarily Tutsi exiles who lived in neighbouring countries or who had joined the rebellion once it had started. The name of the rebel organization was the Rwandan Patriotic Front (RPF). The RPF had invaded northern Rwanda from Uganda in October 1990. Backed by the governments of France and Zaire, Rwandan government forces initially repelled the rebels, though later the rebels gained and held territory. In 1993, government forces, opposition politicians, and the rebels agreed to a ceasefire and power-sharing agreement known as the Arusha Accords (so-named after the city in Tanzania where they had been signed). The agreement was largely favourable to the rebels, apportioning them significant representation in a proposed new military and transitional government (Jones, 2001). As part of the agreement, the United Nations would deploy a peacekeeping force to monitor the ceasefire agreement. That peacekeeping force would ultimately be headed by Canadian General Roméo Dallaire.

In short, on the eve of the genocide the elites in or with access to power faced two major challenges to their power: on the one hand, a domestic largely Hutu political opposition and, on the other, a predominantly Tutsi rebel fighting force. In addition, a formal peace agreement that President Habyarimana had signed substantially eroded the power of the ruling party and the entrenched interests in the state. The genocide began on 6 April 1994, immediately after President Habyarimana was assassinated. The political and military officials who orchestrated the subsequent violence were largely those who had been threatened by the democratization and civil war processes.

In addition to the immediate context, Rwanda also has a deeper history of politicized and polarized ethnicity. To be brief, in the centuries immediately prior to colonial rule, a dynastic kingship governed Rwanda. Recognized as one of the most sophisticated monarchies in Eastern Africa, the Rwandan kingdom was predicated on a status distinction between animal raisers and agriculturalists. By and large, animal raisers were of higher status and were often identified as 'Tutsi'. By contrast, agriculturalists were of a lower status and were often identified as 'Hutu'. The kingship was additionally dominated by Tutsis from particular clans. The social categories 'Tutsi' and 'Hutu' were thus largely based on status and economic activity in pre-colonial Rwanda.

Social relations were nonetheless complex. Hutus and Tutsis were in the same clans; they spoke the same language; with enough cattle and status, a Hutu could become Tutsi and vice versa. The hierarchy was also codified through labour and land: some Hutus would exchange labour in exchange for access to land to grow crops (Chrétien, 2003). Pre-colonial Rwanda was neither harmonious nor simple; a strict hierarchy existed, but the main point is that the social categories Hutu and Tutsi were more complex than 'tribes' or 'races', which is how they would come to be interpreted.

European travellers first began exploring the region in the second half of the nineteenth century, and Rwanda (together with the neighbouring kingdom of Burundi) was eventually apportioned to Germany during the great colonial partitioning of Africa. Germany controlled Rwanda until just after World War I, when Rwanda (and Burundi) was awarded to Belgium as part of a colonial trusteeship programme. The European intervention had many impacts, but one consistent theme is the way in which Europeans interpreted Rwanda's social categories and the effects of those interpretations.

Upon finding Rwanda's sophisticated governing system and social hierarchy, European travellers, and later colonialists, concluded that they were in the presence of two distinct races. The Tutsi, they concluded, were a superior race of 'Hamites' who had descended from Northern Africa to subjugate the agricultural Hutu, who were seen as more typically negro 'Bantus'. Europeans referred to Tutsis as smarter, more elegant, and natural-born rulers. This interpretation of Rwanda's social categories was in step with then-current theories of race and especially a theory called the 'Hamitic hypothesis'. That theory held that all civilization in black Africa was the product of Hamites who had descended from Northern Africa or the Middle East (Mamdani, 2001; Chrétien, 2003).

