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The Clinton Administration's Use of Hermeneutic Opportunities in the Universal Declaration of Human Rights and the Convention on the Prevention and Punishment of the Crime of Genocide During the Bosnia and Rwanda Genocides

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THE CLINTON ADMINISTRATION'S USE OF HERMENEUTIC OPPORTUNITIES IN THE
UNIVERSAL DECLARATION OF HUMAN RIGHTS AND THE CONVENTION ON THE
PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE DURING THE
BOSNIA AND RWANDA GENOCIDES

by

KIMBERLY NICOLE OVERMIER

Under the Direction of Michael Bruner

ABSTRACT

This thesis explores the hermeneutic opportunities in the United Nations' human rights documents which are used by states, like the United States, to rhetorically circumvent the responsibilities the documents place on U.N. member states. The way these opportunities are strategically used is examined through case studies of the Clinton administration attempts to evade involvement in the Bosnian and Rwandan genocides. News conferences, press briefings and speeches are used to do a rhetorical analysis of Clinton's strategy in order to determine how that strategy was shaped by the constraints and opportunities of the Universal Declaration of Human Rights and the Convention on the Prevention and Punishment of the Crime of Genocide.

INDEX WORDS: Human Rights, Genocide, Prevention, Clinton, United Nations, Rhetoric

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KIMBERLY NICOLE OVERMIER

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August 2014

DEDICATION

To Momma, Daddy, and my family, thank you for supporting me throughout my studies. Your encouragement has made it possible for me to come this far and to write about what I am passionate about. I dedicate this work to you.

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1. THE FAILURE OF 'NEVER AGAIN'

“You know as well as we do that right, as the world goes, is only in question between equals in power, while the strong do what they can and the weak suffer what they must.”

Athenians to the people of Milos, 416 B.C.¹

The above logic of the Athenians has reigned supreme in international affairs; if you have something I want and I am strong enough to take it, then I will; if you get in my way, then I will remove you. People who have not had the military or technological strength to resist other countries and their peoples have experienced the most nightmarish things simply because someone was able to do whatever they wanted to get what they wanted. Genocide, or the systematic destruction of a national, ethnic, racial, or religious group, has been used as a tool by many different people in history to get what they wanted.² Genocide, therefore, is not a twentieth or twenty-first century phenomenon. What is remarkable about the twentieth century is not that genocide was stopped, but that it was recognized, named, and began to be fought against.

The conclusion of World War II and the carnage that it left in its wake must have served as some kind of wake up call for leaders throughout the world. The formation of the United Nations pledged itself in the preamble of its charter to help keep anything of this magnitude from ever happening again: “We the people of the United Nations, [are] determined to save succeeding generations from the scourge of war, which twice in our lifetimes has brought untold

¹ Thucydides, Trans. by Richard Crawley, *History of the Peloponnesian War*, Adelaide: J.M. Dent & Co., 1903, online text: <http://ebooks.adelaide.edu.au/t/thucydides/crawley/>

² “The Convention on the Prevention and Punishment of the Crime of Genocide,” Online by the United Nations, http://www.oas.org/dil/1948_Convention_on_the_Prevention_and_Punishment_of_the_Crime_of_Genocide.pdf

sorrow to mankind.”³ In pursuit of this goal, a small committee was convened with the specific purpose of drafting just what kind of treatment human beings deserved.⁴

Though unable to create a binding legal document, the drafting committee of the Universal Declaration of Human Rights, led by the former first lady Eleanor Roosevelt, sought to establish a precedent on which nations could base their understandings of how their citizens should be treated and, furthermore, how they should see citizens in the world being treated. This was obviously a difficult task given the lines that had already been drawn between East (USSR) and West (U.S.A), and, furthermore, by the apparent disparities in the treatment of people in both nations. This resulted in the document having a particular vagueness regarding the responsibilities given to member states for protecting these rights. This vagueness helped to get the Universal Declaration of Human Rights passed on December 10, 1948 without a single dissenting vote.⁵ Its success was shared with the successful passage of the Convention on the Prevention and Punishment of the Crime of Genocide passed the day before on December 9, 1948.⁶ The Convention specifically defined genocide and what aspects of it were punishable. However, it too suffered from a similar flaw of vagueness regarding member state action. Despite these documents defining human right to life, and how that life should be enjoyed, genocides and human rights abuses have persisted since their passing. The support that the genocide convention and declaration ask of U.N. member states has rarely been forthcoming.

It is critical to understand how member states are able to shrug off the duties these documents place on them as part of being a member in the United Nations. There are certainly

³ “United Nations Charter,” Online by the United Nations, <http://www.un.org/en/documents/charter/preamble.shtml>

⁴ Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights*, New York: Random House, 2001, 138.

⁵ *Ibid.*, 137.

⁶ “The Convention on the Prevention and Punishment of the Crime of Genocide,” Online by United Nations, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CrimeOfGenocide.aspx>

clear political reasons that can be listed off for the numerous occasions when genocide was ignored, or not acted on quickly enough. It is understood that strong states with leadership in the world want to wield that leadership strategically so they gain more power, wealth, and influence. Concerned citizens and scholars cannot hope to change the corruption underlying politics overnight, but they do have avenues of resistance they can use to be heard, to help victims be heard, and to illustrate corruption. However, in order to resist, in order to be heard, in order to take action, people must understand *how* they are being manipulated, how leaders manipulate the U.N. human rights documents to work to their advantage, and what windows of opportunity these documents allow leaders. No document can be perfect, and the U.N. human rights documents are no different. Therefore, it is imperative that we study how the documents fail to provision for states' hesitancies and abilities to step around the values and provisions in the documents.

The Universal Declaration of Human Rights and the Convention on the Prevention and Punishment of the Crime of Genocide are key documents in international law protecting human rights. All international human rights law is based off them.⁷ These documents place certain responsibilities on member states of the United Nations to protect and promote human rights and to prevent the crime of genocide from being committed. Yet, we have seen terrible atrocities continue over the years unchecked. This is due in large part to the documents. They are flawed. We see this massive loss of life over and over again due in large part to member states of the United Nations being able to rhetorically justify their limited action by strategically using the documents' flaws to justify their actions.

⁷ William A. Schabas, "Audiovisual Library of International Law," Online by the United Nations, <http://legal.un.org/avl/ha/cppcg/cppcg.html>

Through examining a particular member state, the United States, and its response to two genocides, Bosnia and Rwanda, I will demonstrate how the flaws in the Universal Declaration of Human Rights and in the Convention on the Prevention and Punishment of the Crime of Genocide are used as hermeneutic windows of opportunity. These windows allow states to “get by” with not giving genocides the amount of attention and aid that the documents request of them. The United States serves as an excellent choice to examine given its position as a world leader, more than capable of leading peace talks and pressuring leaders who are committing genocide. In particular, the Bosnian and Rwandan genocides presented two key opportunities for the Clinton administration and the United States to help stabilize international cooperation on genocide. Instead, Clinton attempted to keep the United States out of a leadership role and away from engaging in actively stopping the crimes in both places. It presents an excellent opportunity to understand how Clinton and his administration structured their rhetorical strategy in these instances in order to learn how they maneuvered around the documents’ obligations. These two documents and the subsequent case studies present ethical and political challenges that some may argue are best addressed by political scientists or legal scholars; however, a rhetorical analysis of these documents and these events can give us a different and more in depth understanding of how language constructs political realities. My contribution to understanding these documents stems from my analysis of how the language in these documents played a part in the construction of the political realities the Clinton administration faced in the Bosnia and Rwanda genocides.

1.1 The Rhetoricity of Human Rights

The U.S. president’s rhetorical abilities and the nature of his rhetoric have been discussed by many scholars. Some have focused specifically on language’s rhetorical quality and how that

quality has impacted the ability of institutions like human rights to stand against presidential power. Human rights rhetoric scholars are concerned by how rhetoric can be used negatively in the process of defining rights, recognizing rights, or ignoring rights. If human rights are not stable ideas, then laws and actions cannot be built upon them. Max Hocutt, Erik Doxtader, Gerald Hauser, and Arabella Lyon and Lester Olson have each contributed to the discussion of how the ability to construct lasting definitions of human rights is impeded by rhetoric.

Max Hocutt addresses the question of what the proclamation of human rights has done for us, and he complains that it has led to the proliferation of too many rights.⁸ He argues that people have learned the move, so to speak, of declaring to have a right for something whether it is reasonable or not. He argues that today people get away with arguing something is a right because it is something that they want.⁹ Hocutt argues that legitimate rights must first be recognized by people, and then supported or defended by other people (i.e., a government).¹⁰ If a government defends it, then it is a legitimate right. Hocutt's points are well made and resonate with my study. The U.N. human rights documents have not been held up and defended in such a way as to cement their status as laws, or legitimate rights. Hocutt also brings up the concept of prolepsis, or anticipatory rhetoric.¹¹ He argues this often amounts to wishful thinking that guides people to "[claim] rights in order to create them."¹² This concept is also useful, for we can observe it in use in Clinton's rhetoric regarding Bosnia and Rwanda. He and his administration use anticipatory rhetoric in order to engage people concerned about the conflicts by establishing an air of action from which people wait to see results.

⁸ Max Hocutt, "Rights: Rhetoric versus Reality," *The Independent Review* (Summer 2012): 51-64.

⁹ *Ibid.*, 51.

¹⁰ *Ibid.* 56.

¹¹ *Ibid.*, 52.

¹² *Ibid.*

Hocutt's discussion of the proliferation of rights and the subsequent weakening of the term "human rights" leads us to a broader discussion about human rights being rhetorical. Erik Doxtader, for example, describes the significance of the "rhetoricity of rights" as something of a paradox. Since human rights discourse is rhetorical, it can be "hypocritical," including and excluding what rhetors desire, carrying serious ethical commitments. This is in line with the inherent weaknesses of the U.N. human rights documents. The documents exclude important aspects of defending human rights. The drafters of the document did this in order to get what they desired, to get the document passed, which, while good, left a great deal of flexibility for world leaders interpreting the documents.

Doxtader discusses a couple of particular issues that possibly shed light on the hypocrisy that occurs with human rights: the first is an assumption about "the speaking animal," or human beings defined by their use of language.¹³ If a person cannot speak and be heard, then they lack personhood. This leads to the second issue of "the silenced being."¹⁴ When atrocities and cruelties occur they often lead to the silencing of human beings, who then lack personhood. Doxtader describes the situation as follows: "the need for human rights appears at a moment when human beings have little if any recognizable basis to assert them."¹⁵ The issue is severe when there is little basis for intervening on behalf of abused people, and it is made even more difficult by the loss of communication the abused people suffer. What goes on in Guantanamo Bay? How are the conditions in the work camps of North Korea? The people forced to suffer in these places are not given the opportunity to speak, and the silence allows leaders to brush off many of these questions.

¹³Erik Doxtader, "The Rhetorical Question of Human Rights-A Preface," *Quarterly Journal of Speech* (November 2010): 353-379, 356.

¹⁴ *Ibid.*

¹⁵ *Ibid.*, 357.

Gerald Hauser provides an essay that, though not directed at responding to Doxtader's issues, does present an alternative way of looking at them. Hauser argues that human rights documents "provide a frame of moral vernaculars."¹⁶ There are two types of frames, he argues, which he describes as a "thin form/sense" and a "thick form/sense." The thin form/sense encompasses the transformation of human rights from abstract moral principles into a discourse, "or human rights talk."¹⁷ Hauser argues that this talk about human rights does not seek "convergence" on what human rights are, but "agreement on consequences for which there is accountability."¹⁸ Human rights, Hauser argues, are not "immutable principles" but rather work "as a field of emerging meanings that are constituted rhetorically and have consequences for the treatment of human subjects."¹⁹ Furthermore, the thin form/sense "is based on the premises of human rights covenants and manifested in the rhetoric of the official public sphere."²⁰

We see the U.N. human rights documents situated in Hauser's thin form/sense. The documents seek to describe human rights and provide consequences for abusing those rights. The problem we see with the documents though, according to Hauser, is that they attempt to define human rights, and yet human rights are "emerging principles" that are mutable. Therefore, attempting to set them in stone is impossible and not worth pursuing. What the focus should be, according to Hauser, is coming to agreement on what the protection of human rights should look like. Thus, the desire of the drafters of the U.N. human rights documents to get all countries to agree on a single set of principles was misguided. It is not possible because human beings are always redefining themselves and the world around them. The key aspect to Hauser's argument,

¹⁶ Gerald Hauser, "The Moral Vernacular of Human Rights," *Philosophy and Rhetoric* (2008): 440-466.

¹⁷ *Ibid.*, 443.

¹⁸ *Ibid.*

¹⁹ *Ibid.* 444.

²⁰ *Ibid.*

though, is that despite the mutability of rights, there should still be “consequences” and “accountability” for particular actions.

The second sense, the thick form/sense, is connected to this last goal of consequences for actions, as it is what Hauser calls the “performative” aspect of moral vernaculars. The “thick” moral vernacular is a way to critique power and find strength from that critique. Hauser addresses how abused people, through attempting to maintain personal dignity and membership in the human race, enact the thick moral sense. He argues that most of the resistance rhetoric that gets circulated and talked about is that of “the champions of resisters and resistance movements.”²¹ However, these “champions” of human rights are not only what characterize the thick moral vernacular. It is “ordinary virtue,” not “heroic virtue,” that expresses itself through action centered on self-preservation.²² This addresses Doxtader’s concern that those who become victims of human rights violations are usually silenced. It is through trying to survive, telling their story, and pursuing their humanness that these people speak for themselves. This work of the layperson, combined with that of the “hero,” works to critique the power that executes the rights abuses.

The thick sense helps to initiate the ideal thin sense by demonstrating that actions have been taken that require consequences. However, when the thick sense does not have an appropriate thin sense to accompany it, what we see is people resisting their abusers but their abuse not being properly addressed. I argue that we see such a dysfunction in the U.N. human rights documents. There have been many moments over the last 66 years since the documents were passed where people and their abuses were written about, photographed, and televised, yet none of those situations received quick action, with a plan for helping people and holding the

²¹ Hauser., 456.

²² Ibid., 457.

abusers responsible for their crimes. In fact, in almost all of the recent genocides, the men and women who perpetrated crimes against humanity received no punishment at all and continue to live side by side with the survivors of their crimes. This imbalance in the U.N. human rights documents is taken advantage of by world leaders, who allow for these failures in accountability.

Another perspective on human rights comes from Arabella Lyon and Lester Olson, who also attempt to describe some of the limits to protecting human rights.²³ These limitations include problems with language and symbolism superseding their material and historical connections: “the concealment of relationships of power, privilege, and resourcefulness within considerations of idealism,” and the mistaken belief that personal endeavors (e.g., scholarship) are a form of “ethical work.”²⁴ While I do believe that scholarship helps us better understand issues, there is an additional step that must be taken after scholarship, and that is action to make a concrete difference. My study is a first step in the direction of understanding the political obstacles to protecting human rights and then, hopefully, to creating action to fix these obstacles. The issues that Lyon and Olson see are similar and yet different from those of Doxtader and Hauser. They too see language becoming an issue, but it is an issue because it becomes disconnected from where it originated and its meanings are circumscribed. What exactly does genocide mean anymore? Few people know that there are multiple ways to commit genocide without murdering. Yet, the word is either avoided or tossed around without anyone truly conceptualizing its meanings. Lyon and Olson also see an issue with ulterior motives. What if the U.S. is only interested in helping Iraq construct a democracy so that they can get better access to Iraqi oil? Would not these motives shape their discourse on human rights and the need for U.S. intervention in Iraq? Journalists and scholars have clearly demonstrated how U.S.

²³ Arabella Lyon and Lester Olson, “Special Issue on Human Rights Rhetoric: Traditions of Testifying and Witnessing,” *Rhetoric Society Quarterly* (2011): 203-212, 208.

²⁴ Lyon and Olson, 206.

authorities avoided using the word genocide during the Bosnian and Rwandan genocides in their attempt to keep the U.S. on the sidelines of these conflicts.²⁵

Lyon and Olson's conception of rhetoric's potential culpability in contributing to human rights abuses aligns well with what Doxtader and Hauser have been saying, and it helps express what they all have hinted at, which is bias. People are biased toward a certain action, or actions, based on their relationship to the situation. The Clinton administration had certain goals that were not aided by interventions in Bosnia or Rwanda. Therefore, their rhetoric on the human rights abuses that occurred during these two crises disconnected. It honors human rights and the protection of such rights, but does not promote the right to intervene, or suggests that there is not enough information to know if it is really genocide. This is achieved in large part because the U.N. human rights documents fail to establish what action should look like. However, there are more than just the documents' weaknesses to consider. The leader of a country gets to interpret and establish a great deal of meaning and, therefore, policy. Since my study focuses on the Clinton administration's address of Bosnia and Rwanda, the concern becomes what kind of power does the president hold and how does he rhetorically manage this power?

1.2 Presidential Power and Rhetoric

Presidents have ways of speaking about things, as well as a power when they speak that documents and scholars do not possess. It is important to understand this power and how it is wielded. There is a great deal of scholarship on how presidents address conflicts and a great deal of this scholarship is applicable to genocidal conflict management. Therefore, presidential

²⁵ For example: Luke Glanville, "Is 'Genocide' Still a Powerful Word?" *Journal of Genocide Research* (Dec 2009): 467-486. Arnold Krammer, *War Crimes, Genocide, and the Law: A Guide to the Issues*, Santa Barbara: Praeger, 2010, ebook. Alex J. Bellamy, "Getting Away with Mass Murder," *Journal of Genocide Research* (March 2012): 29-53. Henry C. Theriault, "Genocidal Mutation and the Challenge of Definition," *Metaphilosophy* (July 2010): 481-524. Samantha Power, *A Problem from Hell: America and the Age of Genocide*, New York: Harper Perennial, 2002.

conflict scholarship will be examined in addition to specific case studies of presidential management of genocidal conflicts in order to understand the rhetorical abilities of the president in these types of situations.

There is a healthy discussion among scholars such as Jay Hudkins, Vanessa Beasley, William Scheuerman, Richard Holtzman and John Murphy about the importance of presidential recognition of situations, particularly crises, and the act of calling them a crisis or situation of import.²⁶ Though not described in the same way, each of these scholars demonstrates the leadership and power that the president has in setting public policy and the foreign policy agenda. The very act of giving attention to a policy or an event gives it importance because the president is talking about it. Mary Stuckey describes in *Jimmy Carter, Human Rights, and the National Agenda* the way in which former President Carter helped to put human rights on the national agenda in the first place by just talking about them.²⁷ According to Stuckey, “the evidence is that when presidents strategically deploy their communication, they do have influence over the media agenda and can thus hope to have some impact on public opinion.”²⁸ According to Stuckey, then, the president is not completely controlled by the media or reliant on them to set the agenda. He can push an idea through or name something as important if he has a mind to. My study similarly helps to demonstrate how a president, Clinton, manages the constraints placed on him by the U.N. human rights documents.

