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WARNINGS RE: SUDAN AND IRAN

WARNINGS RE: SUDAN

Activists, journalists and scholars have been warning for months about the possibility of war and massacres in southern Sudan when the impending election on independence from the north occurs in January 2011 (it is expected to succeed); see articles by Nicholas Kristof (New York Times Dec. 6, 2010), analyses of Eric Reeves (sudanreeves.org) and by Dave Eggers and John Prendergast, (New York Times July 13, 2010). The US helped put together a comprehensive peace agreement between the Government of Sudan (northerners) and the southern rebel organizations in 2005 which agreed on the equal division of oil revenues (largely in the south and an election in the south in January 2011. The record of the GOS in Darfur (western Sudan), deemed genocide by the US in 2004 and the massacres and genocide by attrition used by the GOS in war with southern Sudan from 1983 to 2005 raises real doubts about what they will do now.

The International Criminal Court issued a second arrest warrant for President al-Bashir of Sudan for three counts of genocide in July 2010 adding these to the previous indictment against him for war crimes and crimes against humanity.

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WARNINGS RE: SUDAN AND IRAN

WARNINGS ABOUT IRAN FROM DIVERSE SOURCES

*From Genocide Prevention Now
www.genocidepreventionnow.org
Issue 4, November 3, 2010:*

See a timeline of incitement and hate language by Ahmadinejad and other Iranian leaders; call to arrest and indict Ahmadinejad.

*From WikiLeaks as reported in The New York Times,
Nov. 20, 2010, A10:*

“That [threats by Israel re acting to deter Iran’s nuclear bomb]...led Arab leaders to press even more forcefully for the United States to act – before Israel did. Crown Prince bin Zayed [of Abu Dhabi], predicting in July 2009 that an Israeli attack could come by year’s end, suggested the danger of appeasing Iran. ‘Ahmadinejad is Hitler,’ he declared.”

ON THE GLOBAL, GENOCIDAL AND TOTALITARIAN IDEOLOGY OF RADICAL ISLAM BY YEHUDA BAUER

*Yehuda Bauer
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The issue I would like to address is the genocidal character of radical Islam. In order to do so, it is important to realize what radical Islam is, and how it differs from other ideologies of an ethnic, or political character, that may rationalize violent acts or terrorism.

1. My professional prejudice as an historian leads me to examine the sources of this phenomenon. One lies 250 years back, with the emergence of Muhammad Abdul Wahhab in the Arabian peninsula, and his message of a regenerated, radical, literal interpretation of Islam. This, as we well know, is still the official ideology of the Saudi monarchy, one of whose problems is the glaring discrepancy between the puritanism of the Wahhabi sect, and the actual way of life of the 5000 members of the royal family. However, Wahhabi theology, while totalitarian, in the sense that it absolutely rejects the participation of citizens in the running of the state, does not aspire to world domination. The other source is modern: the Moslem Brotherhood, founded by Hassan el-Bana in Egypt in 1928. The radical ideology was developed by Sayyid

Qutb (born 1906, executed in 1966 for plotting to assassinate Abd el-Nasser). The basis of Qutb’s approach is the manicheic division of the world into the world of Allah and the world of Satan:

“There are two parties in all the world: the Party of Allah and the Party of Satan...which includes every community, group, race and individuals who do not stand under the banner of Allah”.

Qutb abolished the old-standing Islamic approach to Christians and Jews under Moslem rule, which gave them a protected, dhimmi status of second-class citizens:

“The true goal of the People of the Book, whether Jews or Christians...is to lead Muslims astray from their religion to the religion of the People of the Book...[to] abandon what you possess of the truth.” Hence the conclusion that unless they completely submit to Islamic rule, the fate of Christians and Jews is sealed.

2. The Moslem Brotherhood developed slowly throughout the seventies and the eighties, largely as an illegal or half-legal movement. Its main source of strength was and is its social and economic work among the impoverished population, first in

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Egypt; this was then followed by the movements procreated by the Brothers in other countries. Many Moslem states – by no means all – fall into the category of either failed states or states where failure is a constant danger. Where, as in Egypt, the government is incapable of providing a safety-net for the poor, the radicals step in and provide basic services – health and social welfare; the price is that they take over education, in their spirit. The financing of this network is provided in part by the tithe; even the poorest are encouraged to donate pennies to the cause, and the other part of course are donations by members of the middle and upper classes who have joined the radical movements in the different states.

The movement(s) developed especially, it seems, in the eighties and nineties, although, as we have seen, their origins are much farther back than that.

3. What are the root causes of the phenomenon? It appears that the Moslem world fell behind the European civilization because of a combination of factors: first, because capitalism, as we all know, which was the basis for the development of Euro-American civilization, did not develop in these countries. Capitalism is based on individual enterprise giving rise to a middle class, which produces and is in turn influenced by science based on individualism. Moslem civilization could not develop this way because the ruling autocracies relied on trade rather than industry, and their unchallenged rule could be contained within existing political norms in the framework of conservative religious ideologies. Autocracies and the conservative religious ideology that fortified them fed on each other and were not weakened, as happened in England in the 16th century (when the enclosure movement gave the first push towards the rise of a modern middle class based on industrial production). In the West, capitalist development, and

the drive towards democratic systems then spread throughout Western and Central Europe (1789 and all that), and the New World. Second, Western imperialism penetrated the Moslem world in early modern and modern times, and found it expedient to form an alliance with the autocracies supported by religious conservatism which held the population in check. Attempts were made by modernizing intellectuals, especially Arab ones, in the Middle East, at the end of the 19th and the beginning of the 20th centuries, to advance on the same road as the one taken by the West hundreds of years previously, but the combination of local autocrats, Western imperialism and economic interests, and religious conservatism proved too strong: the revolutionary energy went into nationalistic, anti-Western movements that created, in part, new autocracies (Egypt, Libya, Syria, Sudan, Yemen), largely based on the military. These new rulers did not find it expedient to confront the cultural obstacles to social and economic change. There are exceptions: Kemal Pasha's Turkey, contemporary Tunisia, Mali, Indonesia, and others.

4. The Brotherhood found good soil for its propaganda: catastrophic population growth, tight economic and social control by (in Egypt) a corrupt and oppressive dictatorship. In other Mideast countries it was even worse than in Egypt. As in all modern revolutions, the leaders and the core of the radical movement come from the social classes which the radicals attack – they are mostly from middle or upper-class families (Zawahiri, Salih al-Awa, Maududi, Karadhawi, not to mention Bin Laden). Most of the ideologues are Egyptian, one major one, Abdullah Azzam, was an expatriate Palestinian, and Maududi was Pakistani. The conclusion from all that is that radical Islam is not an ephemeral phenomenon, but is deeply rooted in the frustration (social and political) and despair

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(economic and social) of many (not all) Moslem populations. Another, obvious conclusion must be that one cannot solve the problems created by the radicals by military means.

5. Calling radical Islam “fundamentalist” misses the point. Fundamentalism is an American term introduced by Darby, an English Protestant preacher who called on American Protestants to return to the “fundamentals”, by which he meant living and acting according to the most radical, literal, interpretations of the Holy Scriptures. He also taught that anyone who follows another belief system will roast in hell (or Hell). However, these principles are not limited to American Protestants. “Fundamentalist” doctrines are common in other forms of Christianity (e.g. the Catholic Church – “extra ecclesiam non est salus” – there is no salvation outside of the Church), in Judaism, in Buddhism, and elsewhere. Also in radical Islam, but radical Islam goes far beyond fundamentalism. Hence, it is also fundamentalist, but that is not what differentiates it from other religious movements.

6. What does radical Islam want? The answer is clear and explicit:

a) World government, to be achieved by a destruction of the infidels, mainly the West.

b) The establishment of a utopia of permanent Islamic rule, which in fact will be a government directed by God (Allah), through the clerics.

c) The abolition of any kind of democratic government. Democracy is blasphemy, a denial of God, because God has already decreed all the laws that are needed, in the Qur’an, the Hadith (legends and interpretation), the Shari’a, and the authoritative, God-inspired interpretations of the early Islamic scholars (until about the 14th century). The presumption of mere humans to add to that by

any law-giving procedure is blasphemous.

d) The abolition of national governments – nationalism being another human presumption opposed to the will of God, to be replaced by an Islamic theocracy. The radicals turn against the Arab and other Moslem national governments (Qutb was executed precisely for that). E.g., Hamas and Islamic Jihad do not want an Arab national Palestine which would be based on some kind of democracy and provide equal rights to Christians, but an Islamic Palestine, part of a general Islamic world.

e) The means is jihad, in its military interpretation, unless the People of the Book submit totally to Moslem rule; pagans (Hindus, Chinese, Japanese) cannot be given any choice, as the Qur’an is explicitly directed against paganism. This is a clearly genocidal ideology.

7. A very basic idea in radical Islam is that the separation between religion and politics is another heresy, to be utterly rejected. Indeed, the unity of those two aspects of human endeavor can be found in the Qur’an, and many (otherwise) non-radical Moslems would agree to that.

