

Cambridge University Press
978-0-521-73135-5 - Darfur and the Crime of Genocide
John Hagan and Wenona Rymond-Richmond
Frontmatter
[More information](#)

DARFUR AND THE CRIME OF GENOCIDE

In 2004, the State Department gathered more than a thousand interviews from refugees in Chad that substantiated Colin Powell's UN and congressional testimonies about the Darfur genocide. The survey cost nearly a million dollars to conduct, and yet it languished in the archives as the killing continued, claiming hundreds of thousands of murder and rape victims and restricting several million survivors to camps. This book for the first time fully examines that survey and its heartbreaking accounts. It documents the Sudanese government's enlistment of Arab Janjaweed militias in destroying Black African communities. The central questions are these: Why is the United States so ambivalent about genocide? Why do so many scholars deemphasize racial aspects of genocide? How can the science of criminology advance understanding and protection against genocide? This book gives a vivid firsthand account and voice to the survivors of genocide in Darfur.

John Hagan is John D. MacArthur Professor of Sociology and Law at Northwestern University and Co-Director of the Center on Law and Globalization at the American Bar Foundation. He served as president of the American Society of Criminology and received its Edwin Sutherland and Michael J. Hindelang awards. He received the C. Wright Mills Award for *Mean Streets: Youth Crime and Homelessness* (with Bill McCarthy; Cambridge University Press, 1997) and a Guggenheim Fellowship and the Albert J. Reiss Award for *Northern Passage: American Vietnam War Resisters in Canada* (2001). He is author most recently of *Justice in the Balkans* (2003) and co-author of several articles on the Darfur genocide published in the *American Sociological Review*, *Criminology*, *Annual Review of Sociology*, and *Science*.

Wenona Rymond-Richmond is an Assistant Professor of Sociology at the University of Massachusetts Amherst. She was a research assistant at the American Bar Foundation and a pre-doctoral Fellow with the National Consortium on Violence Research. Publications include "Transforming Communities: Formal and Informal Mechanisms of Social Control" in *The Many Colors of Crime* (editors Ruth Peterson, Lauren Krivo, and John Hagan), and co-authored articles about the Darfur genocide published in *Criminology*, *American Sociological Review*, and *Ohio State Journal of Criminal Law*.

Cambridge University Press
 978-0-521-73135-5 - Darfur and the Crime of Genocide
 John Hagan and Wenona Rymond-Richmond
 Frontmatter
[More information](#)

CAMBRIDGE STUDIES IN LAW AND SOCIETY

Cambridge Studies in Law and Society aims to publish the best scholarly work on legal discourse and practice in its social and institutional contexts, combining theoretical insights and empirical research.

The fields that it covers are studies of law in action; the sociology of law; the anthropology of law; cultural studies of law, including the role of legal discourses in social formations; law and economics; law and politics; and studies of governance. The books consider all forms of legal discourse across societies, rather than being limited to lawyers' discourses alone.

The series editors come from a range of disciplines: academic law, socio-legal studies, and sociology and anthropology. All have been actively involved in teaching and writing about law in context.

Series Editors

Chris Arup
Victoria University, Melbourne
 Martin Chanock
La Trobe University, Melbourne
 Sally Engle Merry
Wellesley College, Massachusetts
 Pat O'Malley
University of Sydney, Australia
 Susan Silbey
Massachusetts Institute of Technology

Books in the Series

*The Politics of Truth and Reconciliation in South Africa:
 Legitimizing the Post-Apartheid State*
 Richard A. Wilson

Modernism and the Grounds of Law
 Peter Fitzpatrick

*Unemployment and Government:
 Genealogies of the Social*
 William Walters

*Autonomy and Ethnicity:
 Negotiating Competing Claims in Multi-Ethnic States*
 Yash Ghai

*Constituting Democracy:
 Law, Globalism and South Africa's Political Reconstruction*
 Heinz Klug

