

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

Table of Contents – click on a name to go to that section of the transcript

Jim Curran.....	1
Jim Clancy	2
Egide Karuranga	3
Linda Melvern [Video]:	7
Deborah Lipstadt.....	8
Gregory Gordon	11
Jeffrey Richter.....	14
Amb. Kimonyo	16
Amb. Andrew Young.....	19

Jim Curran: Well, good evening, everybody. Hi, I'm Jim Curran, I'm Dean of The Rollins School of Public Health and Co-Director of Emory's Center for AIDS Research. And I can tell by the immediate quiet when I stand up that this group is not entirely faculty and students. So we'd like to welcome not only the faculty and students and staff from Emory, but also our guests from the Atlanta community and from beyond. And I particularly would like to welcome and thank Ambassadors Kimonyo and Professor Karuranga from Rwanda for joining us here and Ambassador Andrew Young, who is probably back in the country from some place as far as Rwanda, for joining us and our other distinguished panelists. The Rollins School of Public Health is cosponsoring this event that's been organized as a wonderful event for the Emory community to examine the truth behind the horrible genocide in Rwanda. And the work has been done by Dr. Susan Allen, Dr. Peter Brown, Sandy Thurman, and probably a host of other people who have done this. And I'd like to particularly thank them for their efforts, enormous efforts in organizing what promises to be a very illuminating, informative event.

I'm really proud that The Rollins School of Public Health can cosponsor the event largely for three reasons. The first reason is that we have a large number of faculty, staff, and students who work in Rwanda and Zambia and other parts of Africa and many countries in the developing world. In particular, Dr. Susan Allen has begun her work in Rwanda now more than 20 years ago, and her work bracketed the genocide. And she, more than anyone I know, has had enormous courage from the point of view of a faculty member of any university, in suffering through that and working through that and continuing to come back. And that's something that makes me very proud to know her and to know that work and to be proud that Emory is there.

Secondly, I'm proud that Rollins is doing this because we are very concerned about many problems in public health and many problems in the developing world. Safe water supply, HIV prevention, pneumococcal vaccine development, tobacco control, malaria, and all of these things that we work so hard scientifically to deal with, and all of these things we work so hard to deal with can vanish in a heartbeat when war starts and when genocide starts. And it seems like we talk about the importance of saving lives, and in snap, in a flash hundreds of

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

thousands of people are killed after we've worked through our whole careers to save hundreds or thousands ourselves.

Public health is defined as what we as a society do to assure the conditions of health. It also is what we as a society don't do to assure the conditions of health. And wars civil discord and genocide to some extent are public health hazards of neglect; of neglect of what civil society does. And public health involves politics. And if it doesn't, then sometimes we're not relevant. So we are very grateful to have an open discussion of the genocide in Rwanda tonight with an outstanding panel.

My only job now is to sit down after I introduce our moderator. And we are very fortunate to have with us today Jim Clancy from CNN to moderate this panel. You may know Jim from your TV time as the moderator of Your World Today on CNN USA and CNN International. He's worked at CNN for 27 years, and developed the Inside Africa segment for CNN. He also won an award for his Rwanda reporting and he is someone who himself could be a panelist as well as a moderator, and we're very grateful to have Jim Clancy today.

Jim Clancy: Dean Curran, thank you very much. Thank you all for being here. We've got so many people to talk to, we've such a fantastic line up of people to explore the genocide in Rwanda tonight. And as we do it, remember this, this isn't, we're not looking back to the past. The genocide in Rwanda in some ways, as you'll learn tonight, continues today; trying to bring people to accountability, trying to bring people back together, struggling to rebuild a country and a sense of nation. And what happens in Rwanda today is vital to the rest of Africa, and it's vital to us, too. Nobody came to help Rwanda. Everybody knew that it was happening. As you'll learn tonight, there was a possibility it could have been predicted. The evidence was all there. But this is a test tonight of our conscious, of ourselves. As you listen to the stories you're going to hear tonight, hear about the work that's being done and you get more perspectives, we're going to want to hear from you. We're going to want to hear your questions. So we have time for a little bit of that after our guests speak one by one. And then at the end, I want you to save it all, write your questions down when they come up, or just try to remember them and we'll try to get in as many of those as we possibly can. Now obviously we've got a tight schedule. And in order to keep it on schedule, we've gone to no lengths, we're not sparing anything because we've got Dr. Peter Brown with us. Dr. Brown stand up. He's going to be more or less our timekeeper to keep us on pace, all right. He's going to tell me when I go too long or when one of you perhaps goes too long. But we want this interchange, we want it. I'm going to learn a lot tonight. I know it just by talking to the people on our panel here. But let's not waste any more time. I want to introduce you to someone. We have to go back to 1994, to the spring. We have to hear the voice of an eyewitness. And that's why I'm proud to present to you now Egide Karuranga, Karuranga I should say, who is a Rwandan who survived the genocide. He did that by escaping to the Hotel Mille

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

Colline, that was "Hotel Rwanda." But this goes far beyond any movie that you have ever seen. I want you to listen to his account. He's living in the United States now. He's a professor of management and marketing at Virginia State University School of Business. He's come a long way. But I think if you were to ask him, the memories of what he saw in 1994 will never go away. Egide.

Egide Karuranga:

Thank you, Jim. Good evening, ladies and gentlemen. My name is Egide Karuranga. And when Susan asked me to come to Emory, the first thing you do when you are looking for a job, when you go to a place like this, is going to their website. And then while surfing on the website I realized that people were doing things in Rwanda which we can't do ourselves, and things which I knew and I didn't know the people who were behind the project. So now that I know, how many Rwandese people, people from Zambia, how many African are in the room? Could you please join me in thanking the school, thank Emory University for what they are doing in Rwanda and Zambia.

So now the topic tonight I was asked to tell you about is genocide and my own experience, and the title is Some Expert from Rwandan History from 1960 to 1994. So in academic setting and presentation like this we put our credentials; how many masters, how many PhD, where you got your PhD, etc. My credentials tonight are unusual. I was there when the first genocide happened in 1959. I was three years old when we were asked to leave our house and people started burning it in front of us. And I was also in Rwanda unfortunately in 1973 when people asked Tutsi students to leave classes, otherwise they were killed. And I went to Tanzania, spent one year in the refugee camp, that's my first encounter with the misery of refugee camps. I crossed to Burundi because I couldn't get a place at school in Tanzania, but by then I was too late in Burundi. Then I went to The Democratic Republic of Congo, which was Zaire by that time. So those are my credentials tonight. It's not, I'm not giving the masters of business or PhD or whatever, and I'm talking based on these unusual credentials.

So as in any typical presentation you have an outline, we will try to find out what are my objectives tonight. And the methodology side because we are talking to students, and most of you are taking graduate studies or are fresh graduates from other university. We will speak based on objectives, methodology, and will discussing the principal and most important issue: how we could avoid a genocide.

So the main objective is never again, but to be able to reach the never again, our responsibility is to understand. And before we move to the second level which is to protect, you can't protect if you don't understand. But how? What are the factors behind the genocide? Why? Why did it happen? Then I'm coming back to my teaching. This is a university gathering. If you are building theory, if you are explaining things, you need three blocks: what are the factors behind what is

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

happening, how are they related to each other, and why do people do it? And then third objective is to be able to develop metrics for Rwanda and for the rest of the world eventually. Why for Rwanda? Because people now, as we'll see later, are in a phase which we call denial. So people who are denying the progress which are made are not based on real metrics. So we need metrics. And we need to provide new generation with reliable tools because you are the future. You are the people who will be taking decision 10, 15, 20 years. So it's very important that you don't say, "I didn't know." And that could end the silence which prevailed by the time people were killing in Rwanda, killing Tutsis in Rwanda.

So the main question, again, I'm coming back to is how and why people, how can ordinary citizens kill one million people in less than 100 days? I've been reading publications, going through movies, I've never seen anybody explaining how people became killers. Why? And I'm talking tonight as I'm referring to methodology, I'm talking as somebody who teaches business at Virginia State University, it's beyond what I'm teaching. But again, many have looked at what was happening as citizens, but I'm talking also a witness and as a survivor. One of the controversial issues was who is a survivor. And if you look at the photos here, I'm in the middle with my wife. That was taken in 1989 when I got married. And all the people except the two, me and my wife, were killed in 1994. So you have my sister, Françoise, my sister, Fébronie. Françoise was a nurse, and Fébronie was an elementary school teacher. My brother was a college teacher, my father was a retired elementary school teacher. They were doing good things for the nation. Nobody did anything wrong for the nation, but they were all killed. And they were killed by neighbors. In this photo, these are the two people who were part of the team who killed my father two years before. They were working on the same farm, my farm. I'm here, and my father is there in the back. So I'm bringing the two photos just to make sure that we understand what type of pressure is put on the people today when we start talking of reconciliation. I'm bringing the photos today to show you that it's for us very complicated. It's more complicated than you think to be able to live together. Many still live together, and we live together and things are moving forward despite all what you saw here.

