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A. Origins of the Genocide

To much of the general public in the international community, genocide in Rwanda appeared suddenly, with a rapid and horrific surge in violence against the Tutsi minority in 1994. Genocide, however, is not a sudden event; it is the result of complex factors fueled by history, psychology, and sociology, culminating in a quest for power. In order to understand the sexual violence perpetrated throughout the 1994 genocide and the gender hate propaganda that incited it, I will provide a brief background to the events of 1994.

When European colonizers reached Rwanda, they encountered a land inhabited by three groups: the Tutsi, the Hutu, and the Twa. These three groups were not distinguishable tribes with different cultures and customs. Instead, they had "developed a single and highly sophisticated language, Kinyarwanda, crafted a common set of religious and philosophical beliefs, and created a culture which valued song, dance, poetry, and rhetoric." Occupation and physical characteristics, however, differentiated the three groups. The Hutu, comprising the vast majority of the population, were peasants with standard Bantu physical characteristics, resembling the Ugandan or Tanganyikan populations. The Twa, comprising only approximately one percent of the population, were pygmoids and either hunter-gatherers or servants. The Tutsi, cattle-herders with particular phenotypes distinct from the Hutu and Twa, constituted the remainder of the population. The Tutsi were extremely tall and thin with angular facial features. The Europeans used these phenotypic differences between the three groups to produce a theory of ethnic superiority: the Twa were at the bottom, followed by the Hutu, with the Tutsi at the top of what constituted an ethnic hierarchy.

The functional differentiation between the Hutu, Tutsi, and Twa was, in large part, a creation of colonialism. After gaining Rwanda from the Germans following World War I, the Belgian authorities systematized indirect rule over Rwanda through Tutsis who had been educated at a missionary-run school. This method of governance, combined with the Tutsi elite's recognition that supporting the ethnic hierarchy created by the colonialists would benefit them, led to a "substantialization of Tutsi superiority" and its "institutionalization in the colonial state apparatus." Shortly before Rwandan independence, however, the Belgian colonial administra-

tion became fearful of the ascendance of the educated Tutsi elite and replaced Tutsi chiefs and sub-chiefs with Hutus. Violent conflicts, largely along ethnic lines, resulted, compelling the United Nations (U.N.) to intervene and oversee elections in 1961.

Unfortunately, the ethnic divisions instigated by Rwanda's colonizers had taken root. By 1994, power struggles and violent conflict between the Tutsi and Hutu had characterized much of Rwandan politics since the country gained its independence in 1962. A Hutu, President Juvenal Habyarimana, and his Hutu-led party, the National Revolutionary Movement for Development (MRND), had been in power since 1973. Pressures, however, from growing internal opposition and international donors, both pushing for a more moderate government, as well threats of invasion by the Rwandan Patriotic Front (RPF), a Uganda-based group comprised largely of Tutsi refugees, threatened Habyarimana's monopoly on power.

Events came to a head on April 6, 1994, when a plane carrying President Habyarimana was shot down in Kigali, Rwanda. Hutu extremists seized this opportunity to capitalize on the intense ethnic tensions and conflict they had fueled through various means, including an anti-Tutsi propaganda campaign. The following day, Rwandan Armed Forces and the Interahamwe --militia groups--set up roadblocks and began a house-to-house search to find and murder Tutsi. Between 500,000 and one million Rwandan men, women, and children were slaughtered in the genocidal persecution of Tutsi and in massacres of moderate Hutus between April and July 1994.

B. Propaganda

The Rwandan genocide was not a chance incident. Nor did it arise solely in response to President Habyarimana's death. The genocide was the culmination of sweeping efforts that had been meticulously planned over a period of years. The participation of the broader population was a critical aspect of the Rwandan genocide; co-workers killed co-workers, neighbors killed neighbors, friends killed friends, husbands killed wives. In fact, a Rwandan theologian has argued that the genocide would have been inconceivable before the 1990s and that it took four years of preparation to make mass violence possible. To this end, the media participated in a "structured attempt to use media to influence awareness, attitudes, or behavior." The intensive propaganda campaign fueled and funded by Hutu extremists was perhaps the most effective element of this plan. Hutu extremists successfully spread hate speech that would prove remarkably essential and effective before, during, and after the genocide.