8. Radical Islam is not Islam, but a mutation of it. There are huge numbers of non-radicals and anti-radicals in the Moslem world. There are anti-radical states: Indonesia, the largest Moslem country (220 million inhabitants), although it engaged in genocidal policies in East Timor, and has a problematic relationship with the Aceh province in Sumatra, which is currently falling into the hands of radical Moslems, is basically anti-radical. Bangladesh and Tunisia are other examples of this. There is the large but unorganized Sufi movement, parts of which tend towards pacifism, and which is under severe attack by the radicals. There are moderates even in places like Saudi Arabia, and

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of course in the Euro-American diaspora. There are estimated to be about 23 million Moslems in Europe; the numbers in the US are disputed, but there may be between one and about four million, almost all of them moderate, law-abiding citizens. There are among them liberals, secular people of Moslem background, and some outspoken critics of radicalism.

9. Radical Islam sees itself under attack from secular people, and from other Islamic streams. “The threat to Islam [is] from the Muslims themselves”, they say. It emanates from the leaders of Moslem countries, and from the clerics who serve them. “The Zionist-Crusader coalition” encourages the Sufis, “who are mostly infidels”, and believe in monism, pantheism, and re-incarnation (according to the radicals) “and other endless falsehoods.” They “oppose Jihad and do not oppose the infidels”. There are the secularists, followers of the Rational School, the radicals say, imported by British imperialism (sic!), a “deadly seedling that maintains that Islam is not opposed to atheism, and that Islam is required to get close to the infidel.” The Sunni version of ideological radical Islam is violently opposed to the Shi’a and to the Khomeini revolution. “The threat of the Shi’a to the [Islamic] nation is equal to the threat posed by the Jews and the Christians...the Shi’a do not hesitate to cooperate with the Crusaders and the Jewish enemies of the Sunna....Those who are familiar with the beliefs of the Shi’a can hardly fathom the depth of their evil and hatred...To get close to the Shi’a is more dangerous than getting close to the Jews.” Non-radical Moslem governments have to be overthrown.

10. Jews have to be destroyed. “They [the Jews] are the ones who must be butchered and killed, as Allah the Almighty said.” “The Jews are the object of Allah’s wrath, while the Christians deviate from

the path of righteousness...The Qur’an described the Jews as a nation cursed by Allah, a nation at which he was angry – some of whom he turned into apes and pigs.” “Have no mercy on the Jews, no matter where they are, in any country...Wherever you meet them, kill them.”

11. There is continual incitement for mass murder of Americans. Suleiman Abu Gheith, the Al Qaida spokesman, says that “we have the right to kill 4 million Americans – 2 million of them children – and to exile twice as many and wound and cripple hundreds of thousands. Furthermore, it is our right to fight them with chemical and biological weapons.”

12. There are, as I have pointed out repeatedly, some important parallels (and many differences) between radical Islam, National Socialism, and Communism. All three are religions or quasi-religions demanding absolute obedience to revealed absolute truth; all three seek or sought world government; all three are totalitarian, and oppose democracy; all three are genocidal, and all three target(ed) Jews as symbols of what they were (are) attacking. One of the major differences between them is the fact that radical Islam is decentralized, and does not rely on charismatic leaders appearing in public. The ideologues are in the background. They seek state power, but they can exist without it, until they are strong enough.

13. I do not think that current methods of following genocidal trends are fully effective regarding radical Islam. Fanatical religious belief is relegated into the general category of ‘ideology’, alongside nationalisms, class ideologies, etc. Radical Islam is multiethnic, anti-nationalist, opposes Marxism and socialism, and is global. Current political thinking has not yet realized the simple truth that we are dealing here with a new phenomenon, though of

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course linked to other phenomena, and one can see the continuities from the past. But this is a new quality, and we must not fall into the mistake of generals fighting new battles with old weapons.

14. Radical Islam is an existential, global, genocidal threat to all civilization. Secular persons in Moslem societies, non-radical Moslems, existing Moslem – mainly Arab – governments are the first targets. Jews are (again) threatened with mass murder; so are Americans, and then Westerners generally. Then all “pagans”.

15. Steps that could be taken against this threat:

- The first, foremost and essential policy must be to create alliances with non-radical Moslems who are eager and willing to engage in an ideological counter-attack based on a non-radical interpretation of Islam, just like moderate streams in Christianity, Judaism and Hinduism, and a principled opposition to genocidal thinking.
- Create political alliances with non-radical Moslem states and pass international resolutions condemning all genocidal ideological talk.
- -Pass new resolutions ostracizing governments that will permit religious, ethnic or racial incitement calling for violence.
- Plan provision of economic aid to the direct producers and consumers – direct aid to farmers (irrigation, etc.), to small-scale industries – not to corrupt governments. Reduce trade barriers to the free flow of products, so that disadvantaged countries can compete with their exports in Western markets.
- Do not use military means, except as a last (not first) resort.

To sum up: Any effort that tries to deal with threats

of mass murder (politicide), genocidal mass murder, full-scale genocides, ethnic cleansing – which we have all subsumed under the general heading of “genocide”, must deal with radical Islam. Because of its unprecedented, global, multi-ethnic character, and its refusal to play the usual game of politics, we often fail to see that it is a real threat, not just a group of fanatics causing trouble. They have already seriously affected the global economy, caused the downfall of airlines and thrown the world into economic troubles of a pretty serious kind. They have made our civilization feel very insecure. They are gaining adherents. Some, especially in Europe, like pussy-footing around this threat, hoping that if they are nice to the radicals, they will not be attacked – they obviously don’t know what these people are writing and saying. It is time we took what they are saying seriously: fanatics who sincerely believe in what they are preaching will turn words into actions at the earliest opportunity – viz. the experience we had with National Socialism and Communism. The radical Islamists do not (yet) have a territorial basis, the old one, Afghanistan, having been taken from them. They can operate without one, though they ultimately want to have one as a starting point for their future expansion. They are more than likely to re-acquire their Afghan base. They certainly are not the only genocidal threat we have to deal with, but neither can they be ignored. Our main purpose must be the prevention of genocidal events, and while we should not panic, we should see the threat as it is.

Acronyms

DEPORTATION OF ROMA STIRS PROTEST BY JEANNETTE SMYTH

by Jeannette Smyth
(Independent reporter)

The Roma are Europe's largest ethnic minority, with a population estimated at 10 to 12 million. French President Nicolas Sarkozy and Italian prime minister Silvio Berlusconi authorized the deportation of thousands of Roma in 2010 .

Both leaders sought over the summer to co-opt and make coalition with far right political parties and an approving electorate by echoing and escalating long-standing campaigns across western Europe to rid it of Roma.

The admission of Romania to the European Union in 2007, and ongoing racial persecution in eastern Europe, have permitted Roma to travel freely within the EU seeking work or asylum. Terrorist jitters have conflated with traditional prejudice against the Roma to create successful new political campaigns across Europe to deport or deny them asylum.

The mass deportations in France and Italy shape up as the first test of European political will to enforce human rights since the European Union's Lisbon Treaty -- which forbids collective expulsion -- became legally binding on member states in 2009.

On September 29, the European Union announced it would begin legal action against France by sending an official notification letter asking it to apply EU rules allowing free movement of EU citizens, and asking for more details on the expulsion of the Roma. The commission did not say France was discriminating against an ethnic group. In a separate legal action, a senior French official, Michel Bart, will go before a French tribunal in October on charges brought by French human rights groups of

"inciting racial hatred" in an interior department memo.

"Sarkozy is merely following the Berlusconi model," said Pietro Massarotto, the president of Naga, a Milanese organization which provides assistance to immigrants and the Roma, told The New York Times. "The Italian government invented expulsions of E. U. citizens, in the case they can't demonstrate they are making a living."

Roma have lived in France and Italy since the 15th century. Citing an "offensive securitaire" (security offensive) -- echoing Berlusconi's successful electoral gambit of 2008 -- Sarkozy deported up to 9,000 Roma of Romanian origin in 2010, and ordered 300 Roma camps bulldozed.

Berlusconi, running for office in 2008 on a platform of an "emergenza di sicurezza" (security emergency), reportedly not supported by a rise in crime statistics, won the election. He immediately authorized an ethnic register and fingerprinting of both Italian and immigrant Roma according to The [UK] Independent. Dozens of Roma settlements throughout Italy, including those of Roma who have been Italian citizens for generations, are being dismantled or bulldozed. Rome's mayor, a former neo-fascist, plans to demolish 200 illegal Roma camps near the city . The 6,000 to 7,000 Roma who are not deported from Rome will be consigned to 12 new official camps according to The [UK] Guardian.

Berlusconi's 2008 victory is attributed to his "security emergency". Likewise, two out of three French voters seem overwhelmingly to support the deportation of the Roma, according to a poll for the conservative French newspaper Le Figaro.