As the Germans, but especially the Belgians, established their colonial authority, the racial interpretation had important implications. For one, the colonial powers backed not only the existing monarchy, but Tutsis more generally. Through a series of reforms, Tutsis came to occupy positions in the colonial administrative apparatus; Tutsis were sent to receive Western education; literacy allowed them to participate in the new colonial governing system. In summary, under colonial rule Tutsis were systematically elevated to positions of authority and power. In addition, the colonial

authorities entrenched and further racialized the social categories. National identity cards were introduced in the 1930s, and a person's 'race' was entered. During the colonial period, anthropologists and others sought to identify scientifically racial differences by measuring height, cranium, and noses of Hutus and Tutsis. The colonial intervention thus not only widened the power differential between Hutus and Tutsis, but also institutionalized and racialized the social categories (Newbury, 1988; Mamdani 2001). All of these changes would have an effect as Rwanda's political history unfolded.

The Tutsi favouritism of the colonial period stayed in place until the heady period after the Second World War. For a mix of reasons in that period, the Belgian administration and clergy took steps to increase Hutus' power. Tutsi elites who had benefited under colonial rule resisted the change, leading the Belgians to lend further support to Hutu counter-elites. For their part, young Hutu intellectuals began espousing an ethnic nationalist position—namely, that since Hutus were the majority and since democracy meant majority rule, Hutus should govern. All that set the stage for a rapid cascade of sometimes violent events known as the 'Hutu Revolution', during which the Belgians abolished the Rwandan monarchy, appointed a Hutu head of state, and oversaw the purging of Tutsis from positions in the administration. By the time independence was granted in 1962, there had been a near complete reversal of representation, with Hutus dominating the state and Tutsis largely out of power. The period also saw massacres of Tutsi civilians and the exile of many Tutsis, who sought refuge in neighbouring countries (Lemarchand, 1970). It would be the descendants of the early Tutsi exiles from the late 1950s and 1960s who formed the core of the RPF rebel movement that invaded in the 1990s.

Rwanda and Theories of Genocide

What does this brief history of the Rwandan case tell us about theories of genocide? When the violence started and the images and stories of massacres circulated, much of the initial commentary focused on antipathy. Many claimed that the genocide was the product of 'ancient tribal hatred' between Hutus and Tutsis. That idea remains somewhat popular but, as the brief history shows, the reality is considerably more complex. First, Hutus and Tutsis are not 'tribes'; they speak the same language, come from the same regions, intermarry, and the like. Moreover, the differences between

the categories were originally based on status, and then the European encounter racialized the identities. Second, the European intervention had a decisive impact, so the notion of tribes who have hated each other for centuries is misleading. Third, in Rwanda there exists an ethnic nationalist ideology that is predicated upon European racial categories and that is similar to nationalist ideologies in other cases of genocide. Fourth, the notion of tribal fighting severely underplays the state-level, top-down orchestration of the violence.

Evidence from the Rwandan case in truth supports multiple theories. Even if 'ancient tribal hatreds' is a misleading cue, Rwanda had elements of a divided society that Kuper described. Even if Rwanda was undergoing a democratic transition at the time of the genocide, Rwanda had been an authoritarian state, and the country has a firmly entrenched hierarchical system of government. For those who emphasize deprivation (e.g. Uvin, 1998), Rwanda had widespread poverty and the country was at war. For those who emphasize ideology or ethnic nationalism, the Hutu hardliners who unleashed the genocide embraced a specific racial ideal that held that Hutus were the majority and should rule. For those who emphasize the strategic interests of leaders or statist calculations in the context of wartime territorial loss, the Rwandan case again provides support for the theory. And finally, the case may be interpreted to show the importance of a modern state and the ways in which modern ideas of race play a role. To be sure, different scholars emphasize different aspects of the Rwandan case to make their argument; nonetheless, to say that many theories fit the case also shows how difficult it is to evaluate theories of a relatively rare and complex macro-social event like genocide.