1. Generally--Print & Radio

The print media was an effective tool for disseminating information to the populace in Rwanda. For example, Rwandan newspapers were published in the capital, but urban workers carried the better known ones back to the hills when traveling home for the weekends. Sixty-six percent of the Rwandan population was literate, and those who could read, read to others who could not. Hutu supporters exerted substantial influence over the print media. Approximately eleven of the forty-two new journals founded in 1991 were linked to the akazu, a "special circle within the larger network of personal connections that worked to support Habyarimana."

A newspaper called Kangura was one of the most powerful voices of hate. Kangura described itself as "the voice that seeks to awake and guide the majority people." While the paper had a modest circulation, its distribution included local burgomasters, and it received active support from powerful military and government patrons. In fact, government credit defrayed Kangura's costs, and Rwanda's mayors received free copies to distribute. Furthermore, Kangura played a role in the dissemination of anti-Tutsi sentiments at a time when "government officials still felt publicly constrained by international pressure from speaking openly of ethnicity."

Kangura published a flurry of articles and cartoons vehemently disparaging Tutsis and advocating Hutu supremacy. For example, in March 1993, Kangura published an article criticizing the Tutsi entitled, A Cockroach Cannot Give Birth to a Butterfly. In December of the same year, a photograph of Grégoire Kayibanda, leader of the Hutu Revolution and the first president of Rwanda, appeared on the cover of Kangura with a machete, a cynical comment describing the Hutu as the race of God, and a reference to defeating the Tutsis once and for all. The Ten Commandments of the Hutu, published in 1990, was perhaps the most famous and influential article to appear in Kangura. The Commandments espoused a "doctrine of militant Hutu purity," declaring the Tutsi an enemy of the Hutu people.

Radio, however, was the most important and influential medium through which the Rwandan population received information. Approximately 29% of households had radios. In urban areas, the number rose to 58.7%. These figures, however, were likely higher by the start of the genocide since "in some areas, the government distributed radios free to local authorities before the genocide and they may have done so after the killing began as well." People without radios listened to them at bars or obtained information from their neighbors. In 1991, Rwanda had only one radio station, Radio Rwanda. Radio Rwanda was the voice of the government (the MRND) and of President Habyarimana himself. It announced, for example, various political meetings, removals from public office, and examination results for admission to secondary schools. Radio Rwanda sometimes broadcast false information, particularly on the

progress of the civil war that preceded the genocide, but most people did not have access to independent sources of information with which to verify its claims.

Radio Rwanda underwent significant changes, however, in 1992. After the establishment of a coalition government in April, the coalition parties called for a new, more moderate direction for Radio Rwanda. Ferdinand Nahimana, a staunch MRND supporter, was removed from his position as supervisor of Radio Rwanda. Several months later, Jean-Marie Vianney Higurro, a member of an opposing party, was named director with a view to steering the station toward taking a more non-partisan stance.

In response, Hutu extremists created their own station. Radio Télévision Libre des Mille Collines (RTLM), incorporated in April 1993, began broadcasting in August of the same year. MRND supporters comprised an overwhelming majority of RTLM's founders. The purpose of RTLM was "to prepare the people of Rwanda for genocide." Indeed, the RTLM argued that the war against Tutsi domination would not only require the participation of the armed forces, but also that of the entire Rwandan population. Furthermore, RTLM's founders designed it to appeal to particularly vulnerable populations: delinquents, the unemployed, and gangs of thugs within the militia. RTLM broadcast on the same frequencies as Radio Rwanda between 8 a.m. and 11 a.m., when Radio Rwanda was not transmitting. This situation "encouraged listeners to see the two as linked, if not as identical."