But coming back to the issue tonight: how did this happen? So we had a kind of apartheid in Rwanda. And if you want to understand really what happened you have to look at all sectors of the economy of the nation. So you had the education system, you had the military, you had religious people, you had public administration. And if you look at education, for example, we had an education system which was based, not on merit, not on excellence, but an education system which was based on quotas and an educational system where if you are the best student, you are not taken to research centers like in this country, if you are the best student you don't get the best job. If you are the worst student, then you get the best job in the administration because you are Hutu and you get the worst job because you are Tutsi, if you happen to get a seat in one of the classes. And we had the military. The military was there, but to protect who? They were protecting

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

the nation, but who is part of the nation? They were protecting only the regime, and the regime which was biased. To make it to the military, that's most important, was very difficult because we had a system by which we had even quantified the racial discrimination. We had what we call pignet zero in French, that was brought by the Belgians. We take how tall you are in centimeters, then minus your chest circumference in centimeters and your weight in kilograms, and if you get a score close to zero, then you are good for the army. So by this theory which was applied, one of the best living Generals, President Kagame wouldn't be able to make it to the army of his country. So, if you remain in the academy again we have different models. I explored a couple of them and I failed to find a model which explained really how people become killers. But I found one, and this is the main dish tonight, my main dish tonight. I find a stage model after having explored all the models and multiple versions of theory of planned behavior, theory of reasoned action, game theory where you have different groups conflicting, competing for resources. And I came across a stage model, which is the most important for me as it helps understand what happened in Rwanda. We started by a classification system where people are labelled as Tutsi, Hutu, Twa, and the model is from Gregory Stanton, who teaches at Washington and Mary University. And you can get all of this on his website. So people started by classifying each other as Tutsi, Hutu, and Twa. And then you move to the next step which is symbolization, where in classes young kids were taught that they are Tutsi or they're Hutu. And eventually they would ask us to stand up and the instructor would show the rest of the class those are Tutsi, those are Hutu. And then you move to the next stage which is dehumanization. Once you single out people, once you give them labels, and then you start call them snakes, crooks. And then the next step is organization, that's where you promote impunity. In 1959, people who burnt the houses of Tutsi were rewarded as mayors, as ministers, as ambassadors. Polarization, that's where you divide people into different categories. And this happened in Rwanda between 1990 and 1994, where you had the "Hutu power." So we divide the society into good and bad guys. And then we start preparing a genocide. And they were helped by radios. They used tools, they use machetes, they used militias. Most of the time they used militias because they wanted to avoid responsibility as a state, as a government. Then you have the extermination, which in 1994 lasted 100 days. And then after extermination, the most important, the most disgusting stage is denial. And the denial people are organized in three categories: those who think that there are double genocide, those who think that there is only one genocide against Hutu, and those who are putting forward the idea that there were only ethnic killings. So I'm stopping by here and then next is probably going to be a debate about, I wish I could know before I leave the stage, did we learn enough? I don't think so. But tell your friend about it. Part of the problem is that not enough people know. And so not enough people are concerned, and silence is death. Thank you.

Clancy: I'm going to ask Egide to stand here just for a minute because I've got a question. But can I get my wireless microphone at some point here because I'm going to

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

need that. But I want to ask you, all right, you're inside the Mille Colline Hotel, you know that the danger is there. What did you hear on the radio? What were the stories that came back into the hotel?

Karuranga: I moved to the hotel after one week in my own residence, then we were listening to RTLM the Radio Television des Milles Collines which was the hate sponsoring radio, we learnt the president was killed and we also heard it in international news. From local news, people were instigating guys to kill Tutsi, to look for Tutsi women, to kill even small children because those who were supposed to come and take over the power where kids when they left the country, they were four years or two years old. So kill everybody, kill the priests, kill the nuns, kill the women, kill the children so that there's nobody left to tell the story, nobody as a source of future problem for the Hutu. So that was the message. And of course I was also there when the plane was shot. And one of the things about the plane is we often forget that there are so many people, there are many persons who died in the plane crashes and there was no genocide after that President Samora Machel of ___ Mozambique died in a plane crash. There are so many persons who were shot while they were still serving. You have John F. Kennedy; we didn't go to war with Cuba or Russia or anything. The only wrong thing which happened when people shot at Reagan was that Alexander Haig went to TV and said, "we are in charge." So in Rwanda we even failed to get one single person doing the same mistake and go to the official radio as a general and say "we are in charge."

Clancy: Stay right there just for a minute because I'm going to get, I want to get one audience, one question in from you right now. We have a gentleman right here, just give us your name and your question.

Question: Neal Shuilman. Just wondering your overview of this question. Hitler, the Jews, Rwanda, then we have Sudan now going on and there will probably be a conference about that. It's going on right now, but there will be a conference about that five or ten years from now and there will be somebody who was in the middle of that crisis. And we say never again, we have this museum, beautiful museum in Washington, D.C., but while that was going on, The Atlanta Press Club had a press conference and they were talking about Monica Lewinski and Clinton. But they wouldn't bring this up. It wasn't an issue of concern. Can you tell me in your opinion why the entire world, this was known to the world, it wasn't like some, the holocaust, this was in the newspaper in *The New York Times* while it was going on, while these people were being killed. Why do you feel as though the whole world didn't care, and not one leader in the world was willing to come and step forward?

Karuranga: There are so many reasons, and one of them is the public didn't know anything about our Apartheid because it was overshadowed by the Apartheid happening in South Africa. And it was overshadowed also by the civil rights movement and so

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

starting from 1959, Tutsi were being killed and nobody cared. There are so many excuses, 1959 was a revolution, but there's no excuse in 1973. There is some excuse in 1963 because the rebels were attacking. But in 1973 they burned houses and fired people from schools and office. Public servants were asked to leave the office or they kill them, there was no excuse. In 1994, then you had the war in Iraq, and then we had the Somalia issue, so there are so many events which overshadowed what was happening in my country. And there is a lack of awareness and there is a lack of commitment to international issues. And I won't blame the media tonight, but today, again, I'm talking to a younger generation, I'm talking to future leaders of this country, make sure that what is in the media reflects what really is your concern. I'll probably give a bad example tonight: if you look at the media today, if you look at the political scene today, people are discussing issues which are local and they fail to discuss macro issues like the money we owe, the money you owe to China and how is this is going to impact the future of the country. And those are issues which are overshadowed by some other elements which are not really good for our sustainable development. So media issues, awareness, Somalia, the war in Iraq, the first Gulf War, and the Apartheid which was overshadowed a long time ago, and then that is an area which is out of U.S. concerns. So it's a kind of French and Belgian issue where those guys were part of the gang of killers unfortunately. So they are the ones who could have acted any time because they had information. They were ready, and that's my understanding.

Clancy: All right. We're going to hear a lot more from Egide a little bit later on. Thank you. You bring that up, there probably wasn't a Rwandan that didn't expect, "they're not going to let this happen to us, are they?" And I wonder how many people in World War II, how many Jews in extermination camps were thinking to themselves, "the world is not going to let this happen to us, are they?" I'm really pleased to introduce our next guest, Deborah Lipstadt, she is the Director of the Rabbi Donald A. Tam Institute for Jewish Studies. She's author of, oh, we've got a, excuse me, I'm getting out of order here. We've got a video clip. Thank you very much because I do want to show you this. This is from a journalist who has investigated the genocide in Rwanda. Let's hear it.

Linda

Melvern [Video]:

Well, I started work in -- at the end of April, the beginning of June, 1994. So, and I've worked full-time on the circumstances of the genocide in a sense. And I think because it was clear to me that it was a milestone in -- not just in the history of Rwanda or Africa, but for all of us. The 1948 convention on the prevention and punishment of genocide was the world's first human rights treaty. It was the first codified treaty on the prevention of genocide and it stood for an important principle that whatever evil may befall any nation or people it was of concern for the whole human family. So this is not just important for one country or one continent. In the history of the U.N., this is enormous and we all, I think, have a responsibility.

