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IS IT GENOCIDE?
THE MILITARY IMPLICATIONS

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"The United Nations simply cannot become engaged in every one of the world's conflicts. If the American people are to say yes to UN peacekeeping the United Nations must know when to say no."

President Clinton speech before UNGA, Sept 27, 1993

"We have seen that genocide can occur anywhere. We must have global vigilance. And never again must we be shy in the face of the evidence. We must as an international community have the ability to act when genocide threatens. We hope the effort can be a model for all the world, because our sacred task is to work to banish this greatest crime against humanity."

President Clinton, remarks at Kigali Airport, March 25, 1998

"We have agreed to find new ways to work together to banish genocide from this region and this continent. We have pledged to find new ways to work together to solve conflicts before they explode into crises and to act to stop them when they do."

President Clinton speech at Entebbe Summit, March 25, 1998

President Clinton's heartfelt words on the tarmac at Kigali airport in the spring of 1998, four years after the Rwanda genocide, seem to commit the United States, in concert with others, to stop genocide from happening worldwide. At face value, his commitment represents a profound change from his words in 1993 at the UN General Assembly -- six months before the Rwanda genocide occurred.

The essence of his remarks concerns that tragic and most value-laden of words -- genocide. Almost universally, genocide has a megathnic connotation that puts it in a separate category altogether from communal conflicts, tribal warfare, or any other kind of mass killing. Until 1994, Tutsis killing Hutus or vice versa was generally considered to be another example of ancient African animosities. When corpses began to clog Lake Victoria, however, and reports that hundreds of thousands of people were being slaughtered, the term genocide began to be used universally. The reaction of the international community changed subtly from one of there-they-go-again to hand-wringing horror that there were no obvious ways to stop the orgy of violence against unprotected men, women and children.

Clinton's speech in Rwanda may seem to overstate a U.S. commitment which could have profound military implications, but it fits in with the moral and ethical underpinning to our national security policy. In recent weeks, members of the U.S. military command have reiterated our moral obligation to engage in situations like Rwanda (without specifying how).² The prevention of genocide appears to be at the core of an emerging post-Cold War minimum standard of civilization, not just in Europe but in Africa and the rest of the world. Consequently, once the term has been applied, the pressure on the U.S. and other responsible governments to take action escalates. It is as if prohibiting genocide represents the very essence of civilized behavior. To allow it to happen is the reverse.³

IS IT GENOCIDE? – DEFINITIONAL ISSUES

It is essential, therefore, to know exactly what the term means and the contexts in which it has previously been used. Webster's dictionary defines it as "The deliberate and systematic destruction of a racial, political or cultural group." Random House defines it as "The elimination of a nationality or an ethnic unit." In the text of the 1948 Genocide Convention,⁴ genocide is described as "the intent to destroy, in whole or in part, a national, ethnic or religious group." The exclusion of political and social groups from the Genocide Convention was a result of political horse-trading to get the convention passed; its absence, as Chalk notes, has had the effect of diverting discussion from what to do to deter or stop mass killings into "a debilitating,

² Due to the policy on non-attribution for NWC speakers, I will avoid specific names and dates.

³ Jack Donnelly, "discusses these issues in 'Human Rights: A New Standard of Civilization,' in *International Affairs* 74 (1998) pp. 21-24.

⁴ The United Nations Convention on the Prevention and Punishment of the Crime of Genocide, signed on December 11, 1948 and entered into force on January 12, 1951, was finally ratified by the U.S. Senate in 1986.

confusing debate over the question of whether a situation is 'legally' genocide''⁵ By omitting mention of class and social groups, traditional definitions do not encompass the genocide in Cambodia, although it is universally agreed to have been one

The more generic definition by international jurist Raphael Lemkin (who coined the term genocide in 1933), appears to me to have the most useful application to real-world situations. The key component in the calculus of genocide, in his words, was 'the criminal intent to destroy or cripple permanently a human group. The acts are directed against groups as such. Individuals are selected for destruction only because they belong to these groups''⁶

