

The “G” Word: Genocide

By Ian Williams | September 22, 2004

Late Saturday afternoon September 18th, the UN Security Council passed resolution 1564, which set up a commission to investigate human rights violations and allegations of genocide in Sudan, and also boosted the African Union monitoring presence in Darfur, and implied that sanctions would be considered if Khartoum did not cooperate.

The resolution is not enough, and it is too slow for the taste of anyone with a conscience, but compared with the long-drawn out agonies of Cambodia, Bosnia or Rwanda, this is a lightning speed reflex for the International Community.

The U.S. and UK could only get eleven votes for 1564. It took a lot of work even then, and the four abstentions were, as expected, Russia, China, Algeria and Pakistan. The latter two had domestic excuses: supporting any American resolution about any Arab country is not the way to win hearts and minds with Muslim populations in the teeth of unremitting American support for Ariel Sharon.

In fact China, with its dual concerns about sovereignty, (usually spelt as either Taiwan or Tibet) and its growing oil operations in Sudan, had been threatening to veto the resolution. It was mollified by a toning down of the language on possible sanctions and by a plea from Kofi Annan—to whom they owed a favor because of his otherwise rationally inexplicable decision to ban a teleconference between UN correspondents and President Chen of Taiwan earlier in the week.

However, the supporters of the resolution still had to cope with the diplomatic aftershocks of the Iraq invasion. The American maintenance of sanctions on Iraq and Libya and of course the invasion of Iraq have, understandably, made many Council members very chary of endorsing any resolution that looks like a slippery slope to unilateral American action.

So while getting sanctions explicitly mentioned at all was a step forward for Washington and the Europeans, opponents negotiated out any hint of automaticity for them. In the famous language of the run up to the Iraq war—a “second resolution” will be needed.

That may now depend on the findings of the commission set up by the resolution. There is no doubt that massive crimes against humanity are being perpetrated in Sudan, and that tens of thousands of men,

women and children are being slaughtered. So why does it matter if it is genocide?

Defining Genocide

In fact, killing the last ten members of a tribe in the rainforest is indeed genocide. But killing millions of your political opponents is not, so long as you do not pick your victims on the basis of race or creed.

Some among the Europeans are almost embarrassed at supporting the Americans, but the support of France, Spain and Germany in particular has been essential to protect the movement to save the Darfurians against accusations that it is yet another American-led crusade against Arabs and Muslims. While in no way condoning what they see as mass murder, many of the Europeans do not share the U.S. determination that it is genocide happening in Sudan.

The U.S. insistence on the genocide issue comes from a complex mixture of motives—partly, indeed probably mostly, domestic politics in an election year and also international politics. A finding of genocide would establish a *prima facie* case for intervention in international law.

There is an element of genuine humanitarianism, which of course many people around the world will find difficult to believe. There are indeed human rights groups who are genuinely concerned and want action, about this and many other tragedies, and who are occasionally worried about the company that they keep on this occasion.

However, in American political terms, sadly, “genocide” can mean “killing people who have a lobby supporting them in Washington—and especially doing it on TV.”

So, in addition to the more impartial human rights organization, there are groups from evangelical Christians to pro-Israeli lobbyists, who are always happy to hit at an Arab state, especially one they see as persecuting Christians and opposing Israel. Sudan has been a

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favorite cause with many of these, who seem to conflate the Darfur war, which is actually pretty much between Muslims, with the conflict between the Christian rebels and Khartoum in the South.

Now this does not mean that the poor people of Darfur should be left to die just because they make a convenient political cudgel for people in Washington, or because Sudan can rope in the Arab League by pointing to American actions in Palestine and Iraq. One cannot begrudge those who are otherwise about to die in Darfur finding a protector in the most powerful state in the world.

But throwing around the word “Genocide” is dangerous. If Kofi Annan’s commission comes back and reports mass killings but that there are no substantial ethnic or religious differences between killers and killed, what does the UN do?

While the Genocide Convention does allow for international action regardless of state sovereignty, the doctrine of “humanitarian intervention” was already controversial even before Bush and Blair began retrospectively abusing it to justify the attack on Iraq.

In fact, there is a perfectly good instrument available. The Security Council could order the International Criminal Court to investigate and prosecute what are clearly crimes against humanity. But as we know, the U.S. has a problem with that, even before Iraq and Abu Ghraib—but Sudan did sign the treaty, even if it has not ratified it.

With all their faults and domestic motivations, with all their admittedly unjustified self-righteousness, the Americans are right in some respects. It was serious Security Council pressure on Sudan that brought about what progress has been made in mitigating the tragedy in Darfur. To back off now would be to fall into the Milosevic routine of playing cat and mouse.

But many of the Europeans feel that a more diplomatic approach to China and Russia, a reassurance that any such measures would not set a precedent against them, would avert their opposition and even win them round to the idea that in the modern world, member states cannot massacre their own citizens, any more than they can massacre others. The Bush administration would be far better to leave it to the media and NGO’s to kindle indignation than to weigh in publicly with its own heavily tarnished weapons.

And at some point in the future, when Kofi Annan brings his proposals for reform to the UN, the rest of the world may be able to persuade Washington that even its friends can commit crimes against humanity and that Congress is not always the best judge of such things.

(Ian Williams contributes frequently to Foreign Policy in Focus, online at www.fpif.org, on UN and international affairs.)

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