In July, Sarkozy proposed to strip foreign-born French criminals of their citizenship, and to

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add the crimes of polygamy and female genital mutilation to the list, making it clear that Sarkozy is targeting not just the Roma, but all foreign-born French citizens of color, according to The [UK] Guardian. The list of those in danger of expulsion was thus expanded to target Africans and Muslims, amplifying suspicion with regard to French government denial that the Roma deportations are racially motivated.

The Vatican, the United Nations Committee for the Elimination of Racial Discrimination (CERD) and the Council of Europe Commission Against Racism and Intolerance (ECRI) condemned the 2010 deportations as racist. The European commissioner Viviane Reding likened the Sarkozy expulsions to the Nazi deportation of the Jews. Her remarks were widely condemned as Sarkozy went on the defensive at an EU meeting in Brussels at which France prepared to take the presidency of the Group of 20. British Prime Minister David Cameron led the condemnation, though few critics declared their support for Sarkozy.

Debate was set for the European Union Parliament Sept. 7 over whether or not the French expulsions broke EU laws. A resolution condemning the expulsions was passed. Further debate was scheduled for October. Meanwhile Sarkozy chartered expulsion flights on Sept. 14 and 30.

The European Union's Justice and Home Affairs Commissioners spent months assessing whether the deportations breach European Union law. "The [EU] Commission's reaction can be qualified as slow," think tank analyst Anais Faure Atger, of the Centre for European Policy Studies, told Euronews.

Amnesty International condemned the European Union for "turning a blind eye" to years of expulsions of the Roma across Europe. "There is a

clear and systemic programme of EU governments targeting Roma," said Anneliese Baldaccini, an Amnesty International lawyer. Amnesty called for penalties against EU member countries who violate the new EU fundamental human rights charter of 2009, the Lisbon Treaty, the harshest punishments of which are withdrawal of EU voting rights, or expulsion, according to The [UK] Guardian.

EU experts said the French expulsions would be legal only if each deportee was determined to be in violation of EU work permit laws, and not if the deportees were targeted by racial profiling. The United Nations questioned that the deportation of the Roma was voluntary according to The New York Times. The Roma are EU citizens and may live in any EU state for three months until they are required to go to work and pay taxes, according to Reuters.

The fall of Communism threw many eastern European Roma out of obligatory socialist work. "Roma under Communism were better off in virtually every aspect of human development," a 2003 United Nations report concluded, noting unemployment rates among Roma as high as 60 per cent in eastern Europe (United Nations Development Program, Avoiding the Dependency Trap, <http://roma.undp.sk>, conclusions of Chapter 1). The Roma are the most discriminated-against ethnic minority in Europe, with Czech Republic Roma reporting the highest levels of discrimination, according to an EU report.

When Romania was admitted to the European Union in January, 2007, the largest Roma population in Europe – estimates range as high as 2.5 million – could finally seek work within the European Union. Estimates of Roma population in eastern Europe are 6 to 8 million. Reliable figures on the migration of Roma to France

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and Italy are nonexistent; their numbers may be suggested by those of Roma asylum seekers – an estimated 15,000, led by Czech Republic and Slovakian Roma, applied for asylum between 1997 and 2005, according to the Migration Policy Institute. Europe responded by denying welfare benefits to EU citizens, raising racial quotas, and barring asylum seekers unjustly, according to The [UK] Independent.

In the Netherlands, coalition talks halted in September when Freedom Party leader Geert Wilders walked out. Wilders faces resumption of a hate speech trial, under Dutch law, in October for anti-Islam remarks, according to the Associated Press. In most European countries, hate speech is a crime.

SEXUAL VIOLENCE AND GENOCIDE IN THE DEMOCRATIC REPUBLIC OF THE CONGO BY ELISA VON JOEDEN-FORGEY

Elisa von Joeden-Forgey
(University of Pennsylvania)

Note: While the names of all fighting forces are given in English, I use the French acronyms for Francophone militias and English for Anglophone.

AFDL	Alliance of Democratic Forces for the Liberation of Zaire: Rwandan- and Ugandan-backed Congolese militia that overthrew long-time dictator Mobutu Sese Seko in 1997.	FDLR	Democratic Forces for the Liberation of Rwanda: Hutu-dominated militia led by ex-FAR soldiers and interahamwe
CNDP	National Congress for the Defense of the People: Congolese militia with the goal of defending Congolese Tutsi populations (the Banyamulenge).	ICC	International Criminal Court
DRC	Democratic Republic of Congo, formerly Zaire	ICTR	International Criminal Tribunal for Rwanda
Ex-FAR	Rwandan Armed Forces prior to the genocide, which regrouped in Congo after fleeing the RPF in July 1994	ICTY	International Criminal Tribunal for the former Yugoslavia
FARDC	Armed Forces of the DRC	RCD	Rally for Congolese Democracy: Rwandan- and Ugandan-backed opposition group, forerunner to the CNDP
		RPA	Rwandan Patriotic Army: current Rwandan national armed forces, led by RPF general Paul Kagame
		RPF	Rwandan Patriotic Front: Tutsi-led forces that fought a war with Rwanda from 1991-1993 and stopped the genocide in 1994

In the past two decades, the Democratic Republic of Congo (DRC) has experienced a series of internal and interregional conflicts that have taken the lives of at least 5.4 million people, according to a 2007 estimate by the International Rescue Committee and the Burnet Institute of Australia. This makes the conflict in the DRC the deadliest since World War II. Civilians have constituted the vast majority of these deaths. Most have died from the consequences of warfare and persistent insecurity, that is, from starvation, malnutrition, and easily preventable or treatable illnesses. Many, however, have died as a direct consequence of warfare; the fighting in the DRC is notable for the extent to which civilian towns and villages are the primary targets of the various armed groups. Attacks have been characterized by vicious atrocities, including widespread sexual violence.

One would imagine that such a conflict would have attracted widespread public outrage and diplomatic intervention. But despite the alarmingly high death rates and the brutality of the conflict, public awareness and diplomatic focus has been slow in coming. The world simply has not devoted the same attention and resources to the Congo crisis as it has to Darfur, Sudan.

One of the reasons for this is that the conflict in Congo is in many ways much more complicated than the one in Sudan. There are so many separate fighting forces in the DRC, and so many distinct but interrelated wars, that any effort to capture it at any given time gets mired in an alphabet soup of militias. The sheer number of players has made it difficult to summarize: involved in sustaining the conflict have been the professional armies of 8

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African states, some 21 smaller fighting forces, the two separate Congolese national armies (before and after the ouster of Mobutu in 1997), and the significant resources of powers outside of Africa. The causes of the wars are manifold, the reasons that the fighting continues equally so. Analyses of the Congo conflict have focused on the different motivations of the fighting forces: the pillage of Congo's rich mineral resources, the weakness of state institutions in Congo, the long-standing local disputes over identity and land (especially in the Kivu regions), the geo-strategic interests of neighboring states, and the economic and political priorities of states outside of Africa. All of these things are important in understanding the conflict, but none in and of themselves explains why the level of atrocity is so high.

The tendency to conceptualize the Congo crisis as something entirely different from genocide in Darfur needs to be challenged. There are genocidal dimensions to this conflict; recognizing them can help us explain the horrific nature of much of the violence as well as its terrible tenacity. Indeed, the dilemma faced by genocide scholars in looking at the DRC is how to explain the fact that many of the atrocities being committed there have characterized the violence committed during full-blown, root-and-branch genocides. The level of sexual violence, and the abject brutality of it, is so high that it is reminiscent of patterns found during the genocides in Bangladesh (1970-1971), Bosnia (1991-1995), and especially Rwanda (1994). Specifically genocidal characteristics of the sexual violence in the Congo, apart from the systematic way in which rape is being used, are the elaborate rituals of cruelty inflicted on family members, especially the coerced rapes between siblings or parents and children and the explicit humiliation of husbands, acts that I have called "life force

atrocities" and that are key indicators of genocidal intent at some level of a political or military hierarchy. The targeted cruelty performed against babies—symbols of a community's future—and the evisceration of pregnant women are other potent indicators. Finally the mass rape of women alongside the massacre of men, a pattern that has characterized many of the attacks on towns and villages by various armed groups, is also a strong signal of the presence of genocidal violence. The problem we have is that we do not have the data to determine with precision all of the armed groups that are responsible for a pattern of genocidal atrocities.

Several factors within the wider conflict can help explain the presence of genocidal patterns of violence. First and foremost is the presence still today of known Hutu genocidaires from Rwanda. They brought to Congo tactics perfected during their attempted annihilation of Rwanda's Tutsi population. Furthermore, smaller often ethnically-based groups, at times allied with regional powers, have pursued apparently eliminationist strategies against competitors for land and political influence. In a similar vein, Congolese ideologies of "indigeneity" have dovetailed with the regional Hutu-Tutsi conflict and have led to attacks on Congolese "Banyarwanda" (both Hutu and Tutsi) in the eastern provinces and Congolese Tutsis in South Kivu (the "Banyamulenge"), who have become defined as illegitimate foreign elements, even though many have a strong case for Congolese citizenship. It appears that genocidal attacks on villages and towns have become a widely shared strategy for controlling access to resources.