The International Response

This section turns to a more traditional human rights concern: the international response. As noted, the United Nations had deployed a small peacekeeping force to Rwanda as part of the peace agreement. Several months before the genocide, General Dallaire had received information about militia training to kill Tutsi civilians. However, when he sought authorization to use his troops to raid militia weapons caches, the UN Department of Peacekeeping Operations refused. The story was much the same once the genocide started. Quickly realizing that a major atrocity was unfolding, Dallaire requested reinforcements to protect Rwandan civilians. However, the response

from his superiors in New York, as well as from all of the most powerful international actors, was to avoid direct confrontation. Indeed, the international response from European states and the USA in the first weeks of the genocide was, first, to evacuate their nationals and, second, to neuter the UN peacekeeping force on the ground (Dallaire with Beardsley, 2003). In effect then, the international response was to allow the genocide to unfold in Rwanda, despite widespread ratification of the Genocide Convention.

Several explanations of the international response are put forward in the literature. First, the Rwandan genocide unfolded less than a year after the debacle in Somalia in which eighteen American soldiers died. The Somalia violence was a foreign policy blow to the Clinton Administration, as well as to UN peacekeeping operations, and neither the USA nor the UN had the appetite for a risky intervention in another African state (Barnett, 2002; Power, 2002). Second, Rwanda is a small, landlocked, francophone, coffee-and-tea exporting state in Central Africa. Rwanda had little name recognition in the Anglophone world and little strategic value to Northern powers. The European country with some of the strongest interests in Rwanda, Belgium, advocated for the withdrawal of UN forces shortly after Belgian peacekeepers were killed on the first day of the genocide. Third, the language of 'ancient tribal hatreds' that saturated the public coverage created little incentive to intervene. If Rwanda was composed of tribes that hated each other for centuries, the international community would have poor odds in staunching the killing. Fourth, interviewed after the fact, Clinton Administration officials acknowledged that there had been little public outcry for action (Power, 2002). Finally, the genocide happened quite quickly. Many commentators refer to Rwanda as the 'preventable genocide' given early warnings of escalation, the already existing presence of a peacekeeping force, the rudimentary means of violence used in the country, and finally the lack of ambiguity about genocide (OAU, 2000). Nonetheless, the sheer speed of the violence was a major obstacle to mobilizing an effective response (Kuperman, 2001).

If the international response was to avoid intervention, a corollary was to refuse to label unequivocally the events in Rwanda as 'genocide'. Within the Clinton Administration, the concern was that if officials called the violence 'genocide' then they would be obligated to act to prevent the massacres under the Genocide Convention. Initially, US spokespeople were instructed to avoid the term; US officials also thwarted attempts at the United Nations to declare the violence 'genocide'. Eventually, the policy allowed US officials to speak of 'acts of genocide'. Nonetheless, the idea was to sidestep obligations under the terms of the Convention by refusing to label events in Rwanda definitively as 'genocide' (Power, 2002).

More than fifteen years after the Rwandan genocide happened, the case is frequently recognized as one of the most significant foreign policy and human rights failures of the late twentieth century. In many respects, lessons from this case shaped the international response to Darfur (as we will discuss). At the same time, despite the failure on the prevention side, the aftermath of the genocide has seen a flurry of activity on the punishment side. In late 1994, the United Nations established the International Criminal Tribunal for Rwanda to prosecute the major architects and planners of the genocide. Inside Rwanda, the victorious RPF initially established domestic courts to prosecute perpetrators. They later followed with a large experiment in 'community justice' called *gacaca*, in which ordinary Rwandans would judge perpetrators in open-air sessions (Clark, 2010). Each of the three justice mechanisms has its problems (ICG, 2001; Waldorf, 2006; Peskin, 2008; Rettig, 2011). These issues in transitional justice are beyond the purview of this chapter (see Chapter 19), but the level of activity around justice and punishment is consistent with other cases: the punishment provisions of the Genocide Convention have proven more influential than the prevention ones.

KEY POINTS

The Rwandan genocide is one of the worst mass human rights atrocities of the late twentieth century.

In three months, at least 500,000 civilians were killed, mostly of the minority Tutsi group. The violence was systematic and government led.

The proximate context was a transition to multi-party politics, civil war, and the assassination of President Juvénal Habyarimana.