All these definitions omit an essential element in order for the effective destruction of another group to occur: the instruments of state power have to be involved. Three of the most obvious examples of genocide this century -- the Holocaust, the Cambodian and Rwandan genocides -- all have very different contexts. The Nazis targeted Jews in all of the countries they occupied in the context of an international war (World War II). The Pol. Pot regime targeted Buddhists, ethnic Vietnamese, and its own majority national group in the post-Vietnam war period (an auto-genocide?). The Hutu-led government in Rwanda murdered Tutsis in the context of a history of genocidal behavior between the two communities (a year after the U.S. debacle in Somalia). But they all three have one thing besides mass killing in common: the perpetrator was the state

⁵ Frank Chalk, 'Re-defining Genocide' in George Anagnostou (ed.), 'Genocide', University of Pennsylvania Press, 1992.

⁶ Raphael Lemkin, 'Genocide as a Crime Under International Law', American Journal of Intl Law, 41: 19-7.

A generally accepted definition of genocide is important because use of the term cries out for international action but the problem with definitions is that they are abstract from reality. International humanitarian laws have no clear mechanisms for stopping state-organized murder. The UN Genocide Convention has no enforcement mechanism and only calls for the perpetrators to be brought to justice (prosecute or extradite). If past history is a guide, the only reliable way a genocidal regime can be brought to justice would be following its overthrow. Therefore, UN reluctance to name genocide for what it is not only stems from a reaction to misuse of the term (e.g. against the apartheid regime in South Africa), but from the likelihood that the member states involved will not respond. The only reason the Rwandan genocide came to a halt in the summer of 1994 was not because of intervention by the West or the region but because of a brilliant short campaign by a Tutsi-led exile army that came from neighboring Uganda. (Note: The State Department reacted publicly to the Rwandese Patriotic Front's (RPF) advance on Kigali by making repeated appeals for it to stop in its tracks – in retrospect, an unhelpful position.)

IF IT IS GENOCIDE, MUST WE ACT?

My hypothesis linked to the definitional aspects of genocide, is that the President's statements at Kigali airport will drive two opposite dynamics. The first will be to impel policy-makers to move more rapidly to call the situation genocide, so that military intervention, driven by pressure to be seen as doing something, can proceed. The opposing dynamic will be a reluctance to use the term genocide precisely for these same reasons. If we define mass killings as genocide, then we are obliged to act. I believe there is almost no support among the American public for coercive US intervention in a high-risk situation of runaway violence. This competing dynamic is likely to cause us to back away from any rapid definition of the crisis as genocide.

INHIBITORS TO MILITARY ACTION

Once the killing begins, it generally proceeds in a downward cycle which ceases conventional efforts for resolution. It is understandable that UN Standby Force nations are reluctant to volunteer their troops in unclear missions to restrain genocidal killers.⁷ A recent newspaper editorial calls on President Clinton to support a standing UN force and “... in the meantime state his readiness to use our own forces to halt genocide when the risk is proportionally low and the probability of success high, as it was in Rwanda.”⁸ Nothing I have read or heard on the three-month genocide in Rwanda would support contentions of low risk and high probability of success. In addition, the deaths of 18 U.S. soldiers in Somalia in 1993 further undermined the Administration’s willingness to risk American lives in Africa.