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

...I think that is something else, something else that isn't well understood is that those who organized this were European educated. They were educated in European universities and some of them in military academies in Europe and France and in Brussels. And they knew. They knew what genocide is. They knew the history of genocide. There is absolutely no doubt about that in my mind.

So the planning of it, I think, is extremely important for us to unravel this conspiracy which is what I tried to do in *Conspiracy to Murder*. And I think it's very important to understand that. It's very important, particularly in the light of the reporting initially of the genocide, which described it as tribal anarchy and chaos. And genocide does not take place in a situation of anarchy and chaos. It has to be planned. So the detail of the planning is very important for us to understand.

... I think it's vitally important that the same treatment to genocidaire now in 2006, 2007 should be given to those who were responsible for the Holocaust. Justice never stopped for the Holocaust. You still have Nazis who are tracked down. And I think exactly the same should happen. Those Hutu power ideologues who are still out there, they are in Africa, in Europe, their ideology lives on. There is evidence of planning, of an intention to continue the genocide, to return to Rwanda. And I think it's very important that they be stopped in their tracks.

Clancy: It takes somebody to do that, somebody has to be willing to stand up and challenge people at every step of the way. As we heard Egede explain to us, this happens in a step by step progression. You can see it coming. But you can also see the past, and you can also see how people today deny it. There's probably not anyone in this room that doesn't know who David Irving is, a holocaust denier. There is a woman who stood up and said, "you're a holocaust denier. You're a liar." And she got into a lawsuit, David Irving sued her, and she was a winner, and she's with us tonight. Deborah Lipstadt, I want to thank you. Come on up here.

Deborah Lipstadt:

Thank you. Good evening. I'm going to be very brief. I'm not here as an expert on Rwanda, I'm here to learn a lot about Rwanda and the genocide there. But I do know something about denial of genocide. And earlier this evening one of the questions someone asked about said something about never again. Well, I think what we've learned since the holocaust, not only is it not never again, but never again is really again and again and again, and Rwanda is one of those agains. And part of the tragedy of Rwanda in the highest level that we saw in your categories of course comes with the denial. And it's interesting, when I was sitting with the organizers of tonight's event a few weeks ago to talk about the genocide and to talk about denial, what quickly became clear is the strategies and the tactics used by deniers of the holocaust are not at all dissimilar to those used by deniers of the Rwanda genocide. What you see in virtually all forms of denial of genocide are

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

things like immoral equivalencies. Many of us here in the university talk about moral equivalencies, in this case we would talk about immoral equivalencies. What do I mean by that? Well, in the case of World War II, someone might say well, yes, the Germans bombed London, but the allies bombed Dresden. Or yes, someone defending Germany, or someone might say oh yes, we Germans had concentration camps, but so did you Americans. You had concentration, who did we have concentration camps for? We didn't have concentration camps for the Japanese. We had concentration camps for Americans of Japanese descent. It's a big difference, and I think it's something we have to remember. There were some Japanese citizens there as well, but many of them were American citizens. So in other words, we didn't do anything bad, everybody does things bad. X kills Y, Y kills X, so bad things happen and more bad things happen. No one is to blame. So that's one strategy of denial. In my case when I deal with holocaust deniers, very often they're denying that it happened. In Rwanda, we don't see denial that it happened, but we see denial of responsibility. Everybody is responsible, everybody did this. Consequently, no one is guilty, and everyone is guilty, so there is no blame to be put, and it's just "those people do that," or "this happens in my country" as we heard on this campus not long ago.

Then another strategy after immoral equivalencies is what I call "yes, but..." Yes, they may have done wrong, but it wasn't so wrong. Yes, the Hutus may have done wrong, but the Tutsis have been doing this to them before. The Tutsis deserved it. Yes, the aggressors may have done wrong, but they were forced into it by outside forces. So it's yes, but. Again it's yes, it happened, but it wasn't so bad. Yes, it happened, but they didn't, they were forced into it. Yes, it happened, but the victims deserved it.

So that's a third strategy, blame the victims. The victims brought this on themselves because they were rich or because they had leading positions in government. Maybe they did have leading positions in government, maybe they were more wealthy. I'm not saying that's the case, but in various genocides, but that doesn't mean they should be killed. So the minute you start with that "yes, but," it's similar, and I think many of the women will recognize this when you hear a story of someone being raped, they'll say well, she was out on the street at 11:00 at night or at 1:00 at night. That doesn't make her a potential victim for rape. You blame the victim, you find something wrong that the victim did, and therefore, they are not responsible.

And then you sometimes, and this again we heard a moment ago, you depict the genocide as the legitimate outburst of anger. When in fact, as again was correctly said, in every genocide you look at, genocide doesn't happen spontaneously. Genocide is organized. Whether you're talking about Cambodia, whether you're talking about the holocaust, whether you're talking about Armenia, whether you're talking about Darfur or Rwanda, genocide is organized, genocide is planned, genocide doesn't happen spontaneously. But what deniers will also say

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

is, "well, this was the spontaneous expression of anger by the aggressors against the people that they had been wronged by." So each one of these strategies shares, they're not distinct, they build one on the other. But this is what I would call soft core denial as opposed to hard core denial where the holocaust deniers would say there were no gas chambers, these people weren't killed, they really are there. And you might find this here, too, where you begin to play with numbers. It wasn't really a million, they've exaggerated, they've built it up, all sorts of ways of nipping at the edges so that what you do, and this is my last point, what you do is you create in the mind of the person who doesn't know, the person who is tabla raza you create a seed of doubt, you plant a seed of doubt so they say oh, well, I always thought it was this terrible genocide where one side was massacred by the other, and then you walk out and you think maybe it wasn't so bad. Maybe both were responsible, maybe everyone was guilty. Maybe that just happens in that part of the world. It's all forms of denial. And the ultimate tragedy of a genocide, people lose their lives, but then the memory, people don't lose their lives, they are murdered, but then the memory of what happened to them is denied as well, and it just is a tragedy upon a tragedy. Thank you very much.

Clancy: We've got a clip we want to show you, but let me just ask you, why do people believe it? Why do you have even today, some young person comes along and they go well, you know, these people have a point. It was partly their fault.

Lipstadt: Why do people believe it? I think because first of all, it convinces you, I'd rather live in a world where these things don't happen. I'd rather live in a world where there were no gas chambers. I would rather live in a world where six million of my co-religionists weren't murdered. But they were, and there were gas chambers. But if I'm just hearing this and someone comes and gives me all these pseudo intellectual, pseudo scientific logical reasons, it sounds much better. It feels much better to live in that kind of world. So I think that's one point. The second point, of course, is certainly this deals more with the holocaust denial is that sometimes people hearing it, it plays into a latent streak of anti-Semitism. Oh, the Jews are always complaining of bad things happening to them and in Rwanda it could be someone saying oh the Tutsis are always saying they're victims. It plays into a certain latent prejudice. And I don't know if prejudice can ever be latent, but I'll call it latent prejudice, that the hearer might have. And so that the denier plays on that and they respond. It convinces them that those people were bad and they got what they deserved.

Clancy: Deborah, thank you. We're going to have time for questions with Deborah here at the end. Well, do we have a question now, you want to ask a question? Let's go ahead and get one in right here. All right, because then I have a DVD, a little bit of a film promo to show you.

Q: What do you believe is the most powerful weapon in a genocide? By weapon I mean hunger, strength, fear.

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

Lipstadt: Weapon used against the victims?

Q: Yes.

Lipstadt: Generally the one side has guns and the other doesn't, one side is organized to kill or has weapons. One side is intent on killing the other side. It's not a war. A war is where, and this is where one side, a side with more power organizes to destroy, to kill, to wipe out the other. You know what it is, and I say this very conscious of the fact that we're standing in the university, it's the idea that we can do it, the idea that we want to do it, the idea that we are going to do it. That's the most dangerous thing. All the others are tactics. It's the strategy knowing this is something we want to do. And again, we have to ask ourselves the question, how do people allow themselves to think those kind of thoughts?

Clancy: And get away with it. There's a film in production right now, and it's called *The Killer's Among Us* and I'm going to show you a little bit of a clip now because it really talks about the people, the genocidaire from Rwanda, that are out there among us. Let's take a look.