Through radio transmission, the Hutu extremists taught listeners that the Hutu and Tutsi were two different people and that the Tutsi were foreign conquerors who had refused to accept their loss of power in the 1959 revolution. The RTLM broadcasts warned the Tutsi: "You cockroaches must know you are made of flesh! We won't let you kill! We will kill you!" The same themes appeared in the propaganda both before and during the genocide, suggesting a "deliberate coordination among propagandists and between them and government officials."

Radio transmissions were a critical component of the genocide. In fact, "[d]uring the genocide, when communications and travel became difficult, the radio became for most people the sole source of news as well as the sole authority for interpreting its meaning." After the RTLM identified and criticized an individual, the Interahamwe would immediately seek him out and kill him. Therefore, the RTLM exercised extensive and pervasive influence over the militia. In addition, the RTLM recognized that the participation--both direct and indirect--of the entire Rwandan population was necessary to the success of the genocide. For example, during a broadcast after the genocide had begun, an

announcer stated: "Stand up, take action . . . without worrying about interna-tional opinion."

Additionally, the RTLM employed various narrative tech-niques to convince the Hutu population that the Tutsi posed a significant threat to Hutu lives and livelihoods. The messages conveyed the idea that the Hutu must "kill or be killed" and emphasized that the deaths the Hutu would face at the hands of the Tutsi would be particularly gruesome.

2. Gender Propaganda

It is critical to understand the importance of gender and hate propaganda in the genocidal campaign. Gender issues comprised significant elements of the "social construction of boundaries between ethnic groups and . . . notions of racial purity." As such, a consideration of gender sheds light on the genocide's complex psychological components, thus clarifying the mass violence and destruction that characterized the tragic events of 1994.

A brief description of inter-ethnic relationships in Rwanda places in context the preoccupation with gender evident throughout the genocide. Although not the norm, conjugal unions between the Tutsis and Hutus were not uncommon in the decades preceding the genocide. Marriages between Tutsi women and Hutu men, however, were much more common than marriages between Tutsi men and Hutu women. Since ethnicity was determined along patrilineal lines, the offspring of Tutsi women and Hutu men were legally Hutu. As such, these marriages "conferred the full benefits of Hutu citizenship to progeny who were perceived by many as racially impure."

As the Hutu extremists methodically differentiated between Hutu and Tutsi, they advanced a purer, reified version of Hutu culture. To this end, they discouraged procreation between Hutu men and Tutsi women. Tutsi women became the "pivotal enemies" in the Hutu extremists' struggle because "they were socially positioned at the permeable boundary between the two ethnic groups." Thus, Tutsi women's ethnicity and gender made them particularly vulnerable to attack.

Gender hate propaganda was perhaps the most virulent component of the propaganda campaign. Propagandists portrayed Tutsi women as enemies of the state, used by Tutsi men to "infiltrate Hutu ranks." Propagandists claimed Tutsi women were more beautiful and desirable, but "inaccessible to Hutu men whom they allegedly looked down upon and were 'too good for.'" This characterization led to what one Tutsi woman explained as an indescribable hate. As such, "[r]ape served to shatter these images by humiliating, degrading, and ultimately destroying the Tutsi woman."

Propagandists presented Tutsi women as sexual objects. Extremist literature contained cartoons that portrayed Tutsi women in sexual positions with various politicians. The literature also depicted Tutsi women as prostitutes who used their sexual charms to seduce the Western forces stationed in Rwanda. For example, a cartoon appeared in print, depicting Canadian General Romeo Dallaire, head of the U.N. peacekeeping force in Rwanda before and during the genocide, in an embrace with scantily clad Tutsi women. The cartoon read: "General Dallaire and his army have fallen into the trap of fatal women."