Experience with peacekeeping has shown that humanitarian interventions should be carried out by a multilateral force authorized by the UN but led by UN members, rather than the UN itself. The Military Staff Committee envisioned in Article 47 of the UN Charter has never been organized and the UN does not have a standing army. Contracting out crises to mercenary groups such as Executive Outcomes is a highly expensive and still unacceptable proposition. International coalitions are notoriously difficult and slow to build. Regional groupings, as a rule, lack training, equipment and interoperability. Unilateral intervention in a non-permissive situation would require extraordinary political will, probably involving national interests other than humanitarian concern. While the U.S. military may feel more comfortable with conflict

⁷ In 1995 UNSYG Boutros Ghali had a most no offers from the UN Standby Force roster when he called for volunteers for a potential Burundi intervention force.

resolution than conflict prevention tasks, it seems improbable that Congress would ever approve sending U.S. troops into a killing field, to overthrow a regime perpetrating genocide when no vital U.S. national interest is involved. More conceivable would be an effort to stop the dying – to devise ways to protect targeted groups – by protecting humanitarian corridors or zones. But such humanitarian missions are fraught with difficulty, and as the situation in Northern Iraq has shown, they are open-ended and the protection afforded is, inevitably, short-lived.

PREVENTION, NOT INTERVENTION

The President's commitment "to act to stop crises when they happen" notwithstanding, it is apparent that U.S. policymakers are taking the approach that the best way to 'atone' for our sin of omission in Rwanda is to prevent any repetition. The most likely place had seemed to be Burundi (until the insurgency in Zaire diverted international attention). Interagency meetings to prevent genocide have been held on an almost daily basis for the past four years, driven by high level Administration attention. Military planning scenarios have ranged from Chapter VI interventions in a permissive situation (with only sporadic violence), to U.S.-led or multinational interventions acting with a Chapter VII UNSC mandate. I predict that despite all these planning scenarios including generic plans at EUCOM to deploy U.S. forces to separate combatants and provide stability,³ the line from peacekeeping to peacemaking -- taking sides, enforcing peace and imposing a settlement on a regime intent on annihilating entire groups -- will not be crossed under this Administration. Our efforts will continue to focus on remedial not rescue missions.

³ Yael Aronoff, 'An Apology is Not Enough,' in the Washington Post, April 2, 1998.

⁹ Conversation between author and JCS staff, April 17, 1998.

ANALYSIS OF A GENOCIDE – THE CASE OF RWANDA

Before looking at the implications of the President's statements in Kigali, I will first review the background context to the Rwanda genocide. On August 4, 1994, after lengthy negotiations, the opposing sides signed the Arusha Declaration, formally ending the three-year-long civil war in Rwanda. The signing was considered a victory for outside mediation and conflict resolution. A 2,500 member UN peace-keeping force (UNAMIR) was on the ground to ensure implementation of the peace accord. But there were unintended consequences of the Tanzanian-led effort to stop the bloody conflict in Rwanda. Two days later, the Presidents of Rwanda and Burundi were assassinated as they returned from negotiations to salvage the faltering peace process. In the three months that followed, as many as a million people -- mostly from the Tutsi social grouping but including some moderate Hutus -- were slaughtered.¹⁰

As the systematic killing began, Major Gen Dallaire, head of the small UN contingent, wanted to take immediate action to protect civilians but his request was denied. "We could have saved hundreds of thousands of lives, without a doubt," he is quoted as saying.¹¹ Rather than increasing the UN force, however, the UNSC voted on April 21 to reduce Gen Dallaire's force by almost 90% to 270 troops, even though the massacres showed no signs of abating. Thirteen Belgian peacekeepers were hacked to pieces, causing the Belgian Government to withdraw its entire contingent. The rest of UNAMIR followed shortly thereafter. Finally on May 6 the UN

¹⁰ This abbreviated account is based on an article by Bruce Jones, "Intervention without Borders," in *Millennium: A Journal of International Studies*, 1995, Vol. 24, No. 2.