²⁶Jay M. Hudkins, “Presidential Actions and the ‘Bully Pulpit’: Crisis Creation or Crisis Response?,” *Florida Communication Journal* (Spring 2013): 29-36. Vanessa Beasley, “The Rhetorical Presidency Meets the Unitary Executive: Implications for Presidential Rhetoric on Public Policy,” *Rhetoric and Public Affairs* (Spring 2010): 7-35. William E. Scheuerman, “Emergencies, Executive Power, and the Uncertain Future of U.S. Presidential Democracy,” *Law and Social Inquiry* (July 2012): 7-43. Richard Holtzman, “What’s the Problem, Mr. President? Bush’s Shifting Definitions of the 2008 Financial Crisis,” *International Social Science Review* (2011): 95-112. John M. Murphy, “Political Economy and Rhetorical Matter,” *Rhetoric and Public Affairs* (Summer 2009): 303-315.

²⁷Mary Stuckey, *Jimmy Carter, Human Rights, and the National Agenda*, College Station: Texas A&M Press, 2008, 128.

²⁸Ibid.

Similarly, scholars such as Stuckey, Eric Heinze, Ernesto Laclau, Edward Keene, Suzanne Katzenstein, Tema Milstein, and Carine Defoort have discussed the importance of naming something.²⁹ Naming something makes it distinguishable; it sheds light upon it, and it makes it possible to consider something specifically. The person doing the naming is then the holder of a great deal of power because, given how they name, they can direct how something is thought about. Stuckey, Heinze, and Holtzman each discuss situations where a U.S. President was in the position to name what an event was or what it meant to the American people. This “naming” gave the president of the moment an advantage over his adversaries by getting to have their “name,” and essentially their rules, enacted. Naming is hugely important in understanding how Clinton rhetorically circumvents the requirements of the U.N. human rights documents. He and his administration work to frame and name the events in Bosnia and Rwanda as they relate to the U.S. Additionally, they attempt to describe and name their involvement and contribution to the peace efforts in both cases.

Finally, there is power in not recognizing a crisis and in refusing to name a crisis as a crisis. Susan Zaeske, Kathryn Olson, Cheryl Glenn and Krista Radcliffe have discussed silence as a strategic way to communicate.³⁰ Choosing to not speak about something is an equally powerful gesture as it does the opposite of naming: we aren’t sure what the something is, what

²⁹ Mary Stuckey, “Establishing the Rhetorical Presidency through Presidential Rhetoric: Theodore Roosevelt and the Brownsville Raid,” *Quarterly Journal of Speech* (August 2006): 87-309. Eric A. Heinze, “The Rhetoric of Genocide in U.S. Foreign Policy: Rwanda and Darfur,” *Political Science Quarterly* (2007): 359-383. Ernesto Laclau, *On Populist Reason*, New York: Verso, 2005. Edward Keene, “The Naming of Powers,” *Cooperation and Conflict* (June 2013): 268-282. Suzanne Katzenstein, “Reverse Rhetorical Entrapment: Naming and Shaming as a Two-Way Street,” *Vanderbilt Journal of Transnational Law* (2013): 1079-1099. Tema Milstein, “Nature Identification: The Power of Pointing and Naming,” *Environmental Communication* (March 2011): 3-24. Carine Defoort, “The Rhetorical Power of Naming: The Case of Regicide,” *Asian Philosophy* (July 1998): 111-119.

³⁰ Susan Zaeske, “Hearing the Silences in Lincoln’s Temperance Address: Whig Masculinity as an Ethic of Rhetorical Civility,” *Rhetoric and Public Affairs* (Fall 2010): 389-419. Kathryn M. Olson, “Framing Silence and Absence Regarding Presidential Debates: Successful and Unsuccessful Performances of Democratic Leadership,” *Argumentation and Advocacy* (Winter 2013): 167-194. *Silence and Listening as Rhetorical Arts*, ed. Cheryl Glenn and Krista Ratcliffe, Southern Illinois University Press, 2011.

³⁰ Mats Berdal, “The United Nations, Peace building, and the Genocide in Rwanda,” *Global Governance* (Jan-Mar2005): 115-130.

our position to it is, or how it is different from other things. Most importantly, silence indicates that the thing in question is not important enough to talk about. For my analysis, I am interested in the ways in which such silences work to move topics, like the Rwanda genocide, outside the sphere of discussion. Also, in addition to the great deal of work done on how the Clinton administration avoided using the word genocide, I am interested in other constraints the U.N. human rights documents placed on the administration that led to their use of strategic silences.³¹

The president's voice, or lack thereof, is very important in a crisis gaining a place on the political agenda. It is critical that crises are officially recognized, named, and talked about by the president to get support. It is equally important to understand how presidents strategically use this power when they address opportunities and responsibilities in the international community. Looking at how the Clinton administration addressed the Bosnian and Rwandan genocides can give us these insights.

1.3 Previous Case Studies on the Bosnian and Rwandan Genocides

Prior case studies of the Clinton administration's response to Bosnia and Rwanda are helpful in demonstrating the importance of presidential speech. There have been several rhetorical analyses done on how the Clinton administration responded to these events, but none examining both Bosnia and Rwanda in a comparative fashion. These studies also fail to recognize the hermeneutic opportunities that the U.N. human rights documents afford to the Clinton administration, and they only identify broad strategies rather than detail Clinton's specific rhetorical strategies. Nevertheless, their work does give us an overview of how the

³¹ Holly J. Burkhalter, "The Question of Genocide: The Clinton Administration and Rwanda," *World Policy Journal*, 42-55. Eric A. Heinze, "The Rhetoric of Genocide in U.S. Foreign Policy: Rwanda and Darfur," *Political Science Quarterly* (2007): 359-383. Alison L. Des Forges, "Shame: Rationalizing Western Apathy on Rwanda Response," *Foreign Affairs* (2004): 141-144. Linda Melvern, *Conspiracy to Murder: The Rwandan Genocide*, (London: Verso, 2004).

Clinton administration managed these conflicts. Scholars' interpretations of the Clinton administration's response to Bosnia range from Eran Ben-Porath's description of it as war rhetoric to Edwards and Valenzano's naming it as a new genre: peacekeeping rhetoric. Holly Burkhalter describes the Clinton administration's strategic silence about the nature of the Rwandan conflict, including its refusal to call it genocide. It also includes Eric Heinze's discussion of how this silence surrounding the word genocide in Rwanda was unnecessary because the power of the president is greater than the Convention on the Prevention and Punishment of the Crime of Genocide.

Eran Ben-Porath discusses the rhetoric used by Clinton during the Bosnian and Kosovo conflicts. She describes how U.S. presidents, before entering into an armed conflict, use rhetoric that is "highly descriptive" and reliant on a narrative that incriminates those who the army is being sent out against.³² This war rhetoric, she argues, works in the same way for humanitarian interventions: if the administration plans to intervene they will begin giving highly descriptive accounts of the atrocities being committed in order to establish credibility for military action.³³ On the flip side, she argues that if the administration seeks to not become engaged militarily, then the administration will either not address the atrocities/situation or will do so in vague and indirect ways. The explicitness and narrative quality of war rhetoric is true of the way all presidents communicate on military involvement.³⁴ Ben-Porath discusses the Clinton administration's intervention into the Kosovo crisis and contrasts it with the Bosnian one which preceded it, describing how the atrocities carried out by the Serbs were condemned by Clinton in more abstract terms such as "the world cannot tolerate the savage practices which are

³² Eran N. Ben-Porath, "Rhetoric of Atrocities: The Place of Horrific Human Rights Abuses in Presidential Persuasion Efforts," *Presidential Studies Quarterly* (June 2007): 181-202.

³³ Ben-Porath, 187.

³⁴ *Ibid.*, 190.

committed under the ugly slogan of ethnic cleansing and purification.”³⁵ Conversely, as the administration readied itself to commit ground forces to the situation, Clinton began giving highly descriptive accounts of the crimes committed by the Serbs.

This all is in line with my view of the Clinton administration’s approach to the crisis, but it does not address how the administration was able to keep the public at bay for two years while it was indecisive on what to do about the situation. Clearly the public was not entirely satisfied with the administration’s diplomatic relations with Bosnia, but the administration was doing more than just being vague with its descriptions about the Bosnian conflict.³⁶ I argue that there are other rhetorical strategies being used by Clinton and his administration to cover themselves from accusations of complicity. Furthermore, my analysis will demonstrate the weekly rhetorical construction of these events by examining press briefings and news conferences throughout the conflict. My analysis helps to build understanding of how the Clinton administration worked public opinion and the international community with its rhetoric on Bosnia and Rwanda.

Edwards, Valenzano, and Stevenson have also addressed Clinton’s Bosnian and Kosovo rhetoric, though they see it as distinctive from presidential war rhetoric and crisis rhetoric as discussed by Ben-Porath and Campbell and Jamieson.³⁷ Edwards, et al. describe a new genre of presidential rhetoric they call peacekeeping rhetoric.³⁸ They argue it is different because

³⁵ Ibid.

³⁶ Send U.N. peacekeepers (Harris Poll, 7/7/92, 80 percent); airdrops of humanitarian relief (Gallup Poll, 2/26/93: 67 percent); air cover for U.N. peacekeeping troops (CBS POLL, 8/2/93: 61 percent); support for shooting down Serbian planes violating the October 1992 no-fly zone (Harris Poll, 4/28/93: 61 percent); Support grew for active United States involvement and specifically for the use of United States combat troops from 1992 to 1994 (Gallup Poll, 26 to 41 percent). Online summary of poll results provided by Pearson for the text, Eric Shiraev and Richard Sobel, *People and their Opinions: Thinking Critically About Public Opinion*, (Pearson, 2005), http://wps.ablongman.com/long_sobel_pto_1/40/10417/2667002.cw/content/index.html

³⁷ Campbell and Jamieson, *Presidents Creating the Presidency: Deeds Done in Words*, Chicago: The University of Chicago Press, 2008.

³⁸ Jason A. Edwards, Joseph M. Valenzano, III, & Karla Stevenson, “The Peacekeeping Mission: Bringing Stability to a Chaotic Scene,” *Communication Quarterly* (Summer 2011): 339-358.

presidents focus on the chaotic scene of a humanitarian crisis “to drive American action.”³⁹ They also argue that it is characterized by the goal of “facilitating security to allow larger political, economic, and cultural stability to take hold within a particular state.”⁴⁰

There certainly seems to be something different going on rhetorically when presidents attempt to justify intervening into another country’s conflict, especially when the U.S. itself is not directly threatened. However, I am not interested here in describing Clinton’s rhetoric as that of a particular genre. I am interested in exploring how in interactions with the media in news conferences, press briefings, and speeches, Clinton rhetorically constructed his administration’s goals and actions when it came to not dealing with genocide.

Edwards and Valenzano also contribute to the discussion on Clinton’s foreign policy rhetoric by analyzing his performance throughout his presidency.⁴¹ They argue that he had a rough start (Bosnia), but that by the end of his presidency, as in a visit to Africa in 1998, Clinton was articulating a clear position on U.S. foreign policy. Three narratives characterized this policy: “America as a world leader; the reconstitution of the threat environment; democracy promotion as American foreign policy.”⁴² They do not consider the Rwandan genocide, however, or the irony that is at play in Clinton’s 1998 visit to Africa given his administration’s refusal to aid the Rwandans. I hope to build upon their discussion with my more focused comparative study.

Next, I would like to look at what has been written on the Clinton administration’s response to the Rwandan genocide. Burkhalter focuses discussion on the Clinton

³⁹ Ibid., 342.

⁴⁰ Ibid., 339.

⁴¹ Jason A. Edwards and Joseph M. Valenzano, “Bill Clinton’s ‘New Partnership’ Anecdote: Toward a post-cold war foreign policy rhetoric,” *Journal of Language and Politics* (2007): 303-325.

⁴² Edwards, et al., 305.

administration's rhetoric about the Rwandan genocide and its refusal to use the word genocide.⁴³ Burkhalter describes how the U.S. State Department had plenty of intelligence on the Rwandan situation before the genocide began and that they were very confident in the conditions leading to violence.⁴⁴ These reports detailed that the state before the Hutu president's death already suffered from state sponsored killings, and that the violence between the two groups would only escalate. She describes how the Clinton administration responded to the killings by "downplaying the crisis diplomatically and impeding effective intervention by U.N. forces to stop the killing."⁴⁵ The administration used Belgium's withdrawal of forces as an explanation of why the U.S. was not getting involved, with one State Department official saying if it was so bad the Belgians had to leave, then what could we possibly do?⁴⁶ In addition, Burkhalter describes how the administration, early in the stages of killing, continued to call what was going on a "civil war" or violence due to tribal warfare.⁴⁷ Finally, the administration's refusal to describe what was going on as genocide, or to even invoke the term at all, was an incredibly loud way of saying the U.S. was not interested in aiding the Rwandans.⁴⁸ Burkhalter gives a detailed overview of some of the broad strategies the administration used to avoid involvement in the Rwandan genocide. My study adds to Burkhalter's by demonstrating the specific rhetorical strategies the administration used, beyond the strategic use of silence, to avoid involving themselves in Rwanda.

⁴³ Holly J. Burkhalter, "The Question of Genocide: The Clinton Administration and Rwanda," *World Policy Journal*, 42-55, 45.

⁴⁴ Ibid.

⁴⁵ Burkhalter, 43.

⁴⁶ Ibid., 47.

⁴⁷ Ibid.

⁴⁸ Ibid.

Eric Heinze compares the Clinton administration's address of the Rwandan genocide with the Bush administration's address of the Darfur genocide.⁴⁹ The 1948 Genocide convention code calls for international intervention to stop genocide. Therefore, it is prevailing thought that the Clinton administration avoided using the word genocide in order to avoid committing themselves to an intervention.⁵⁰ However, Heinze contrasts this with the Bush administration's open use of the word genocide in describing the events in Darfur.⁵¹ What made it okay for one administration to use the word and not the other? Heinze argues that despite a large amount of support for the U.S. to intervene in Darfur, the U.S. was already militarily engaged in Iraq and the Middle East and would not be able to move the required number of troops to the Sudan. He also argues that the Genocide Convention actually does not require its member states to intervene into a conflict militarily. By this, I think he means that the document is not legally binding, though it certainly expresses the expectation that member states help stop genocide. However, as I have stated before and will later on explore, because this expectation is not explicitly described and legally binding, states have the ability to interpret what stopping genocide means. Thus, Heinze argues that the Bush administration had a better understanding of the genocide convention's limits than the Clinton administration and thus knew that they could condemn what was going on in Darfur without committing themselves to the conflict.⁵²

I think there is a missing link in Heinze's discussion. His discussion of Clinton is very general and does not discuss his specific rhetorical strategies used to avoid committing the U.S. to Rwanda besides not using the word genocide. My discussion helps demonstrate Clinton's

⁴⁹ Eric A. Heinze, "The Rhetoric of Genocide in U.S. Foreign Policy: Rwanda and Darfur," *Political Science Quarterly* (2007): 359-383.

⁵⁰ *Ibid.*, 361

⁵¹ *Ibid.*, 364.

⁵² Heinze, 366.

specific rhetorical strategies and how they are organized largely around the hermeneutic opportunities afforded to him by the United Nations human rights documents.

1.4 Hermeneutic Opportunities Uncovered

In order to demonstrate how the Clinton administration strategically managed the Bosnian and Rwandan genocides, I will demonstrate in chapter two the nascent flaws in the Universal Declaration of Human Rights (UDHR) and in the Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG) through legal analyses and scholarship discussing the shortcomings of the documents. The discussion of the documents' weaknesses in chapter two will take us to case studies of Bosnia in chapter three and Rwanda in chapter four, where I will examine the Clinton administration's rhetorical response to each event. I will demonstrate how the administration's rhetorical strategies are organized around the documents' opportunities (flaws) and constraints (requirements) discussed in chapter two.

My rhetorical analysis of the Clinton administration's management of the Bosnian and Rwandan genocides was conducted by examining the collection of the Clinton administration's news conferences, press briefings, and speeches from 1993 to 1995 during the years of the Bosnian conflict, and from 1994 to 1998 during and after the Rwandan conflict available on the *Presidency Project's* website. I expanded my examination of the Rwandan conflict to years after the conflict because of how little was said about the conflict in 1994 and how in years following the genocide the Clinton administration was compelled to continue managing its response to it. I used *The Presidency Project's* online search tool and database to find the news conferences, press briefings, and speech collection.⁵³ I only looked at discussion centered on Bosnia or Rwanda in each of the documents. I examined all of the documents for discussion centered on

⁵³ *The Presidency Project*, Online by John Woolley and Gerhard Peters, <http://www.presidency.ucsb.edu/index.php>

Bosnia or Rwanda, and I used the subject headings in each of the documents, provided by the White House secretary, to substantiate my decisions to include or exclude a section from my analysis. I examined the news conferences and press briefings to see how the president and his staff on a day-to-day basis were addressing Bosnia and Rwanda, and rhetorically managing the rhetorical constraints and opportunities the Universal Declaration of Human Rights and the Convention on the Prevention and Punishment of the Crime of Genocide placed on the administration.

I conclude in chapter five with a discussion of my findings and the implications of understanding how Clinton rhetorically managed the responsibilities of these documents. I discuss possible avenues for repairing the documents as well as opportunities for concerned scholars, lawmakers, and citizens to address the manipulation of these documents' flaws.

2. THE UNITED NATIONS HUMAN RIGHTS DOCUMENTS

When the United Nations was established in 1946, the new organization had great hopes and aspirations for its role in the world. The preamble of the Charter describes the ambition: “to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small.”⁵⁴ In order to fulfill these goals, the leaders of the U.N.'s First Assembly recognized that human rights first needed to be defined in order to be protected. This resulted in two different projects: the Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG) and the Universal Declaration of Human Rights (UDHR). Despite the many good intentions behind the creation of both documents, each document has failed in many ways to live up to the hopes that were attached to them. An

⁵⁴ “United Nations Charter,” Online by the United Nations, <http://www.un.org/en/documents/charter/preamble.shtml>

examination of the development of these documents and the inherent flaws they were left with will be useful in an overall examination of how these documents provide opportunities for member states to rhetorically manage their involvement in enforcing the documents.

