

# The Rwandan Genocide: Revenge Tragedy

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*Those who take the Rwandan genocide of 1994 as the supreme case for armed intervention should learn about its aftermath*

As a hardened opponent of military interventionism and international war crimes tribunals, I find I am often floored when Rwanda is invoked. 'How can you possibly advocate standing idly by when hundreds of thousands of people are being massacred?' is a difficult question to answer. The events in Rwanda in 1994 have become the supreme moral reference point for interventionists, long after other similar causes célèbres have vanished from memory, because to contemplate the scale and method of killing there is to stare into the very heart of darkness.

William Hague last year expressed the prevailing sense of certainty when he said casually, 'We are all agreed that we would intervene if another Rwanda were predicted.' Returning to the theme of intervention last month, Mr Hague also cited Congo as an example of a country ravaged by war which Britain, committed as it is to human rights, ought to do something to stop. And who could disagree with that? Although almost unreported, the Congo wars, which have lasted since 1996, have claimed the lives, directly and indirectly, of more than five million people.

As it turns out, Mr Hague unwittingly put his finger on the very thing which invalidates the case for interventionism. For at the end of August, shortly before he spoke, the draft of a United Nations report had been leaked which details a decade of atrocities committed in Congo by the Rwandan army and its proxies and allies. The atrocities include large-scale massacres of civilians, essentially the Hutu refugees who had fled into neighbouring Congo (then Zaire) after the Tutsi-dominated Rwandan Patriotic Front under General (now President) Paul Kagame took power in 1994.

Eventually published on 1 October, the report is the first official admission that there is another side to the Rwandan story, but it has taken 16 years to get this far. According to the usual narrative, the Tutsis now in power were victims of genocide committed by the previous Hutu regime in the period April to June 1994. That genocide was planned in advance, and the Hutu génocidaires even assassinated their own president by shooting down his aircraft on 6 April 1994, in order to have a pretext to start the killing. According to this new report, it is possible that genocidal mass killing continued for a decade after 1994, only this time committed by Tutsis against Hutus and without attracting the world's attention.

The report even said that the atrocities could be classified as genocide. Rwanda — where in August President Kagame was re-elected for another seven-year term as president with a modest 93 per cent of the vote — reacted with fury. A spokesman for the Rwandan

government said, 'It is immoral and unacceptable that the United Nations, an organisation that failed outright to prevent genocide in Rwanda... now accuses the army that stopped the genocide of committing atrocities in the Democratic Republic of Congo.' The Rwandan Tutsis are determined to protect their reputation as victims of genocide, not perpetrators of it.

This is not the first time that allegations about massacres committed by Tutsis and the RPF have been communicated to the United Nations. Immediately after the events of April-June 1994, a US overseas aid official, Robert Gersony, found that between 5,000 and 10,000 Hutu were being killed every month by the Tutsi Rwandan Patriotic Army. But his report was suppressed by the UN, apparently with encouragement from Washington: Gersony was told never to write up his findings. It was not until 2008 that defence staff working at the International Criminal Tribunal in Rwanda chanced upon a written report of Gersony's oral testimony, hidden among the prosecutor's files. The document was published online last month.

Human Rights Watch has documented the way the report was stifled and speculates that this was done because Kagame was America's ally. It is true that President Kagame, who trained at the US Army Staff College at Fort Leavenworth in Kansas, was happy to be photographed with George W. Bush in the Oval Office, and that regime change in Rwanda was part of a general increase of American power in Africa. But what that interventionist organisation overlooks — precisely because of its energetic advocacy of international war crimes tribunals — is that the United Nations had its own interest in maintaining the line that the Tutsis were only victims. In the very weeks when Gersony was about to submit his report (September-October 1994), the UN was preparing to bolster its power by creating an International Criminal Tribunal for Rwanda, which duly occurred by Security Council resolution on 8 November 1994. That tribunal's remit, drawn up with the events of April-June 1994 exclusively in mind, is effectively limited to the killing of Tutsis, and so far it has never prosecuted anyone on the Tutsi side. In 1994, then, the UN was incapable of admitting there could be right and wrong on both sides because this would have immediately killed off its pet project. By creating the ICTR, the UN was committing itself institutionally to a one-sided version of events which whitewashes the Tutsis and the RPF.

That version, now finally destroyed by this latest report, has actually been coming apart at the seams ever since the creation of the ICTR — not that you would know it because the mammoth trials, which often last for over a decade, go largely unreported. The original claim that the Hutus assassinated their own president has never been proven. On the contrary, many believe now that the order to shoot down the presidential plane (the act which precipitated the mass killings) was given by Kagame himself, and that the RPF needed to assassinate President Habyarimana to seize power in Rwanda by violence: by the end of 1993, Habyarimana was committed to a peace process leading to elections, which the minority Tutsis (the country's traditional aristocratic elite, and the backbone of the RPF) were certain to lose.

When they unearthed the unpublished Gersony testimony in 2008, defence lawyers at the ICTR also came across a letter from Paul Kagame, dated August 1994, which speaks of 'our plan for Zaire' (Congo). If the letter is genuine, it could provide proof that Kagame and the RPF were in fact plotting to invade Congo after seizing power in Rwanda: Rwandan- and Ugandan-backed rebels did indeed overthrow President Mobutu of Zaire in 1996, starting the ten-year war. Chris Black, one of the lead defence lawyers, argues that both Rwanda and Uganda were planning the invasion as early as 1990, Kagame having initially been an

officer in the army of Uganda, the country where he lived from the age of four. The RPF had invaded Rwanda in 1990, with Ugandan backing, before being repulsed: according to this theory, the eventual seizure of power in Kigali in 1994 was only part of a larger conspiracy to push on further west into the Congo, where fabulous mineral wealth awaits any conqueror.

If Black is right, then the prosecutors at the ICTR, and the United Nations generally, have not been prosecuting war criminals since 1994. They have instead been prosecuting the victims while covering for the aggressors. If he is right, the war in Rwanda was not an explosion of irrational violence — as at least one Hollywood movie maintains — but instead a classic war between states, Uganda and Congo, inside which was wrapped a civil war between the two rival social and ethnic groups in Rwanda. And if the world has never wanted to see these simple truths, it is because it has been blinded by the intense moralism of prosecutions for genocide: the ICTR's statute and judgments are based on a three-month snapshot of a war which has, in fact, been going on, to and fro, for decades.

Not only is it psychologically difficult to accept that the victim of yesterday can become the butcher of tomorrow, but also the designation of one side as a victim can actually facilitate his butchery. Yet we should have learned long ago that revenge is inherent in the very nature of war itself. As Clausewitz urged, war is a precise series of reciprocal acts in which the deeds of one side are dictated by those of the other. Because international criminal tribunals tend to prosecute commanders rather than direct perpetrators, they adjudicate policies (or supposed policies) rather than actual crimes. They thus tend to condemn one side more than the other. Military interventionism reposes on the same moral judgments as such trials, because it is inevitably intervention to support one party to a conflict against its enemy. Both interventionisms give carte blanche to the designated victim, enabling him to continue the cycle of violence with impunity. Far from promoting peace, therefore, the application of the criminal law to war can actually fan the flames of fighting, because so-called international 'justice' is nothing but the continuation of war by other means.

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