BACKGROUND TO THE CONFLICT

The conflict is often called "Africa's First World War" because of the number of outside states that

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have been directly involved. These states have pursued geostrategic, national security, economic, and, some would argue, imperialist goals on Congolese soil, sometimes outright, sometimes through local proxies. They have been aided by the many global mining companies operating in the DRC, and especially by world demand for coltan, gold, diamonds, tin, tungsten and tantalum (the latter three often referred to as the 3Ts). Despite the clear regional (and international) dimensions of the conflict, it cannot be understood as a war between the professional armies of recognized states. By and large the actual fighting has been between numerous smaller, non-professional armed groups, which have found logistical and financial support from neighboring nations but which also have pursued their own strategies within a Congolese political context. The decentralized nature of the conflict accounts for the relative ineffectiveness of peace agreements to exert binding pressure on the forces fighting in the eastern regions of the country where the majority of these militias operate.

The long-term history of the conflict lies in the horrors of Belgian colonization and the coercion, ineffectiveness, and eventual collapse of Mobutu's Zaire. But the immediate catalyst for the conflict was the 1994 genocide in neighboring Rwanda, when Hutu Power extremists took the lives of hundreds of thousands of Rwandan Tutsi citizens (70 percent of the total Tutsi population by some estimates). The genocide was brought to an end by the victory of the Rwandan Patriotic Front (RPF), a Tutsi dominated army made up of refugees from previous waves of anti-Tutsi violence in Rwanda, which invaded from neighboring Uganda in 1991 and was in the country as party to a peace agreement when the genocide broke out. As the RPF captured the Rwandan capital, Kigali, in July 1994 and brought the genocide to an end,

the Hutu extremist leadership, the former Hutu-dominated Rwandan Armed Forces (ex-FAR), the death squads (the interahamwe, or "those who work/fight/kill together"), and more than a million terrified Hutu civilians escaped over the border into eastern Congo. There the genocidaires set up refugee camps from which they continued the genocide on Congo terrain. Initially their presence had the effect of radicalizing and militarizing local conflicts involving various ethnic groups and Congolese Banyarwanda. Over time the genocidaires began to use the refugee camps to launch attacks across the border into Rwanda; they also began attacks on local Congolese Tutsi citizens (the Banyamulenge) and eventually reorganized themselves as the Democratic Forces for the Liberation of Rwanda (FDLR), drawing soldiers from the Rwandan and Burundian Hutu refugee populations as well as groups within Congo who shared historical animosity for the Banyamulenge.

The impunity with which the Hutu génocidaires operated in eastern Congo was bound to ignite further conflict, but few observers predicted the protracted fighting that ensued. The period of interregional fighting began in 1996 when a Congolese opposition movement (the Alliance of Democratic Forces for the Liberation of Zaire, or AFDL), supported by Rwanda and Uganda, was formed to break up the refugee camps and overthrow Zairian dictator Mobutu Sese Seko, who was supporting the Hutu genocidaires. The AFDL ousted Mobutu in 1997, thereby achieving a long-standing East African goal. The rebel leader and long-term Mobutu opponent Laurent-Désiré Kabila became president and reorganized the country as the Democratic Republic of the Congo. Because Kabila and the AFDL were supported by Rwanda, and because the Congolese Tutsis occupied so

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many positions within the AFDL and Kabila's new government, many Congolese saw Kabila as a Rwandan Tutsi puppet. In response Kabila tried to force Rwandan and Ugandan military officials out of eastern Congo, and instituted measures to reduce the influence of Banyamulenge within his government. Rwanda and Uganda responded by arming new rebel factions, particularly the Rally for Congolese Democracy (RCD), thereby ushering in the Second Congo War, which lasted from 1998 to 2002. Since then various militias, many backed by many different African nations, have been fighting one another for access to land, rich mineral resources, and politico-military power in a conflict that the scholar Gérard Prunier has likened to Europe's Thirty Years' War. ("Groping for Meaning," *Africa's World War*, 336-337)

As this historical analogy would suggest, the Congo conflict has been characterized by massive casualties, rampant atrocities and widespread pillage. Civilians have made up the vast majority of the estimated 5.4 million deaths, most dying not as a consequence of direct fighting but from the starvation, malnutrition and easily preventable and treatable illnesses that result from massive internal displacement and environmental spoliation. Civilians are also the prime targets for military attacks. Indeed, direct confrontation between armed groups is relatively rare. Characteristic of this conflict has been the use of civilian communities for plunder and revenge. This is particularly the case in the eastern part of the DRC, where a plethora of civilian (and ethnically-based) defense forces have, in Prunier's words, "taken the war to the village level," making a lasting peace difficult to obtain. Since there are so many armed groups involved in the violence, and since alliances are ever-changing, civilian communities can find themselves alternately protected and targeted by the

same factions. Furthermore, the DRC government policy of disarming rebel soldiers and integrating them into the DRC armed forces (FARDC) has contributed to the spread of atrocity, especially sexual violence, by normalizing and legitimizing brutal militia tactics and by offering high level officer positions to militia leaders known for their ability to wreak havoc on local communities.

THE G-WORD AND THE CONGO CONFLICT

For many reasons, analysts have largely avoided using the term "genocide" to describe what is going on in Congo. In part this has to do with the sheer number of separate (though interrelated) conflicts; determining which might be genocidal requires knowledge of the intents and tactics of scores of militias and their leaders, and this information has been difficult to obtain. In no way can one speak of a single genocide in Congo, since there is no one coordinating party—no state or non-state actor that has manufactured and controlled the conflict as a whole. But people have also assumed that genocide does not apply to Congo because rape is not fully appreciated as an indicator of potentially genocidal violence. Most scholarly definitions of genocide focus on direct killing as the key characteristic of the crime. Since many genocides follow gender-specific patterns of attack—the massacre of men and boys alongside the rape (and often murder) of women and girls—singling out direct killing ends up ignoring the way that many women experience genocidal violence. It also vastly underestimates the long-term damage to individuals and communities caused by the systematic use of sexual torture.

The difficulty in naming the violence in Congo has led to a considerable degree of frustration on the part of humanitarian and human rights groups. It is often argued that Darfur has maintained

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greater prominence on the world stage since 2004 because it was classified as “a genocide” by the US government. Some people have even questioned the continued usefulness of “the g-word” if it ends up ranking human rights disasters without reference to death tolls or overall levels of suffering; they suggest that we replace the term (in everything but international courts) with a more general label, such as “mass atrocity crimes.” The problem with such a suggestion, in the DRC and elsewhere, is that the term “genocide” is a powerful forensic tool that can help us understand the nature and contours of a conflict.

While the conflict in the DRC challenges some prevalent assumptions about the genocidal process, it also highlights why genocide is a useful analytical tool during times of crisis. The recent UN Mapping Report on the DRC, officially released on October 1, 2010, specifically implicates Rwanda in genocidal violence for the atrocities that were committed during the campaign against Hutu genocidaires during the First Congo War (1996-1998). At this time, the AFDL and the RPA massacred, raped and pillaged tens of thousands of civilians in the refugee camps just outside the Rwandan border. These were Hutus—mostly women, children and the elderly—who had fled Rwanda after the genocide. The suggestion that Rwandan forces under the leadership of President Paul Kagame may have committed genocide has created a diplomatic stir, as is to be expected. Kagame prides himself on having stopped the genocide of Rwanda’s Tutsis and has long resisted charges that his forces committed atrocities against Hutu civilians. The UN report comes at a time when denial of the 1994 Rwandan genocide is enjoying increasing international popularity, especially by people who seem to have little appreciation for the nightmare that engulfed Rwanda from April to July. (See, for

example, Edward Herman and David Peterson, *The Politics of Genocide*, Monthly Review Press, 2010) By raising the specter of a Rwandan genocide against Hutu civilians in Congo, the UN Report will inevitably fan the flames of genocide deniers. But the evidence is there and demands further investigation.

Although Rwanda is singled out in the report for the possible commission of acts of genocide, there are other cases. If we use the key indicators for genocidal intent employed by the State Department Atrocities Documentation Team sent to Darfur, we can see in Congo several smaller and more localized genocides and the massive appropriation of genocidal tactics by most of the fighting forces involved. Key among these tactics is the widespread use of particularly brutal forms of sexual violence against women and children, alongside the murder of men and village leaders, and the destruction of entire villages and towns. This gendered pattern of attack follows “older” genocidal forms, when territorial conquest would be followed by the massacre of men and the rape and enslavement of women and girls. As Helen Fein has pointed out, this “gender-selective” pattern of genocide became less prominent as slavery no longer formed the economic basis of most societies; it was replaced with the more “gender-neutral” and “total” patterns of destruction that we saw in the Armenian genocide, the Holocaust, Cambodia and Rwanda, where men and women, boys and girls were all murdered in very high numbers, most after being subjected to sexual violence and other forms of torture. (“Genocide and Gender,” *Journal of Genocide Research*, 1999)

In the Congo wars, slavery has taken on a new life in the armed groups responsible for most of the fighting, and we see a genocidal pattern growing up around it: the killing of adult men, the

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enslavement of boy children as soldiers, and the enslavement of women and girls as sex slaves and domestics. This pattern allows militias to continue fighting while also clearing the land of cohesive communities and thereby facilitating access to Congo's lucrative resources. In some regions, many villages are inhabited only by women and children, whose food and bodies are claimed willy-nilly by the armed men around them. At the dead center of this pattern are those symbolic rituals of cruelty that are strong indicators of genocidal intent.