2.1 The Universal Declaration of Human Rights

Soon after passing the United Nations Charter, several countries felt uneasy about the Charter not containing any guarantee of rights.⁵⁵ They presented a draft resolution calling for the drafting of a “bill of rights.” The UDHR was sought after to describe what human rights were and how the international community should expect for individuals to be treated. The draft resolution was passed, and the Economic and Social Committee was tasked with creating a drafting committee for the document.⁵⁶

The drafting committee for the UDHR was made up of members from many different countries (Australia, Belgium, Byelorussia, Chile, China, Egypt, France, India, Iran, Lebanon, Panama, Philippines, Ukraine, U.S.S.R, United Kingdom, United States, Uruguay, and Yugoslavia), and they understandably struggled to incorporate their many different viewpoints.⁵⁷ The drafters from each of these countries worked very hard during the drafting process to address philosophical and political concerns from the different countries. One of the main issues they came across were differing ideas on who the document should protect. Many of the drafters, such as Lebanon’s Charles Malik, pushed for individuals to be protected, while Valentin Tepliakov of the U.S.S.R and Vladislav Ribnikar of Yugoslavia argued for the document to

⁵⁵ Schaffer, William, “Audiovisual Library of International Law,” online by the United Nations: <http://legal.un.org/avl/ha/cppcg/cppcg.html>

⁵⁶ Schaffer, William, “Audiovisual Library of International Law,” online by the United Nations: <http://legal.un.org/avl/ha/cppcg/cppcg.html>

⁵⁷History of the Universal Declaration of Human Rights: <http://www.fdrlibrary.marist.edu/library/pdfs/sears.pdf>

focus on community interests and protecting the community from harm.⁵⁸ They ultimately decided that the document was meant to focus on individual rights.⁵⁹

The individual rights in the UDHR are pertinent to international cooperation, and they are the foundation of many international laws. The articles of the UDHR list the fundamental rights that are possessed inherently by every human being. Article one states, “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”⁶⁰ In Article three: “Everyone has the right to life, liberty, and security of person.”⁶¹ In Article five: “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”⁶² Just these three articles proclaim a right to equality, a right to fair treatment, and a right to life. The many other articles cover a number of rights ranging from economic, to political, to social rights. The UDHR sets up clear definitions of how human beings should act toward one another and the rights they should enjoy under their respective states. However, the UDHR was not made a legally binding document as it was originally conceived.

The chair of the drafting committee, Eleanor Roosevelt, was convinced that social, economic, and political rights had to be included in the document.⁶³ Eleanor Roosevelt was clearly inspired by her late husband’s four freedoms: freedom of speech, freedom of worship, freedom from want, and freedom from fear.⁶⁴ The rights she and the other western diplomats envisioned were clearly rights of democratic capitalist citizens. China’s delegate, P.C. Chang,

⁵⁸ Ibid.

⁵⁹ Ibid.

⁶⁰ “The Universal Declaration of Human Rights,” online by the United Nations, <http://www.un.org/en/documents/udhr/index.shtml>

⁶¹ Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights*, New York: Random House, 2001, 311.

⁶² “The Universal Declaration of Human Rights,” online by the United Nations, <http://www.un.org/en/documents/udhr/index.shtml>

⁶³ Glendon., 115.

⁶⁴ Ibid., 116.

and the U.S.S.R.'s delegates disagreed severely with the political and economic definitions that Eleanor Roosevelt and her fellow westerners proposed.⁶⁵ They took issue with the document having the power to tell member states of the United Nations how to treat their citizens. They opposed Articles 9, 13, 23, and 25. Article 9 calls for "no one to be subjected to arbitrary arrest, detention, or exile."⁶⁶ It was not favorable among many to add this clause given how many governments throughout the world still did this (and still do). This also stemmed from the U.S.S.R's and its satellites' dislike of Article 13, which gave people the right to move freely within countries and to exit and enter their country when they like.⁶⁷ The Soviets found this to be particularly threatening and attempted to modify the article to include "with their government's permission" on several occasions during the drafting process.⁶⁸

This political division caused a great deal of frustration among committee members as they were forced to argue, rewrite, and argue again as the draft moved through the different levels of the Social and Economic Committee of the United Nations. They were forced in some cases to compromise on their values. One of the early drafts by Canadian John Humphrey used much more forceful language and it limited government interference in personal lives significantly, while it also hoisted a number of responsibilities onto governments in the same process. The Humphrey draft included two provisions that required U.N. member states to respect the "bill of rights" as it was then called and to include the principles of the "bill" into national law, as it would also be fundamentally part of international law.⁶⁹ States not complying

⁶⁵ Ibid., 120.

⁶⁶ "The Universal Declaration of Human Rights," online by the United Nations, <http://www.un.org/en/documents/udhr/index.shtml>

⁶⁷ Glendon, 132.

⁶⁸ Ibid., 140.

⁶⁹ Ibid., 274.

would be dealt with by the U.N. assembly and punished accordingly for not incorporating these principles into their laws.⁷⁰

Similarly, in yet another draft, this time edited and written by Rene Cassin of France, we also see a much more stringent expectation of state involvement in making the bill into law.

Cassin phrased this responsibility in Article 46 of his draft:

Each State Member of the United Nations has the duty to take such legal measures and make such legal arrangements as may be necessary within the scope of its jurisdiction to apply and ensure respect for the rights and freedoms proclaimed in the present Bill. If necessary, members shall co-operate to this end.⁷¹

This gives the U.N. a great deal of power as it asks states to incorporate the rights of the UDHR into their own constitutions. If states were to implement these rights successfully the U.N. would have *the* definition of human rights. Cassin and Humphrey both clearly saw a critical link between state members' laws and U.N. law in being able to protect human rights successfully. Cassin's draft concludes by promising that the U.N. would give its charter and "this bill" full effect.⁷² The promise is that the rights in the bill would be as legal and as binding as the Charter itself. However, this did not go over well with the Soviet representatives and their satellite states, nor was it favorable to the U.S. State department, who advised Roosevelt during her time as chairwoman of the drafting committee. In order for the UDHR to get passed by the U.N. General Assembly and recognized by member states, the document could have no "binding legal language," or any requests for member states to change their own laws.⁷³

⁷⁰Ibid.

⁷¹ Glendon, 278.

⁷² Ibid.

⁷³ Ibid.

Thus, the drafting committee eventually left out any requirement for states to change their laws to reflect the rights of the document. They also removed the language that gave the U.N. power over state members. In the final version of the UDHR the Preamble states the following: “Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms.”⁷⁴ This is fairly vague in what member states are expected to do. It states they are to work with the U.N. to promote “universal respect for and observance of human rights and fundamental freedoms,” but what exactly does promoting respect entail? What does respect mean in this case? Does it mean that states are required to act to ensure rights are respected? It does not say. It is easy to have respect for something, but whether or not action is taken when that something is threatened is a whole other story. Yet, here the UDHR does not require or define what respect looks like. It is open to wide interpretation depending on personal definitions, which does not seem to be a great way to establish enforceable law. Additionally, the preamble includes a statement about the hope for the impact of the document:

Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both

⁷⁴ The Universal Declaration of Human Rights, Online by the United Nations:
<http://www.un.org/en/documents/udhr/index.shtml>

among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.⁷⁵

This statement is not much clearer in what expectations are held for member states in respecting the rights in the UDHR. It describes the goal of people everywhere to “by progressive measures” achieve these rights and get them recognized by member states. It places responsibility for the promotion of these rights on *individuals* and *every organ of society*. This is extremely important for future human rights abuse issues. Individuals who do not have the ability to negotiate internationally with other countries, who do not have armed forces, or the ability to deploy forces for aid, who do not have the hard or soft power that go with politics, are given part of the responsibility for promoting these rights and getting them legally recognized by their states. In addition, every organ of society is expected to participate and work with individuals on this task; however, this is a vague statement. Government surely is a part of “every organ of society,” but a member state’s government is not solely charged with this responsibility. “Every organ of society” means corporations, banks, international coalitions, and more. All these different groups are given the mandate to push for the protection and promotion of human rights in the world. However, who then is held responsible when rights are not protected and promoted? There is no liability included in the UDHR. No one gets punished for failing to see these ideals to reality. Thus, as history has shown us, few times have “individuals and all organs of society” come together to protect human rights.

There is a clear disconnect between the UDHR’s principles and the responsibility for protecting these principles. Despite recognizing that law would need to be established in order to protect these most important rights to life and to living a good life, the drafting committee of the UDHR compromised and removed any form of true responsibility or liability for enforcing these

⁷⁵ Ibid.

rights from the document. The charge to individuals and organs of society is vague, and it does not define what respecting rights means, if it requires action, or how that action is to be accomplished between the private and public organs of society. Thus, it is easily understood why the impact of the UDHR over the last sixty-six years has been questioned and examined by numerous scholars.

Micheline Ishay argues that the UDHR has nevertheless led to a number of achievements over the last sixty years. She examines in twenty-year intervals the impact of the UDHR, starting with its construction as a response to the horrors of World War II in 1948. She argues its success can be seen in women's rights groups, African American rights groups, and in former colonies forcefully asserting their rights.⁷⁶ She argues that the success of the UDHR is seen again in 1988 and 1989 when the Soviet Union began to crumble and successful democracies began to be established across Eastern Europe.⁷⁷

However, this successful run of rights does not continue to the present day. Ishay has a problem with 2008. She argues that nationalism and mixed feelings in the international community have slowed progress and perhaps even reversed many of the goals of the UDHR in gaining respect for human beings worldwide and promoting peace.⁷⁸ Ishay sees a fragmentation in human rights beginning with the campaigns of the 1960's and 1980's that focused on a particular group's needs, and not on the big picture of human rights promotion as detailed in the UDHR.⁷⁹ She argues that at this moment in time the world is at a fork in the road: one path leads

⁷⁶ Micheline Ishay, "The Universal Declaration of Human Rights at 60: A Bridge to Which Future?" *Perspectives on Global Development and Technology* (2010): 11-27, 13.

⁷⁷ *Ibid.*, 15.

⁷⁸ *Ibid.*, 23.

⁷⁹ *Ibid.*

to a time similar to that preceding World War I where nationalism and individual state interest drove politics, or, the other path, which promotes international cooperation and world order.⁸⁰

Ishay sees the UDHR as an inspiring document that has helped encourage a number a wonderful transitions in the world; however, she also sees the world drifting away from its vision. I agree with Ishay that the UDHR is inspiring; however, I do not think that it is nearly as responsible for many of the movements that she listed. The UDHR is a document of ideas, and, while ideas can inspire, the document is completely void of instruction for how individuals and organs of society can protect and promote these ideals.

Kathleen Renée Cronin-Furman argues that the UDHR has inspired almost all international human rights laws, but that these laws only place responsibility for protecting human rights on states. She argues that, despite this, “the UDHR’s powerful moral focus” has helped encourage the development of an “individual responsibility to protect norm.”⁸¹ While states have largely failed to fulfill the number of charges placed on them to prevent genocide, and to protect and promote human rights, Cronin-Furman argues that individuals have recognized these failures across the world and, in response, have lifted the UDHR, and its cause, up as their own. This “individual responsibility to protect” has manifested itself in many ways over the years in NGO’s, non-profits, and general support for initiatives aimed at relieving the suffering of others. Though Cronin-Furman misses that this “individual responsibility to protect” is included in the UDHR, I believe she is correct in her assessment that many people across the world work to promote human rights because they believe they have a personal responsibility to do so. The rhetoric of the UDHR calls on people to do so: “to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and

⁸⁰ Ibid., 24.

⁸¹ Kathleen Renée Cronin-Furman, “60 Years of the Universal Declaration of Human Rights: Toward an Individual Responsibility to Protect,” *American University International Law Review*, (2009): 175-198, 177.

education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance,” and they have in droves over the years through volunteering, donating, creating non-profits and NGO’s, and pressuring their governments and other organs of society for respect for human rights. Cronin-Furman demonstrates the point of my own endeavor: individuals are the main actors in the fight to protect human rights. Cronin-Furman addresses an issue that requires rhetorical action now from leaders. People with the “individual responsibility to protect” want results in crisis situations and they pressure leaders for those results.

Guil Qadeem Jan and Abdul Wahab discuss a number of significant shortcomings of the UDHR as far as a constitutional format is concerned.⁸² They argue that constitutions establish law and rights. More importantly, constitutions discuss concrete punishments for rights being ignored. Through a comparative analysis of the UDHR to modern day constitutions like the United States of America’s Constitution, they conclude that the UDHR has no power because it establishes no law, no definitions of responsibilities, and no definitions of punishment for the abuse of the rights listed. The UDHR is the start for all international human rights law, and, yet, it lacks a significant amount of definitional power.

2.2 The Convention on the Prevention and Punishment of the Crime of Genocide

The next document of great import is the Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG). This document defines what genocide is and how it is punishable. The CPPCG was developed as a way to address some unsettling absences in the International Military Tribunal in regards to genocide being a crime that was an international concern and that it was not confined to wartime. Genocide can be committed during peacetime as

⁸² Guil Qadeem Jan and Abdul Wahab, “Constitutional Evaluation of the United Nations’ Universal Declaration of Human Rights,” *Gomal University Journal of Research* (June 2012): 88-96.

well. The tribunal only referred to “crimes against humanity” as wartime crimes, and it did not address clearly what these crimes were at the time.

Late in 1946, several countries (Cuba, India, and Panama) came to the United Nations General Assembly with a draft resolution requesting the United Nations to recognize genocide as being punishable whether committed during wartime or peacetime, and it requested the international community to condemn these crimes and to work internationally to stop these crimes, i.e., any state could prosecute another state in order to stop/punish genocide.⁸³ The General Assembly passed the draft resolution and determined that a treaty detailing the crime of genocide was in order.⁸⁴

The word genocide was still a relatively new word that was not widely understood in 1946. Not many people could understand the importance of labeling the crimes of the Nazis. The word made its first appearance in Raphael Lempkin’s private work, *Axis Rule in Occupied Europe*, in 1944.⁸⁵ Lempkin waged a private battle in New York, attempting to get the term “genocide” recognized by the new organization as an international crime. It was his efforts that convinced new and developing states Cuba, India, and Panama to present the draft resolution.⁸⁶ The new directive to write a treaty detailing the crime of genocide elated Lempkin, for, if passed, the treaty would become international law against genocide, which was something Lempkin had been striving for since before World War II.⁸⁷

⁸³ Schaffer, William, “Audiovisual Library of International Law,” online by United Nations: <http://legal.un.org/avl/ha/cppcg/cppcg.html>

⁸⁴ Ibid.

⁸⁵ Ibid.

⁸⁶ Samantha Power, *A Problem From Hell: America and the Age of Genocide*, New York: Harper Perennial, 2002, 51.

⁸⁷ Power, 53.

The drafting of the CPPCG proceeded in three stages. It began with the U.N. Secretariat who was aided by three experts, one of which was of course Raphael Lemkin.⁸⁸ The first draft when completed was turned over to an Ad Hoc committee set up under the Economic and Social Council.⁸⁹ This was the same council that developed and pushed the UDHR through the U.N. The Ad Hoc committee turned their draft over to the Sixth Committee of the General Assembly, who presented its final version to the plenary General Assembly in late 1948 for passage.⁹⁰

The first draft written by the U.N. Secretariat contained a number of concepts dealing with what specifically constituted genocide. It separated genocide into three different categories: physical, biological, and cultural genocide.⁹¹ These different categories would have covered a wider number of crimes that the U.N. would have been responsible for preventing and punishing. The Ad-Hoc committee combined physical and biological crimes into one, and removed medical mutilation and experimentation from the list of crimes. Despite some of these changes to the definition of genocide, the Ad Hoc committee draft kept a majority of the Secretariat's ideas about how to define genocide, the acts of genocide, and the punishment of genocide. Both the Secretariat draft and the Ad Hoc committee draft addressed the need for an international court to administer decisions regarding the identification, punishment, and extradition of guilty parties.⁹²

The Sixth Committee of the General Assembly did not maintain many of the Secretariat's draft ideas and passages. It removed distinctions between physical/biological genocide and cultural genocide and made one list of acts that were genocide. It removed many of the

⁸⁸ Ibid., 55.

⁸⁹ Schaffer, "Audiovisual Library of International Law," online by United Nations: <http://legal.un.org/avl/ha/cppcg/cppcg.html>

⁹⁰ Ibid.

⁹¹ U.N. Secretariat and Ad Hoc Committee Drafts of the CPPCG, <http://www.preventgenocide.org/law/convention/drafts/>

⁹² U.N. Secretariat and Ad Hoc Committee Drafts of the CPPCG, <http://www.preventgenocide.org/law/convention/drafts/>

stipulations for an international court to enforce the document and instead constructed articles that gave states more jurisdiction over how genocide is punished. This is laid out in article six:

Persons charged with genocide or any of the other acts enumerated in Article 3 shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.⁹³

The final document submitted to the General Assembly gave member states more responsibility with regards to reporting, preventing, and punishing the crime of genocide. The U.N. was of course expected to play a part, but even their intervention into crimes rests on member states requesting this action as stated in Article 8: “Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in Article 3.”⁹⁴ While the Secretariat draft and the Ad Hoc Committee drafts were by no means perfect, they did foresee the United Nations needing the ability to play a more active role in addressing and punishing genocide.

The CPPCG, despite these weaknesses, was passed December 9, 1948 and went into effect after twenty countries ratified it in January 1951. In Article I, the CPPCG calls upon member states to condemn genocide and to help stop genocide when it occurs: “The contracting parties confirm that genocides, whether committed in time of peace or in time of war, is a crime under international law which [we] undertake to prevent and to punish.”⁹⁵ This article very clearly states the expectation that member states should work to stop genocide from happening.

⁹³ “Convention on the Prevention and Punishment of the Crime of Genocide,” Online by the United Nations, <https://treaties.un.org/doc/Publication/UNTS/Volume%2078/volume-78-I-1021-English.pdf>

⁹⁴ “Convention on the Prevention and Punishment of the Crime of Genocide,” Online by the United Nations, <https://treaties.un.org/doc/Publication/UNTS/Volume%2078/volume-78-I-1021-English.pdf>

⁹⁵ Ibid.

It does not however give suggestions to what preventative measures should be taken, can be taken, or how far countries should go with preventative measures. If genocide breaks out, should countries prevent it from spreading? The article does not say.

The CPPCG defines genocide in Article II as any one of a number of acts “committed with intent to destroy, in whole or in part, a national, ethnical [sic], racial, religious group.”⁹⁶ The five acts that count as genocide are as follows: killing members of a group; causing serious bodily or mental harm to members of a group; inflicting conditions on the group calculated to destroy it, in whole or in part; imposing measures to prevent births within a group; or forcibly transferring children of the group to another group.⁹⁷ This definition of what genocide is, though boiled down from the original Secretariat and Ad Hoc Committee drafts, does a relatively good job of summarizing the most damaging acts that constitute genocide. However, where the drafters of each draft of the CPPCG failed is their phrasing “intent to destroy.” How can intent be established? There are no guidelines provided by the drafters to determine intent. It is yet another window of opportunity that reluctant member states can seize upon to cast doubt onto a situation they do not want to be involved in.

Article III also seeks to establish which acts of genocides are punishable. It states that “the following acts shall be punishable: genocide; conspiracy to commit genocide; direct and public incitement to commit genocide; attempt to commit genocide; complicity in genocide.”⁹⁸ There is not however a clear guideline of how committers of genocide should be punished. There are also no standards of how to determine if genocide was committed.

⁹⁶ Ibid.

⁹⁷ Ibid.