Continued after Index

Cambridge University Press
978-0-521-73135-5 - Darfur and the Crime of Genocide
John Hagan and Wenona Rymond-Richmond
Frontmatter
[More information](#)

Darfur and the Crime of Genocide

John Hagan

Northwestern University

Wenona Rymond-Richmond

University of Massachusetts Amherst



Cambridge University Press
978-0-521-73135-5 - Darfur and the Crime of Genocide
John Hagan and Wenona Rymond-Richmond
Frontmatter
[More information](#)

CAMBRIDGE UNIVERSITY PRESS
Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore, São Paulo, Delhi

Cambridge University Press
32 Avenue of the Americas, New York, NY 10013-2473, USA
www.cambridge.org
Information on this title: www.cambridge.org/9780521731355

© John Hagan and Wenona Rymond-Richmond 2009

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 2009

Printed in the United States of America

A catalog record for this publication is available from the British Library.

Library of Congress Cataloging in Publication Data

Hagan, John, 1946–
Darfur and the crime of genocide / John Hagan, Wenona Rymond-Richmond.
p. cm. – (Cambridge studies in law and society)
Includes bibliographical references and index.
ISBN 978-0-521-51567-2 (hardback)
1. Genocide. 2. Crimes against humanity. 3. Human rights. I. Rymond-Richmond, Wenona, 1972– II. Title. III. Series.
K5302.H34 2009
345'.0251–dc22 2008017809

ISBN 978-0-521-51567-2 hardback
ISBN 978-0-521-73135-5 paperback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party Internet Web sites referred to in this publication and does not guarantee that any content on such Web sites is, or will remain, accurate or appropriate. Information regarding prices, travel timetables, and other factual information given in this work are correct at the time of first printing, but Cambridge University Press does not guarantee the accuracy of such information thereafter.

Contents

| | |
|---|-----------|
| <i>Glossary</i> | page viii |
| <i>List of Characters</i> | xiii |
| <i>Prologue: On Our Watch</i> | xvii |
| 1 Darfur Crime Scenes | 1 |
| 2 The Crime of Crimes | 31 |
| 3 While Criminology Slept with Heather Schoenfeld | 57 |
| 4 Flip-Flopping on Darfur with Alberto Palloni and Patricia Parker | 79 |
| 5 Eyewitnessing Genocide | 105 |
| 6 The Rolling Genocide | 137 |
| 7 The Racial Spark | 161 |
| 8 Global Shadows | 193 |
| <i>Epilogue: Collective R2P</i> | 219 |
| <i>Appendix: Genocidal Statistics</i> | 223 |
| <i>Notes</i> | 237 |
| <i>Index</i> | 263 |
| | vii |

Glossary

- AAAS – American Academy for the Advancement of Science
- ABA-CEELI – American Bar Association Central and East European Law Initiative
- ADS – Atrocities Documentation Survey of Darfur refugees in Chad in summer 2004
- Al Geneina (Al Junaynah) – Capital of West Darfur and organizational center for government counterinsurgency efforts
- Al Qaeda – International alliance of Islamic militant organizations founded in 1988 by Osama Bin Laden and other “Afghan Arabs” after the Soviet war in Afghanistan
- Amnesty International – Pioneering international nongovernmental organization focused on human rights abuses and compliance with international standards
- Antonov – Russian-made and -supplied airplane used to bomb Darfur villages
- Baggara tribes – Powerful Arab tribes armed and supported by Sudanese government in attacks on Black African villages in Darfur
- Beida – Settlement forming part of triangle with Terbeba and Arara in West Darfur near Al Geneina that forms the westernmost point of border with Chad
- Bendesi (Bindisi) – Town subjected to repeated violent attacks in the southwestern part of West Darfur
- Bophuthatswana – One of four so-called independent homelands granted independence by South Africa in 1977