[Video clip for Killers Among Us]

Clancy: Eric Kabera, who is working on that film right now, has produced a number of films. He's a fantastic, young, Rwandan film maker that's really taking a look at all this, so look out for that film. It's going to be something that's really worth watching. But the story that all of this tells you is they're still out there. Somebody still has to track them down, somebody has to do the work, and it's not easy work to do. There are people today that are still tracking the Nazis. And there's increasing focus being shifted to look at people that are involved, not only in a genocide like Rwanda, but in human rights abuses around the world because unless they're prosecuted, nobody is going to get the message. And we're really happy to have a couple of people here with us tonight to take a look at that. And I wanted to introduce you to the first one, Professor Gregory Gordon, who has worked with the Office of the Prosecutor for the Criminal Tribunal for Rwanda. He was involved in the very important cases, the media cases. You heard Egide tell you on the radio they were "kill the cockroaches," they were using the media. These media cases were crucial because radio was one of the ways that they were able to achieve the killing of hundreds and hundreds of thousands of people in such a short time. Now Greg Gordon received a commendation from the attorney general then, Janet Reno, for, and let me quote here "Service to the United States and international justice". In 2003, he joined the criminal division's office of special investigations, where he helped investigate and prosecute both Nazi war criminals and modern day human rights violators. Come on up here.

Gregory Gordon:

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

Thank you, Jim. Let me also thank Emory University and the Rollins School of Public Health for inviting me to speak today. And I have to say I'm incredibly honored to be among this distinguished panel. Ambassador Young's lifetime of work on behalf of the dispossessed and downtrodden, both at home and abroad, is truly inspiring. Professor Lipstadt's tireless fight to preserve historical truth is essential to preventing future genocides, as we saw Dr. Gregory Stanton point out that denial was one of the integral parts of perpetrating genocide. Ambassador Kimonyo and Professor Karuranga can eloquently attest to the horror we face if, God forbid, we fail. I have had the good fortune of working with Dr. Jeffery Richter, an historian with the U.S. Department of Justice Office of Special Investigations, which as Jim mentioned, tracks down, investigates, and prosecutes in this country naturalized U.S. citizens who have committed atrocities overseas.

I worked as a prosecutor with OSI before entering the legal academy. And for many years, OSI was known chiefly for being the office of the Nazi hunters. And though its mission has been updated to track down and bring to justice modern human rights violators, the work at OSI is still informed by the central guiding notion that the passage of time does not in any way diminish the culpability of war criminals and human rights violators. The evil deed is frozen in time and no less horrible in 2007 than it was in 1943 or 1978 or 1994. And so my feelings about Nazi atrocities and the passage of time is no different when it comes to more recent atrocities such as the Rwandan genocide and the passage of time. They're the same sort of phenomena. Rwandan genocidaires must be prosecuted. They must be prosecuted, no matter how long ago their atrocities were committed or how much the world has changed since. The film we just saw is an incredibly powerful reminder of that.

But do we have the tools to get the job done? To a certain extent we do, and tonight I'd like to discuss briefly with you the legal mechanisms that we have in this country to bring genocidaires and other human rights violators to justice. On the other hand, I have to acknowledge that there are significant gaps unfortunately in our legal system, and I'd like to point those out as well.

Let me start by saying there are three primary areas of the law that are implicated here, immigration law, tort law, and criminal law. Let's consider immigration law first. That's what OSI, Office of Special Investigations, relied on to prosecute Nazi war criminals for the first 25 years of its existence. Criminal prosecution was not an available option because the crimes took place abroad when there were no laws on our books to criminalize the perpetration of these atrocities. Thus of Hitler's henchmen who had become naturalized U.S. citizens, OSI sought to denaturalize them and then once their citizenship had been stripped, deport them where they could face criminal charges where the atrocities were originally committed. Those who were not citizens in the first place would be the object of deportation action straightaway. Now legally, these people could be deported because they had engaged in acts of Nazi persecution and they lied about it.

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

That's essentially what those cases boiled down to. And during the first 25 years of OSI's existence, it did a fantastic job of denaturalizing and deporting Nazi war criminals. Unfortunately, as new generations of atrocities were being perpetrated, newer, younger human rights violators were coming to our shores and little to nothing was being done about it. Some victims took advantage of a centuries old statute called the alien tort claims act to sue human rights violators, and that's where tort law comes in. Passed as part of the first judiciary act in 1789, the ACTA declared that American federal courts had jurisdiction in cases of torts brought by aliens and committed quote "in violation of the law of nations" or international law actually is what it was, regardless of where those violations took place. The landmark 1980 second circuit case of *Filartiga versus Pena-Irala* held that torture violates universally accepted norms of international law, and thus gives rise to a cause of action under the alien tort claims act whenever the perpetrator is properly served within the borders of the United States. The statute has since been used in a multitude of human rights violator cases. People who found themselves on U.S. soil, including former Ethiopian red terror perpetrator, Kelbessa Negewo. Some of you in the audience may remember him. He was sued here in Atlanta by a group of Ethiopian torture victims, including the lead plaintiff, my friend, Hirute Abebe-Jira. A jury found Negewo civilly liable for his acts of torture. His citizenship was ultimately stripped, and last year I'm happy to report that he was removed to Ethiopia where he had been convicted in absentia for red terror human rights violations. Under what law was he deported? A provision in a larger piece of legislation that was designed to update OSI's mission and provide OSI and other government offices, primarily the Department of Homeland Security, with new immigration law tools to exclude and remove modern human rights violators. The law is known as the Intelligence Reform Terrorism Prevention Act of 2004, otherwise known as IRTPA. And it granted OSI the authority, in addition to its existing World War II related responsibilities, to investigate and take legal action to denaturalize any naturalized U.S. citizen who participated abroad in acts of genocide, acts of torture, or extra-judicial killing under color of foreign law. The new law also mandates exclusion and removal of such persons, which is being handled by The State Department and The Department of Homeland Security. For those who are not citizens, the IRTPA human rights amendments to the INA can also be used as well as the other provisions of the INA, in other words, the immigration and naturalization act, for exclusion and removal of those who fraudulently or invalidly entered this country. We have already seen one Rwandan genocidaire removed under this, a gentleman by the name of Enos Kagaba who participated in the massacre of a Seventh Day Adventist Church during the genocide.

Now what about criminal law? We have to consider criminal law. And we do have criminal law tools that we can use. Primarily we look at immigration criminal charges. But we're talking about genocide here, war crimes, crimes against humanity. We do have a genocide law on our books that in theory would allow us to prosecute genocide crimes, but unfortunately it only applies to U.S.

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

citizens or to acts of genocide committed here on U.S. soil. Don't hold your breath that you're going to see a case anytime soon under this statute. Fortunately, there is a new bill that is being considered by the House of Representatives. It has already been passed by the Senate, it's called the Genocide Accountability Act, and we have to hope that that gets passed. Our war crimes statute is similarly defective, and we do not have a crimes against humanity statute. So we don't really have all the tools that we need to criminally prosecute perpetrators here in the United States the way we should. We need to fix that. And I strongly urge you to communicate with your representatives so that we get our laws fixed, especially the Genocide Accountability Act. I think we're capable of fulfilling our obligations to victims of the Rwandan genocide and – [missing a few sentences here]

Clancy: ...who is the senior historian in the Justice Department's Office of Special Investigations, the office that goes after whether they're Nazi war criminals or whether they're a genocidaire or human rights violators. They need more tools, but all the tools in the world won't help you if you don't have the evidence. As he looks at all of these things, he's going to give us more of an idea of how you gather that evidence and how you can bring it to bear against the people that are suspected of these crimes. Dr. Jeffrey Richter.