⁹⁸ “Convention on the Prevention and Punishment of the Crime of Genocide,” Online by the United Nations, <https://treaties.un.org/doc/Publication/UNTS/Volume%2078/volume-78-I-1021-English.pdf>

Article V of the Convention calls on member states to create legislation of their own that will be representative of the Convention and to uphold this legislation: “The Contracting parties undertake to enact in accordance with their respective constitutions the necessary legislation to give effect to the provisions of the present convention, and, in particular, to provide effective penalties for persons guilty of genocide or any of the other acts in article III.”⁹⁹ The convention very clearly states that it expects member states to participate in helping the United Nations punish the crime of genocide. It does not however make it clear how in depth member state participation should be in the actual punishment/aid in stopping genocide. The way some articles are phrased makes it sound like countries are responsible for making sure that genocide does not happen within their own borders. It is devastatingly vague about what the United Nations and its member states are responsible for if genocide breaks out in a member state sponsored by that state’s government. Do they have the authority to intervene in their ally’s territory?

The CPPCG is very clear on what genocide is and that it should not be allowed to occur. There is a clear focus on prevention and punishment. Where it falters is where it is not clear on *how* it wants member states to prevent genocide, or whether or not prevention extends to stopping genocidal acts once they have occurred. This expectation to act, but no definition of what that action would look like, gives member states room for interpretation. This ability to interpret strategically what the CPPCG means has led to a number of crises not being addressed.

The CPPCG’s weaknesses have been discussed by a number of scholars. Samuel Totten writes about many of the common concerns that countries, leaders, and lawmakers have with the CPPCG.¹⁰⁰ The four major issues where interpretation has played a huge (and not always positive) role in how to handle genocidal situations are as follows: (1) how to interpret the term

⁹⁹ Ibid.

¹⁰⁰ Samuel Totten, *Genocide Studies, Volume 9: Impediments to the Prevention and Intervention of Genocide*, Piscataway: Transaction Publishers, 2013, ebook.

“intent” in Article 2, (2) the “practical/actual meaning” of “in part” also in Article 2, (3) whether or not political groups should be covered by the convention when they are not explicitly listed as one of the groups protected in Article 2, and (4) how are states “to ascertain whether a victim group is actually protected under the CPPCG,” given the multitude of crisis situations.¹⁰¹ These different issues arise from the wording of the CPPCG being less than clear and, therefore, different interpretations being possible given the failure to expound later in the document on any of these concepts.

The issue with the term “intent,” Totten argues, is that it places a particular legal burden on those who are attempting to determine whether or not a crisis is in fact genocide. When the crisis is ended and those who were responsible for it are charged, it is a difficult burden of proof. In Rwanda, when the United States and other leading U.N. member states were confronted with the news of what was going on that country, they claimed they could not determine whether or not genocide was occurring, though there were “genocidal acts.” This claim was based off not being able to say with certainty if it was the Hutus’ intent to destroy the Tutsis. The CPPCG gives no guidance as to how intent is to be determined, and who’s intent must it be in order for it to be genocide. It is clear from the Holocaust that it was the German High Command’s intent to destroy the Jews, but for a German soldier working in Auschwitz, was it his intent? Does it matter if those committing the crimes are not intentionally destroying a people, but are following a plan to destroy a people? There are many muddled lines of thought that can be applied to this situation.

Intent is also easily denied. Not all committers of genocide keep the detailed notes and documentation that the Nazis did, which helped prove beyond a shadow of a doubt the purpose of their slaughters. During the Bosnian genocide, all Slobodan Milosevic (leader of the Serbians)

¹⁰¹ Ibid., Chapter 4.

had to do was claim that he was just trying to make peace, that the deaths were regrettable, but not purposeful. It has taken research, and detailed observations from many people, to determine the clear pattern of destruction that the Serbians were wreaking on the Bosnian Muslims and to establish their intent was clearly to remove the Bosnian Muslims from the territory. The ability of genocide criminals to deny intent severely weakens the CPPCG, and it gives a way out to states not fully committed to helping the U.N. solve the issue.

Totten also lists the “in part” from Article 2 as a major issue. Article 2 states: “In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or *in part*, a national, ethnical, racial or religious group.” Totten discusses how this is strange wording to many lawmakers.¹⁰² Either the crime was committed or it was not. How to determine whether or not someone is punishable by acts that in whole or in part destroyed a people confounds many individuals inside and outside of the United Nations. Coupling this concept with intent, “genocide means any of the following acts committed with *intent* to destroy, in whole or *in part*, a national, ethnical [sic], racial or religious group,” and lawmakers are challenged to determine what the criminals’ intent was and to what extent that intent extended. As stated before, it is very difficult to establish intent and even more frustrating to have to determine the extent to which that intent reached.

The last two issues Totten raises with the CPPCG, the exclusion of political groups and the divisiveness surrounding how to establish if a group is being persecuted, have worked in sync with the “intent” and “in part” flaws to reduce U.N. member state action when crises occur. Article 2 is once again the focus here because it defines the crime: “In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a *national, ethnical, racial or religious group.*”

¹⁰² Totten, Chapter 4, ebook.

There are no guidelines in the CPPCG that suggest characteristics to look for in groups being persecuted. There are no guidelines to genocide that can be followed and used to prevent further escalations of violence. Thus, we see states ignoring precarious situations because they have not reached a level of concern for that individual country. The United States had absolutely no stakes in Rwanda, and, yet, it was perhaps the most well equipped state to help the U.N. stop the violence and set up negotiations. Because the United States had no stakes though, it was easy for Clinton and his administration to frame the situation in Rwanda as a civil war, and, therefore, not a particular group being persecuted. The aid sent for refugees was “all” the administration could do.

Totten also brings up a separate issue with the CPPCG regarding its focus on punishment instead of prevention.¹⁰³ The CPPCG lists a fairly detailed account of the legal requirements to punish genocide, and, though there are not explicit details regarding the punishment of genocide, the document does go to great lengths to make it clear in a number of its articles that punishment must be dealt out to those found guilty of committing genocide. For example, articles 4, 5, 6, 7, and 9 all deal with who is punishable, states’ responsibility to enact strict laws against genocide, adequate punishment for its commitment, the requirement of states to extradite criminals to the respective state to face genocide charges when they are raised, and the details regarding how when a state is not able to prosecute a genocide case that a competent and appropriate international penal court will be convened to hand out punishment.¹⁰⁴

This focus on punishment inadvertently places a focus on what to do *after* genocide is over and does not give much aid to those suffering from genocide. Eyal Mayroz also discusses

¹⁰³ Totten, Chapter 4, ebook.

¹⁰⁴ “Convention on the Prevention and Punishment of the Crime of Genocide,” Online by the United Nations, <https://treaties.un.org/doc/Publication/UNTS/Volume%2078/volume-78-I-1021-English.pdf>

the issues with the prevention clauses of the CPPCG being so vague.¹⁰⁵ She argues that the charge to prevent genocide in the CPPCG lacks a definition of what prevention means. To prevent generally means to stop something from happening.¹⁰⁶ The issue that rises is what to do when genocide is not prevented and is in full swing. Are states and the United Nations obligated to intervene to stop what they failed to prevent? The clear interpretation of this over the years has been no, we are not responsible for intervening in an existing conflict. This decision is further boosted by the focus on punishment, as Totten and William Schabas have pointed out, because it directs attention toward the end of the conflict and not toward possible solutions to save people from genocide.

Schabas also directs attention to the issue surrounding when the CPPCG treaty can be enforced. He and many other scholars have noted how over the years since its passage it was believed that a legal determination of genocide was required before the treaty could be invoked.¹⁰⁷ However, with the document's clear request for states to help prevent genocide, this becomes an issue. If action is not taken until genocide is clearly taking place, and the CPPCG does not clearly charge states with the responsibility to intervene, then there is a clear and harsh disconnect. It seems as if the document was designed for inaction. Mayroz has noted that this disconnect has been exacerbated by the "legal minds" interpretation of the "duty to prevent" differing from the wider publics' understanding of the duty.¹⁰⁸ People believe the CPPCG

¹⁰⁵ Eyal Mayroz, "The Legal Duty to 'Prevent:' After the Onset of 'Genocide,'" *Journal of Genocide Research* (March 2012): 79-98.

¹⁰⁶ *Ibid.*, 82.

¹⁰⁷ William Schabas, *Unimaginable Atrocities: Justice, Politics, and Rights at the War Crimes Tribunals*, Oxford: Oxford University Press, 2012, ebook. Luke Glanville, "Is 'Genocide' Still a Powerful Word?" *Journal of Genocide Research* (Dec 2009): 467-486. Arnold Krammer, *War Crimes, Genocide, and the Law: A Guide to the Issues*, Santa Barbara: Praeger, 2010, ebook. Alex J. Bellamy, "Getting Away with Mass Murder," *Journal of Genocide Research*, (March 2012): 29-53. Henry C. Theriault, "Genocidal Mutation and the Challenge of Definition," *Metaphilosophy* (July 2010): 481-524.

¹⁰⁸ Mayroz, 88.

requires countries to intervene, and they do not understand the subtle issues with the language of the document.

In 2007 some of this ambiguity was finally directly addressed by the United Nations' International Court of Justice when it delivered its ruling on *Bosnia-Herzegovina vs. Serbia Montenegro*.¹⁰⁹ Now looking at this ruling may seem unfair to Clinton given that he was dealing with Bosnia and Rwanda in the early to mid nineties; however, scholars, such as Samantha Power and Linda Melvern have demonstrated that Clinton's administration actively interpreted and used State Department interpretations of the CPPCG in many of their decisions on how to handle the situations in Bosnia and Rwanda.¹¹⁰ Given the number of legal minds in both the administration and the State Department at the time, it can be ascertained that they would have determined how the obligations of the CPPCG could be interpreted. Therefore, while they did not have access to the 2007 ICJ's ruling, they were more than likely aware of some of the likely interpretations of the CPPCG that the Clinton administration would have to navigate around.

The ICJ made interpretations of the CPPCG's obligations in order to clarify state responsibilities to prevent genocide. They ruled that states could not simply make a referral to the United Nations that genocide was possibly going on. This does not fulfill the requirement of prevention.¹¹¹ Furthermore, the obligation to prevent was ruled as an obligation of conduct, not of result, meaning that a state's compliance with the obligation to prevent genocide is measured

¹⁰⁹ Bosnia Herzegovina vs. Serbia Montenegro Decision, Online by the International Court of Justice, <http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=91&code=bhy&p3=4> Priya Pillai, Case concerning the application of the Convention on the Prevention and Punishment of Genocide (Bosnia Herzegovina vs. Serbia Montenegro), Judgment of February 26, 2007, General List No.91: The 'Genocide Convention' Case: Confusion or Clarity, *Australian International Law Journal*, (2007): 239-253.

¹¹⁰ Linda Melvern, *Conspiracy to Murder: The Rwandan Genocide*, New York: Verso, 2004. Samantha Power, "Bystanders to Genocide," *The Atlantic Monthly*, September 2001, accessed September 11, 2001, [wysiwyg://1/http://www.theatlantic.com/issues/2001/09/power.htm](http://www.theatlantic.com/issues/2001/09/power.htm)

¹¹¹ Mayroz., 90.

by its attempt to prevent it, not on whether or not it is successful in preventing it.¹¹² The court elaborated on this to say that states that failed to “prevent genocide” were failures of “omission,” or failing to “adopt and implement suitable measures to prevent genocide from being committed.”¹¹³ The measure of “suitable measures” is described as a state working to prevent genocide within their power.¹¹⁴ However, the court hedges on this and adds that the obligation to prevent is determined by “the state’s ability to influence effectively the action of persons likely to commit, or already committing genocide.”¹¹⁵ This is very important because it is certainly possible for some states to make an argument that they are not capable of influencing committers of genocide in order to avoid further involvement in the conflict. The court added three “determinants” to this responsibility: geographical distance between the state and the events; strength of political ties between the state and the main actors in the events; and the legal position based off the situations and affected peoples.¹¹⁶ The court ruling concludes that the Convention imposes the responsibility to prevent genocide on any state with “the power to contribute to restraining in any degree, the commission of genocide.”¹¹⁷

The Court ruling aids in understanding a little bit better what states are required to do in order to fulfill the charge to prevent, but it still leaves us with a number of phrases open to interpretation. The most obvious one is in the court’s conclusion that states must help “restrain” commissions of genocide. It brings up once again that there must be a charge of genocide. Someone must label the event as genocide before states are obligated to intervene. However,

¹¹² Bosnia Herzegovina vs. Serbia Montenegro Decision, Online by the International Court of Justice, <http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=91&code=bhy&p3=4> Mayroz, 90.

¹¹³ Mayroz, 91.

¹¹⁴ Ibid.

¹¹⁵ Ibid., 92. Bosnia Herzegovina vs. Serbia Montenegro Decision, Online by the International Court of Justice, <http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=91&code=bhy&p3=4>

¹¹⁶ Ibid.

¹¹⁷ Ibid., 95.

there is not a clear distinction between this charge to intervene once a commission of genocide has been made and the charge to prevent genocide.

My analysis of President Bill Clinton's response to the Bosnian and Rwandan genocides will help illustrate not only the hermeneutic opportunities the UDHR and the CPPCG leave open for states, but how Clinton and his administration structured their rhetoric so that they effectively used these opportunities to relieve themselves of full commitment to the conflicts in Bosnia and Rwanda.

2.3 Clinton's Hermeneutic Opportunities

The flaws in each document discussed by scholars and the 2007 court ruling work as a predicative formula from which we can look for certain rhetorical moves from Clinton and his administration.¹¹⁸ We will see a particular set of rhetorical moves based off the hermeneutic opportunities in each document, as they were understood in the 1990s. These rhetorical moves will seek to address individual concern for human rights, they will defend U. S. actions, and they will frame U.S. decisions as sufficient to meet international obligations described in each document.

The international obligations and legal weight of the UDHR and the CPPCG varies, as discussed; therefore, we can expect to see Clinton and his administration approach these documents in different ways. There are three particular opportunities and obligations from the UDHR they will seek to use. The first we can expect will be Clinton arguing for the value of rights and for rights being respected in the spirit of the UDHR, and of course in the American

¹¹⁸ Though the United States officially withdrew from the International Court of Justice in 1986 after being told it owed Nicaragua war reparations, the United States did officially ratify the CPPCG in 1988 under the Proxmire Act. Given the link between the treaty and the court's interpretation of the treaty, I think it is still reasonable to use the standards the court set down in 2007 as a general way of understanding how legal minds throughout the world have viewed the power of the CPPCG treaty despite the U.S. not having ties with the court.

tradition which inspired the UDHR. However, as Ishay points out, national and individual interests drive us, thus we can expect to see Clinton argue that the United States cannot protect everyone's rights, and he will justify inaction in some cases by naming the Bosnian and Rwandan conflicts as requiring more "aid" than the United States is able to give. In addition, the UDHR does not charge member states to protect human rights, thus Clinton will argue for not being "authorized" to intervene on the behalf of the people in Bosnia and Rwanda. When the United States does decide to take leadership of the Bosnian situation, look for Clinton to describe Bosnia as a national interest and the United States' obligation to act on Bosnia's behalf. In Rwanda, Clinton will say he does not have the authority to intervene, and to seize that authority would mean stepping on other countries' sovereignty.

Second, we can expect Clinton to address American citizens about their frustration with the Bosnian conflict, and later the Rwandan conflict. Cronin-Furman describes to us the 'individual responsibility to protect' that is widespread, and is charged in the UDHR. Clinton will seek to manage this norm and give people the impression of sympathy and support by describing "U.S. efforts" in a proleptic fashion to give them the impression of progress in peace talks and efforts to stop the violence in both conflicts.

Third, Clinton will mimic the preamble of the UDHR's description of progress. His language will complement that of the preamble's by describing how the world and the United States are always moving forward, protecting more rights, and improving people's lives. He will more than likely list achievements in various parts of the world in order to demonstrate the "progress" the United States is helping to make in the world, but he will always limit the ability of the United States to lead because there is much still to be done to help people throughout the world, and the United States cannot do it all alone.

The UDHR is an idealistic document that works more as a guideline for how people should be treated rather than as a legal document that countries face consequences for not following. The CPPCG, as a treaty, is a legally binding document that Clinton has to address, but, at the same time, is a document he seeks to “not activate” in relation to the events in Bosnia and Rwanda. The CPPCG also provides three main hermeneutic opportunities for Clinton to construct a rhetorical strategy around. The first and most obvious opportunity that has been noted on many occasions will be Clinton and his administration’s clear avoidance of using the word “genocide.”¹¹⁹ Since article 8 in the Convention says that any state who comes forward to the U.N. with a claim that genocide is occurring can be authorized to act to prevent or stop that genocide, and since commissions of genocide obligate all member states to act, the Clinton administration will avoid calling each event genocide until the violence has ended.

Second, we will see the Clinton administration rhetorically construct its responsibilities as it coincides with legal interpretations of the CPPCG as understood in the later ICJ ruling. Despite the ruling being in 2007, politicians and lawmakers have been arguing about the implications of the Convention for some time. The ruling simply sums up and labels the responsibilities many states were trying to avoid, but suspected they had under the Convention. Thus, we can expect to see the Clinton administration attempting to cover its bases so that it meets the bare minimum requirements of the CPPCG. This will be evident in the Clinton administration’s insistence that it has no real connection to both Bosnia and Rwanda politically or geographically. Therefore, any aid given is the United States doing all in its power, despite

¹¹⁹ William Schabas, *Unimaginable Atrocities: Justice, Politics, and Rights at the War Crimes Tribunals*, Oxford: Oxford University Press, 2012, ebook. Luke Glanville, “Is ‘Genocide’ Still a Powerful Word?” *Journal of Genocide Research* (Dec 2009): 467-486. Arnold Krammer, *War Crimes, Genocide, and the Law: A Guide to the Issues*, Santa Barbara: Praeger, 2010, ebook. Alex J. Bellamy, “Getting Away with Mass Murder,” *Journal of Genocide Research*, (March 2012): 29-53. Henry C. Theriault, “Genocidal Mutation and the Challenge of Definition,” *Metaphilosophy* (July 2010): 481-524. Samantha Power, *A Problem from Hell: America and the Age of Genocide*, New York: Harper Perennial, 2002.

this disconnection, to aid in “stopping” the conflicts. It will begin with Clinton and his administration claiming they do not know all that much about the conflict, or they will frame the conflict as a confusing problem that is Bosnia/Rwanda’s issue to solve. They will also move to describe the events as outside the United States’ jurisdiction.

Third, look for the Clinton administration to focus on ending the conflict in order to begin “helping” Bosnia and Rwanda. The focus in the CPPCG is on punishment, or what to do after genocide, and this will guide Clinton and his administration in their rhetorical framing of their ability to help with the two situations. Clinton will argue that it is up to the conflicting parties, or the states of Bosnia and Rwanda, to end the violence before outside help can be given.