GLOSSARY

ix

- Bureau of Democracy, Human Rights, and Labor – Part of the U.S. State Department that promotes democracy, human rights, and labor rights internationally
- Bureau of Intelligence and Research – Part of the U.S. State Department that collects and analyzes foreign intelligence data
- CIJ – Coalition for International Justice, an international nonprofit organization that conducted advocacy campaigns targeting decision makers in Washington, DC
- CDC – Centers for Disease Control, which serves as the premier U.S. public health agency
- Centre for Research on the Epidemiology of Disasters – Public and population health research organization at the University of Louvain in Brussels, Belgium
- Chad – Landlocked country in central Africa that borders Darfur on its eastern border and received more than 200,000 refugees during the Darfur conflict
- C/L International – Washington-based lobbying firm
- CMR – Crude mortality rate, often expressed as deaths per 10,000 population per day
- CPA – Comprehensive Peace Agreement for southern Sudan signed in 2004
- Darfur – Western region of Sudan, bordering Chad, Central African Republic, and Libya
- Darfur Investigation Team – Unit within the Office of the Prosecutor at the International Criminal Court in The Hague
- Democratic Republic of the Congo – The third-ranking nation by land mass on the African continent, bordering Sudan and suffering high mortality levels
- DLF – Darfur Liberation Front, which preceded the Sudanese Liberation Army
- El Fasher – Location of Sudan government air base attacked by rebels in April 2003, marking an early success in the insurgency
- European Union – Political and economic community composed of twenty-seven European member states

- Foro Burunga – Town in southwestern area of West Darfur viciously and repeatedly attacked
- Fur tribe – Largest of Black African tribes in Darfur
- GAO – U.S. Government Accountability Office, which assesses government programs and agencies
- Genocide – Intended destruction in whole or part of a racial, religious, ethnic, or national group
- Genocide Convention (Convention on the Prevention and Punishment of the Crime of Genocide) – Resolution that defines genocide in legal terms and that was adopted by the UN General Assembly in December 1948
- GoS – Government of Sudan, with capital in Khartoum
- Guedera – Military camp near Al Geneina
- Habilah – Village in West Darfur
- Helsinki Watch – American human rights NGO that evolved into Human Rights Watch in 1988
- High Commission on Human Rights (UNHCHR) – Principal UN office mandated to promote and protect human rights
- High Commission on Refugees (UNHCR) – Principal UN office mandated to lead international action to protect refugees and resolve refugee issues
- Human Rights Watch – U.S.-based international nongovernmental organization that conducts research and advocacy on human rights
- Hutu – Large ethnic group living in Burundi and Rwanda; extremist Hutu militia groups were responsible for the 1994 genocide in Rwanda
- ICTR – International Criminal Tribunal for Rwanda
- IDP – Internally displaced persons
- International Criminal Court (ICC) – Independent, permanent court that prosecutes individuals accused of the most serious violations of international criminal law
- ICTY – International Criminal Tribunal for the former Yugoslavia
- International Crisis Group – Independent nongovernmental organization committed to resolving and preventing deadly international conflicts

GLOSSARY

xi

- Janjaweed (Jingaweit, Jingaweeit, Janjawiid) – Armed Arab militia groups who usually travel on horses and camels; literally translates as “a man (devil) on horseback”
- Jebel – Black African tribal group in Darfur
- JEM – Justice and Equality Movement, rebel group in Darfur
- Karnoi (Kornoi) – Settlement in North Darfur
- Kebkabiya (Kabkabiyah) – Town in North Darfur
- Khartoum – Capital of Sudan
- Kojo – Town south of Masteri in West Darfur
- Lost Boys of Sudan* – Documentary film produced by Megan Mylan and John Shenk
- Masalit tribe (Masaleit) – Black African tribe in West Darfur
- Masteri – Town in West Darfur near the Chad border
- Misteriha (Mistariha) – Base of Janjaweed commander, Musa Hilal, in North Darfur, near Kebkabiya
- Monroe Doctrine – U.S. doctrine proclaiming in 1823 that European countries would no longer intervene in affairs in the Americas
- MSF – Médecins Sans Frontières, international medical and humanitarian aid organization
- Mujahideen – Muslim religious fighters
- Mukhabarat – Sudan government’s security service
- Mukjar – Town in southwestern part of West Darfur near the Jebel Marra Mountains
- My Lai massacre – Mass killing of unarmed citizens by U.S. Army soldiers in 1968 during the Vietnam War
- NATO – North Atlantic Treaty Organization
- NMRD (National Movement for Reform and Development) – Relatively recently formed Darfur rebel group
- Nuba – Pejorative term used in Sudan to refer to Black African persons and/or slaves
- Nuremberg Trial – Trials of the most prominent political, military, and economic leaders of Nazi Germany
- OSCE – Organization for Security and Co-operation in Europe
- PHR – Physicians for Human Rights, American-based nongovernmental human rights organization