¹¹ The description of Dallaire's dilemma is in Glenn Ware, *U.S. Navy*, Institute, December 1997.

could approve a 5 500-man force for Rwanda but it did not deploy until after the Hutu regime had been overthrown by the RPF three months later in July.¹²

President Clinton's statement that the international community must bear its share of responsibility for the tragedy in Rwanda and find a better system to avert genocidal violence¹³ appears to be an argument for a regime of early warning and preventative action. He implies that had the international community been involved earlier, tragedy could have been averted. In reality, a United Nations force, UNAMIR, was already in Rwanda when the chaos exploded as part of conflict resolution efforts by various international actors (both state and non-state). Some analysts assert the internationally-proxerred negotiations fed existing extremism. The trigger for the genocide – the assassinations of the two Presidents – has been linked to the imminent implementation of the Arusha Peace Accords with its specter of outside intervention.¹⁴

STAGES OF GENOCIDE

It is easier to predict genocide than to prevent or halt it. Experts in the field describe clearly discernable stages in Rwanda which are common to all genocides. Building on traditional animosities the Hutu government used techniques of mass manipulation to classify, symbolize, dehumanize, organize, polarize, identify and finally exterminate up to one seventh of its population with the complicity of hundreds of thousands of ordinary citizens. In Rwanda, children are the ethnicity of their father: either Hutu or Tutsi, no one is considered mixed.

¹² Gerard Prunier in 'History of a Genocide' Columbia University Press 1995 p 236 discusses the UNAMIR decision-making process.

¹³ Statement by President Clinton at Kigali airport March 25, 1998.

¹⁴ Bruce Jones 'Intervention without Borders' in Millennium 1995 Vol 24 No 2 p 226.

Physical characteristics of Tutsis were emphasized (height, features). Rwandan hate radio referred to Tutsis as cockroaches, dehumanizing them. Genocide is always collective and organized, Rwanda was no exception. Death squads were trained for mass murder, Hutus butchered their targets with hoes and machetes more rapidly than the Nazis killed their victims in mechanized death camps. As in other genocides, the first to be killed were the moderates from the killing group (Hutus) who opposed the extremists. The Prime Minister in Rwanda was one of the earliest to be murdered. Typically lists of victims are drawn up and houses marked, identity cards showing ethnicity marked Tutsis for killing. In the 'final solution,' the command goes out to kill all members of the alien group, the theme "the Tutsis must be killed" dominated Radio Mille Collines radio broadcasts for weeks.¹⁵ Typically, bodies are buried in mass graves or burnt like garbage, in the Rwandan case the victims were left piled in the churches where they had sought refuge.¹⁶ In short, genocide is planned well in advance and follows predictable patterns.

U.S. RESPONSE TO THE RWANDA GENOCIDE

Foreign diplomats, some journalists and non-governmental workers had been warning for several months about the training of large numbers of armed Hutu extremists. The U.S. Government responded by throwing its efforts behind the Arusha Process. After the genocide began, the Administration was reluctant to make any commitment to intervene. One DOD employee, formerly a Rwanda Task Force member, complained: "I do not think that there was a Principals Meeting on Rwanda during the entire two and a half months in which the genocide was taking

¹⁵ Ferga Keane in 'Season Of Blood,' Viking, 1995, p. 10.

¹⁶ Greg Stanton, *Of State Death*, compiled a list of the Seven Stages of Genocide in 1997.

place”¹⁷ In the months following the genocide, however, the U.S. Government began a serious effort to avoid being caught in the same situation of bureaucratic paralysis.

With four years’ hindsight, the Administration has chosen to focus its efforts on third-party peacekeeping as a response to potential conflicts, at least in Africa. The African Crisis Response Initiative (ACRI), (formerly known as the African Crisis Response Force until it became clear it was not going to be a force), was first proposed by the Executive branch in 1995. Initially conceived as a 10,000-man battalion that could be quickly dispatched to a crisis, the plan was abruptly altered to focus on creating a peacekeeping capability and interoperability after African governments reacted negatively to the suggestion. Their concern that a standing military might become a destabilizing force in a continental or national crisis was mirrored on the donors’ side by concern over a lack of any apparent command and control structure for the putative force.