The analysis of the Bosnian and Rwandan genocides will help demonstrate Clinton and his administration’s ability to construct a rhetorical strategy that navigates the hermeneutic opportunities in the UDHR and the CPPCG with the purpose of removing the United States from fully engaging in suppressing genocide. In examining the rhetorical opportunities and constraints these documents present to world leaders, concerned scholars, lawmakers, and citizens with the “individual responsibility to protect” can better understand how states who are charged with the responsibility to protect the human right to life are able to rhetorically and actually evade this responsibility. In understanding this process, it is my hope that people will be better prepared to pressure their governments to fulfill their international responsibilities and confirm international legislation that protects human rights.

3. BOSNIA’S “ETHNIC CLEANSING”

In 1991, the former Yugoslavia, now free of Tito’s reign, was struggling to deal with its myriad ethnic identities. The various ethnic groups (i.e., Slovenians, Croatians, and Muslims) were each seeking to have their own state, while the Serbians wanted to maintain the Yugoslav

state.¹²⁰ The Bosnian Croats and Bosnian Muslim leaders had been working to gain diplomatic support in Washington for the independence of their states for an entire year.¹²¹ The Serbians did not want these groups breaking off because they each had significant Serbian minorities in their states, and, if united, Serbia would command a large amount of power in the state.¹²²

Consequently, when the Bosnian Muslims, Croatians, and the Slovenians announced their independence, the Serbians were very upset. The flames of the conflict were fanned into a conflagration by western powers, like the U.S., who officially recognized the new states with the thought that such an act would end the conflict and bring stability to Bosnia and the region.¹²³ However, this careless assumption, as Lord Carrington described it, “was a tragic error,” which the Serbians would not stand for, “and would lead to civil war.”¹²⁴ The Serbian President, Slobodan Milosevic, as Samantha Power explains, “was better briefed” about the international strategy and was aware that the international community’s move to recognize Bosnia as a state “was more rhetorical than real.”¹²⁵ If it came down to committing forces to protect the new Bosnia, then the international community would hesitate to respond.

Fighting broke out among the different ethnic groups soon after the official recognitions. The Slovenians were able to establish their state and defend it against Serbian attacks.¹²⁶ The Slovenians had a relatively small population of Serbians so it was not a grievous loss for the Serbian state. However, when the Croatians and Bosnians attempted to defend themselves, the Serbians would not back down due to the relatively large number of Serbians living in each of

¹²⁰ Danielle S. Sremac, *War of Words: Washington Tackles the Yugoslav Conflict*, Westport: Praeger, 1999, 62.

¹²¹ *Ibid.*, 63.

¹²² *Ibid.*

¹²³ Wayne Bert, *The Reluctant Superpower: United States Policy in Bosnia, 1991-95*, New York: St. Martin’s Press, 1997, 33.

¹²⁴ Sremac, 94.

¹²⁵ Samantha Powers, *A Problem From Hell: America and the Age of Genocide*, New York: Harper Perennial, 2002, 249.

¹²⁶ Bert, 51.

these territories.¹²⁷ The Serbians claimed to want two-thirds of the territory in Bosnia that were populated by Bosnian Serbs, who as Orthodox Christians held a different religion and an unending dislike of the Bosnian Muslims. The Bosnian-Muslim leader, Alija Izetbegovic, argued passionately in Washington that Milosevic “wanted it all.”¹²⁸ This proclamation seemed to be made a reality when Bosnian Serbs, led by Radovan Karadzic, joined forces with Milosevic’s Serbian forces. The fighting was now occurring between three countries: Croatia, Bosnia, and Serbia, with Bosnia’s Serbs joining forces with the Serbians. The relatively poor armament of the Bosnians against the Croatians and very well armed Serbians complicated the situation.¹²⁹

The clear disadvantage of the Bosnian Muslims did not work to convince western powers to lift the arms embargo that had been placed on the region in hopes of reducing the extent of the conflict.¹³⁰ The Bosnian Muslims struggled to defend themselves with their poor weaponry and, even as they asked for help from Europe and the United Nations, the combined Serbian forces continuously pushed them back.¹³¹ The Bosnian Muslims’ inability to protect themselves, coupled with the Serbian leaders Milosevic and Karadzic’s goal to make way for a “Serbian state,” led to genocide in Bosnia.¹³² Bosnian Muslims were forcibly removed from their homes, tortured, and murdered in the areas where Serbians had laid claim.¹³³ The Bosnian Muslims and Croats committed abuses against humans as well, but none as severe and as systematic as what the Serbians did to the Muslims.¹³⁴ The European Union and the United Nations sought to find a way to stop the fighting and abuses. They sent troops as part of a United Nations Protection Force, or UNPROFOR, to create safe spots in cities, and they pressed the Serbian, Bosnian, and

¹²⁷ Ibid., 52

¹²⁸ Sremac, 66.

¹²⁹ Powers, 297.

¹³⁰ Power, 265.

¹³¹ Power, 266.

¹³² For example: Power, Bert, Nick Hawton, “Conflicting Truths: The Bosnian War,” *History Today*, (2009): online.

¹³³ Power, 285-350.

¹³⁴ Ibid.

Croatian leaders to resort to diplomacy.¹³⁵ This initiative, however, could not protect the people in the safe areas if the opposing forces did not respect the U.N. sanctioned safe zones.¹³⁶ These forces could protect themselves if personally attacked, but they were not allowed to engage in combat for any other reason. Thus, the world saw Srebrenica, Sarajevo, and other cities suffer terribly and in some cases fall to Serbian forces.

Please recall that the CPPCG forbids “killing members of a group, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, and imposing measures intended to prevent births within the group.”¹³⁷ The Serbians committed each of these crimes in their attempts to erase all evidence of the Bosnian Muslims’ presence: they burned mosques, destroyed Muslims’ personal belongings, and they mutilated and killed Bosnian Muslims.¹³⁸ When Serbian forces would reach an area populated by Muslims they would evict them from their homes.¹³⁹ Then men and young boys were castrated and sexually mutilated.¹⁴⁰ Rape was widespread for Muslim women and young girls when they were forced from their homes as well.¹⁴¹ These actions were clearly not random, but were an attempt to damage the Bosnian Muslim’s ability to reproduce. In addition to these crimes of destruction and mutilation, many Muslim men and young boys were taken away and sent to “work.”¹⁴² While there were certainly some concentration camps that were horrible, the mass gravesites where many were sent to “work” were still being discovered as late as 2009.¹⁴³

¹³⁵ Ibid., 314.

¹³⁶ Ibid.

¹³⁷ “Convention on the Prevention and Punishment of the Crime of Genocide,” Online by the United Nations, <https://treaties.un.org/doc/Publication/UNTS/Volume%2078/volume-78-I-1021-English.pdf>

¹³⁸ Power, 309.

¹³⁹ Ibid., 266.

¹⁴⁰ Ibid. Annette Bringedal Houge, “Subversive Victims? The (Non) Reporting of Sexual Violence against Male Victims during the War in Bosnia-Herzegovina,” *NORDICOM Review* (2008): 63-79.

¹⁴¹ Power, 267.

¹⁴² Hawton, *History Today*, online.

¹⁴³ Ibid.

These atrocities did not go completely unnoticed by the U.N., European, and U.S. authorities. While UNPROFOR was failing to bring stability to the region, many diplomats from across Europe and the U.S. were attempting to negotiate with the conflicting parties and draw up an appropriate peace treaty. The peace treaty their representatives produced was the Vance-Owen agreement. The agreement split the country up into various ethnic counties that were all then members of a larger state.¹⁴⁴ The organization of the counties in the agreement put several groups at a distinct disadvantage, especially the Bosnian Muslims, by giving them a smaller territory and fewer representatives in the central government because of their minority status.¹⁴⁵ The U.S., the Bosnian Muslims, and the Bosnian Serbians rejected the plan after many months of negotiations surrounding it.¹⁴⁶ The failure of the Vance-Owen treaty was heavily felt, and the conflict seemed to be spiraling out of control despite the involvement of the U.N., the European Union, and the U.S. The leadership that was so desperately needed to resolve the conflict was nowhere to be found among western powers. No one wanted to be accountable and lead the U.N. initiative to protect human rights. The U.S., among others, was focused on how to remove the Bosnian problem from their agenda.

3.1 Clinton Takes the Reins from Bush

The Clinton administration took office in 1993 with a number of pressing issues on its agenda. One of these was the unresolved conflict in the former Yugoslavia. The conflict in Bosnia was in its second year by 1993. The media coverage of the European conflict that began in 1992 was widespread and persistent.¹⁴⁷ Videos of bombs exploding and people shooting were

¹⁴⁴ Bert, 68.

¹⁴⁵ Bert, 70.

¹⁴⁶ Bert, 70.

¹⁴⁷ Power, 250. Sremac, 83. Benjamin Zohar, "Misrepresentation of the Bosnian War by Western Media," *Journal of Comparative Research in Anthropology and Sociology* (2012): 97-110.

shown on televisions during nightly newscasts relatively soon after the violence began.¹⁴⁸

Despite all the media attention, the Bush administration did not view the Bosnian crisis as one that was important enough to put on its main agenda.¹⁴⁹ This attitude was held in spite of the fact that Bush had agreed to recognize the new Bosnian, Croatian, and Slovenian states, a choice that helped to push the quarrelling ethnic groups into war.

The Bush administration's approach of the Bosnian conflict angered many Americans, who, after viewing carnage on their televisions, wanted to know why President Bush refused to help calm the conflict.¹⁵⁰ After all, he had approved U.S. involvement in many other countries to help them establish democracies after the collapse of the Soviet Union. The importance of Bush's inattention to Bosnia became very clear during the presidential election in 1992. The widespread dislike of Bush's relative silence toward Bosnia was severely attacked by Clinton, who made campaign promises to swiftly address the terrible human rights abuses occurring there if he took office.¹⁵¹ Clinton argued for military intervention to enforce peace if necessary.¹⁵² One certainly cannot say Bosnia was the primary reason why Bush failed to get re-elected, but it certainly served as one of the nails in his election's coffin. Clinton, as the newly elected President, began his term in 1993 just as things were getting particularly rough for Bosnia's Muslims.

Despite the media coverage and mounting evidence that genocide was being committed, Clinton and his foreign policy team initially did very little to change the situation. They committed diplomats to help with negotiations, but the Vance-Owen effort and other attempts failed to meet expectations. The efforts were not very aggressive and lacked presidential

¹⁴⁸ Ibid.

¹⁴⁹ Bert, 31. Power, 254.

¹⁵⁰ Power, 260.

¹⁵¹ Ibid., 300.

¹⁵² Ibid., 264.

guidance and support. Additionally, Clinton refused to commit forces to back up UNPROFOR.¹⁵³ Unlike his feisty campaign promises for military engagement and support, Clinton as president refused to even consider the idea of U.S. ground forces in Bosnia to support the other European forces already there.¹⁵⁴

David Rieff, Wayne Bert, and Danielle Sremac each tackle Washington's response and subsequent handling of the Bosnian conflict. They each find that the U.S., despite its international influence and monetary power at the time, made choices that allowed for the conflict to continue longer than necessary. Rieff, in *Slaughterhouse: Bosnia and the Failure of the West*, describes how European and American policymakers had conflicting ideas on how to handle Bosnia.¹⁵⁵ The Europeans wanted to help instigate peace talks and attempted to facilitate this through the commitment of troops to set up safe zones.¹⁵⁶ U.S. policymakers wanted the conflicting parties themselves to sit down, stop fighting, and begin negotiating with Western powers serving as mediators. The lack of a clear leader and a clear plan led to the Bosnian genocide continuing until late in 1995.

Bert has a similar take on the Bosnian crisis in *The Reluctant Superpower: United States Policy in Bosnia, 1991-95*.¹⁵⁷ Bert argues that U.S. policy leading up to 1995 was a complete failure in Bosnia.¹⁵⁸ After the negative responses that the Bush administration received for its limited involvement in the conflict, Clinton promised to do more.¹⁵⁹ In reality, once in office, Clinton equivocated on U.S. leadership in the conflict, and he followed essentially the same

¹⁵³ David Rieff, *Slaughterhouse: Bosnia and the Failure of the West*, New York: Simon & Schuster, 1995, 48.

¹⁵⁴ Power, 264.

¹⁵⁵ Rieff, 21.

¹⁵⁶ *Ibid.*, 65

¹⁵⁷ *Ibid.*, 66.

¹⁵⁸ Bert, xxi.

¹⁵⁹ *Ibid.*, 127.

policy as Bush.¹⁶⁰ Bert argues that this changed in 1995 when, as re-election loomed large on the Clinton administration's agenda, it became clear that the administration needed to solve the Bosnian problem or risk Clinton being seen as an incompetent foreign affairs leader.¹⁶¹

Sremac concurs with what Rieff and Burt have said on the conflict, but adds in *War of Words: Washington Tackles the Yugoslav Conflict* there was another dimension to the conflict that is not well talked about.¹⁶² Sremac also notes that for over a year prior to the break out of hostilities, Croatian and Muslim representatives had been visiting officials in Washington in an attempt to gain favor for their independence.¹⁶³ When Croatia and the other states began to split off and the violence began, the Serbians were from the outset made out to be the main aggressors in a civil war to gain control over the region.¹⁶⁴ The civil war worked to cover up the human rights abuses committed and over-simplify a very complicated situation.¹⁶⁵ Sremac places a great deal of blame for the misrepresentation of the conflict and the subsequent genocide on the media.¹⁶⁶

The Bosnian conflict, fueled by ethnic diversity and plans for a pure Serbian state, eventually led to the estimated murder of over 200,000 people.¹⁶⁷ Instead of a quick end to the conflict, over the period of 1993-1995 the Clinton administration sought to rhetorically frame their leadership and the nature of the conflict in such a way that the U.S. would seem like a leader when in reality it stood on the sidelines and watched while many people died. Ivo Daalder describes how the U.S. sought to let Europe handle the conflict and even called it on multiple

¹⁶⁰ Ibid., xxi.

¹⁶¹ Ibid., 220.

¹⁶² Sremac, 94.

¹⁶³ Ibid.

¹⁶⁴ Ibid., 21.

¹⁶⁵ Ibid., 77.

¹⁶⁶ Ibid.

¹⁶⁷ Power, 250.

occasions a “European” problem.¹⁶⁸ The Clinton administration did not want to involve U.S. military forces or, more importantly, take responsibility for the conflict.¹⁶⁹ The refusal of the sole superpower in the world to exert its leadership led to “a strategy of muddling through” the Bosnian conflict.¹⁷⁰ John Zogby describes how the lack of leadership was a choice: the United States clearly had the ability to lead.¹⁷¹ A senior administration official even stated, “we looked like beggars, when we know from experience that the allies will fall in line if we clearly set out what we’re going to do.”¹⁷² Daalder writes how when Clinton was facing a re-election year and realized his weakness, or the “cancer” as National Security advisor Anthony Lake called it, was the Bosnian crisis, his policy changed quite drastically.¹⁷³ The administration made a strong effort and succeeded in the summer of 1995 to get airstrikes against the Serbians, and they established their presence as the leader in ending the conflict. The Bosnian conflict was concluded and a peace agreement signed in Dayton, Ohio by December of 1995.¹⁷⁴

How was it possible for a new leader, who claimed he would solve the Bosnian crisis, to get away with “equivocating” and “muddling through” a human rights disaster that international law, as stated in the UDHR and the CPPCG, has declared a responsibility of member states to prevent? My following analysis will attempt to show how the Clinton administration used the hermeneutic opportunities in the UDHR and the CPPCG available in the 1990s, as described in Chapter two, to navigate the conflict with the goal of keeping the U.S. on the edge of the

¹⁶⁸ Ivo Daalder, “Decision to Intervene: How the War in Bosnia Ended,” *Brookings Institute: Foreign Service Journal*, (December 1998): 3.

¹⁶⁹ *Ibid.*, 2.

¹⁷⁰ Daalder, 3.

¹⁷¹ John Zogby, “The Clinton Administration and the Crisis in Bosnia,” *Arab American Institute*, May 1993. Online, <http://www.aaiusa.org/dr-zogby/entry/w052495/>.

¹⁷² *Ibid.*, 2.

¹⁷³ Daalder, 5.

¹⁷⁴ *Ibid.*

conflict, away from where it could have had a real impact, but always within the parameters of what the documents ask states to do.

3.2 Clinton's Rhetorical Strategies

The UDHR and the CPPCG afford particular opportunities to leaders like Clinton who are attempting to circumscribe the responsibilities these documents place on U.N. member states. These opportunities, or strategic ambiguities in the documents, allow a certain degree of flexibility to leaders dealing with these obligations. However, these documents also place constraints on leaders because they contain non-negotiable obligations. My analysis will walk through, year by year, the news conferences, press briefings, and speech that Clinton and his administration gave, and it will demonstrate how they strategically worked around the documents' opportunities and constraints as listed in Chapter Two.

a. 1993: "We will not send ground forces"

Soon after being elected, in a news conference on March 9, 1993, Clinton discussed his meeting with the French President at the time, François Mitterrand, and the consequences of the meeting for policy towards Bosnia.¹⁷⁵ Clinton remained vague and open-ended when discussing Bosnia throughout the news conference, making comments such as the following: "Let me say that I have been very pleased with the comments that he (Mitterrand) has made today and with the possibilities that we might have toward working together to secure a peace in Bosnia."¹⁷⁶ The comment at first gives the sense that there has been good discussion and that things are being set in motion for the beleaguered Bosnian Muslims, whose struggle was by now well known to Americans. However, the comment is typical of Clinton in this period because it does not say

¹⁷⁵ William J. Clinton, "The President's News Conference," March 9, 1993, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*,

¹⁷⁶ *Ibid.*

anything concrete. It speaks to precipitating an action, but what action? He hedges when he says “might” with regards to the possibilities of “working together,” but what working together means is left unsaid. There is a clear focus on ending the conflict, but no real focus on the crimes, or what the people are going through who are not engaged in the fighting. The influence of the CPPCG can already be seen on Clinton with its focus on what to do after the conflict. He does not call what is going on in Bosnia genocide and he is not concerned about stopping it per se, he just wants to help make and enforce a peace agreement. And while a peace agreement is beneficial to ending the fighting officially, it does not address the crimes committed and it sets the stage for perpetrators of genocide to escape punishment.

This vagueness continues in later comments about Bosnia in the same conference. Clinton described his stance on Bosnia as follows: “I restated the position of the administration, which is now well-known in the public, that we were opposed to the introduction of American ground forces to try to mandate an agreement or to in any way engage in the present conflict.”¹⁷⁷ The one thing the Clinton administration lacks most here is a clear directive on what they *did* want their part to be in Bosnia. The only thing Clinton said on a regular basis was “no ground troops.”¹⁷⁸ The statement above seems to shut the United States out of stopping the conflict entirely. Clinton is setting the expectation that the United States will do nothing besides help with negotiations. In a conflict where human rights abuses are occurring, and with the CPPCG mandating that preventative measures be taken to stop genocide from happening, this seems like an unreasonable stance to take. This certainly would not sit well with Americans with the “individual responsibility to protect,” given how criticized the Bush administration was for

¹⁷⁷ William J. Clinton, “The President’s News Conference,” March 9, 1993, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=46314>.