- Save Darfur – An alliance of more than 100 faith-based, humanitarian, and human rights organizations concerned with the genocide in Darfur
- SLA/SPLA (Sudan People’s Liberation Army) – Large rebel group in Darfur
- Srebrenica – A town in eastern Bosnia and site of the Srebrenica massacre, where 8,000 men and boys were killed in July 1995
- Sudanese Ministry of Health – Government of Sudan’s federal health ministry
- Terbeba – Town just east of Masteri on the border with Chad
- Tora Bora – Racialized term taken from Osama Bin Laden’s retreat to the mountains in Afghanistan and used by Sudan and Janjaweed to refer to rebels in West Darfur
- Tutsi – Large ethnic group massacred by Hutus in Rwanda genocide
- UN Commission of Inquiry on Darfur – Official inquiry of UN Security Council to determine whether genocide and other war crimes occurred in Darfur
- UN High Commissioner for Refugees – UN agency headed by Louise Arbour
- US AID – U.S. Agency for International Development, which funded Atrocities Documentation Survey
- WFP – World Food Program
- What Is the What* – Dave Eggers’s novel based on the lost boys of Sudan
- WHO (World Health Organization) – Leading UN health agency based in Geneva
- WHO/SMH Survey – World Health Organization/Sudanese Ministry of Health summer 2004 health and mortality survey conducted in camps across three states of Darfur
- Zaghawa tribe – Large tribal group concentrated in North Darfur
- Zaka – Social norm that fostered reintegration of children in displaced families
- Zourga (Zurug) – Derogatory term for Blacks used in Sudan

List of Characters

- Madeleine Albright – Former U.S. Secretary of State
Kofi Annan – Former Secretary-General of the United Nations
Louise Arbour – Former UN High Commissioner on Human Rights and former Chief Prosecutor of the Hague Tribunal for the former Yugoslavia
Hannah Arendt – German American Jewish political theorist who coined the phrase “banality of evil”
Patrick Ball – Social scientist formerly with American Association for the Advancement of Science and currently with Human Rights Program at Benetech
Omar al-Bashir – President of Sudan who seized power in 1989
Atta El-Battahani – Authority on Sudan at the University of Khartoum
Hilary Benn – British Secretary of State for International Development
Bruno Bettelheim – Holocaust survivor who wrote about his own concentration camp experiences
John Bolton – Former American UN Ambassador and critic of international courts
Jan Coebergh – British physician and early analyst of Darfur mortality
Albert Cohen – Early student of Edwin Sutherland, known for his work on delinquent gangs
Hamid Dawai – Arab militia leader near Al Geneina and emir of Arab tribe
Sam Dealey – Author of *New York Times* op-ed questioning Darfur mortality estimates
Carla del Ponte – Chief UN War Crimes Prosecutor at The Hague Tribunal for the former Yugoslavia