Jeffrey Richter:

Thank you. Thank you, Jim. Thank you, everyone for coming out for this panel tonight. As Jim mentioned, my name is Jeffrey Richter, and I'm with the office of special investigations. I am a historian, and you may be surprised to learn, as many are, that there are a number of historians working in the Justice Department. In fact, there are eight of us, all eight employed by the Office of Special Investigations. The reason for that has to do with the very complicated nature of the evidence in our cases. As Professor Gordon mentioned, for a period of 25 years, the Office of Special Investigations was exclusively devoted to the pursuit of Nazi war criminals, Nazi persecutors who found refuge after the second World War in the United States. And in the pursuit of those cases, it became clear very quickly that there was an enormous possibility and potential for proving these very difficult cases through the use of documentary evidence. For the past three years, our office has been working on the so called modern war criminals, or modern human rights violators. The historian in me, and I don't know if we have any historians in the audience, but the historian in me doesn't particularly like this language of modern, and from my point of view, modernity begins in the late 18th Century, so it's a little bit awkward. But for the lawyers who coin the terms in our office, these are the modern human rights violators, meaning post Nuremburg, post Second World War

When we were tasked with this new jurisdiction, this new mission three years ago, there were some who said to the historians in the office, like myself, that well, it's very quaint that we have historians in this office, but I'm afraid you're

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

going to have to figure out some new tricks because when we work with crimes against humanity, genocides that take place in places like Rwanda, you're not going to have documents to work with. Well, this is, I'm eager to communicate to the audience here, a falsehood. We like to imagine, or people do imagine that there is such a thing as German thoroughness and precision, that the Germans generated an enormous quantity of very well cared for, meticulous records of their crimes and that these were neatly packaged and presented and readily available and usable upon the extinction of the Nazi regime. Well, this was far from the case. These records were deliberately destroyed; they were scattered across Europe. It took decades to assemble them to make them accessible to researchers. In fact, it was only after the defeat or the collapse of the Soviet Union that we in Western governments were able to get access to the many captured Nazi records that were located in the Eastern Bloc. And that led to a burst of prosecutions in this country of former Nazi persecutors in the 1990s and continuing into this decade. And so it was simply not the case that Nazi records were (the DVD ends here and the next one starts with Amb. Kimonyo) might have spontaneous activity that takes place in a, let's say, heated environment and leaves no paper trail. Genocide doesn't occur that way. Genocide is always a matter of state policy and states create records. That's what states do. And Rwanda, if any of you know anything about Rwanda, one of the things that will have struck you, especially if you've visited Rwanda, is that Rwanda is a document oriented place. It's a very bureaucratic country. There are meticulous documents recorded in Rwanda. One type of these documents, in fact, was crucial, and that was the identity card which recorded the ethnicity of the cardholder. Everyone had an identity card and it had a space for Hutu, Tutsi, Twa, or other, other being mainly foreigners residing in Rwanda. And these cards were used at road blocks, people had to show their cards. And this was what made it possible to separate out Tutsis and ultimately to kill them. So the one thought I want to leave us with here is that documents are essential in prosecutions, and they're also essential for combating denial. There's nothing more powerful than a documentary evidence to defeat the arguments of deniers. And the one element of truth to some of the skepticism about documents, and Rwanda in particular, is that the maintenance of documents is very expensive and time consuming and requires a big effort. And, as was in fact the case in Europe after the Second World War and all of its destruction, documents then, too, were not well maintained initially. This is also true of Rwanda today. Unfortunately there are a large number of documents which are subjected to less than ideal conditions in government repositories or in government warehouses, closets, not protected by climate control, and subject to deterioration through mildew or insects. And so one thought I'd like to leave with our audience is that it's extremely important to think not just about assisting the people living in Rwanda, and I'm very much in favor of programs to help them, but also for the sake of Rwanda's future, recollection of its history, and also for people like me, worried and concerned with the prosecution of genocide crimes, to do our utmost to help Rwanda preserve its documentary record. So thank you.

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

Clancy: Dr. Richter, if you'd just stay there for a minute. I have a question for you. And maybe, Professor, you'd like to join in this one. How much time, you're in the OSI, how much time, how much money, how many agents are now investigating Rwanda genocide?

Richter: Well, that's another –

Clancy: And be honest here.

Richter: That's another difficult and challenge that we face with this new mandate or this new jurisdiction that we have. We went from an office that was focused on one country's crimes, the crimes of Nazi Germany and its allies, over a time period of essentially six years, 1939 to 1945, to now being an office that is responsible for the whole world. So we have colleagues that work on, we're an office of less than 30 people, and I have colleagues working on the former Yugoslavia for example, I have colleagues working on Central America. Currently, there are two attorneys working on Rwanda and one investigator, and that's me. So it's a big job.

Clancy: It's pretty limited, and why? That's the question for you. And it was asked here earlier, why did everybody let all this happen? And then, why now we don't do anything? I talked to former President Jimmy Carter, and he said it's easy, three reasons: They're poor, they're black, and they don't have any oil. *Missing a few sentences of the webcast.*

[Video clip for Rwanda Rising, Produced by Good Works International, 2006]

Clancy: Here we go. You get an idea of Rwandans as people in that and the way that they struggle to come back. They still have an interest in building that community. One thing people always said, "Well, Rwanda, one of the poorest countries in Africa." Rwanda could teach us a little bit, they really could, about the sense of community. You saw the aid agencies and the orphans – they all try to gather up orphans after this – and some of them, frankly, were using those orphans to raise money. But if any village that you went to, the orphans that were left over from the genocide, part of the survivors, you saw people taking them in. You saw people trying to build their families, building their communities again.

Right now we are pleased to have with us somebody that can talk a little bit about the ongoing struggle in Rwanda today, the Honorable James Kimonyo, who is the Ambassador in Washington from Rwanda, joining us now to talk a little bit about that and what's happening today. And I personally want to hear how they have to deal – this reconciliation...no means complete. Ambassador Kimonyo.

Amb. Kimonyo:

Thank you so much, Jim, my brother, of course Ambassador Andrew Young, Dr. Jim of School of Public Health, members of staff, students, the Rwandans who

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

are present. I think the moderator decided to change the whole setup and he's right because we thought it's very important to give an opportunity to interact with the panelists on the issues that we want to raise and understand. And when you sum up what people have presented for, when we start with my colleague, Egide and Deborah and Gordon and Jeffrey, it gives you a picture of what has been happening in our country for the last four decades. And therefore, that tells me that I don't need to go through paragraph by paragraph all my presentation that I have prepared for this particular event. I'm therefore just going to focus on the post genocide Rwanda.

People have been asking questions, "How did you manage all of a sudden in 13 years – how did you manage to bring together Rwandans? How did you manage to make the survivors live side by side with perpetrators and to be able to build their country?" And I think part of it, Ambassador Andrew Young would be able to cover it, but I just wanted to highlight a few issues that are actually related to what has been presented already. Just speaking of what the video you just saw was talking about, it is the government that mobilized the masses to kill Rwandans, to kill people that they were supposed to protect. There's no end of story behind that. People died because the government planned to kill them. And we have in our history, you have seen some of the slides from Egide, showing the repeated mass killings since 1959. And the people walks away with it with impunity.

The first and foremost thing that the government did after genocide was to try and create a peaceful environment that would promote healing, that will bring together people, to make people understand and to give a value to life, understand that they have to live together. But those were put into place mechanisms that will force that process. It is in that context that we created the Unity and Reconciliation Commission that was established in 1999, mandated to educate and foresee the process of reconciliation. Because we understood clearly that without reconciliation, without making Rwandans talk together, we are not going to achieve the sustainable peace, and try to build confidence among the people. Because the preaching since before 1959, when you look at the history, the ethnic identity cards were issued and the successive post-independence regimes failed in all aspects of trying to bring together Rwandans. So that was the starting point that we have to reverse that process, abolish ethnic identity cards and promote the common identity of being Rwandans so that they can start building our country.

But of course, you need in order to be able to achieve the reconstruction and adaptation and healing process, you need to put into place an established mechanism that we ensure the success of that process, starting with the governance. Make sure that we are creating an environment that gives, that empowers people to decide on leadership. And just after the genocide, I think in 1999 we started directions from the administrative level empowering people to participate in that process, which has never been the case. And then empower the

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

other section of operation that were ignored or marginalized, like women, to give them room to decide, to participate, and make decisions. And I think you understand that Rwanda is one of the countries that has the majority of parliamentarians who are women, all over the world. That was in line with empowering people, creating the involvement of governors that gives powers to everybody and create other structure the youth, the women, and other groups that needed to be represented like the handicapped who are represented in the parliament.

Then the second aspect, which is very important, and as you have seen the other presentations, is to deal with the issue eradicating the card of impunity, justice. We had to go through very serious and intensive justice at a former system. Try to come up with new rules, the rules that gives grace deliver it to people, the rules that ensures the respect of fundamental human rights.