In fact, the campaign against Tutsi women well preceded the actual genocide. In 1990, four years before the start of the genocide, Tutsi women were frequently the centerpiece of propagandist efforts to heighten ethnic tensions and engender hatred. The Ten Commandments of the Hutu appeared in a December issue of *Kangura*. Four of these "commandments" dealt specifically with women:

Every Hutu should know that a Tutsi woman, wherever she is, works for the interest of her Tutsi ethnic group. As a result, we shall consider a traitor any Hutu who: marries a Tutsi woman; befriends a Tutsi woman; employs a Tutsi woman as a secretary or a concubine.

Every Hutu should know that our Hutu daughters are more suitable and conscientious in their role as woman, wife, and mother of the family. Are they not beautiful, good secretaries and more honest?

Hutu woman, be vigilant and try to bring your husbands, brothers and sons back to reason.

The Rwandese Armed Forces should be exclusively Hutu. The experience of the October [1990] war has taught us a lesson. No member of the military shall marry a Tutsi.

These commandments clearly demonstrate a fixation with demonizing Tutsi women. Tutsi women were described as enemy infiltrators, Hutu women were exalted above Tutsi women, and intermarrying between Hutu men and Tutsi women was fiercely discouraged. In addition, a later issue of *Kangura* criticized Tutsi women for monopolizing employment in the public and private sectors, thus contributing to the unemployment of the Hutu.

These images and characterizations clearly affected the psyche of the participants in the genocide. Rape survivors have recounted statements of their violators such as:

We want to see how sweet Tutsi women are.

You Tutsi women think that you are too good for us.

We want to see if a Tutsi woman is like a Hutu woman.

If there were peace you would never accept me.

These statements reveal that propagandists' efforts successfully demonized Tutsi women, thus increasing their vulnerability to sexual violence throughout the genocide.

The link between the gender-based hate propaganda and sexual violence is clear. Propagandists used sexualized images of Tutsi women to instigate ethnic hate and conflict. These images incited hatred of these women and of their sexuality. Thus, both ethnic and gender stereotypes, functioning individually and jointly, fueled the sexual violence committed against Tutsi women.

C. Sexual Violence

"Rape is a crime worse than others. There's no death worse than that." The figure of five hundred thousand to one million deaths mentioned above does not include the thousands of women whose lives were spared, but who were left to experience a living death. Sexual violence, primarily committed against Tutsi women, was rampant throughout the genocide. In 1996, René Degni-Ségui, Special Rapporteur of the U.N. Commission on Human Rights, reported that women "may even be regarded as the main victims of the massacres, with good reason, since they were raped and massacred and subjected to other brutalities." The total number of women affected remains unclear. The official figure reported for rape cases provided by the Ministry for the Family and the Promotion of Women--15,700--was most likely a gross underestimate. An approximation based on the number of resulting pregnancies, however, yields a number ranging from 250,000 to 500,000 rapes.

1. Types of Sexual Violence

While many women were massacred along with the men throughout the genocide, the perpetrators often spared women from death, instead sentencing them to rape and humiliation. The violation of Tutsi women was not a casualty of war, but "a step in the process of deconstruction of the Tutsi group-- destruction of the spirit, of the will to live, and of life itself." The sexual violence took many forms. The Interahamwe militia and the military raped Tutsi women and girls, forced them into collective and individual sexual slavery, and mutilated them. Even very young children did not escape the terror; the victims ranged from two years old to over fifty years old. Furthermore, pregnant women or women who had recently given birth were not spared; their rapes frequently resulted in death from hemorrhaging and other medical complications. Moreover, the

perpetrators forced some women "to kill their own children before or after being raped."

The militia worked in groups, taking Tutsi women from their homes or out of hiding and gang-raping them, often multiple times. Many of the women who survived an individual or gang rape were picked up by another group of Interahamwe and raped again. Furthermore, the military and civilian authorities--including regular soldiers, members of the national police force, members of the elite Presidential Guard, burgomasters, and heads of sectors--condoned and encouraged the sexual violence.