- Jan Egeland – UN emergency relief coordinator and source of Darfur mortality estimate
- Dave Eggers – Author of *What Is the What*, story about the Lost Boys of Sudan
- Stefanie Frease – Human rights investigator who played a prominent role in the Srebrenica Trial and led the Atrocities Documentation Survey Team in Chad
- General Gadal (Janobo Gadal) – GoS military leader
- Kitty Genovese – Young woman murdered in Queens, New York, who became known as victim of the “bystander effect”
- Boutros Boutros-Ghali – Former Secretary-General of UN during the Rwandan genocide
- Eleanor Glueck – Collaborated with her husband, Sheldon Glueck, in studying the adolescent and later lives of delinquents
- Sheldon Glueck – Harvard criminologist and law professor who played a prominent role in lead-up to the Nuremberg Trials and in American delinquency research
- Mark Goldberg – Senior correspondent for the *American Prospect* and writer in residence at the UN Foundation
- Major General Salah Abdallah Gosh – Chief of Sudan’s intelligence/security service
- Günter Grass – Prize-winning German author and playwright who wrote about the Holocaust
- David Halberstam – American Pulitzer-Prize-winning author and journalist known for his writings on American culture and politics
- Ahmad Harun (Ahmad Muhammad Harun) – Sudan’s Minister of State for Humanitarian Affairs and one of two persons currently wanted by the ICC for war crimes and crimes against humanity in Sudan
- Gunnar Heinsohn – German demographer who writes about mass violence
- Musa Hilal – Sudanese Arab Janjaweed militia leader associated with attacks in North Darfur
- Sheikh Hilal – Father of Musa Hilal and famous tribal sheik
- David Hoile – Director of European-Sudanese Public Affairs Council
- Jonathan Howard – Research analyst at the U.S. State Department who played a prominent role in the design and direction of the Atrocities Documentation Survey
- Abduraheem Mohammed Hussein – Former Minister of the Interior and representative of the president for Darfur; current Minister of Defense/Sudan.

LIST OF CHARACTERS

xv

- Mustafa Osman Ismail – Former Foreign Minister of Sudan
 Superior Court Justice Robert Jackson – Head of the American prosecution team at the Nuremberg trial
 Mukesh Kapila – Former UN Resident and Humanitarian Coordinator for the Sudan
 Alfred Kinsey – Founder of the Institute for Research in Sex, Gender and Reproduction at Indiana University who pioneered large-scale survey research on human sexuality
 Henry Kissinger – German-born U.S. Secretary of State in the Nixon Administration
 Nicholas Kristof – *New York Times* columnist who writes extensively on Darfur
 Ali Kushayb (Ali Muhammad Abd-al-Rahman, Ali Kosheib) – Arab Janjaweed militia leader charged by the ICC and known as an “Emir of Mujahideen” or a “leader of religious fighters”
 Osama Bin Laden – Militant Islamist reported to be architect of 9/11 and the founder and current leader of the terrorist organization called al Qaeda
 Raphael Lemkin – Lawyer/Holocaust survivor who coined the concept of genocide
 Sadiq al-Mahadi – Prime Minister of Sudan in 1980s
 Michael Marrus – Prominent Nuremberg scholar
 Ross Matusueda – Professor of sociology at the University of Washington
 Slobodan Milosevic – First sitting head of state charged with crimes against humanity and later genocide, who died before the conclusion of his trial in 2006
 Henry Morgenthau – Jewish Treasury Secretary in Roosevelt’s administration who argued for deindustrialization of Germany following World War II
 Megan Mylan – Produced documentary, *Lost Boys of Sudan*, with Jon Shenk
 David Nabarro – British former Executive Director of WHO and spokesman about Darfur mortality
 Andrew Natsios – U.S. Special Envoy to Sudan
 Aryeh Neier – Human rights activist and former president of Human Rights Watch and current president of Open Society Institute
 Peter Novick – Author of *The Holocaust in American Life*
 Luis Moreno Ocampo – Chief Prosecutor of the International Criminal Court
 Alberto Palloni – President, Population Association of America