And then of course, deal with the consequences of genocide, dealing with hundreds of thousands of people who participated as you have seen, because the government mobilized the people, mobilized people, trained militias, give them weapons, and sensitized them to kill. So how do you deal with this problem? So the classical justice system, you have seen the debate here that people are struggling to deal with the cases and the International Crimes Tribunal for Rwanda managed to deal with only 30 cases for the rest – more than nine years now. And they'll be closing down next year. That's why Rwanda chose the Gacaca process, which is, I think, is very popular for some of the Gacacas. It's one of the traditional methods of resolving conflict, involving the population to determine who committed the crime, but with some level, more than a legal science to guide the process. And have we have been able to deal with the cases and about more than 6,000 prisoners have been arrested just through that process, which otherwise would have been very difficult to do if you went through the normal classical court system.

And of course, if you have reconciliation going on, if you have a justice system that's sound, you needed to have something else – people are poor. The third aspect is the economical reforms. How do we generate income for this, when most of the people that you have seen, those who are very, very poor, living in very precarious conditions.

So the new government came up with a vision, the vision that we move Rwanda from this level, the level of conflict and killings to the level of being a country that provided services for its people, where people live in peace and harmony, but also be able to generate income and get out of poverty. So there are a number of – I think because of the time, we can go through a number of key priority areas that have been identified within our vision 2020, where want to be by the year 2020. And have identified a number of key areas including human social development, private sector development, governance, and so on and so forth. And we are

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

seeing, as we go along, we are measuring the achievements in each and every aspect and we are seeing a tremendous progress that we are making in the implementation of that particular vision. Then the last aspect, of course, is to ensure that there is a sound and effective social progress services, providing education and health for our people.

I think what will happen is probably if you were to ask a question what they want to know about the progress that we are making -- and I didn't want to overlap with what Ambassador Andrew Young will be presenting -- but I thought it is important to mention at this point that if really we are committed to our never again, it should be never again. What has happened in Rwanda must teach us a lesson. What's happening in other parts of the world must tell us something. Rwandan government, the people of Rwanda are committed they are never again and they're saying no more genocide in Rwanda. I thank you very much.

Clancy: Thank you very much, Mr. Ambassador. Now I've got the task of introducing a man that needs no introduction. We've got a film, another piece of a film. I want to get into that because Andrew Young, I mean if you're an Atlantan, he's already been your Mayor twice, your Congressman three times. He's recipient of the Medal of Freedom. He's even got the French Legion of Honor. But what people really -- where it's relevant here is the way that he's working to make lives better, in Rwanda certainly, but in other countries as well. And we've got a little video clip here to show you about that before he has some remarks for us.

[Video clip for Rwanda Rising, Produced by Good Works International, 2006]

Clancy: All right, Ambassador Andrew Young.

Amb. Andrew Young:

Thanks, Jim. Rwanda is indeed a wonderful and beautiful country and they have performed miraculously. I think of what Bishop Tutu said about South Africa, that there's no future without forgiveness. And the Rwandans understand that. I think also of Daddy King here in Atlanta, that hate is too great a burden to bear. And over and over again you see the people of Rwanda willing to move beyond their hatred, their fears and to create a coherent society that works for everybody. I think Rwanda may be one of the only countries in Sub Sahara and Africa that gives free education up to the 10th grade. South Africa you have to pay school fees and the thing that the President has said is that they've got to move from an agricultural base to a technology base and they've got a race against time. And one of the things they've got to do is create jobs for the 8.5 to 9 million people that are crowded in that small space.

Now our experience here is what I went to when I got to Rwanda. And that is tourism. We grew Atlanta by inviting people here as tourists and conventions and because the tourist business creates jobs at all level. For me it's the easiest way to

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

get money into the hands of poor people. You don't have to have a college education, you just have to be nice and efficient and have skills to do your job. They know their country and they love each other and they love strangers. So it's no surprise to me that Rwanda is one of the fastest growing countries economically in the world. They are attracting investors from all over the world. Recently a group from the Middle East, from Dubai, pledged \$230 million in a recreational and hotel development.

We've seen technology -- Bill Clinton went there, but he also took Bill Gates with him -- and they are buying into the President Kagome's strategy that you can't feed everybody on the land, but you can put people to work behind a computer. They think that they can't -- they know they can't compete with China and India for low-cost labor and manufacturing, but they can compete with brain power, they can compete with the quality of life that they create. They can compete with the beautiful land that they have inherited and that they have maintained. Rwanda is environmentally very protected. They didn't destroy the land. They destroyed people, but they didn't destroy the land. And the land is taking care of the people who are left.

Now, in the time that's left -- Rwanda is doing well -- well, what does it have to do with us? I grew up in New Orleans, Louisiana, sixty yards from the German-American Bund where the Nazi party was meeting. I was born in 1932, so in 1936 when the genocide started, my father, who was a dentist and had many Jewish suppliers, I overheard them talking about genocide. I heard them talking about Hitler. I could look in the windows as a four-year old and see swastikas and hear people heiling Hitler. And so I've had to grow up with this.

And my father took me to the Olympics -- that's one of the reasons we got the Olympics here -- and he let me watch Jesse Owens. And he said, "This is the way you have to cope with white supremacy and racism. You have to compete and you have to be good enough to win, but don't hate these people. Racism is a sickness and these are sick people and you don't overcome sickness with more sickness. You have to help these people out of their sickness."

Now, when I became Mayor, that was very relevant. Because I saw here in Atlanta the beginning of what was a white backlash against the Civil Rights movement. I did not want to be Mayor. When I was put in the Mayor's position, I came to the conclusion that in order for this city to survive, we had to create at least 5% economic growth overall, but 10% economic growth for people at the bottom. And one of the reasons we focused on tourism was that tourist jobs give poor people money. I remember trying to tip a guy out in front of the Hyatt and he said, "Don't worry, Mr. Mayor, keep your money. You don't make but \$50,000 a year, I make more than that in tips." And he hadn't been to college, but he was an efficient, effective person.

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

And so we have grown our economy very consciously. The affirmative action that we have in the airport was an attempt to get that 10% growth from the people at the bottom. And I was fighting to make sure that the guys who were cutting grass at the airport, were the ones who were cutting grass that they were able to own the grass cutting company, that the people who were waiting on you in the restaurants are part owners of those restaurants. That you've got to be in ownership. One of the reasons we had a dollar housing program was to give everybody the right to be a homeowner, that you have to make a society work.

Now here's where I get paranoid. When I see Grady Hospital trying to close, when I see the SAT scores being constantly raised, it says to me that people are trying to keep poor people who's parents didn't go to college out of college or out of the Hope Scholarship. See if you're black and not kind of paranoid, you're really sick. And I say that, that you can't really expect us to do both jobs. We're good at forgiveness, we're good at reconciliation. We have to work at that to survive. But you have to protect us from our optimism. You have to protect us from our naiveté.

I was afraid to face Rwanda until Yamina Karitanyi came into my office when we were looking for somebody who spoke French. I didn't want to face the bad things about the world. And because if I do, I can't stay sane. And it is critical. Rwanda, Dafur is not way away. I see 10-year mandatory sentences in Georgia. I see our jails with a higher per capita black population than anyplace else in the world. I see all of these. I talk to people who see Michael Vick's arrest as part of the genocide against us, that we are an afflicted minority in this society and we're feeling awful vulnerable. But it's important for us to maintain our hopes and our dreams and Martin Luther King's dream is still in the hearts of all of us, but you have to remember that he followed – that dream followed upon a charge that America had presented the Negro with a bad check. That when we went to the bank of freedom and justice, our check came back marked insufficient funds. But he said, "But I still have a dream."

I want to say that the struggle of Dafur is a struggle between the haves and the have-nots, to some extent. The struggle in Rwanda, the struggle here – I'm more worried about South Africa than I am almost any country in the world right now, because the rich are getting so rich and it doesn't matter whether they're black or white. And the poor are getting more and more frustrated and angry.

In order to prevent genocide we've got to make the world a peaceful and prosperous place for all citizens and it doesn't matter whether it's Bosnia or Dafur or right here in our own midst. Freedom is a constant struggle. Justice is not something that we can take for granted. Democracy does not exist, it is a process. We're moving toward democracy. We aren't there yet. Free enterprise doesn't work, we have to make it work. Justice is not a reality, it's a dream and a hope that we have to commit ourselves to in order for all of us to survive on this planet.

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

It's simple, freedom, justice, democracy, the hopes and dreams of a world where all men and women can live together as brothers and sisters.