SEXUAL VIOLENCE IN THE DRC

A terrible feature of the conflict in the DRC has been the widespread and systematic use of particularly brutal forms of rape by all fighting forces. This is a problem of such enormous proportion that the DRC has been called the "rape capital of the world," most recently by Margot Wallström, UN Special Representative on Sexual Violence in Conflict during a speech in front of the Security Council in April 2010. (BBC, 28 April 2010) In the past fourteen years over 200,000 cases of rape have been recorded. Human rights workers believe that this figure represents a very small percentage of the actual number committed during the protracted conflict. Congolese women and girls still live in an environment where rape and other forms of sexual violence are committed with impunity and at staggeringly high rates. This is even so in regions where there is no longer armed conflict.

The breadth and depth of sexual violence has been documented in the UN Mapping Report. The report offers us the most comprehensive documentation to date of the widespread sexual violence that has characterized the conduct of all the armed groups in the region. The UN investigative team conducted over a thousand interviews with conflict survivors in regions of the DRC that are notoriously difficult

to access as well as with internally displaced people whose communities have been destroyed in the fighting. It found that "[b]etween 1993 and 2003, sexual violence was a daily reality from which Congolese women gained no respite. Whether schoolgirls or mothers, engaged, married or widowed; simple farmers or wives of political leaders, former army members or civil servants; opposition party activists, humanitarian workers or members of nongovernmental organisations, they were all subjected, regardless of social class or age, and for a variety of reasons, to the most diverse forms of sexual violence." (Mapping Report, section 626)

The report chronicles in grim detail the variety of forms of sexual violence that have been deployed by the many different armed forces active in the DRC. These include rape, gang rape, rape during incarceration, rape with objects such as sharpened sticks and guns, rape in public, coerced rape between family members, the evisceration of pregnant women, the application of hot pepper and other foreign substances (such as hot wax) to the genitalia and internal organs, sexual mutilation, and sexual slavery. Several women and girls also have had guns inserted into their vaginal canals and then fired, causing death or permanent disability. Among the victims have been women and girls all ages, from infants to grandmothers, and from all ethnic groups affected by the violence. Men and boys have also been targeted with similar depravity.

Often sexual violence has been accompanied by other gross violations of human rights, including the wholesale massacre of men in a village or town, the killing of family members, kidnapping, burial alive, burning alive, the abduction of children for work as soldiers or domestics/sex

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slaves within armed units, and massive destruction of individual and community property. In almost all cases the violence has been systematic. Because of the number of militias operating in many of the conflict zones, it is sometimes impossible to determine the armed group responsible for specific instances of violence. Furthermore, many women and girls have been raped on multiple separate occasions, by different militias as they seek to sustain themselves through pillage while vying for control of a disputed region.

Sexual violence has been especially intense in the North and South Kivu provinces, where violence against women is still at an acutely high level. Today, sexual violence is still endemic in this region. In July 2010, for example, hundreds of women and girls, as well as scores of men and boys, were brutally gang raped by three armed groups as they stormed the small town of Luvungi, despite the fact that UN troops were stationed 12km away. Many of these rapes were committed in public, and especially in front of the victim's family members. Victims included four baby boys, aged one month, six months, one year and eighteen months. (New Haven Register, 25 August 2010) This attack appears to have been spearheaded by the FDLR (interahamwe) and allied Mayi Mayi groups. The fact that the FDLR probably orchestrated the attack strongly suggests genocidal intent. Further indication of the genocidal behavior of the soldiers is their comportment after the rapes. Several of the victims reported that their attackers "hollered into the night [after the attacks], as if they were celebrating." (New York Times, 4 October 2010)

RAPE AND GENOCIDE

Sexual violence in the DRC is often clearly intended to exert maximum psychic as well as physical destruction on its victims as well as to substantially

undermine family and community cohesion. At the 2008 "Connect for Congo" conference in Washington, DC, Dr. Dennis Mukwege, co-founder and lead surgeon of Panzi Hospital, in Bukavu, called rape in Congo "a crime against life itself." He told Eve Ensler in 2007: "When rape is done in front of your family... it destroys everyone. I have seen men suffer who watched their wives raped; they are not mentally stable anymore. The children are in even worse condition. Most of the time, when a woman suffers this much violence, she is not able to bear children afterward. Clearly these rapes are not done to satisfy any sexual desire but to destroy the soul. The whole family and community are broken." (Ensler, "Women Left for Dead," *Glamour*, 1 August 2007)

The long-term consequences of this conflict for women and girls are despairing. Most victims live far from clinics and hospitals and are too poor to pay for transportation or medical services. They have internal damage that causes constant leaking of body fluids. They suffer chronic pain. Many cannot afford to feed themselves or their children, and many are dying of easily avoidable illnesses. Many—some reports suggest one quarter—of the women raped have been infected with the HIV virus and did not have access to the life-saving antiretrovirals that must be taken within 72 hours of exposure. They are traumatized, physically and psychically, in ways that we generally only associate with root-and-branch genocide. Many survivors are completely alone—their family members have been kidnapped or killed, or they have been thrown out by their husbands and communities. Many are bearing the children of rape in conditions so basic that they die in childbirth. Many more cannot have children because of their wounds. Others have watched as their villages and towns have been razed and have nowhere to go.

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Surviving family members and entire communities are deeply traumatized by the systematic rape of women and girls. The most intimate relationships within families and the social cohesion of the community more generally are destroyed. The trauma and suffering faced by men who are forced to watch the torture of their wives, mothers, daughters, sisters and cousins without being able to intervene is not widely recognized. Their despair is not simply—or even predominantly—the consequence of patriarchal or sexist traditions; rather it is a deeply human response to a form of cruelty that is aimed to exert maximum damage on surviving victims and their entire communities.

RAPE AND GENOCIDE

Rape and other forms of sexual violence can be crimes of peacetime, crimes of war, crimes against humanity, and acts of genocide. In Congo, we see widespread sexual violence that falls into all of these categories, though the presence of genocidal sexual violence generally has not been recognized. Genocidal sexual violence is much more than rape that occurs during genocide (though this can be prosecuted as an act of genocide). Genocidal sexual violence is sexual violence that is meant to destroy a group, in whole or in part. There are certain common patterns that can be identified across cases of genocide which weave sexual violence into other particularly cruel rituals of total domination. This sort of sexual violence can alert us to the presence of a genocidal processes, something that is particularly useful when, as is the case in Congo, the group categories being targeted for destruction are not well known or easily identifiable to outsiders.

Sexual violence was not specifically mentioned as an act of genocide in the 1948 UN Convention on the Prevention and Punishment of the Crime

of Genocide, but recent legal rulings have recognized that sexual violence can, in particular circumstances, be prosecuted as a crime of genocide. In *Prosecutor v. Akayesu*, the first case to try and convict a defendant for rape as a crime of genocide, the International Criminal Tribunal for Rwanda (ICTR) found in 1998 that rape and sexual violence “constitute genocide in the same way as any other act as long as they were committed with the specific intent to destroy, in whole or in part, a particular group, targeted as such.” The court recognized that rape could cause “serious bodily [and] mental harm to members of the group,” satisfying provision II(b) of the Genocide Convention. It also found that rape could be used to prevent births within the group [provision II(d)], through forced pregnancy, sexual mutilation, and emotional and psychological damage. A few years later, the International Criminal Tribunal for the former Yugoslavia (ICTY) reaffirmed in the *Karadzic and Mladic* decision that forced pregnancy can be an act of genocide.