- Jan Pfundheller – Member of the ADS investigation team and war crimes investigator known for expertise on rape and sexual assault in international conflicts
- Mark Phelan – U.S. State Department Public Health specialist
- Colin Powell – Former U.S. Secretary of State in the Bush administration who designated Darfur as genocide
- Samantha Power – Author of “*A Problem from Hell*”: *America and the Age of Genocide*, which received the 2003 Pulitzer Prize
- John Prendergast – American human rights activist
- Gerard Pruner – Author of *Darfur: The Ambiguous Genocide*
- Muammar Qaddafi – President of Libya
- Ali Abd-Al-Rahman (Ali Kushayb) – Arab militia leader, see Ali Kushayb
- Eric Reeves – American activist and scholar on Darfur genocide at Smith College
- Condoleezza Rice – U.S. Secretary of State in the Bush administration
- John Shank – Co-producer of documentary, *Lost Boys in Sudan*, with Megan Mylan
- Abdullah Mustafa Abu Shineibat – Arab Janjaweed militia leader
- Al Hadi Ahmed Shineibat – Brother of Arab militia leader with same last name
- David Springer – State Department, geo-spatial analyst
- Donald Steinberg – Senior State Department official
- Ibrahim Suleiman – Former governor of North Darfur
- Edwin Sutherland – Prominent American criminologist, known for his study of white-collar crime and his broader differential association theory of crime
- Ali Uthman Muhammad Taha – First vice president of Sudan
- Alex de Waal – Prominent researcher and author of books about famine and war crimes in Darfur
- Jody Williams – Chair, “Mission on the Situation of Human Rights in Darfur,” and Nobel Peace Prize winner who spearheaded an international treaty on land mines
- Robert Zoellick – Former U.S. Deputy Secretary of State to Condoleezza Rice, current president of the World Bank

Prologue: On Our Watch

In the best of circumstances, it is a challenge to travel hundreds of miles across the barren desert of Chad to the Darfur region of Sudan. Stefanie Frease knew this when she told State Department representatives in the summer of 2004 that, with little more than a month of advance warning, she could oversee a survey of a thousand war-ravaged refugees from Darfur. The refugees had escaped to UN camps across the border in neighboring Chad. More than 200,000 Darfurian refugees huddled there under straggly trees and plastic tarps as they struggled to survive the loss of family members and most of their meager possessions.

Frease was only in her middle thirties, but she was already a veteran human rights investigator, having uncovered the evidence that convicted a Serbian general of genocide at Srebrenica. Yet, Africa was a whole new story. Within a month she supervised the collection of several hundred interviews that formed the basis for Secretary of State Powell's testimony before the UN Security Council. Within two months, her team supplied Powell with a sample of more than one thousand interviews from what criminologists call a victimization survey. Powell summarized the findings for the powerful Senate Foreign Relations Committee in the following testimony:

In July, we launched a limited investigation by sending a team to visit the refugee camps in Chad to talk to refugees and displaced personnel. The team worked closely with the American Bar Association and

the Coalition for International Justice, and were able to interview 1,136 of the 2.2 million people the U.N. estimates have been affected by this horrible situation, this horrible violence.

Those interviews indicated: first, a consistent and widespread pattern of atrocities: killings, rapes, burning of villages committed by Jingaweit and government forces against non-Arab villagers; second, three-fourths of those interviewed reported that the Sudanese military forces were involved in the attacks; third, villagers often experienced multiple attacks over a prolonged period before they were destroyed by burning, shelling or bombing, making it impossible for the villagers to return to their villages. This was a coordinated effort, not just random violence.

When we reviewed the evidence compiled by our team, and then put it beside other information available to the State Department and widely known throughout the international community, widely reported upon by the media and others, we concluded, I concluded, that genocide has been committed in Darfur and that the Government of Sudan and the Jingaweit bear responsibility – and that genocide may still be occurring. . . .

Mr. Chairman, as I have said, the evidence leads us to the conclusion, the United States to the conclusion, that genocide has occurred and may still be occurring in Darfur. We believe the evidence corroborates the specific intent of the perpetrators to destroy “a group in whole or in part,” the words of the [Genocide] Convention. This intent may be inferred from their deliberate conduct. We believe other elements of the convention have been met as well. . . .