Clancy: I think you would have to agree that all of our speakers were fantastic, brought out different sides of the story about this little gem of a country. But as we were just hearing, there's more to this story about us and today. And first on the agenda with that are your questions for this panel. And I'm just wondering, maybe we can swing it all the way back, come back to Egide, questions about what happened in 1994. Come on, stand up, come on up. Let me start with you, sir. Just give me first name.

Q: My name is Willis Shalette and there is something that hasn't been discussed tonight and maybe Mr. Richter and Mr. Gordon can address this. I believe France and Belgium have laws against genocide deniers. In America, what can be done to address that issue? I'm more concerned about making heroes out of Hollywood and to represent maybe what should have been done 13 years ago. The man behind *Hotel Rwanda* is now going around denying there was genocide in 1994. And maybe this is a question for Mr. Clancy here to address. The press is ignoring it, Hollywood is not addressing it. Where do we go from here?

Clancy: I'm going to leave that to our panelists.

Gordon: I think there were a couple of different questions there and one of them was the legal tools. I think you mentioned that Belgium, for example, has laws that can deal more effectively with prosecuting genocide and that's absolutely right. They have the – what's called a Universal Jurisdiction Statute which is a lot more effective than what we have. As I mentioned, our statute only allows for prosecution of crimes that were committed here on United States soil, or by U.S. citizens and that's why this Genocide Accountability Act is so important. We've got to close that loophole. Spain, for example, has a very effective – has probably the most effective Universal Jurisdiction Statute. They can prosecute genocide, they can prosecute crimes against humanity, war crimes, torture committed anywhere in the world, anytime, by anyone. That's the way it ought to be. So I agree with you about that.

I think your other question had to do with focusing on what's really happening or what's happened versus what's portrayed in Hollywood. And what I'd like to say is I think Ambassador Young has shown us, Ambassador Kimonyo, everybody on this panel has shown us that we have to continue to work in Rwanda toward reconciling these hatreds that have existed between people and eliminating them and having people come together and work together as a country. We have to do it here in the United States, we have to do it around the world, but we're focusing a lot on Rwanda tonight and I think that anybody who feels that there are still divisions or should be divisions, that's a tragedy, that's unfortunate because what happened in Rwanda cannot happen again and as soon as we deny what happened,

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

or as soon as we start to look at divisions again, that's when we have the greatest risk of its reoccurrence. So your question is, I think...

Clancy: And let me bounce it off Egide, if I can. Egide, people still deny that there was a genocide in Rwanda, but you were there at the Hotel Milles Collines. I mean this has to be not only incredible to the survivors, but incredibly painful.

Karuranga: Yeah, as I said before, there are three main types of denials. One is based on the fact that we had double genocide. Another one is based on the fact that people were killing each other, so there was no genocide. It was only ethnic fights between those who are looking for power and those who were in power. And the third type is, those who say ,ok the genocide was there, but we killed more Hutu than Tutsi. So if you look at each and every category of actors you have different perspectives, different methods are used. Some of them are writing, some of them are using stuff like *Hotel Rwanda*. The guy who portrays himself as a savior of Tutsi -- I had the opportunity to discuss this on the radio today -- the next question you would probably ask him is, "How many people recognized having been saved by you? If you find more than 5%, I'm afraid he won't be able to show you more than 5% of people who claim -- out of 1,200 people who were staying at the hotel- that they were saved by him."

The thing is, the Hollywood movie industry is based on its rules and styles, and one of them is fiction. And they are not accountable for fiction consequences. And when there's a gap -- when you don't understand -- remember there was such question as, "How do people manage to kill? How are people trying to kill one million people, in less than 100 days?" So everybody wants to know how it happens. So if the only stuff -- if the only explanation is the fiction type of movie, then there's a high risk we would never be able to understand, number one.

Number two, if you look at the self-portrayed hero and the guys he's teaming up with now, including Pierre Péan, a guy who wrote *Furious Blacks and White Liars* -- for Pierre Péan, for example, there was no French bad involvement, number one. Number two, there were Tutsi killing Hutus, which is against any documentative sources. And for him, the only responsibility lies in the hands of those who downed the plane and he ignores what I showed you. Hutu have been killing Tutsis since 1959, 1963, in 1967. Survivors were forced to leave the country and the schools. Our houses were burned in 1973. In 1990, they started killing at small scales, at different places of Rwanda, they killed in Bugesera, in Kibilira, they killed in Kigali-- and then they reached the final solution in 1994. So for Péan, all those types of killings didn't exist. There was only one plane crash and the people were angry at each other, and then we started killing each other.

So those are the next guests -- those are the current guests of Paul

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

Rusesabagina, for example. Another guest is Robin Philpot. Robin Philpot is a guy from Quebec. I spent six years in Canada, I'm from Laval University – you can understand it by my accent. Robin Philpot lost last election, mainly based on the fact that he wrote a bad book about the genocide. He thinks that things didn't go the way they are told by the media, because he is in a kind of conflict with General Romeo Dallaire, who happens to be one of the best public speaker against the genocide. And they happen to be in different political parties. So they are playing a kind of local politics exploiting the genocide in Rwanda. So they have different views. The plane crash is being exploited by Robin and that's the next companion – that's the current companion of Paul Rusesabagina, for example. So Pierre Péan, Robin Philpot, and Desouter there's a whole list of people who write, people who think that more Hutu were killed than Tutsi people, who think that everything is explained by the plane crash. Those are who we have to fight, those are the most complicated teams. Those are the people who ignore – these are the people who tell you that there's no justice in Rwanda. Those are people who will tell you that there's no progress actually in Rwanda. Those are the people who tell you that we have a forthcoming genocide. So that's the most complicated issue we have to deal with.

Clancy: I've got a question right here for Ambassador Kimonyo.

Q: Good morning, good evening, sorry. This morning when I was driving to work I heard a report on NPR that there has been increasing fighting in Eastern Congo between Hutu and Tutsis. My question to you, Ambassador Kimonyo is, to what extent does the government of Rwanda hold a social responsibility and a political responsibility, and really, the entire international community which failed Rwanda in 1994, in solving – not in solving, but in assisting the problem there and preventing it from getting out of control?

Clancy: Ambassador Kimonyo, I mean they're trying to hunt down a Rogue Tutsi General with the rebel groups there in Eastern Congo. And they've always been saying, Rwanda, you've got to help, you've got to rein them in and you surely can't support them.

Kimonyo: Yeah, I think it's a very good question because the issue, the security and the conflict that is taking place in the Eastern part of Congo, emanates from the fact that the militias that killed the people in Rwanda in 1994 just crossed the border with our weapons and they have never changed the agenda. The agenda is the same – kill Tutsis wherever you see them. And the international community is very, very informed about this issue. There is a time we had to cross the border and fight these people because they were killing our people, coming back to Rwanda and kill the survivors that they left behind. And becomes another story for CNN, it becomes another story for another network. But I think good thing is that the international community now understands the motives of these groups in

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

Eastern Congo, because not only they have killed Rwandans across the border, they have also killed Congolese. They organized in 2004 to kill Congolese refugees who are in the Katuma. That story is known for the many many family of people who are killed.

So but I think there are efforts underway now together with the government of DRC, Uganda, and of the tripartite process arrangement that is supported by U.S. governments, to be able to deal precisely with that program. The recent decision is that the countries are going to work together with support of UN forces that are DRC to try and dismantle the FDR forces. Otherwise, they are the same people who planned the genocide, they are the same people who still pursue the same idea now, whose intentions are to eliminate anybody they think or they presume is a Tutsi. By the way, unfortunately, you find that people as a part of their mission, they deny are still connected to these people, these forces that are in DRC. Because I remember...

Clancy: Jim, I – Mr. Ambassador, I apologize for interrupting, but we're already over time. I see so many people have questions. I'm going to ask people to keep their questions really, really short and we're going to have to keep our answers really, really short because I'm going to try to get as many people as I can. I've got a young lady right here. First name and your question.

Q: My name is Lauren. The more and more I research on genocide, the more I find that fear is a major factor on both sides, because there's a fear of if you protect the victims of genocide, then you're family could be killed as well as the victims. How do y'all feel about that and how do you feel that fear is involved?

Clancy: Is it fear?