There is evidence that sexual violence is being used in the DRC as a genocidal strategy directed at smaller communities by several different armed forces. How else are we to explain, for example, the experiences of 29-year-old Nadine, a Congolese woman at Panzi Hospital in Bukavu, one of the only hospitals in the country treating women with major internal damage due to rape. Nadine told her story to the American playwright Eve Ensler in 2007: “Normally there was insecurity in our area. We would hide many nights in the bush. The soldiers found us there. They killed our village chief and his children. We were 50 women. I was with my three children and my older brother; they told him to have sex with me. He refused, so they cut his head and he died.” The soldiers then killed ten of her friends and murdered Nadine’s three

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children: her four-year-old and two-year-old boys and her one-year-old girl. “They flung my baby’s body on the ground like she was garbage,” Nadine said. She was then gang raped, which caused a rupture of her vagina and anus, resulting in long-term disability. During her ordeal, she witnessed the evisceration of a pregnant woman, whose almost full-term baby the soldiers then killed and forced their rape victims to eat. (Enslar, “Women Left for Dead,” *Glamour*, 1 August 2007)

Deciding whether or not sexual violence is being used as a genocidal strategy is difficult in the absence of clear evidence of the intent to destroy a group in whole or in part. I have suggested elsewhere that life force atrocities are crystallizations of this genocidal intent and therefore strongly suggest the presence of genocide. It hardly needs to be said that perpetrators of atrocities like the ones suffered by Nadine are in the throws of something much greater than war. Killing infants, forcing family members to torture one another, ripping open the bellies of pregnant women, these are acts we see during wars of extermination. The wholesale destruction of communities strongly suggests that the perpetrators, at some level of the hierarchy, have developed genocidal intent against a group. Although Nadine’s story is enclosed within a news story about rape, the crimes and the victims far exceed the word; there are her three murdered children, the pregnant woman and her unborn baby, Nadine’s brother and parents, the village chief and his entire family, and ten of her friends. In the case of Nindja we have in fact a classic genocidal scenario: the local leadership is killed, the men are massacred, the women are raped, and all symbols and institutions of family and community stability are undermined completely in order to destroy the town in whole. Certain groups, such as the FDLR, are known to specialize in life force atrocities like

the ones experienced and witnessed by Nadine, her family, and her neighbors.

The attacks by the FDLR in fact can be seen as a “displaced genocide” that has had poisonous consequences for the conflict more generally. The FDLR has been committing “life force atrocities” against Congolese citizens of several different ethnicities since 1994, and it has drawn these tactics directly from tactics used to kill Tutsis in Rwanda. When it targets Congolese Tutsis its actions can be seen as fuelled by the same genocidal ideology behind the genocide in Rwanda. In other cases, when Banyamulenge are not involved, it is possible that the FDLR uses genocidal strategies to achieve more pragmatic goals having to do with the control of local populations through terror and access to local mines. This does not rule out the presence of genocidal intent against these populations—it simply suggests that genocidal intent can be formed to serve rather mundane motivations, such as greed or political leverage. Whatever the case, the FDLR has clearly been one of the worst and most long-lived perpetrators of genocidal atrocities in the region and its removal from Congo will contribute a great deal to the establishment of order and security in the Kivu regions. It is therefore a strong step forward that two of the top FDLR political leaders have been arrested in Europe in the past year. One of these, Callixte Mbarushimana, was the suspected architect of this past summer’s Luvungi attack.

Another armed group that has been charged with gross human rights violations is the Rwandan-backed National Congress for the Defense of the People (CNDP), which was formed in 2006 with soldiers from the AFDL that overthrew Mobutu and the RCD, the group that was funded by Rwanda in 1998 to fight the DRC troops and the FDLR during

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the Second Congo War . The origins and purpose of the CNDP are disputed. Supporters suggest that it grew out of the need to protect Congolese Tutsi from the widespread resentment for and hostility to Banyamulenge in Eastern Congo, a situation that was grossly exacerbated by the arrival of Hutu genocidaires from Rwanda. Critics charge that the CNDP was formed by the Rwandan government to look after Rwandan interests in eastern Congo, notably lucrative mines. Whatever the case, the RCD and CNDP were major sources of instability in the Kivu regions. They have been implicated in widespread atrocities, especially the use of child soldiers. According to Human Rights Watch, RCD soldiers engaged in tactics similar to the FDLR; in one documented instance, soldiers gang raped a woman in front of her husband while another soldier raped her three month old daughter. (“Arrest Laurent Nkunda for War Crimes,” Human Rights Watch, 1 February 2006) Whether the CNDP committed life force atrocities in the same systematic way as the FDLR is unclear, but the use of rape, pillage, indiscriminate murder and child soldiers seems well established. The former CNDP leader, Laurent Nkunda, was indicted by a Congolese military court for war crimes and is currently under arrest in Rwanda, which refuses to release him to Congo. Another former CNDP leader, Bosco Ntaganda, was indicted by the ICC on 22 August 2006 for war crimes committed by the RCD in the Ituri district between 2002 and 2004. Despite the ICC indictment, he was integrated into the FARDC after Nkunda’s arrest in 2009, and given the military grade of general.

This “displaced genocide” catalyzed local grievances and gave them an explosive new interpretive framework. The FDLR exploited Congolese resentments for the Banyamulenge and attacked them with the help of various self-defense

groups (referred to collectively as the Mayi Mayi). This bolstered CNDP claims that it was fighting to prevent another genocide against Tutsis. Many smaller Mayi Mayi militias have fought alongside one or another of these larger groups and have also used apparently genocidal tactics to settle local scores. The war between Hema and Lendu Mayi Mayi groups in Orientale province is another good example of the radicalizing effect of FDLR/CNDP fighting. In this case, a conflict that originated in long-standing land disputes became militarized, resulting in ethnic cleansing and possible genocide. Easy access to modern weapons, the support of regional powers, and the opportunity to pillage, expropriate land, and control rich mineral resources escalated the violence, making genocidal strategies more attractive. Furthermore, many of the Lendu Mayi Mayi groups were known to fight with the FDLR, and we can assume some of the FDLR’s genocidal tactics were borrowed for attacks on Hema civilians. Hema groups seem to have responded with similar atrocities. Sexual violence was quite pronounced in this part of the conflict. According to the Mapping Report, sexual torture and mutilation were common. The corpses of many women and children were found without breasts or genitalia. (Mapping Report, Paragraphs 600-602)

WHAT IS TO BE LEARNED

Largely missing from the UN Report is a discussion of the multiplicity of potential genocides that we see in the region. The UN Report fails to explain why the actions of Kagame’s forces during the First Congo War would be singled out as potentially genocidal. The many smaller attacks on villages by several other armed groups—as well as FDLR attacks on Congolese Tutsi—also often appear to have followed a genocidal script.

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We see so many patterns in various aspects of the Congo conflict that suggest that armed men sought to destroy a people—however small—not simply in part but often in their entirety as a village, town or community. International courts have determined that attacks on a geographically-limited portion of a group can satisfy the requirements for a genocide conviction. This is a fact the Mapping Report itself notes in its discussion of the possibility of a genocide charge against Rwandan forces. (Mapping Report, Paragraph 30)

Perhaps the UN team that prepared the report was working from a state-based model of genocide, assuming that smaller armed groups would not have the resources to commit the crime. Or they believed that genocidal intent must be bureaucratized; that it could not form in the process of fighting and be communicated in less ideological ways. Perhaps the multiplicity of motives involved in the Congo conflict somehow served to preclude the possibility of genocidal intent. In excluding genocide from its general discussion of the crimes committed in the DRC, the UN is certainly not alone. Indeed, most analysts have not used the word and the crisis is not generally understood in these terms. The wide variety of groups that have suffered in the aggregate seems in fact to suggest a non-genocidal pattern. Instead, the conflict has been explained by the various motives that encourage professional armies and militias to continue fighting, especially greed. According to this interpretive framework, widespread sexual violence and other atrocities serve various (non-genocidal) purposes: they are terror tactics used by militias to control populations and gain access to the surrounding mineral resources; they are excess atrocities that occur during pillage and revenge attacks; and they are strategies for militia leaders to gain political leverage and ensure themselves

senior officer positions win the FARDC. Indeed the sealed ICC warrant for the arrest of FDLR leader Callixte Mbarushimana suggests that the FDLR has used such atrocities like the mass rape of women in Luvungi to blackmail the international community into granting it political concessions. All of these explanations of perpetrator motivation are undoubtedly true, but they do not in and of themselves rule out genocidal intent.

Simply put, motives differ from intent. There can be a multiplicity of motives in any given genocide, and certainly different actors have different sensibilities about what they are doing. The intent is merely the conscious and planned destruction of a group, in whole or in part, for whatever reason. While the Genocide Convention lists four protected categories—“national, ethnical, racial and religious groups”—in practice genocides, even the classic cases, have targeted people for many different aspects of their ascribed and subjective identities. Class, religion, ethnicity, nationality, phenotype, political and regional affiliation, and perpetrator delusions have all combined to create the terrible brew we call genocide. When Congolese villagers are massacred for allegedly supporting one armed group or another, and they all are from a single ethnicity, or are seen by perpetrators to be simply “Congolese,” and live near rich mineral fields, who is disentangle the many identities and motives that inform genocidal intent?

The Congo conflict, and especially the suffering of women and girls during it, challenges many popular perceptions about genocide—that it must be carried out by a state, that it must be total in its dimensions, that the numbers killed must reach into the hundreds of thousands, and that there cannot be multiple motives behind the violence. Importantly it also challenges definitions of

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genocide that rely on direct killing as the main method of destruction. The sexual torture of women is every bit as destructive to a community as mass murder. The destruction wreaked on individuals and communities by such acts is total—and it is significantly cheaper and perhaps more fun for the perpetrators than outright massacre. Furthermore, in Congo it is precisely the specific form taken by so much of the sexual torture of women and girls that is the key indicator of genocidal intent.