Mr. Chairman, some seem to have been waiting for this determination of genocide to take action. In fact, however, no new action is dictated by this determination. We have been doing everything we can to get the Sudanese Government to act responsibly. So let us not be too preoccupied with this designation. . . .

I expect – I more than expect, I know, that the government of Khartoum in Khartoum will reject our conclusion of genocide anyway. Moreover, at this point, genocide is our judgment and not the judgment of the international community. . . .

Specifically, Mr. Chairman, the most practical contribution we can make to the security of Darfur in the short term is to do

PROLOGUE

xix

everything we can to increase the number of African Union monitors. That will require the cooperation of the Government of Sudan.

Secretary Colin Powell
Testimony before the Senate Foreign Relations Committee
Washington, D.C.
September 9, 2004

Sending African Union “monitors” was a disturbingly modest response to genocide. The very term “monitor” contradicted President Bush’s often-quoted campaign pledge not to allow genocide to occur on his “watch.” Several thousand African Union monitors spent several years watching what the Bush administration intermittently called a genocide. Nearly three years after the survey-based determination of genocide, in May 2007, President Bush said from the “Diplomatic Reception Room” of the White House, “I promise this to the people of Darfur: The United States will not avert our eyes from a crisis that challenges the conscience of the world.” The three-year interlude made this a non sequitur of massive proportions.

The topic of genocide is consistently controversial. An introduction to this fact was an “above the fold” *New York Times* op-ed by a journalist, Sam Dealey, linking our work on Darfur mortality (discussed in Chapter 4) to full-page advertisements by the advocacy group *Save Darfur*. Dealey cited the British Advertising Standards Association as saying *Save Darfur* “breached standards of truthfulness” in citing our estimate of the death toll in Darfur.

Although a Sudanese-supported business group filed such a claim with the British association, this regulatory group actually rejected its claim and found instead that *Save Darfur* should simply in the future acknowledge a diversity of opinions about the number of dead in Darfur. This is how a *Guardian* columnist described David Hoile, the head of the business group that filed the claim of “untruthfulness”:

David Hoile, [is] a right-wing polemicist best remembered in the pages of the *Guardian* for wearing a “Hang Mandela” sticker on his tie when he was a young Tory. Dr. Hoile had angrily demanded a correction when the *Guardian Diary* claimed in 2001 that he had worn a T-shirt emblazoned with the offensive slogan. When a picture of the sticker surfaced a few weeks later, he claimed to have no recollection of it, but stressed that the picture did not show a T-shirt. Such are Khartoum’s current friends in Britain.

Ten days after the offending op-ed was published, the *New York Times* admitted and corrected its false claim. Still, the article and adjudication by the British Standards Association correctly pointed to a disparity in views about Darfur. The State Department’s survey contained valuable information about many of the issues and questions raised by the Darfur conflict.

Yet, this remarkable 2004 survey, which cost the U.S. government nearly one million dollars to complete, languished largely unused in the archives of the State Department. This was a humanitarian and criminological disgrace. We acquired the survey and began to write this book. This book addresses the following kinds of questions: Why is the United States so ambivalent in its response to genocide? Why is criminology – the science of crime – so slow to study the “crime of crimes”? Why does the U.S. government flip-flop in its characterization of the violence in Darfur as genocide? Why are many scholars so reluctant to emphasize the racial nature of the genocide in Darfur? Why is race so central to the explanation of the genocidal scale of the death and rape in Darfur? Why is genocidal violence such a long-lasting threat to human security both within and beyond Darfur? Most of all we ask, What can the science of criminology contribute to the understanding of genocide as a basis for responding more responsibly to this “crime of crimes”?