Lipstadt: There may be fear, but more often than not there's hatred and there's prejudice and sometimes the hatred and the prejudice is depicted as fear. The Nazis feared what the Jews might do to them, which was, of course, all bogus. So I don't – I find the fear is a misconstrued kind of thing and often is more rooted in hatred and prejudice. Pol Pot feared what the Cambodian people who wore glasses and could read and were intellectuals might do to them. I don't find that real fear. I find that hatred and prejudice.

Clancy: We've got another question here.

Q: My name is Julius from Tanzania. I would like to pose a question on how is the system of education look like now because if there is still a problem of Tutsi and Hutus being – I mean identified as Tutsi and Hutus, we might see again another genocide maybe in 10 years or 15 years.

Clancy: What's the risk? Mr. Ambassador, you take that one.

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

Young: As a Tanzanian, you ought to know because you had 123 tribes in Tanzania and you've done a marvelous job of uniting them. But you didn't discriminate and you didn't allow discrimination. One of the things I heard in Rwanda was, "Nobody will tell you." I can't tell who is Hutu and who is Tutsi. And I ask and they say, "No, we're just Rwandans. We're all Rwandans now." Now the school question is something I think we can help with because Rwanda does not have the money to educate all of those children. You see children studying outdoors with books. We need to help schools, we need to help build schools. One of the other things I'll say right quick is, one of the ladies from Center for Disease Control said she'd lived in Rwanda for five years off and on and Kigali was the safest city she'd ever lived in. She had no problems jogging late at night or early in the morning and if you want to go someplace for a vacation or to help people, please go to Rwanda.

Clancy: We have another question.

Q: My name is Ben. This is a question for Professor Gordon. While I agree with you that strengthening our national laws regarding genocide is important, to what extent do you agree with me when I say that perhaps becoming party to statutes of the International Criminal Court, for example, might help us a lot in doing things like that?

Gordon: Little politics your way...

Q: ...reconciliation happen, like how do you figure out who is more responsible and how do you prosecute those people.

Clancy: Professor Richter [should have said Greg Gordon]

Gordon: I think that we can't have one-size-fits-all justice necessarily. I think we have to look at who's involved and there were so many people involved in the Rwandan genocide that to some extent we have to hope that we can find people who can come back to society and be productive and be a part of it. On the other hand, the people who were planners, the people who were leaders, the organizers, I think they have to be brought to justice to the full extent of the law and Rwanda has devised a system of categories for those types of people. And the International Criminal Tribunal for Rwanda, for as much criticism as it's taken, it has been developed to prosecute the leaders of the genocide. So yeah, there are only say 30 convictions, but those are the architects of the genocide. So keep that in mind.

Clancy: Another quick question.

Q: Quick question for Ambassador Andrew Young. When you speak of the pie for everyone and the possibilities of that equalizing the playing field, strategically, how do we equalize the playing field when sometimes equalizing that playing

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

field makes persons in positions of power uncomfortable?

Young: I don't think we're required to make people comfortable. I think it's exactly – we used to say in the church, you're supposed to comfort the afflicted, afflict the comfortable. And part of our process is for us in power to be uncomfortable. And I think that's a physical law as well, that the earth is a process, everything is in motion. If your politics ever get static, if your economics ever get static, you're going to have a breakdown.

Clancy: One more question. This will be our next to the last question. There's one more after this.

Q: My question is for Miss Lipstadt, and you mention that genocide deniers have this impact on people who have a lack of knowledge about subjects or sort of have different prejudices than people who are victims, I guess. What capacity does the media have to magnify or challenge that kind of influence?

Lipstadt: Well, I think it's not just media, it's universities, to get the facts out, get the history out. People can have different interpretations about something, but there's certain – when you hit a certain basis point you say, this didn't happen or they've always been fighting, you're going from legitimate intellectual curiosity to denial. But I think it's the facts, it's the facts. I don't believe in laws outlawing denial unless it's incitement and that's a whole different area. But I think it's what I try to do in the classroom here at Emory when I teach about the history of the Holocaust. I don't teach about denial, I do one short lecture on that, but I'm – just the facts, just the facts and I think then you let the students go with it where they want. You don't tell them what you should do with that information, but you give them the information. So it's what we call education, it's what a lot of people in this room – what some of you are here for and what some of us are here trying to do.

Clancy: One last question. Give us your first name.

Q: My name is Amino and well, I'm from Cameroon, so which means I'm not really a Rwandan, but as an African, that's why I'm here. And my question is for Professor Karuranga and the Ambassador Kimonyo. I agree with Julius Nyerere when he said that the crisis in Rwanda was that of resources and power, control. Now all of Africa we see this problem and largely it has grouped with Colonialism. Before the Belgians came to Rwanda, what was the situation between the Hutus and the Tutsis? You lived together, you worked together, you intermarried, you did everything together. What happened after that? What happened after 1959?

Clancy: Mr. Ambassador?

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

Kimonyo: I think I mentioned it in my presentation that it started with, from day one, we started with the divide and rule tactic from Colonialists. So the ethnic identities were given. What was supposed to be done after 1959 was to try and bring together people, but the government, as I said as successive post-independence regimes, failed in the whole aspects to bring together Rwandans. And instead, they increased the social governors was created during the colonialism. It's perpetuated the divisionism and continued to tell people, to say to Hutus that these are enemies. And that's why they even refused to give them the right to come back home, peacefully, as exactly was 1990 armed struggle. So I would say it's a process that started before 1959, but even after '59, after independence, there were no efforts to bring together Rwandans in terms of building unity and the reconstruction among the people. And that's why you find that in all presentations that everybody speaks about the responsibility of the government and the responsibility of the regime in terms of dividing people instead of uniting them.

Clancy: Egide, you must talk about this with people, wondering, in your perspective, why did they do it? Why do you think they did it, committed this genocide?

Karuranga: It's a question of bad leadership..._____

Clancy: Go ahead.

Karuranga: When people are competing for power and if you use metrics, if you use competition, if you are already competitive, then you don't bring the bad arguments on the table or kill the Tutsis. A perfect example is in 1973, there was no threat at all, neither from inside nor from outside. There was no attack by the rebels, there was no movement inside inspired by Tutsis. But still, they got killed – Hutu killed Tutsi, they burned their houses_ Why? Because there was a group of Hutu who was not happy with their Hutu in power. So the only way to overthrow them, the only way to show President Kayibanda - a Hutu-, the way out, was to kill Tutsi and show the rest of the world that there are troubles in the country and then President Habyarimana moved in as a savior of the situation. You see, so we have been used as scapegoats for anything wrong in the country. We have been used as bad guys, snakes. So whoever wanted to have access to power could use one or two or three Tutsi, point to them as source of evils, kill them and claim to be the savior. So that's dehumanization, and that's unfortunately how it was. And then coming back to the question of the...

Clancy: I'm sorry, we don't have time to go into all of it. We talk about it a little bit more. I want to give Ambassador Andrew Young the last word here tonight.

Young: I'd just like to say one thing about Africa that let's be merciful in our judgments where Africa is concerned. Africa is three times as large as the United States and no roads. If you put Sudan on the United States, it would extend from Massachusetts to Florida and from the eastern shore of North Carolina to Ohio.

Full Transcript with sections highlighted for Gregory S. Gordon, J.D., Assistant Professor of Law, University of North Dakota

And no roads. The Rwandans sent 2,000 troops immediately to stop the genocide in Dafur, but the UN and the U.S. couldn't supply them with water. The Nigerians wanted to send troops, but they have C-130s and the Senate of the United States wouldn't sell them spare parts because they had taken Charles Taylor, who was also guilty of genocide in Liberia, I think, but they took him out of Liberia because Colin Powell asked them to in order to try to send troops into Liberia without much killing. But then the Nigerians suffered a boycott in the Senate. We've got such confusing foreign policy, such confusing – we can't be moralistic. And I think that of all of the conversations I've been in, I don't know one that has been as objective and as informative as this one has been and I'd really like to thank Emory for taking this subject on and hope that this is just the beginning. We've got a lot to discuss and a lot to learn.

Clancy: I want to thank each and every one of our panelists that have been here tonight. I want to thank all of you for being patient going through this. I hope you've learned something – I hope you picked up something that you can carry with you, some understanding of what to look for in your own lives and how the experience of others have an affect on all of our lives. And it's important to care about our brothers, whether they're in Africa or whether they're here in our own country. Thank you very much for being with us and a special thanks, again, to Emory and the School of Health. [End of webcast]