The militia commonly employed sexual mutilation and public humiliation to heighten the suffering of their victims. Some women and girls "were stripped and/or slashed and exposed to public mockery" while others "had pieces of trees branches pushed into their vagina." Moreover, the perpetrators tortured their victims by mutilating their genitals and cutting off their breasts and buttocks.

The military also collectively detained the women so that they could provide sexual services. These women experienced rape and gang rape. Some women were held for the duration of the genocide. Others were forced to move to neighboring countries with the militia once the genocide ended.

In addition, the militia members held individual women for personal sexual service. They locked these women in their homes or in the homes of militia members for varying durations. While some termed the arrangement "forced marriage" and called the women "wives," in reality, the militia held these women captive in sexual slavery.

Thus, the gendered anti-Tutsi images and rhetoric that pervaded Rwandan society through gender-based hate propaganda were translated into the systemic violation of Rwandan women during the genocide. The "indescribable hate" instigated through gender hate propaganda played out in a horrific pattern of sexual violence, the effects of which continue to be felt by its survivors.

2. Effects of Sexual Violence

The psychological, social, and physical aspects of such appalling sexual violations have unalterably affected the survivors. In a society that has traditionally regarded women as dependents of their male relatives and first and foremost as wives and mothers, sexual violence has particularly devastating effects. For example, traditional Rwandan society values women for the number of children they can produce. Thus, physical mutilation and violence produces a dual harm: a physical harm based on the injury itself,

and an emotional and social harm for the woman who can no longer reproduce and thus fulfill her role as a mother.

In fact, U.N. Special Rapporteur Degni-Ségui found that "psychological problems have been what the victims . . . have most commonly shared." There are varied sources of the shame associated with sexual violence. For example, African tradition prohibits the sexual acts committed and considers them taboo. The stigmatization associated with these acts has compounded their detrimental effects on the victims. Indeed, victims of sexual violence have demonstrated a variety of responses ranging from over-sensitivity and shame to "a form of madness."

The sexual violence also has resulted in social exclusion. As one survivor explained, "after rape, you don't have value in the community." Girls fearing that they are no longer able to find husbands have fled their homes to live in seclusion and anonymity. Thus, although these women's lives were theoretically spared, their traumatic experiences have robbed them of their community and identity.

Forced impregnation has had deep psychological effects on Tutsi women. Suffered exclusively by women, forced pregnancy involves a violation of, among other things, reproductive freedom and sexual autonomy, and has lasting effects given that the women may then have to raise the offspring. Tutsi women who became pregnant have suffered intense shame and ostracization in a society that is particularly unwilling to accept unwed mothers. Moreover, mistreatment by society, including by their own families, has led many unmarried mothers to resort to abortion or infanticide. The passage of time is unlikely to cure the psychological harm done to the victims of forced impregnation.

Women also suffered the various physical effects associated with sexual violence. Indeed, "[t]he physical injuries and their consequences range[d] from mere abrasions to instant death, and include infection with sexually transmissible diseases," including HIV. Rwanda has one of the highest rates of HIV-positive persons, and "militiamen carrying the virus used it as a 'weapon,' . . . intending to cause delayed death."

Furthermore, the effect on Tutsi women's reproductive capacity may be expressed in both physical and psychological terms. For example, one survivor expressed: "After the war, I found out that I was pregnant. But I had an abortion . . . no, not really an abortion. The baby just came out dead." Thus, this survivor had to endure not only a physical risk, but also the psychological damage resulting from a stillbirth.

Ultimately, sexual violence had harsh and lasting consequences for Tutsi women. The harm experienced by Tutsi women has been particularly severe in light of the physical, psychological, and social impact that it continues to have on their daily lives. With a population that is estimated to be seventy percent female, the magnitude of the detrimental effects on Rwandan society as a whole cannot be underestimated. Tutsi women were violated on multiple levels: as Tutsis, as women, and as Tutsi women. An analysis of their experiences and the attendant legal implications requires an understanding of the ways in which their multiple identities situated them within the conflict.