Rwanda also has a history of racialized and politicized ethnicity in which European colonial intervention played a major role.

The international community failed to respond to early warnings of genocide and largely abandoned Rwanda as the genocide started.

Darfur

The second major case discussed in this chapter concerns Darfur in western Sudan. Darfur is composed of three separate provinces, comprising an area roughly the size of France and home to some six million people prior to the latest conflict. The violence and mass human rights abuses that put the region on the international map began in mid-2003. The worst violence took place between 2003 and 2006, but low-level conflict and violence continue as of this writing in 2011. Estimates of the number killed vary, with the high-end estimate being around 450,000 and a more conservative estimate of about 200,000. In addition to those who have perished as a direct consequence of the fighting, some 2.5 million Darfurian civilians were displaced during the conflict (see Chapter 13). Given how relatively recent the conflict is, less is known about the proximate and deep origins of the violence, in comparison to Rwanda. But from an international human rights perspective, the case is again instructive with regard to the difficulty of prevention.

Historical Background

Darfur is enormously complex demographically, with dozens of tribes and clans operating in the region. However, the contours of the conflict largely revolve around a cross-cutting cleavage between, on the one hand, farmers and herders, and, on the other hand, 'Arabs' and 'non-Arabs'. In Sudan, one of the enduring cleavages is between those who identify their origins as 'Arab' and who have a North African and Middle East orientation versus those who identify as 'non-Arab', with a more sub-Saharan African orientation (Deng, 1995; Lesch, 1998). In most of Sudan, the ethnic identity cleavage is overlaid with a religious and regional one: most Northerners are Muslim and many identify as 'Arab', while most Southerners are Christian or Animist and identify as 'non-Arabs'. The North–South, Muslim–Christian, Arab–African cleavage was the source of two long civil wars in Sudan, one from 1955 to 1972 and one from 1983 to 2005. Darfur is unusual in at least two respects, vis-à-vis the rest of Sudan. First, Darfurians are uniformly Muslim. Second, the Arabs and non-Arabs are integrated within the region. Nonetheless, in Darfur, as in the rest of Sudan, there exists a cleavage between those claiming Arab identity and whose main economic activity is pastoralist herding, and those who identify as non-Arab and whose main economic activity is sedentary agriculture.

In most periods of time, differences between Arabs and non-Arabs were not a source of violence in Darfur. Indeed, there is evidence of much intermarriage in the region, and visitors to the region cannot tell apart physically an Arab from a non-Arab. Nonetheless, starting in the mid-1980s and proceeding to the early twenty-first century, relations between some Arab and some non-Arab tribes began to deteriorate in the region. This was the case for three main reasons. First, increased drought and desertification meant that competition for the most important resources in the region—water and arable land—increased. As a consequence, some herders encroached on farmers' lands, sometimes violently. In response, farmers formed self-protection units to protect their lands. Second, there was an influx of weaponry and Arab supremacist ideology. Both largely had to do with a spill-over war from neighbouring Chad. In the late 1980s, Chadian rebels used Darfur as a staging ground, receiving weapons from Libya. Third, when Arabs clashed with non-Arabs, successive Arab-dominated governments in the Sudanese capital Khartoum backed the local Arabs and often appointed them to positions of local authority. All three changes upset pre-existing relations and increased tension and violence between groups in Darfur (Prunier, 2005; Daly, 2007; Flint and de Waal, 2008).

The conflict came to a head in 2002 and 2003 when two separate Darfur rebel groups formed and began attacking government positions in the region. The two groups, the Sudan Liberation Army and the Justice and Equality Movement, drew their support primarily from among Darfur's non-Arab populations: in particular, the Fur, Massaleit, and Zaghawa tribes. Initially, the government did not pay terrific attention to the rebel forces. The government had been focused on the twenty-year civil war between Northern and Southern forces. But in early 2003 the rebels scored a series of victories, including one spectacular attack on an air base in El Fasher. With that attack in particular, the Darfur emergency began.