¹⁷⁸ William J. Clinton, “The President’s News Conference,” 1993-1995, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=46314>.

taking no action outside of diplomacy, and so Clinton tags on, “but if an agreement could be reached, [then] the United States would be interested in being part of a United Nations effort to secure the agreement.”¹⁷⁹ This hedge conditions any military support upon a peace agreement being reached. It removes immediate responsibility for the conflict from Clinton. He is willing to help, but others must do their part first. When we look at the above statement again it is telling that *if* an agreement is found and secured, *then* the United States would help ensure that agreement. It certainly does not say anything about the United States helping to find an agreement. This conditioned support is doing *something* as a member of the international community.

Clinton continues this in his next response: “we both should be prepared to make our contributions to securing the agreement if the Vance-Owen process could produce one.”¹⁸⁰ Speaking about the United States and France’s agreements about their involvement, Clinton once again gives this impression of military action. The only action the United States was really involved in at this point was complaining about the Vance-Owen treaty, but the sense that Clinton gives is that the U.S. is ready to support a peace operation should an agreement go through the next day.¹⁸¹ The reservations about the Vance-Owen plan extended all the way back into early February, when, in a press briefing on February 3, 1993 with White House official George Stephanopoulos, journalists attempted to get a straight answer about why the U.S. was not supporting the initiative:

Q: George, can you outline the President's reservations about the Vance-Owen plan on Bosnia?

¹⁷⁹ William J. Clinton, “The President’s News Conference,” March 9, 1993, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=46314>.

¹⁸⁰ Ibid.

¹⁸¹ Ibid.

MR. STEPHANOPOULOS: The President and his advisors, want, are supporting the diplomatic initiatives to bring the parties together. He continues to do that and we continue to work on it. I think Secretary Vance spoke with -- I'm sorry -- Secretary Christopher spoke with Mr. Vance this morning. We just continue to want a solution that brings all the parties together.

Q: They say that they virtually have that, but that it's -- that the U.S. is not supporting this plan and that's keeping the Muslims out. Is that the situation as you understand it?

MR. STEPHANOPOULOS: The President continues to work for a diplomatic solution and continues to support a diplomatic solution. He does not specifically embrace or reject the Vance plan.¹⁸²

It is clear from Mr. Stephanopoulos's comments that the Clinton administration does not want to anger their allies, but that they are also not thrilled about the Vance-Owen treaty. Yet, the administration still is equivocating on whether or not to support the treaty in March when Clinton talks about "whether or not the Vance-Owen treaty could produce an agreement." Clinton removes the threat of the U.S. entering into the picture directly through military intervention in Bosnia by refusing "to commit ground troops," but attempts to still take a powerful stance by claiming he will back diplomatic measures. Such backing, however, is clearly not the case, as even here Clinton dances around giving full diplomatic support to an agreement

¹⁸² William J. Clinton, "Press Briefing with George Stephanopoulos," February 3, 1993, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=46314>.

that would have drawn U.S. forces into Bosnia to enforce it given his earlier commitment to do so.¹⁸³

It can be seen that Clinton cannot remove himself from the Bosnian conflict entirely, given the CPPCG's expectations of states, but he is able to still claim U.S. involvement by describing U.S. engagement in the diplomatic process even if the U.S. is frustrating the diplomatic process by not making a decision on the Vance-Owen treaty. The International Court of Justice's ruling in 2007 does say that states are expected to do all they can to prevent genocide given their proximity and influence over the perpetrators.¹⁸⁴ It is easy to see how easy a defense Clinton would have if ever he were questioned about U.S. involvement. All he would have to claim and demonstrate would be that the U.S. was clearly engaging with other leaders to help end the conflict. His refusal to take a clear stance on the Vance-Owen plan for so long could easily be explained by Clinton as his working to defend and find the best possible agreement for the Bosnians. We will see though that after finally turning down the Vance-Owen treaty, Clinton and his administration made no attempt to produce another peace agreement.

In a different news conference at the end of March 1993, Clinton shared the spotlight this time with the German Chancellor Helmut Kohl. Clinton makes some interesting comments that seem to give the U. S. an active place in the events in Bosnia. He says, "We expect the United Nations to take up the enforcement of the no-fly zone within the next few days."¹⁸⁵ We have an investment in the U. N., then, in that we "expect" them to do something. Clinton seems to want to make clear that the U.S. is leading diplomatic measures on the conflict by directing actions to

¹⁸³ William J. Clinton, "The President's News Conference," March 9, 1993, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=46314>.

¹⁸⁴ Bosnia Herzegovina vs. Serbia Montenegro Decision, Online by the International Court of Justice, <http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=91&code=bhy&p3=4>

¹⁸⁵ William J. Clinton, "The President's News Conference," March 26, 1993, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=46377>

be taken. The U.S. “expects” the U.N. to do something. This expectation of the U.N. is fueled by “pressure” that Clinton claims “we” are putting on the Serbs: “We need to keep the pressure on, and we will do what we can.”¹⁸⁶ After making it clear that the U.S. was only engaging with Bosnia on a diplomatic level, and given what we know of Milosevic’s understanding of the West’s commitment to Bosnia, we can ascertain that there was not a great deal of pressure. And as we will see, all Milosevic will have to do is pretend to play along with negotiations long enough for the West to back off, for then he is able to continue what he was doing all along: committing genocide against the Bosnian Muslims.

The no-fly zone brought up another issue for Clinton and his administration. They had begun with NATO under the jurisdiction of the U.N. to do airdrops of supplies in particularly beleaguered areas. The claimed success of these airdrops came under serious scrutiny. In another press briefing with George Stephanopoulos on March 2, 1993, the airdrops of supplies and humanitarian relief are discussed.

Q: Don't you see the danger that with the military offensive of the Serbian side these days and (sic) with that the whole use of the negotiations gets lost because the villages where the American airdrops are supposed to send food are about to fall and the situation on the ground seems to change so quickly that the use of the peace negotiations gets lost?

MR. STEPHANOPOULOS: Again, we'll just continue to press both sides to make progress at the negotiation table.¹⁸⁷

The brief interaction gives a picture of the frustration many were feeling about American

¹⁸⁶ Ibid.

¹⁸⁷ William J. Clinton, “Press Briefing with George Stephanopoulos,” March 2, 1993, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=46314>.

efforts in Bosnia. Clinton and his administration's response -"we'll just continue to press both sides to make progress at the negotiation table"- does not account for the apparent shortcomings of the airdrop strategy. Instead, the focus on negotiations in the above quote seems to say the airdrop strategy and negotiations are all the administration is prepared to do. This is not changed by "the changing situation on the ground," or the reported failures of the airdrops to reach the places in need of the supplies.

The administration's position on the violence in Bosnia is further demonstrated by a press briefing with Dee Meyers later the same day.

Q: Dee Dee: I want to ask you about the Bosnian airdrop again. You said the Pentagon described it as successful, and yet Pentagon officials say the vast majority of the aid has not gone to its intended targets; that the intended targets were, in fact, the Muslim villagers, and the Serbs had gotten the vast majority of the aid. And the U.N. says that there is what appears to be a massacre going on now -- Serb militiamen overrun the Muslim villages that we had hoped to help.

MS. MYERS: We haven't had a chance to confirm those reports yet. I would refer you to the Pentagon for more details. But the Pentagon did say yesterday that they believe the operation was successful. They said that again today. We're waiting for more details about last night's drops. But we do believe the policy has been successful. The primary goal was to deliver humanitarian aid to people in isolated parts of Bosnia, and we think that we've achieved that.

Q: Even though most of the aid is going to the Serb militia?

MS. MYERS: Again, the Pentagon said yesterday they thought the effort was successful. The drops last night they believe are successful. We're waiting for more details. But we believe it was successful.

Q: If I can press you on that, you believe it is successful even though most of the aid is going to the Serbs?

MS. MYERS: We believe it was successful.¹⁸⁸

The administration's stance seems to be in this instance that any aid given is aid given, and they are doing their part. There appears to be no consideration of the Bosnian Muslims' need for supplies to survive Serbian violence. The journalist continuously questions, "you believe this was successful," and the repetition aids us in being able to see how the Clinton administration was trying to meet minimum international obligations. There is no focus on whom to help. Help is being given without consideration for any particular group. This "impartiality" is used to justify the airdrops still being a success, despite them not going to hard hit areas. In light of the UDHR the Clinton administration is helping to push for diplomacy by "condemning" the violence perpetrated against people, and they are helping to make life a little less harsh for the Bosnians by doing airdrops of supplies. These activities help honor human rights, but they do little to *protect* human rights. The UDHR claims that human beings "have a right to exist" and "a right to life," meaning not only do they have a right to be alive, but also that they have a right to a good life.¹⁸⁹ The airdrops, in theory, are a good idea, but their delivery is removed from the context of the situation. The Bosnian Muslims were being killed, driven from their homes and

¹⁸⁸ William J. Clinton, "Press Briefing with Dee Meyers," March 2, 1993, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=46314>.

¹⁸⁹ "The Universal Declaration of Human Rights," Online by the United Nations: <http://www.un.org/en/documents/udhr/index.shtml>

were struggling to survive; consequently, they were in need of supplies, yet they received very few. Meyers implies the drops were conducted with impartiality, an inclination that the Clinton administration did not want to take sides, but this impartiality and attempt at fairness is difficult to appreciate when there were still people not receiving sufficient aid.

The next press conference of importance was the one Clinton gave on April 21, 1993, after presiding over the opening ceremony for the United States Holocaust Museum.¹⁹⁰ The occasion put him in a conflicted place, because it had him speaking about the abuse of human beings during the Holocaust when there were extreme human rights abuses occurring in Bosnia. He tries to focus talk on the positive transitions that have occurred in Europe, in Russia, and in many of the former Soviet Union's satellite states. The speech contains ideas similar to the UDHR's preamble. There have been many human rights successes over the years due to U.S. leadership. After the talk of progress though, Clinton says something that seems to be counterintuitive given his current objective. "Now that these historic transitions are underway, I want you to know that the United States will remain fully engaged in Europe and in its transition toward a new and better future."¹⁹¹ The statement gives the United States an active role in European affairs. It sets the agenda for what people can expect as far as whether or not the United States will involve itself in European affairs. It comes off as strange at first because it seems to make a promise that Clinton and his staff has been working very hard to not make. They want to distance themselves from Bosnia and make it clear that they are helping because they want to, not because they are obligated. I argue that Clinton does this at this moment for several reasons. First, the Holocaust museum had just opened, and that brought up a long past

¹⁹⁰ William J. Clinton, "The President's News Conference," April 21, 1993, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*.

¹⁹¹ William J. Clinton, "The President's News Conference," April 21, 1993, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*.

between the United States and Europe that had to be addressed given the present circumstances. The U.S. helped to free Europe from Hitler's rule during World War II, and they played an intimate part in discovering and spreading the word about the horrors they discovered in the concentration camps. Furthermore, the U.S. under the Marshall Plan helped to rebuild Europe. Second, it let Clinton give the impression of also being heavily involved. Though Bosnia is not brought up directly in this news conference, Clinton's comments about human rights are of course particularly resonant because of the Bosnian situation, and his rhetoric continues to develop the view that the United States is *fully* involved in European affairs. He continues to cover his bases in the CPPCG by creating the picture that the U.S. is a *leader* in solving what is going on in Europe and, therefore, in Bosnia, so that the U.S. cannot be accused of standing by.

Clinton continues through 1993 to propound this description of involvement, and he begins placing blame for the failure to resolve the issue on the United Nations' shoulders. In an October 14, 1993 press conference, Clinton was asked to discuss international issues including failures in Somalia. This discussion did a lot to frame the discussion on Bosnia because the question of involving U.S. ground forces was by now prefaced by the image of a U.S. marine being dragged around in the streets of Somalia.¹⁹² Clinton attempts to underplay the ability of the U.S. to help resolve the Bosnian conflict when he says, "I still believe that U.N. peacekeeping is important. And I still believe that America can play a role in that. But when you're talking about resolving longstanding political disputes, the United States as the world's only superpower is no more able to do that for other people than we were 30 years ago, or 20 years ago."¹⁹³ We see here the reference to the UDHR and the CPPCCG in acknowledging the U.N. mandate to protect

¹⁹² Iconic Photos, "U.S. Soldier Dragged Through Mogadishu," October 1993:

<http://iconicphotos.wordpress.com/2010/03/10/u-s-marine-dragged-through-mogadishu/>

¹⁹³ William J. Clinton, "The President's News Conference," October 14, 1993, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=47202>

human rights through peacekeeping, but not being able to lead or help significantly with this mandate. The U.S. is not able to protect everyone. Clinton does not want to throw out the main reason (U.N. efforts) why the United States has been able to avoid getting involved in Bosnia. The United States also does not want to appear idle. Therefore, Clinton supports the U.N. and states very clearly that the United States cannot solve “longstanding political disputes,” but gives the impression that the U.N. can. It is also Clinton’s way of describing the conflict in Bosnia so that the human rights abuses, and the ongoing genocide, do not get brought up. Peace is important, human rights are important, but the U.S. cannot solve every problem, and the fact that this is just another political dispute is essentially what Clinton wants to get across.

The U.N. as of late October 1993 had not been successful in stopping much of the carnage in Bosnia. Reports of massacres and rape were still being reported daily, and the Vance-Owen treaty did not go through. Clinton addressed this too at this press conference in October of 1993, saying, “We have got to make the kind of changes in the United Nations that I advocated in my speech to the U.N.”¹⁹⁴ Clinton blames the U.N. for the way things have been handled; however, he also insinuates himself into this conversation by talking about “the changes” he suggested the U.N. make. This makes Clinton seem like an active leader who is trying to get institutions to work better. It makes him seem like he is doing something that has pertinence for the Bosnian conflict. Furthermore, when he finishes this paragraph he says, “And if you go back to the U.N. speech, it received little notice because of the momentary and important crisis in Somalia and elsewhere.”¹⁹⁵ He defends himself and tries to tell his version of the story, that he really is involved and trying to make things better, but he is doing it by trying to re-make the U.N. Clinton emphasizes his point that “the reorganization of the peacekeeping apparatus of the

¹⁹⁴ William J. Clinton, “The President’s News Conference,” October 14, 1993, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=47202>

¹⁹⁵ Ibid.

U.N. is an urgent mission because, keep in mind, the U.N. peacekeepers, with no American soldiers there, are involved all over the world now, and they have done an awful lot of good work.”¹⁹⁶ Clinton continues to provide justifications for why the United States military is not getting involved. He argues that the U.N. is not handling the situation well, and the U.N. is not being an effective international leader. He backs this argument with his discussion of his comments from his speech to the U.N. The spin on the situation that Clinton is trying to sell gives him and the United States a lot of breathing room in regards to having to get involved with disputes in the world, even in parts of the world that the United States is supposedly committed to being involved in (Europe). Clinton attempts to throw off the jurisdiction of the U.N. by attacking it, and by attacking the institution it seems he must of course be attacking the documents that constrain him as well. However, he cannot renege on the officially recognized documents, so we continue to see him trying to frame the U.S. as a leader in solving issues. There is no discussion of the U.S. rejection of the Vance-Owen plan or the subsequent lack of a replacement.

b. 1994: “Our promises cannot be seen as mere rhetoric”

Setting up a favorable scenario and creating a sense of anticipation for action is further seen in news conferences in the following year. In 1994, the third year of hostilities, the international community was losing patience rapidly with the situation in Bosnia. Several attempts at peace had been made with cease-fires being attained, only to have these agreements broken as soon as Western eyes seemed to be turned elsewhere.¹⁹⁷ In a January 7, 1994 press briefing with the Secretary of State Warren Christopher, journalists wanted to know why the U.S. in particular continued to let the Serbians break the boundaries that the U.N. and U.S. had

¹⁹⁶ Ibid.

¹⁹⁷ Powers, 309.

attempted to establish.

Q: But haven't the Serbs crossed that line that the NATO Council set in August, haven't they violated the conditions? Haven't they continued the strangulation? I mean, they're bombarding Sarajevo to death. Haven't they taken action that calls for triggering NATO's warning in August that if you go that far you're going to get hit?

SECRETARY CHRISTOPHER: Well, that subject is under constant review by both the United States and NATO. We examine the facts, and if that point is reached, a decision will have to be taken by the North Atlantic Council on that subject.¹⁹⁸

NATO had signed on to help the U.N. enforce the safe zones and cease fire areas where fighting factions were expected to hand over heavy artillery and weapons. The agreement in August 1993 had been that the Serbians and others would respect these safe zones; if they did not, then NATO would bomb them.¹⁹⁹ Yet, here in this press briefing in January of 1994, we see that the U.S. has not backed NATO on fulfilling this promise despite the Serbians violating the agreement. It is well known that NATO is widely directed by U.S. policy, and nowhere is this more clearly seen than in this situation, where NATO is following exactly the same policy as the U.S. in not following up on their promises with material force. Secretary Christopher is able to denounce any non-action by NATO by claiming that such actions by the Serbs are not clear violations and thus are under discussion. The CPPCG asks in Article 6 and 8 that member states do what they can to prevent genocide. The ICJ's ruling in 2007 expands on this concept by saying states should do what they can if they have a connection to the situation and the ability to influence those involved. Despite the U.S. and the other major powers' refusal to call what the

¹⁹⁸ William J. Clinton, "Press Briefing by Secretary of the Treasury Lloyd Bentsen, Secretary of State Warren Christopher and Secretary of Defense Les Aspin," January 7, 1994, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=47202>

¹⁹⁹ Power, 304.

Serbians were doing genocide, they are still following these requirements closely enough to cover themselves if it should be determined that genocide is occurring. The issue here is that little has to be done to “cover” the requirements listed in the CPPCG. As the ICJ’s ruling in 2007 implied, and legal minds can be expected to have understood this in the 1990’s, the mandate to prevent does not have to result in success.²⁰⁰ The attempt to prevent is provision enough for states to meet this requirement. The attempt being all that is necessary is what we continue to see from Clinton and his administration. They are “attempting” to help with Bosnia.

The discussion of NATO’s involvement and its worth in helping resolve the conflict is the subject Clinton spoke on during his January 10, 1994 news conference.²⁰¹ As the leader of the United States, Clinton was of course also the leader of NATO. The question of air strikes was being raised again in order to convince the Serbians in particular to cease fire, but NATO, as noted, had not done anything of the sort. Nevertheless, Clinton argues, “Well, let me point out, NATO has done everything that the United Nations has asked it to do.”²⁰² Clinton then rattles off a list of types of humanitarian aid (air lifts, etc.) that they have conducted.²⁰³ Once again, he does not want to appear as an idle leader. Clinton wants people to know what the U.S. and NATO have been doing. In the spirit of the “individual responsibility to protect” he demonstrates to the American people and others that action has been taken, that cooperation between powers is occurring. The failures per se to end the conflict are therefore not the U.S. or NATO’s. It is clearly a sensitive issue for Clinton, because once again he is in the spotlight for apparent failure while promising to help get something done. He works to put the responsibility for NATO not

²⁰⁰ Eyal Mayroz, “The Legal Duty to ‘Prevent:’ After the Onset of ‘Genocide,’” *Journal of Genocide Research* (March 2012): 79-98. Bosnia Herzegovina vs. Serbia Montenegro Decision, Online by the International Court of Justice, <http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=91&code=bhy&p3=4>

²⁰¹ William J. Clinton, “The President’s News Conference,” January 10, 1994, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=49721>

²⁰² Ibid.