Unfortunately the UN Mapping Report and other studies only rarely document the “contextual details” that would tell us which attacks resemble the type of atrocity suffered by Nadine and the other inhabitants of Nindja. Apart from direct testimony from survivors, we rarely hear if women were raped in front of their husbands, or if sons were forced to rape mothers, or if children were tortured in front of their parents. We only know a little bit about attacks that involved village leaders (this seems to have been a FDLR specialty) and what sorts of atrocities attended these murders. Such information is often hard to come by because there are so few survivors. But its importance to understanding genocidal violence is also not recognized and therefore the narrative aspect of the data is overlooked. To know the precise way in which each armed group has attacked villages and towns would be of enormous help in interpreting intentions.

Despite all the problems with documentation, we can still see in Congo various kinds of genocidal violence inflicted in many small-scale ways, as befits the level of organization and frame of reference of many of the armed groups operating there. Sexual violence has been a major part of this genocidal violence. This is because, in very basic terms, women are the bearers of future life. Genocide, the destruction of the future life of one

particular group, will naturally place women at the center of violence in very symbolic ways. The FDLR appears to have perfected the use of rape and sexual violence as a weapon of genocide by using it exclusively in places like Luvungi in order to destroy that community just enough to guarantee FDLR claims to local resources. The DRC in fact raises the possibility that perpetrators of genocide may pursue genocidal ends exclusively through the use of sexual violence. Such a strategy would be cheap and would help them avoid genocide charges.

Because genocide is aimed at the destruction of the life of one group it is also leads to the destruction of the value of life as such, at least among the perpetrators, so genocidal processes have a tendency to fan out from original targets to destroy ever-widening circles of victims. The core target of the FDLR has always been Rwandan Tutsis, but the other groups caught up in its net have not fared much better. This universal undercurrent to genocidal violence is why the perpetrators who are systematically killing off one group will show such disregard for the lives of people on the periphery of their intentions, even within their “own” group, and often, given the chance, quite fluidly move on to new targets. We have seen this phenomenon in most genocides of the twentieth century, where the architects of genocide have identified many enemies for inclusion in the destructive process, sometimes turning inward on their own party cadres. Indeed, history has shown that genocidal violence is quite addictive; its transgressions of conventional morality are so extreme that demobilization of genocidaires is particularly difficult. Frequently they look for chances to start things up again, as the Hutu Power genocidaires did in Congo in 1994 after their defeat by the RPF.

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What we learn from the Congo crisis is not that we should jettison the word “genocide”—far from it. What we learn is that we should apply it with less timidity and more forensic accuracy, perhaps seeking to identify indicators of genocidal violence in conflict situations more often than “a genocide” as such. The more rigorously we understand the genocidal dimensions of the Congo conflict, the more we will be able to predict and stop similar destructive patterns the next time they rear their heads. Had the world truly appreciated the aims and the methods of the Hutu Power genocidaires in Rwanda in 1994, perhaps more care would have been taken immediately to arrest and disarm the ex-FAR and interahamwe after they fled into Congo. Had we had a better sense at that time of the gendered nature of genocidal patterns of attack, we may have been able to see a continuing genocide in the ex-FAR attacks on the Banyamulenge. Certainly the diplomatic community may not have been so willing to believe Rwandan Hutu claims to being the real victims of violence in Rwanda and it may have had a better chance of predicting the intractable nature of violence in the Kivus. Genocidal violence tends to beget genocidal violence, precisely because it targets with abject cruelty what people hold most dear. So recognizing the presence of genocide in the region in 1994 would have made Rwanda’s (possibly) genocidal attacks on Hutu refugees in 1996-1997, as well as the apparently mutually genocidal strategies pursued by various Mayi Mayi groups against one another since then, easier to predict—and, perhaps, to prevent.

Looking to the future, if we are able to build on the discoveries of the UN Mapping Report and get a more localized sense of the circulation and sharing of genocidal aims and tactics—the way that they evolved in each specific smaller conflict—perhaps

we can build a more effective intervention protocol by identifying early on the specific cadres that are at risk of committing the worst human rights abuses. The total destruction of the value of life witnessed by Congolese civilians like Nadine is a wound to humanity that cannot heal. It simply cannot be allowed to happen over and over again, and the groups responsible for this type of violence must be singled out for condemnation and treated as the most serious threats to peace and stability. To do this, however, and thereby prevent genocidal atrocities, we have to take very seriously the importance of accurately documenting different forms of sexual violence and of using this data to pinpoint potentially genocidal situations within wider conflicts; in other words, we have to find ways to fit Nadine’s experience into a statistical format.

The stakes are enormous. If nothing else, the ongoing conflict in the DRC shows us in stark terms the horrific consequences of failing to prevent genocide in Rwanda. For this reason alone it should become a focal point for future genocide research.

THE FUTURE OF DAYTON'S BOSNIA: JUSTICE MUST MEET PEACE

BY SHERI P. ROSENBERG

Sheri P. Rosenberg

Director, Human Rights and Genocide Clinic at the Benjamin N. Cardozo School of Law

The recent Bosnian elections alarmingly reveal that ethnic divisions continue to threaten the country's very existence. This will not change until the discriminatory policies built into its very constitutional framework are removed. Fifteen years after the U.S.-brokered Dayton Peace Agreement brought peace to Bosnia-Herzegovina and ended the only genocide in Europe since the Holocaust, the accord continues, ironically, to discriminate against minorities. Indeed, the highest human rights court in Europe recently ruled that preventing two Bosnian citizens – one Jewish, the other Roma -- from participating in government because of their ethnicity violates the European Convention on Human Rights' ban on discrimination.

One of the plaintiffs in the case, Jakob Finci, a Jew, was born in a transit camp during World War II; his parents had been deported from Sarajevo to an Italian concentration camp in early 1943. Returning to Bosnia after the War, he chose to remain in Sarajevo while the three main ethnic groups—Bosniaks, Serbs, and Croats— were engaged in a vicious, genocidal civil war from 1991 to 1994. When it ended, more than 120,000 people were dead, two million people were displaced, and the Bosnian Serbs had perpetrated genocide. Interestingly, Finci, as a Jew, was considered 'outside' the ethnic conflict, enabling him to direct the only humanitarian organization helping all citizens of Bosnia, regardless of ethnicity.

The 'rules of war,' not the rules of peace, allowed him fully to participate in society. The Dayton Agreement, with its balanced power-sharing arrangement among the three warring ethnic groups turned this on its head: only Bosniaks,

Serbs and Croats were officially given status as "constituent peoples" and allowed to enjoy full rights of citizenship. Minorities, including the Roma and Jewish communities were officially labeled "others" —and therefore excluded from the highest offices of government, making Bosnia the only country in Europe where citizens are constitutionally denied political participation on the basis of their ethnicity and religion.

The Finci case goes straight to the heart of the paradox, and forced the court to confront a tension simmering quietly below the entire Dayton structure: A decade and a half after the genocide, does the law permit an exception to the fundamental right of equality when it is claimed that this very discrimination is necessary to consolidate the peace?

The court rightly answered no, ruling that Bosnia's constitution is discriminatory in its exclusion of Jews and other minorities from participating in government.

During the frenzied Dayton negotiations, the rights of Finci and other minority groups were, at their most benign, simply forgotten, and at their most insidious, intentionally bargained away. This is not uncommon. In the process of pursuing peace during charged ethnic conflicts, the value of equality is often bartered. In the Finci case, the court accepted this tradeoff, stating that, "when the impugned constitutional provisions were put in place a very fragile cease-fire was in effect on the ground. The provisions were designed to end a brutal conflict marked by genocide and ethnic cleansing." The court has now concluded that given Bosnia's progress since the war the time for tradeoffs had passed.

Some suggest that the court was wrong and recklessly injected itself into a delicate peace,

THE FUTURE OF DAYTON'S BOSNIA: JUSTICE MUST MEET PEACE

making a dangerous situation worse. This fear is misplaced. The court declared that racial discrimination has no place in 21st Europe, and it refused to tailor a narrow exception based upon a hypothetical ground of 'political necessity.' In the end, ethnic exclusion is not only unjust, but also unproductive politically, as the current state of affairs demonstrates, because it perpetuates the discriminatory culture that fueled conflict in the first place.

Now Bosnia is at a dangerous crossroads. On October 3, Bosnians went to the polls and the results point to a deadlock on ethnic lines. The president of the Serb-dominated Republic of Srbska ran on a platform of secession from Bosnia and boldly declared that Bosnia will not exist in fifteen years.

Even prior to the elections, noting a dramatic deterioration of the political climate, European Union foreign ministers stated recently that their forces may stay past their mandate, should the situation require, and a growing number of commentators and government officials warn that ethnic divisions and political paralysis mean that Bosnia stands on the precipice.

In order to step away, the fundamental value of equality – the bedrock of justice - must be weaved into the country's very social fabric. The past fifteen years have proven that a democratic society with a patchwork of ethnic groups cannot develop when exclusionary policies and laws are paramount. Allowing full participation of all ethnic groups will be an incremental yet important step toward breaking the deadlock.