Responding to the rebel attacks, the government's strategy was to target the rebels' purported civilian supporters and to fight the insurgency using a proxy militia force. The latter was recruited primarily from Darfur's Arab populations, including those who had come into conflict with non-Arabs during earlier land clashes. The government-backed militia in

the latest crisis is widely referred to as the *janjawid*, which roughly translates into mean-spirited men on horseback. Most research conducted on the patterns of violence indicates that government forces and militias have routinely been involved in joint attacks on non-Arab civilian populations. A common pattern is for government aircraft to bomb villages, followed by militias riding into the villages, killing stragglers, looting, setting buildings and homes on fire, and poisoning wells. Sexual violence has been widespread (Askin, 2006). Many deaths are due to direct killing; many Darfurians have also died as a consequence of forced displacement from their homes.

Darfur and Theories of Genocide

What does Darfur say about theories of genocide? It should be noted that much of the in-depth research that has shaped an understanding of the Rwandan case is still in process for Darfur. The latter is quite recent. Nonetheless, the evidence from the case lends itself to numerous theories. If one were to stress deep, etched visions, the Arab/non-Arab cleavage at the local and national levels is an important dimension (Hagan and Rymond-Richmond, 2009). As for regime type, during the Darfur conflict Sudan is going through a political opening: in particular, through the integration of Southerners as part of a peace deal from the North–South war. Nonetheless, the government in Sudan is largely authoritarian. At the national level, the deprivation argument is harder to make—though the North–South peace deal amounts to a significant change in society. Nonetheless, in Darfur the water and land shortages exacerbated by environmental factors are critical factors in the conflict. For those who point to ideology, the key points are the influx of Arab supremacist thinking in Darfur as well as a broader commitment to Arab nationalism among Northerners in Sudan. Like Rwanda, Darfur is occurring in the midst of a civil war—and those who stress the wartime, strategic dimensions of genocide have a clear argument. Finally, with regard to political development, more research should be done, but an argument pointing to the ethnic purging and killing as part of a consolidation of power and identity would have a case to make. In short, different theories highlight different contributing dimensions of the violence, and more research and careful hypothesis testing will be in order to weigh the merits of the possible theoretical claims.

The International Response

On the international side, the Darfur crisis received relatively limited attention during the first year of violence. However, 2004 was the tenth anniversary of the Rwandan genocide, and as Rwanda was commemorated Darfur received a surge of new attention, especially in the USA. Much of the subsequent response to Darfur was driven by lessons from Rwanda. In particular, activists in the USA formed a diverse civil society coalition to put pressure on the Bush Administration. Moreover, the initial focus was to have the Administration label the violence 'genocide' under the theory that doing so would trigger action under the Genocide Convention. To make a long story short, in historic moves both Congress and the Administration ultimately called Darfur 'genocide', the latter doing so after an innovative study (Straus, 2005; Totten and Markusen, 2006). However, the Administration interpreted the Convention's terms to indicate that the obligation meant taking the issue to the United Nations.

At the United Nations, the primary obstacles to intervention lay with the Security Council. China and Russia opposed non-consensual coercive action that would effectively 'prevent' genocide. Both countries generally oppose policies in which human rights issues are a pretext for armed intervention. Moreover, China has large oil interests in Sudan, and Russia sells military hardware to the Sudanese government. As Permanent Five members of the Security Council with veto power, China and Russia formed an initially insurmountable obstacle to forcible intervention. Moreover, given commitments in Iraq and Afghanistan, the United States was not in a position to lead a mission.

Facing such realities, then-Secretary General Kofi Annan appointed a commission to study whether the violence in Darfur was genocide. In a 2005 report, the commissioners detailed the violence but concluded that they lacked evidence to indicate genocide. In particular, the commissioners did not find sufficient indicators of top-level intent to destroy the non-Arab population of Darfur (COI, 2005). The report recommended the matter be referred to the International Criminal Court (ICC), a recommendation that the Security Council ultimately endorsed. In 2007, the ICC indicted two Sudanese, one a government official and the other a *janjawid* leader; then in 2009, the ICC issued the first of two arrest warrants for Sudanese

President, Omar al-Bashir, which include charges of genocide. The move was the first time the ICC had issued an arrest warrant for a sitting head of state. As of this writing in 2011, none of those indicted has been arrested.