²⁰³ Ibid.

doing more than airlifts on the U.N. He says, “NATO has done everything the United Nations has asked it to do,” so NATO has no active voice in the situation, they are just following orders. NATO is participating and being an active ally in the fight, but not to the point where it is making any decisions; therefore, it is not responsible for fighting, or not being ordered to enforce agreements. Clinton is then asked to respond to a comment he made at an earlier meeting, which was, “if we’re going to reassert this warning, it cannot be seen as mere rhetoric.”²⁰⁴ He was presumably addressing NATO air strikes to end the siege of Sarajevo.²⁰⁵ Clinton spends three paragraphs addressing this question. First he says, “The question of what we can do to get a peace in Bosnia, however, I want to caution you, goes far beyond that (NATO air strikes). That is, it depends upon the willingness of all the parties to agree to a reasonable settlement.”²⁰⁶ Clinton is covering his bases with the CPPCG by focusing on what happens at the end of the conflict. The CPPCG focuses on punishment of crimes. Clinton may be trying to shed light on the issue that peace will not come just because the fighting is made to stop, but that there will be many other issues that have to be addressed, such as the human rights abuses that everyone avoids talking about, and how to properly split the country up, if at all. He also is leaving this space open once again where the United States’ role in the peace making is left unsaid. We are not participating in helping to resolve the conflict, but then we are not *leading* the way to peace either.

In a radio address on February 19, 1994, Clinton discusses the U.S. deployment of planes on behalf of NATO to “perhaps” participate in air strikes on military targets around Sarajevo. He once again discusses the connection America has to Europe:

²⁰⁴ William J. Clinton, “The President’s News Conference,” January 10, 1994, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=49721>

²⁰⁵ Ibid.

²⁰⁶ Ibid.

This century teaches us that America cannot afford to ignore conflicts in Europe. And in this crisis, our Nation has distinct interests. We have an interest in helping to prevent this from becoming a broader European conflict, especially one that could threaten our NATO allies or undermine the transition of former Communist states to peaceful democracies. We have an interest in showing that NATO, the world's greatest military alliance, remains a credible force for peace in the post-cold-war era. We have an interest in helping to stem the destabilizing flows of refugees this struggle is generating throughout all of Europe. And we clearly have a humanitarian interest in helping to stop the strangulation of Sarajevo and the continuing slaughter of innocents in Bosnia.²⁰⁷

It is interesting to note the order in which he lists the “interests” America has in Bosnia. Number one, he is interested in Europe: “we cannot afford to ignore conflicts in Europe.” Clinton makes it clear, perhaps without meaning to, his real purpose in engaging in the Bosnian issue: to keep European allies happy. He continues by describing American interest “in helping to prevent this from becoming a wider European conflict,” because he wants to keep his European allies happy. He also wants to make sure the American cold war legacy of establishing democracies is not threatened in countries surrounding Bosnia. Many countries were still trying to establish stability. The conflict spreading from Bosnia would threaten that stability. Clinton also wants NATO to continue making a name for itself: “we have an interest in showing that NATO, the world’s greatest military alliance, remains a credible force for peace in the post-cold-war era.” NATO cannot lose face in dealing with this type of conflict because of the message it would send internationally. Next, we are concerned about the refugees. We are not concerned because they are refugees, but because they are flooding into neighboring European countries

²⁰⁷ William J. Clinton, “The President’s Radio Address,” February 19, 1994, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=49721>

and probably causing these countries frustration, so we want to help stop our allies from getting frustrated. Finally, the last point of interest that Clinton listed is the “humanitarian interest in helping to stop the strangulation of Sarajevo and the continuing slaughter of innocents in Bosnia.” It is clear through this order that humanitarian aid is not the main reason why Clinton is engaging in the Bosnian conflict. He does not acknowledge that there is genocide going on and he makes it clear that U.S. interests are in stabilizing our European partners, a similar message that he made in his speech at the Holocaust Museum in 1993. After listing off all these interests Clinton still maintains that “Europe must bear most of the responsibility for this problem and, indeed, it has.”²⁰⁸ He still refuses to take leadership in the conflict, but attempts instead to frame his administration’s actions as leading the way to peace.

We have participated in the enforcement of economic sanctions against Serbia. We initiated airdrops of food and medicine and participated in the Sarajevo airlift, a massive effort, running longer than the Berlin airlift, which has relieved starvation and suffering for tens of thousands of Bosnians. Together with our NATO allies, we began enforcement of a no-fly zone to stop the parties from spreading the war with aircraft.²⁰⁹

Clinton frames the actions of his administration in such a way that they seem to help both the European allies and the beleaguered Bosnians, but as we see when he lists American interests there is a pecking order, so to speak. Humanitarian interests, defending human rights in the UDHR and preventing genocide as charged in the CPPCG are not main objectives.

In the same radio conference we hear Clinton describe how the “Serbs bear a primary responsibility for the aggression and the ethnic cleansing that has killed tens of thousands and

²⁰⁸ William J. Clinton, “The President’s Radio Address,” February 19, 1994, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=49721>

²⁰⁹ William J. Clinton, “The President’s Radio Address,” February 19, 1994, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=49721>

displaced millions in Bosnia.”²¹⁰ He is attempting to explain why airstrikes against the Serbs are necessary, explaining the agreement from the previous August and how the Serbs have broken that agreement. This statement is important because it marks one of the few times Clinton calls what is going on in Bosnia by something other than civil war. Though he and his administration frame it as such, and use the “civil war” as the main reason why they cannot intervene, here he calls what is going on “ethnic cleansing,” and that is essentially genocide. It tells us a couple of things. First, he still does not want to “activate” the CPPCG by calling what the Serbs are doing genocide, and he still tries to frame the ethnic cleansing as being committed by more than just the Serbs who “bear a primary responsibility” but not the *sole* responsibility for the abuses. Number two, it tells us that Clinton and his administration are thinking about the abuses going on, for they realize that this is more than civil war. This only reassures the Clinton administration of the need to continue meeting the bare minimum requirements of the UDHR and particularly the CPPCG. Making sure their responsibilities are met covers them when the public discovers what really has been going on in Bosnia.

In another 1994 news conference on April 20, Bosnia was the sole subject of discussion between the president and the press.²¹¹ The news conference came after Serbian forces broke agreements made in February, which stopped any airstrikes from being sent, and began hostilities once more.²¹² Clinton talks about the stall to “momentum” that has occurred as a result of the Serbian hostilities and how the “imperative” is “to renew the momentum toward peace.”²¹³ Clinton phrases this in such a way that it gives the impression something had been achieved in developing a peace agreement in Bosnia. He places this focus on the parties fighting in Bosnia as

²¹⁰ Ibid.

²¹¹ William J. Clinton, “The President’s News Conference,” April 20, 1994, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=50006>.

²¹² Ibid.

²¹³ Ibid.

if they are the sole reason why the international community cannot help. The CPPCG focuses on punishing perpetrators of genocide, and is clearly flawed when describing what preventing genocide means, or whether or not stopping genocide once it has started is an option. This flaw, or opportunity, is made clear by Clinton's ability to lay blame for the failure of peace on the actors in Bosnia. He is able to justify continuing to remain outside of the conflict and the genocide occurring by avoiding using the word genocide, and covering the U.S.'s actions by describing their aid to the Bosnians until they are willing to stop fighting and let the rest of the world help.

In response to the stall of momentum, Clinton says, "Let me be clear about our objective. Working with our allies, the Russians, and others, we must help the warring parties in Bosnia to reach a negotiated settlement."²¹⁴ One of the critiques of the administration at this point was not having a clear objective on Bosnia. What was the administration doing, or not going to do, to get that elusive settlement? Clinton here attempts to sound clear once again, creating a semblance of participation and leadership. Clinton makes it sound throughout this conference like he and others are trying to help address a "civil war," while the Bosnian Muslims are dealing with genocide.

Clinton continues to frame the conflict as only solvable by the warring parties, again alleviating himself and the organizations that the United States is involved in (U.N., NATO) from the ultimate responsibility of stopping the conflict. "Ultimately, this conflict still must be settled by the parties themselves. They must choose peace."²¹⁵ By continually pushing responsibility onto the Bosnians and Serbians, Clinton makes it seem like he and the rest of the international community are doing more than they have to. They are trying to help, but

²¹⁴ William J. Clinton, "The President's News Conference," April 20, 1994, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=50006>.

²¹⁵ Ibid.

“ultimately” only these people can decide to stop fighting. It is a huge mischaracterization of the conflict, and it makes Clinton and the U.S. look like a state that actually respects other states’ sovereignty. In describing exactly why the U.S. was “involved” Clinton repeated, “The United States has interests at stake in Bosnia: an interest in helping stop the slaughter of innocents; an interest in helping to prevent a wider war in Europe; an interest in maintaining NATO as a credible force for peace in the post-cold war era and in helping to stem the flow of refugees.”²¹⁶ The United States is then interested because it has a lot of interests in Europe, even if not in this particular conflict, and if this conflict causes issues in other parts of Europe, then the U.S. might actually have to intervene militarily. The listing off of interests creates this feeling that the U.S. is doing all that it can to stop the conflict in Bosnia.

The “efforts” of the U.S. had been severely questioned by citizens and journalists up to this point, and the main frustration was “are we really not capable of doing more?” We see the administration attempt to answer this question with a press briefing with National Security Advisor Anthony (Tony) Lake and Director for Strategic Plans and Policy General Wesley Clark on May 5, 1994. Lake opens the briefing by stating, “our purpose is to use peacekeeping selectively and more effectively than has been done in the past.”²¹⁷ Lake is describing the administration’s new goal of limiting their peacekeeping efforts because of how many instances in just the first year of Clinton’s time in office there have been a number of places that have needed help and guidance to get through their conflict. Lake continues:

The further problem here is that these kinds of conflicts are particularly hard to come to grips with and to have an effect on from the outside because, basically, of

²¹⁶ William J. Clinton, “The President’s News Conference,” April 20, 1994, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=50006>.

²¹⁷ William J. Clinton, “Press Briefing with National Security Advisor Tony Lake and Director for Strategic Plans and Policy, General Wesley Clark,” May 5, 1994, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=50006>.

course, their origins are in political turmoil within these nations. And that political turmoil may not be susceptible to the efforts of the international community. So, neither we nor the international community have either the mandate, nor the resources, nor the possibility of resolving every conflict of this kind (sic).²¹⁸

Lake is addressing Bosnia here even without directly referencing it. He is making a statement that, despite the efforts of the U.S. and others, some of these conflicts just cannot be resolved from the outside, which justifies why the U.S. and the international community have not been able to find a solution for Bosnia. Lake is certainly having a conversation of sorts with international law, and therefore the obligations in the human rights documents. He is stating that outside effort alone is not enough and that these countries are responsible for ending their own strife. It has a strong resemblance to the CPPCG's charge to states to protect their own borders from genocide, but Lake is attempting to throw off the obligation that when a state is committing the crimes that other member states must stop it. He is saying they cannot. He invokes a value for human rights like that in the UDHR, saying, "When I wake up every morning and look at the headlines and the stories and the images on television of these conflicts, I want to work to end every conflict. I want to save every child out there. And I know the President does, and I know the American people do. But neither we nor the international community have the resources or the mandate to do so."²¹⁹ Lake addresses the "individual responsibility to protect," and attempts to justify ignoring this responsibility by stating that the U.S. and the international community do not have the resources or the mandate to help in all of these cases. It is interesting that Lake says

²¹⁸ William J. Clinton, "Press Briefing with National Security Advisor Tony Lake and Director for Strategic Plans and Policy, General Wesley Clark," May 5, 1994, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=50006>.

²¹⁹ William J. Clinton, "Press Briefing with National Security Advisor Tony Lake and Director for Strategic Plans and Policy, General Wesley Clark," May 5, 1994, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=50006>.

there is no mandate when there are two documents, the UDHR and the CPPCG, that give states the mandate to protect human rights. It is curious, then, that the U.S. continues to help Bosnia if it has no mandate. It seems instead that the administration is trying to push for these conflicts to be understood as moments of political turmoil, while still prepping itself in case the conflict is found to be something more. This ability of a member state to manage obligations to states by framing the conflict has severely weakened the CPPCG's ability to enforce prevention and punishment of genocide. The U.S. only needs to follow a few attempts to help the country to cover itself if a declaration of genocide is found, and yet it cannot be held accountable for attempting to misrepresent genocidal conflicts as "political conflicts" where they and the international community hold no jurisdiction.

c. 1995: "Horrors we prayed had been banished from Europe forever have been seared into our minds again."

The first six months of the radio addresses and news conferences in 1995 were curiously quiet about Bosnia, with little new information being discussed or shared by Clinton.²²⁰ The violence between the ethnic groups had been quieted with an agreement being secured at the end of 1994 between the Muslims and Croats to stop fighting. The only issue remained the Serbs. Serbian aggression continued relatively unchecked after a period of cease-fire at the end of 1994 expired. Finally, in 1995 NATO began selective air strikes on Serbian military.²²¹ Clinton maintains his push for diplomacy in the last summer months of 1995, but once a new cease-fire is reached and the Dayton peace agreement signed, his rhetoric shifts to a more direct and clear

²²⁰ William J. Clinton, "The President's News Conferences," and "The President's Radio Addresses," January-June 1995, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=51494>.

²²¹ "Balkans Fact Sheet," Released by the U.S. Department of State, <https://www.mtholyoke.edu/acad/intrel/statebos.htm>. Bert, 136.

representation of the conflict, and his rhetoric in a speech describing U.S. aid curiously reflects the UDHR's preamble's description of the pursuit of human rights.

The June 14, 1995 news conference sees Clinton still trying to argue for diplomacy: "And we believe that that (strengthening UNPROFOR), and a vigorous continued pursuit of diplomacy offers the best hope of saving the Bosnian state and minimalizing casualties."²²² UNPROFOR, as noted, was the United Nations Protection Force, composed mostly of British and French troops for the sole purpose of creating safe spots in the Balkans.²²³ UNPROFOR was the main reason the European powers were against NATO air strikes; clearly, they did not want their people on the ground to be in danger. Therefore, we see Clinton continuing to try and create anticipation for diplomacy and support for our allies. He continues this line of thought through the press conference by saying, "the United States has taken the position that, for the time being, all the parties should take as much care as possible to avoid further actions, because we believe that we have the best chance now of strengthening UNPROFOR and getting some new energy behind a lot of these diplomatic initiatives."²²⁴ Clinton describes doing nothing so that *something* might happen for the UNPROFOR forces and "diplomatic initiatives." He does not include any concrete descriptions of what the improvements to the UNPROFOR forces entail, or where the new support is coming from, nor does he detail what the diplomatic initiative are. The UNPROFOR forces were by no means a military force that could legitimately protect the Bosnian Muslims and other groups from the Serbian advance. They had proven this when the cities where they were supposed to have set up safe zones were attacked and bombed. Clinton

²²² William J. Clinton, "The President's News Conference," June 14, 1995, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=51494>.

²²³ Power, 314.

²²⁴ William J. Clinton, "The President's News Conference," June 14, 1995, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=51494>.

continues to make the assertion that there are new developments, events just about to transpire, and of course the overall “we can’t solve the problem anyway, but we’re trying to help.”

Just a couple of days later, at the June 16 news conference, Clinton is confronted by a journalist about the Bosnian Muslim President’s accusation that the U.S. was allowing genocide to happen.

Q: Despite your support for the peacekeeping forces, the U.N. peacekeeping forces in Bosnia, are you at all moved by the appeal made at the White House the other day by Bosnian President Haris Silajdzic, who called the arms embargo an instrument of genocide? How do you answer him when he asks, "Why won't the U.S. let the Bosnian Muslims defend themselves?"

The President. First of all, the arms embargo would be an instrument of genocide if the U.N. mission weren't keeping more people alive. In 1992, 130,000 civilians, more or less, died in Bosnia. In 1994, the best figures we have indicate that fewer than 3,000 people died. When NATO was working with the U.N., we were able to create some safe areas around Sarajevo and the eastern enclaves, which have since been eroded by the taking of U.N. hostages. But that's why the rapid reaction force is so important, to put some real steel back into the U.N. mission.²²⁵

The situation is one of the only times where Clinton is faced directly with an accusation of being a bystander to genocide, and he demonstrates very clearly one of the main flaws with the CPPCG in defending his actions. There would only have been genocide “if the U.N. mission weren’t keeping more people alive.” So, as the ICJ suggested in its 2007 ruling, the

²²⁵ William J. Clinton, “The President’s News Conference,” June 16, 1995, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=51494>.

responsibility of member states when preventing genocide is not to gain success but to attempt to prevent.²²⁶ Thus, while some people died and more continue to die, because the U.N. mission is saving some people, and since the U.S. is participating in that mission to a small extent, the U.S. and the U.N. are not letting genocide happen. At least, this is the argument that Clinton is able to make successfully at the time.

Clinton also discusses a “rapid reaction force” in the June 16 news conference that was to replace U.N. peacekeepers who had been captured by the Serbians.²²⁷ The U.S., though supporting the idea of such a force, refused to support it financially or with manpower. This seems to be a clear indication of the U.S. avoiding a prime opportunity to stop the violence in Bosnia, but Clinton justifies this as follows:

The United States has spent a lot of money and provided a lot of support to the United Nations mission in Bosnia, through NATO, through participating in the humanitarian airlifts, which are now by far the largest humanitarian airlifts in history. I urge you to remember that not only has the death rate gone way, way down in the last 2 years, but there are now about 2.8 million Bosnians dependent upon the humanitarian aspect of this mission. Just because it hasn't succeeded in ending the war does not mean it has been a total failure in keeping people alive while we search for a political solution.²²⁸

Clinton continues to frame U.S. involvement as having done what they could, with that being sufficient, even though it has not solved the conflict. He continues to repeat what the U.S.

²²⁶ Bosnia Herzegovina vs. Serbia Montenegro Decision, Online by the International Court of Justice, <http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=91&code=bhy&p3=4>

²²⁷ “Balkans Fact Sheet,” Released by the U.S. Department of State, <https://www.mtholyoke.edu/acad/intrel/statebos.htm>. Power, 260.

²²⁸ William J. Clinton, “The President’s News Conference,” June 16, 1995, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=51494>.

has helped to achieve in an attempt to direct attention away from what the U.S. refuses to help achieve.