As this book went to press, five and a half years after the violence in Darfur escalated, Prosecutor Luis Moreno Ocampo asked the International Criminal Court’s judges to issue an arrest warrant charging Sudanese President Omar al-Bashir with genocide, crimes against

PROLOGUE

xxi

humanity, and war crimes.¹ We explain in Chapter 2 that there was strong opposition to a genocide charge both at the UN and from within the Prosecutor's own office. Yet the Prosecutor eventually became convinced by the kind of evidence presented in this book that al-Bashir had mobilized the entire apparatus of the Sudanese state with the intention of genocidal group destruction. This mobilization included joining the Government of Sudan's military forces with local Arab and Janjaweed militias in highly organized attacks on villages. Ocampo reported that 35,000 African villagers were killed outright in Darfur, and that 100,000 died overall. We show in Chapter 4 that this number of deaths is implausibly small and that the death toll is actually far higher.

The Prosecutor further identified the dead as mostly from three ethnic groups – the Fur, Masalit, and Zaghawa – whom al-Bashir collectively and derogatorily called “Zourga” and whose history he wanted to end. The Prosecutor has set the stage for a strong legal case that identifies the role of ethnic targeting for purposes of genocide. However, at this writing, the Prosecutor has not yet elaborated the socially constructed nature of the term “Zourga” as a racial slur or epithet about Black Africans. Nor has he fully exposed the explicitness or extensiveness of the government's use of *race* to organize the targeting of killings, rapes, displacement, and destruction of these groups.

Further, the Prosecutor has not yet adequately differentiated the overlapping meanings of ethnicity and race in Darfur. Among the differences, there are several that are salient for purposes pursued here. Ethnic group identities tend to be plural, whereas racial identity tends to be binary, and ethnic identities tend to be developed by the groups themselves, whereas racial group identity is often imposed by others. Thus it is one thing for groups in Darfur to have identified themselves as the Fur, Masalit, and Zaghawa, and it is quite another for President al-Bashir to have called them collectively “Zourga.” Consolidating the identity of

¹ International Criminal Court, Office of the Prosecutor, Prosecution's Application for Warrant of Arrest under Article 58 Against Omar Hassan Ahmad Al Bashir, July 14, 2008, The Hague, Netherlands.

several ethnic groups as “Zourga,” or as Black in a contemptuous and derogatory way, was a crude step toward identifying and stigmatizing an enlarged and combined grouping as suitable for genocidal victimization.

Identities can be especially confusing in Darfur, where groups often overlap in their skin tones and can also shift in their feelings of being Arab and non-Arab, African and Black African. It was through the simplifying imposition of a binary racial identification that some African groups were designated as Black. It was when the imposed meaning of race by others became more starkly binary and stigmatic, separating “us” from “them,” that genocide could begin. When President al-Bashir collectively identified the selected groups as “Zourga,” he opened a door to stigmatization and violence.

The challenge is to explain and demonstrate how the genocide in Darfur was made to happen along these racial lines, even though differences in skin tone between attacking and victim groups were often subtle or even nonexistent. Beginning in Chapter 1, we learn how racial identification in Darfur has self- and other-imposed meanings. It is important for the reader to think about this mixture of meanings. We report the salient role of race from the refugee interviews. We emphasize in the last half of the book how the Sudanese government maliciously linked differences between Arabic-speaking nomadic herders and non-Arab African farmers with perceived or observed racial attributes to organize and mobilize the Janjaweed and militia attacks on villages in Darfur.

As important as the Prosecutor’s latest charges are as intermediate steps in a legal process leading to conviction and punishment for the perpetrators of horrific crimes, the development of the criminology of genocide and the pursuit of justice in Darfur remain conspicuously overdue. The work has barely begun. The prospect for restoration of group life remains remote for the Fur, Masalit, and Zaghawa victims of the Darfur genocide. It is with this in mind that the voices recorded and analyzed herein from the U.S. State Department interviews with refugees in Chad are offered as an historically unprecedented and uniquely rich source of neglected evidence for an urgently needed advancement of both science and justice goals in Darfur.

Cambridge University Press

978-0-521-73135-5 - Darfur and the Crime of Genocide

John Hagan and Wenona Rymond-Richmond

Frontmatter

[More information](#)

DARFUR AND THE CRIME OF GENOCIDE

Settlement Cluster Map of Darfur, Sudan