A suspicious Congress has just approved a second \$20 million budget request for ACRI, with some unease that U.S. training and equipment might be used for offensive purposes (already played out in Senegal as ACRI-trained troops fought rebels in the north). The current scheme is to train ten battalions from selected African countries. The troops would stay with their national armies but be prepared for joint humanitarian intervention. For the force to operate effectively, its soldiers will have to learn a common peacekeeping doctrine and be equipped with interchangeable arms and communications equipment.

¹⁷ Yael Aronoff of the Secretary of Defense’s Office of Humanitarian and Refugee Affairs quoted from his editorial in the Washington Post of April 2, 1998.

Even though the ACRI was conceived in the wake of the massacres in Rwanda, many observers doubt that any such peacekeepers could do much in the face of genocide. In the view of one African Affairs specialist: "If you get another Rwanda, this force would just stand by."¹⁸ The U.S. is taking seriously, therefore, accusations by the South Africans and others that an all-African peacekeeping force would be a way of "ghettoizing" African problems. The plan is now for African peacekeepers to be part of a larger UN force should the need arise.

Through the March 25 Entebbe Communiqué, the U.S. has also committed to begin exploring, within one month's time, the creation of an International Coalition Against Genocide which includes inter alia, "fostering international coordination in support of regional efforts to enforce anti-genocide measures." (Note: At the time of writing, a month has passed and so far no word on the Coalition.) As part of his pledge to "work together to end the horrors of this region," the President also announced reviving the UN Arms Flow Commission and acting on the recommendations of the OAU Study on the Rwandan genocide. (Note: The Eminent Leaders Group from the region that was expected to write this study has not yet begun its work.)

A NEW CLINTON DOCTRINE -- OR THE SAME OLD DILEMMA?

What, then, shall we make of the President's recent remarks in East Africa? Do they amount to a new Clinton Doctrine committing the U.S. to use military force to deal with humanitarian situations that might evolve into genocide? Or were they political rhetoric, indicating a continuing tendency to avoid using the term genocide until an appropriate military response mechanism is in place? (As one analyst put it, "implementing the unimplementable.") I would

¹⁸ Hero Hoove, Africa Specialist at Georgetown University, in U.S. News and World Report, Sept. 29, 1997.

posit that the speech was one part hype – an apology for U.S. inaction at the time of the genocide (no action required), one part myth -- “we would have done more if we had known the depth of the tragedy” (also no action), and one part reality – how to prevent future outbreaks of genocide (definite implications for national security planning)

Did the President make a promise – Never Again? The White House appears to think so. Planning is underway to implement the President’s proposals. The Administration would clearly like to have some concrete military options on how to terminate genocide (maybe “anti-genocide rapid reaction units”). The tendency for civilians to look to the military for quick fixes to reverse long-evolving situations is still alive and well. Before the President left for Africa, speechwriters pressed JCS for military options to be included in speeches on what could be done to avert future crises in the region. Lacking a clear endstate and specifics on U.S. policy, JCS was unable to comply with that particular tasking. But similar ones are likely to resurface.

CONCLUSION

If there is a next time, should a long-simmering situation explode again into genocide somewhere in the world, the U.S. will be better prepared to make recommendations as a result of the many interagency planning sessions in the post-Rwanda genocide period. U.S. military intervention still seems to be a very remote possibility. We may be back to “business as usual” relying on a non-coercive UN peacekeeping response augmented by newly trained ACRI troops, or we end up taking the lead again in calling a reluctant multilateral response that would be too little, too late.

Our best hope may be improvements in the international community's system for identifying nations in danger of genocidal violence. By using a combination of state and non-state actors, we may be able to head off the mutually reinforcing stages in the well-defined process leading to genocide. We should avoid our own tendency to engage in circular definitional arguments on the nature of conflicts, to avoid dealing with them at all. On the other hand, we should avoid oversimplifying the nature of peacemaking operations in a genocidal crisis, which may not save lives and may have severe unintended consequences, i.e. loss of peacekeepers' lives as in Rwanda. Kneeling interventionism, regional multilateral or otherwise, is surely a prescription for disaster.