To become a member of the EU all potential member states must comply with judgments from the European Court of Human Rights. This provides a significant incentive for Bosnian politicians to seek compliance.

The Bosnian parliament should, therefore, amend its Constitution in advance of the next general election to ensure equal treatment for all.

For Bosnia to have a chance to transition from genocide to sustainable democracy, justice must meet peace.

Professor Sheri Rosenberg, the Director of the Human Rights and Genocide Clinic at the Benjamin N. Cardozo School of Law was co-counsel on the Finci case.

LETTERS RE DENIAL OF GENOCIDE

December 14, 2010

Dr. J. Richard Cohen, President
Southern Poverty Law Center
400 Washington Ave.
Montgomery, AL 36104

Dear Dr. Cohen:

We write with serious ethical concern about the Southern Poverty Law Center's retraction and apology in its Intelligence Report (fall 2010) for its depiction of Professor Guenter Lewy in its article "State of Denial" (summer 2008), concerning the Turkish government's denial policy on the Armenian genocide.

The SPLC apologized to Professor Lewy in the wake of a suit, filed by The Turkish American Legal Defense Fund, in which Lewy denied that he was in the pay of the Turkish government. An apology for that statement in an otherwise excellent piece of journalism may be justified. Yet, the retraction and apology goes on to make statements that appear to be part of a legal deal and are congruent with the Turkish government's tactics of denying the Armenian genocide in order to falsify history for the purpose of its nationalist agenda.

Despite Professor Lewy's claims that the historical records do not support "a premeditated plan," the archival documents show unambiguously that the Ottoman Turkish government planned and organized the genocide of the Armenians. In addition:

1. In claiming there are two sides to the ethical reality of this history, the retraction/apology ignores the definitive assessments of Raphael Lemkin, who created the concept of genocide as a crime in international law in large part on the basis of the intended group killing of the Armenians by the Turkish government in 1915.
2. The apology ignores the unanimous consensus of the International Association of Genocide Scholars that the Armenian case constitutes genocide in accord with all of the acts and intentions stipulated in the UN Genocide Convention. The IAGS has issued several open letters about its definitive conclusions concerning the genocidal facts of this history.
3. The apology also ignores the entire corpus of decades of scholarship on the Armenian genocide, recorded in hundreds of books representing the judgments of every reputable scholar who has ever written about the Armenian genocide.

Furthermore, the SPLC's retraction and apology presents a misleading view of Professor Lewy's work on this subject. Professor Taner Akçam, the leading Turkish historian on the Armenian Genocide, has written a 28-page analysis of Lewy's book in *Genocide Studies and Prevention* (vol. 3, no. 1, April 2008). In summary, Akcam notes: Lewy has ignored all the primary sources, including Turkish archival ones, showing the government planning of the genocide; he has no adequate understanding of the concept of genocide; he has invented a narrative without adequate analysis and archival documentation.

LETTERS RE DENIAL OF GENOCIDE

Professor Lewy has lent his academic training to the continued denial of the Armenian genocide by Turkey, and by publishing the text of its apology, denying the premeditated nature of the Armenian Genocide, the Southern Poverty Law Center, whose mission statement claims the organization is “dedicated to fighting hate and bigotry” unfortunately lends support to Lewy’s unscholarly and unethical perspective.

Sincerely,

The signers are all of the past presidents of the International Association of Genocide Scholars (IAGS):

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Dear IAGS Past Presidents,

Thank you for writing. Like you, we believe that the weight of scholarly opinion supports the conclusion that the murder of Armenians during World War I should be characterized as a genocide. We said as much in the article we published in 2008, and nothing in our retraction changes our position.

Unfortunately, our 2008 article also erroneously suggested that the Turkish government was financing Guenter Lewy’s publication of a contrary view. No matter what we or the IAGS may think of Professor Lewy’s work, it was incumbent on us to retract what we had said and apologize to him for our error. We also thought it was appropriate, in light of our error, to make it clear that Professor Lewy acknowledged

LETTERS RE DENIAL OF GENOCIDE

that the Ottoman Turkish regime bore a degree of responsibility for the murders . We hope that others do not confuse our retraction and apology to Professor Lewy as an endorsement of his view on the genocide question.

Richard Cohen, President
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AN AMERICAN SCANDAL

December 8, 2010

At this very moment, a university is having to defend itself against a lawsuit. The charge? Declaring that writings denying a genocide are not a basis for students' work. In other words, the university has come up against those who defend the perpetrators of genocide, who want to have their denialist discourse legitimized.

The university is American, headquartered in Minneapolis, the largest city in the State of Minnesota. The genocide in question is the genocide of the Armenians, which was perpetrated by the Ottoman government beginning in 1915. And the complaint was filed by the Turkish Coalition of America, an organization which claims that the genocide did not take place.

The complaint targets the Center for Holocaust and Genocide Studies, which is part of the University of Minnesota. This Center has a website for students and researchers which suggests, among other things, recommended readings. It also indicates that other texts on these subjects are "unreliable," beginning with the texts of the Turkish Coalition.

This has angered Turkish lobbyists, who are filing suit against the university, its president, and educator Bruno Chaouat, who directs the Center. They have been defamed, they say, they are being denied the right to speak. They pose as victims because academics have passed scientific judgment on denialist discourse-which is their right, indeed their duty. The university is defending itself, of course, and has every chance of winning this unjust lawsuit. But doubt has been sown in people's minds.

All this may seem far, very far, from us. In reality, we are directly concerned. Not only because the academic in question, Bruno Chaouat, is a French citizen. What happens today in Minneapolis could occur tomorrow in Paris, if we are not careful. Among us also, the denial of the Armenian Genocide has its advocates. And the deniers of all genocides are alike. Not satisfied with preaching hatred, they want to impose their presence in a discussion where they have no place.

LETTERS RE DENIAL OF GENOCIDE

Imagine Pierre Péan giving a course on the Tutsi genocide in Rwanda, imagine Faurisson and Garaudy teaching the history of the Shoah. Ridiculous, hateful, intolerable? Yes, but not much more than what some people claim to be dictating to the University of Minnesota. The battle of this university and its teachers for the simple right to tell the truth about genocide is our struggle as well.

Meïr Waintrater

The author is editor-in-chief of L'Arche, a Jewish-French monthly magazine. French original:
<http://www.france-israel.org/articles.ahd?idart=1613><<http://www.france-israel.org/articles.ahd?idart=1613>>

See also:

<http://www.radiochalomnitsan.com/blog/?p=2203><<http://www.radiochalomnitsan.com/blog/?p=2203>>

<http://www.terredisrael.com/wordpress/?p=28125><<http://www.terredisrael.com/wordpress/?p=28125>>

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Darfur: Genocide Before Our Eyes

ed. Joyce Apsel. Institute for the Study of Genocide, 3rd ed., 2007. \$20 in the U.S., \$25 in other countries by Global Priority Mail. Essays by Joyce Apsel on “Teaching About Darfur through the perspective of genocide and human rights”; Jerry Fowler, “The Evolution of Conflict and Genocide in Sudan,”; Eric Markusen and Samuel Totten, “Investigating allegations of genocide in Darfur”; Eric Reeves, “Darfur: Genocide before Our Eyes,”; Gregory Stanton, “Twelve Ways to Deny a Genocide”; and Jennifer Leaning, “The Human Impact of War in Darfur.” Also contains four maps, glossary, webography of sources on Sudan and the test of the UN Convention on the Prevention and Punishment of Genocide. To order, first contact Joyce Apsel, jaa5@nyu.edu

The Prevention of Genocide: Rwanda and Yugoslavia Reconsidered

(Institute for the Study of Genocide, 1994)

\$10 US / \$15 International (Prepaid, international money orders, U.S. Dollars only)

Ever Again?: Evaluating the United Nations Genocide Convention On its 50th Anniversary. (1998) Essays by noted scholars, journalist and lawyers. \$15 US / \$20 International

Teaching About Genocide: An Interdisciplinary Guidebook with Syllabi for College and University Teachers

New Edition 2002, eds. Joyce Apsel and Helen Fein. Published for the Institute for the Study of Genocide in cooperation with the American Sociological Association. Syllabi by 22 noted teachers (in anthropology, history, international affairs, law, philosophy, political science, psychology, law, religion, sociology) on the Armenian genocide; the Holocaust; genocide and Holocaust; genocide; genocide, human rights and international affairs; essays by the editors; and selected internet websites on genocide. Cost for mailing in the US is \$18 for members of ISG, IAGS and ASA and \$22 for all others; add \$3 for Canada and Mexico and \$6 for other countries. To order, send check in US dollars drawn on a US bank or by credit card (American Express, MasterCard or Visa) to American Sociological Association: by mail (1307 New York Avenue, NW, Suite 700, Washington, DC 20005-4701); telephone (202 383 9005, ext. 318), by fax (202 638 0882) or web (www.asanet.org).

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