On the prevention side, the question of whether the United Nations would use military force to protect civilians simmered until mid-2006. In May, under significant international pressure, the government and one rebel faction signed a ceasefire agreement, which included a provision on accepting a UN peacekeeping mission. The Security Council subsequently agreed to send a large peacekeeping mission to Darfur with a robust mandate to protect civilians. However, the government of Sudan opposed different dimensions of the plan, especially the composition of the forces—Sudan wanted more African representation. There followed a new negotiation leading to a new Security Council resolution authorizing a hybrid United Nations/African Union force of nearly 20,000 uniformed peacekeepers, a number that since has grown. The mission was initially slow to deploy, and meanwhile, the situation in Darfur has grown even more complicated, with rebel groups splintering into multiple factions and some fighting among themselves (ICG, 2007). As of this writing in 2011, the situation in the region remains unstable, and fighting continues in other parts of Sudan—notably in Southern Kordofan and the Blue Nile regions.

In short, in Darfur, the international community as represented by the United Nations was slow to put into place an effective civilian protection force. Despite the recognition that Rwanda was an international failure, a decade after Rwanda another case has shown how difficult prevention is and how limited the international commitments to prevent genocide are (see Hagan, et al., 2006).

KEY POINTS

During 2003–6, at least 200,000 civilians died, and 2.5 million were displaced from Darfur in western Sudan. A large UN peacekeeping force now exists but the situation in the region remains violent and unstable.

The worst episodes of violence were perpetrated primarily by government forces and state-backed Arab militias known as the 'janjawid'. The victims primarily came from the non-Arab populations of Darfur.

The proximate context was a civil war and clashes over land and water.

The deeper context is a country with politicized ethnicity and cleavage between Arabs and non-Arabs.

The US has called Darfur 'genocide'; a UN Commission of Inquiry has not. Sudan's President has been indicted by the ICC on charges of genocide.

After years of negotiations, a large hybrid United Nations/African Union force was approved to deploy to Darfur to protect civilians.

Conclusion

Since the Holocaust, international actors have regularly pledged 'never again' to allow genocide to happen. The landmark treaty on genocide, the United Nations Genocide Convention, is the law that embodies that promise. Measured against the pledge to prevent genocide, the rhetorical commitments and the Convention have proven weak and ineffective. Nonetheless, the problem of genocide is receiving greater and greater attention. Scholarship on the topic is rapidly expanding, and the hope of 'punishing' genocide is an increasing reality. As a major human rights violation—the 'crime of crimes' in one common formulation (Schabas, 2000)—genocide has a special place in the firmament of international human rights treaties. The question for the future is how and whether the promise to rid this 'odious scourge' (to cite the Convention's language) will come to pass.

QUESTIONS

Individual Study Questions

1. In what ways do the discussions in the drafting of the Convention prefigure debates on what constitutes genocide?

2. What are the strengths and weaknesses of the United Nations Genocide Convention?

3. What are the most important points of difference about the definition of genocide and why do they matter?

4. Using both the definitions in the United Nations Genocide Convention and Raphael Lemkin's original definition of genocide, what are the elements of the Darfur and Rwanda cases that do or do not indicate genocide?

5. What theories of genocide apply most clearly to the Rwanda case and what theories apply most clearly to the Darfur case?

6. What are the important similarities and differences between the causal factors in Rwanda and Darfur?

7. In what ways did the international failures in Rwanda shape the international response to Darfur?

8. What does Darfur show the international community that Rwanda does not?

Group Discussion Questions

1. In what way is the history of the United Nations Genocide Convention similar and different to the story of other major international human rights documents that emerged after the Second World War?

2. What do the Rwanda and Darfur cases reveal about the ambiguities in the definition of genocide and the weaknesses of the Genocide Convention?

3. In the chapter, it is argued that over time the punishment provisions of the Genocide Convention have proven stronger than the prevention ones. What does this say about international human rights more generally?

4. In what ways do the theories of genocide presented in the chapter conform to your own understanding of genocide? In what ways are they different?

5. In what ways is Rwanda similar and different from the Holocaust?

6. What should be the takeaway lessons from Darfur, if any?

FURTHER READING

Bloxham, D. and Moses, A. (2010). *The Oxford Handbook of Genocide Studies.* New York: Oxford University Press.
A comprehensive collection of essays on different dimensions of genocide.

Dallaire, R. with Beardsley, B. (2003). *Shake Hands with the Devil: The Failure of Humanity in Rwanda.* Toronto: Random House Canada.
An excellent memoir by the Canadian head of the peacekeeping mission to Rwanda.

Daly, M. (2007). *Darfur's Sorrow: A History of Destruction and Genocide.* New York: Cambridge University Press.
A comprehensive discussion of the history and politics of Darfur.

Flint, J. and de Waal, A. (2008). *Darfur: A New History of a Long War, Revised and Updated.* London: Zed Books.
A rich and thoughtful discussion of the crisis in Darfur and the proximate context.

Hagan, J. and Rymond-Richmond, W. (2009). *Darfur and the Crime of Genocide.* New York: Cambridge University Press.
A criminological account of the violence in Darfur arguing that the case is genocide.

Power, S. (2002). *A Problem from Hell: America and the Age of Genocide.* New York: Basic Books.
A Pulitzer-Prize winning account of international, especially US, failures to prevent genocide; also a good discussion of Raphael Lemkin.

Prunier, G. (1995). *The Rwanda Crisis: History of a Genocide.* New York: Columbia University Press.
An overview of Rwandan history and the genocide.

Schabas, W. (2000). *Genocide in International Law: The Crimes of Crimes.* Cambridge: Cambridge University Press.
The definitive text on the drafting of the United Nations Genocide Convention and various legal dimensions of the treaty.

Stone, D. (ed.) (2008). *The Historiography of Genocide.* London: Palgrave Macmillan.
An overview of historical debates of around more than a dozen cases.

Straus, S. (2006). *The Order of Genocide: Race, Power, and War in Rwanda.* Ithaca, NY: Cornell University Press.
A social scientific analysis of the dynamics of genocide in Rwanda, with an emphasis on local dynamics.

Valentino, B. (2004). *Final Solutions: Mass Killing and Genocide in the Twentieth Century.* Ithaca, NY: Cornell University Press.
A well-written, accessible, political science account of the causes of genocide and mass killing.

WEB LINKS

http://www.ushmm.org/genocide/   The Committee on Conscience website provides analysis and advocacy on contemporary genocides.

http://www.enoughproject.org/   The Enough website provides analysis and advocacy on ending genocide and crimes against humanity.

http://www.crisisgroup.org/home/index.cfm   The International Crisis Group website provides analysis of contemporary conflicts, including Darfur.

http://www.ictr.org   Website of the International Criminal Tribunal for Rwanda.

http://www.icc-cpi.int/Menus/ICC/Home   Website of the International Criminal Court provides information on prosecuting mass atrocities in Darfur and beyond.

http://genocidescholars.org/   Website of the International Associate of Genocide Scholars.

http://www.tandf.co.uk/journals/titles/14623528.asp   Website of the *Journal of Genocide Research*.

http://utpjournals.metapress.com/content/120325/   Website of the journal *Genocide Studies and Prevention*.

http://www.ushmm.org/genocide/taskforce/   Website of the Genocide Prevention Task Force, a US-based policy initiative to strengthen measures to prevent genocide.

Visit the Online Resource Centre that accompanies this book for updates and a range of other resources:
http://www.oxfordtextbooks.co.uk/orc/goodhart2e/