In the summer of 1995, Clinton and his administration had to think hard about the election the next year, and the Bosnia problem was not making it look good. Additionally, the mission in Bosnia was faltering with no new gains. Clinton, despite all of his efforts to remain out of the war, was going to face tough questions about his ability, the United States' ability, and NATO's ability to lead in the world if Bosnia continued for another year.²²⁹ By August of 1995, there is a slight shift in Clinton's rhetoric. In his August 10, 1995 press conference, he says, "I think it's a time when we should try to make a move for peace."²³⁰ The media depicted the fall of the cities Srebrenica and Zepa, and the shelling of Sarajevo's marketplace, further encouraging public outcry.²³¹ In the same press conference, Clinton continues to hint at what his administration is discussing when he says, "We have some ideas that the new events may make possible, and we're discussing it with our allies."²³² Clinton finally describes the United States as having ideas, and ideas that they are presenting.

The Clinton administration is able to push through a U.N. approval of air strikes in August given the terrible transgressions by the Serbians in U.N. safe-zones. From August to September of 1995 NATO conducted air strikes against the Serbian military, two years after the threat was initially made.²³³ Finally, in late October a cease-fire was obtained, and in early November peace talks began in Dayton, Ohio. As the conflict ceased and the objective turned to

²²⁹ Daalder, 4.

²³⁰ William J. Clinton, "The President's News Conference," August 10, 1995, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=51727>

²³¹ Daalder, 5.

²³² Ibid.

²³³ Ibid., 6.

enforcing the peace settlement, Clinton delivered a powerful speech that drifts from his rhetorical approach of the previous two years and attempts to set the U.S. up as a defender of rights.

d. A Rhetorical Shift toward meeting the UDHR and CPPCG:

Up until 1995, Clinton framed his administration's position on Bosnia as one that was supportive of the U.N. led peace initiative, but which worked to limit U.S. support and engagement with that initiative. He repeated over and over again that the U.S. would not commit ground forces and described the atrocities occurring in Bosnia as a product of a civil war. Clinton argued on multiple occasions that the participants in the civil war were the only ones who could end it. In other words, the international community, the U.S. included, could not help until after the conflict had ended. This opportunity for the U.S. to remain outside of a conflict and only be responsible for helping to establish peace and justice is a weakness of the CPPCG through its focus on punishment and not on intervention. It can also be seen through these first few years that Clinton stays away from the ideals listed in the UDHR nearly as much as he does from talking about the atrocities being committed in Bosnia, and he certainly never calls what happened in Bosnia "genocide." Yet, he continues to do things that seem to "cover" the U.S. for the requirements of the CPPCG. It can be seen that he addresses the requirements in the CPPCG even further in this rhetorical shift where he changes U.S. policy from that of another country participating in managing the conflict to that of the leader who helped end the conflict. Furthermore, the UDHR's qualities begin to appear in his rhetoric, and these qualities are used to further justify U.S. leadership.

The speech Clinton gave on November 27, 1997 addressed the citizens of the United States about the U.S.'s intention to engage in peacekeeping activities in Bosnia.²³⁴ The initial negotiations in Dayton, Ohio were successful, with all parties agreeing to a cease-fire until they signed the treaty in mid-December.²³⁵ Clinton speaks forcefully and explicitly about the plans for the peacekeeping force, and he discusses the American creed to lead in such situations. The speech contains active and descriptive language that forms a narrative that names the U.S. as leader and savior in the Bosnian conflict, and the Bosnian conflict as a cause worth becoming engaged in.

The first major rhetorical shift in this speech is Clinton taking responsibility and leadership in addressing Bosnia. The speech starts with Clinton saying, "Last week, the warring factions in Bosnia reached a peace agreement as a result of our efforts in Dayton, Ohio, and the support of our European and Russian partners."²³⁶ Clinton says "as a result of *our* efforts," describing the American initiative to solve the conflict. It is a claim that places the U.S. in a leadership position. It still acknowledges European and Russian contributions, "and the support of our European and Russian partners," but they are only contributors; they did not solve the problem.

Clinton also gives concrete detail about the scope of American leadership in the Bosnian peace process: "America's role will not be about fighting a war. It will be about helping the people of Bosnia to secure their own peace agreement."²³⁷ He is very explicit in describing what U.S. troops are going to do. He works to eliminate vagueness about the mission. This kind of

²³⁴ William J. Clinton, "Speech on Bosnia," November 27, 1995, Online by CNN. http://www.cnn.com/US/9511/bosnia_speech/speech.html.

²³⁵ William J. Clinton, "Speech on Bosnia," November 27, 1995, Online by CNN. http://www.cnn.com/US/9511/bosnia_speech/speech.html.

²³⁶ Ibid.

²³⁷ Ibid.

anticipatory rhetoric limits the audience's participation because they are being told exactly what to expect. He even says, "I want you to know what is at stake, exactly what our troops will be asked to accomplish and why we must carry out our responsibility to help implement the peace agreement." Americans with "the individual responsibility to protect" who had been continuously frustrated over the last three years are addressed by these comments. Clinton is demonstrating that the U.S. is helping the Bosnians in a concrete fashion. He also says the U.S. is fulfilling its "responsibility." I argue this responsibility is the one at least partially elicited by the CPPCG asking member states to prevent and punish acts of genocide. Though Clinton refuses to call the crimes in Bosnia genocide, he does become very explicit about the sufferings of the people. It is a way for him to still meet the obligations the CPPCG places on member states in case the CPPCG gets invoked, as it does in 1997.²³⁸ The Bosnian narrative in this speech is the most descriptive, explicit, and vivid that it ever gets in Clinton's rhetoric. This is not to say that there are no holes (use of the word "genocide"), but there is a clear shift to at least talk about the conflict more openly. Clinton says of the conflict:

For nearly four years a terrible war has torn Bosnia apart. Horrors we prayed had been banished from Europe forever have been seared into our minds again. Skeletal prisoners caged behind barbed-wire fences, women and girls raped as a tool of war, defenseless men and boys shot down into mass graves, evoking visions of World War II concentration camps and endless lines of refugees marching toward a future of despair.²³⁹

The references to genocide do not get any clearer than they do in this description of the human rights abuses in Bosnia. Though Clinton never comes right out and calls the conflict genocide, he does clarify what has been going on by drawing a comparison to the crimes of the

²³⁸ William J. Clinton, "Speech on Bosnia," November 27, 1995, Online by CNN.
http://www.cnn.com/US/9511/bosnia_speech/speech.html.

²³⁹ Ibid.

Holocaust. “Skeletal prisoners caged behind barbed-wire fences” describes some of the most iconic images from the Holocaust. The execution of “men and young boys shot down into mass graves” also elicits memories of Nazi atrocities. Ben-Porath tells us how Presidents will act the same in humanitarian crisis situations as in war situations.²⁴⁰ War rhetoric is always concrete in describing why the U.S. must engage its forces and it does this in part by clearly establishing an enemy.²⁴¹ Clinton finally started talking concretely about the genocide committed in Bosnia when he was ready to commit forces there because it served as that “enemy.” Finally, Clinton directly states the connection describing the crimes as “evoking visions of World War II concentration camps.” The UDHR’s principles and its plea for member states to recognize and protect rights in the world, combined with the charge of the CPPCG to prevent genocide, is characteristically used to Clinton’s advantage in his attempt to justify U.S. peacekeeping operations in Bosnia to enforce the peace treaty. He is able to list off all the ways rights have been abused, and to draw a powerful parallel to the Holocaust to defend this decision. This descriptive and vivid language works to justify why America, the great leader and defender of freedom, needs to help Bosnia maintain peace.

In another section of the speech, Clinton goes point for point describing exactly what the U.S. will be doing in Bosnia, describing how many troops the U.S. is sending, what the allies are doing, when the plan will be up for him to sign, and what he will be looking for when he signs it.²⁴² Clinton describes how the different ethnic groups “exhausted by war” came to Dayton, Ohio, where they agreed “to put down their guns, preserve Bosnia as a single state, to investigate

²⁴⁰ Eran N. Ben-Porath, “Rhetoric of Atrocities: The Place of Horrific Human Rights Abuses in Presidential Persuasion Efforts,” *Presidential Studies Quarterly* (June 2007): 181-202.

²⁴¹ Campbell and Jamieson, *Presidents Creating the Presidency: Deeds Done in Words*, Chicago: The University of Chicago Press, 2008.

²⁴² William J. Clinton, “Speech on Bosnia,” November 27, 1995, Online by CNN. http://www.cnn.com/US/9511/bosnia_speech/speech.html, 4.

and prosecute war criminals, to protect the human rights of all citizens, to try and build a peaceful, democratic future.” These promises align well with the UDHR and the CPPCG, protecting human rights and addressing the crimes that had been committed. In order to support this initiative he discusses the level of risk to U.S. troops and what their mission is once they get to Bosnia.²⁴³ An entire page is devoted to describing what the U.S. peacekeeping operations will entail.²⁴⁴ There is little to no room for anticipation outside of what Clinton has told us to anticipate. This is a huge break from the way prolepsis was used in the news conferences to encourage positive thoughts about U.S. leadership in Bosnia, but which never provided specific details about what to expect. This detail satisfies the UDHR’s “individual responsibility to protect” among U.S. citizens and the charge to “organs of power” to uphold and defend human rights, and it continues to build a case for U.S. activity being adequate enough to cover the expectations in the CPPCG treaty.

Another major change from the news conferences is the cohesive narrative that this speech has about American interests, Bosnia, and the American peacekeeping effort in Bosnia. Clinton begins the narrative by saying, “From our birth, America has always been more than just a place.” He adds in the idea of America as a leader in the world, “From Iraq to Haiti; from South Africa to Korea; from the Middle East to Northern Ireland, we have stood up for peace and freedom because it’s in our interest to do so, and because it is the right thing to do.” A clear response and even resemblance to the UDHR’s preamble can be seen being created by Clinton’s narrative. The preamble asks that the freedoms and rights of the UDHR be shared and taught to

²⁴³ William J. Clinton, “Speech on Bosnia,” November 27, 1995, Online by CNN.
http://www.cnn.com/US/9511/bosnia_speech/speech.html.

²⁴⁴ Ibid.

people, enforced by states, and pursued by individuals.²⁴⁵ Here we see Clinton making a case for the U.S., under his leadership, having done each one of those things. The U.S. under Clinton supported freedom in “Iraq, Haiti, South Africa, Korea, the Middle East, and in Northern Ireland.” In doing so, he gives concrete examples that demonstrate how the U.S. has been able to have a part in leading people out of conflict. Clinton is rhetorically crafting U.S. leadership through examples of U.S. interventions, military and diplomatic, in order to better frame Bosnia as yet another place where the U.S. can and will make a positive difference defending “freedom,” which in American terms is the all encompassing term for human rights. He combines Bosnia’s interests with the nation’s (American) interests, asserting “it is the right thing to do.” This is the first time a moral argument is used in support of U.S. policy under Clinton. Nowhere is morality invoked in the earlier news conferences or radio addresses by Clinton. This narrative of a leader who protects freedom because it is in the nation’s interest, and because it is the right thing to do, gets used to justify the peacekeeping operation in Bosnia after the genocide ended.

This speech is also a time where Clinton attempts to describe his early approach to the Bosnian conflict. He was highly criticized by many for not leading the U.S. in negotiations to settle the conflict. In the speech, Clinton narrates his actions and names his motives in order to make himself and the U.S. look like leaders all the way through the conflict, and not last minute saviors. He says, “When I took office, some were urging immediate intervention in the conflict. I decided that American ground troops should not fight...”²⁴⁶ He describes himself making a decision to not engage in Bosnia in this particular way. He continues by saying, “Instead,

²⁴⁵ “The Universal Declaration of Human Rights,” Online by the United Nations: <http://www.un.org/en/documents/udhr/index.shtml>

²⁴⁶ William J. Clinton, “Speech on Bosnia,” November 27, 1995, Online by CNN. http://www.cnn.com/US/9511/bosnia_speech/speech.html.

America has worked with our European allies in searching for peace, stopping the war from spreading, and easing the suffering of the Bosnian people.”²⁴⁷ All these verbs, “worked,” “searching,” “stopping,” and “easing,” are used to describe how the U.S. was doing something during this time before peace was attained.²⁴⁸ He frames decisions earlier in his administration that seemed to lack action and direction as direct engagement. Again, he is constantly trying to make a case for how the U.S. was fulfilling its obligations according to the CPPCG.

3.3 Closing Thoughts

It was clear by the end of 1995, and after the signing of the peace treaties, that there would be trials for war crimes and genocide.²⁴⁹ Clinton certainly must not have wanted to lose international respect as Reagan did when he withdrew the U.S. from the International Court of Justice because it ruled the U.S. invasion of Grenada to be unlawful.²⁵⁰ If it was possible to end the Bosnian situation, make himself look like a competent foreign affairs leader, and satisfy U.N. obligations, then that was what Clinton was going to do. Thus, even after the main fighting in Bosnia had been concluded and the U.S. had wide support internationally to help defend the peace there, Clinton was still trying to cover his bases, just in case.

Clinton and his administration rhetorically managed the Bosnia genocide by highlighting their actions, whether successful or not, and pushing responsibility for leadership in peace negotiations onto the European powers, even after these countries failed to develop a functional approach to the violence. The failure of the U.S. to seize leadership in dealing with the Bosnian genocide has been widely agreed upon as the reason why the conflict stretched as long as it

²⁴⁷ Ibid.

²⁴⁸ William J. Clinton, “Speech on Bosnia,” November 27, 1995, Online by CNN. http://www.cnn.com/US/9511/bosnia_speech/speech.html.

²⁴⁹ Marlise Simons, “Genocide Charge Reinstated Against Wartime Leader of the Bosnian Serbs,” *New York Times*, July 11, 2013.

²⁵⁰ Paul Simon, “Reagan’s World Court Error,” *New York Times*, October 16, 1985.

did.²⁵¹ In reviewing the obligations and responsibilities in the UDHR and the CPPCG, we can see how easy it was for the administration to remain a supporting diplomatic power and avoid committing more aid than they wanted to. We will see the administration work to remain in the background of the Rwanda genocide as well by actively framing their address of the violence in light of the UDHR and CPPCG.

4. RWANDA'S "GENOCIDAL MASSACRES"

The beginning of 1994 saw the Clinton administration with a great many frustrations both domestically and abroad as negotiations in Bosnia broke down and the Serbians began shelling Sarajevo and other cities once more.²⁵² When reports of the killings in Rwanda first broke in the national news media, it was just another Bosnian scenario: competing ethnic groups fighting it out to see who would be on top.²⁵³ The "individual responsibility to protect" quality that Cronin-Furman described failed to be aroused by stories of more ethnic fighting. Clinton and his administration were already dealing with one situation of genocide in Bosnia, and they were trying to avoid activating the CPPCG by engaging in activities that would seem supportive of the UDHR and would cover basic CPPCG obligations. The idea of engaging (even on a diplomatic

²⁵¹ Bert, Rieff, Sremac.

²⁵² Office of the Historian, "The War in Bosnia: 1992-1995," online by U.S. Department of State, <https://history.state.gov/milestones/1993-2000/bosnia> William J. Clinton: "The President's News Conference with Prime Minister John Major of the United Kingdom," March 1, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, http://www.presidency.ucsb.edu/news_conferences.php?year=1994&Submit=DISPLAY.

²⁵³ Benjamin Zohar, "Misrepresentation of the Bosnian War by Western Media," *Journal of Comparative Research in Anthropology and Sociology* (2012): 97-110. Annette Bringedal Houge, "Subversive Victims? The (Non) Reporting of Sexual Violence against Male Victims during the War in Bosnia-Herzegovina," *NORDICOM Review* (2008): 63-79. Stuart Allen and Barbie Zelitzer, *Reporting War: Journalism in Wartime* (New York: Taylor and Francis, 2004). Lindsey Hilsum, "Reporting Rwanda: the Media and the Aid Agencies," in *Media and the Rwanda Genocide* (2008): 167-187, 168. Susan L. Carruthers, "Bearing Witness: Tribalism and Tribulation: Media Constructions of 'African Savagery' and 'Western Humanitarianism' in the 1990s," in *Reporting War: Journalims in Wartime* (2004): 155-174. Linda Melvern, "Missing the Story: the Media and the Rwanda Genocide," in *Media and the Rwanda Genocide*, London: Pluto Publishers, 2008, 198-210. Tendai Chari, "Representation or Misrepresentation? *The New York Times's* Framing of the 1994 Rwanda Genocide," *African Identities* (November 2010): 333-349.

level) in another conflict that presented similar rhetorical obstacles clearly would have detracted from Clinton's domestic goals and garnered the U.S. additional foreign responsibilities. Thus, President Clinton did not even once mention the issues in Rwanda in any of his news conferences in 1994.²⁵⁴ Clinton and his administration were obviously aware of the mass murders being committed in Rwanda; however, no leadership or pressure on the U.N. came from the Clinton administration. The "pressure" to participate in aiding with the Bosnian crisis was not the same in Rwanda. There were no upset allies, economic connections, or long entangled histories. Rwanda was not even a large country on the African continent. The Clinton administration had what the ICJ's 2007 ruling called a "reasonable" distance between itself and the Rwandan country.²⁵⁵ There were no ties, geographical or political, holding them together that would make the U.S. its savior.

The Rwandan genocide was nevertheless one of the clearest cases of genocide that the world had seen since the Holocaust.²⁵⁶ Despite this clarity, the Universal Declaration of Human Rights' call for the respect and promotion of human rights, and the Convention on the Prevention and Punishment of Genocide's call for genocide to be prevented, the United States, as a leading member of the U.N. Security Council and as the sole superpower at the time, refused anything more than basic humanitarian aid to the Rwandans. The analysis in this chapter will once again examine the press briefings, radio addresses, and public comments made by Clinton and his administration in order to understand the rhetorical strategy the administration took to navigate

²⁵⁴ William J. Clinton: "The President's News Conference," 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, http://www.presidency.ucsb.edu/news_conferences.php?year=1994&Submit=DISPLAY.

²⁵⁵ Bosnia Herzegovina v. Serbia Montenegro, International Court of Justice 2007 Ruling, Online by the International Court of Justice, <http://www.icj-cij.org/docket/index.php?p1=3&k=8d&p3=4&case=91>; Eyal Mayroz, "The Legal Duty to 'Prevent:' After the Onset of 'Genocide,'" *Journal of Genocide Research* (March 2012): 79-98, 86.

²⁵⁶ Mats Berdal, "The United Nations, Peacebuilding and the Genocide in Rwanda," *Global Governance*, (Jan-March 2005): 115-130, 119.

the U.N. human rights documents. A historical review of the conflict will be conducted first in order to better explain the nature of the conflict and the rhetorical strategy of the Clinton administration.

4.1 Rwanda: A Nation Split by Hate

Rwanda had been struggling with ethnic strife for a number of years leading up to 1994. The Hutu and Tutsi ethnic groups, who called Rwanda home, had struggled with one another for power over the country for over forty years.²⁵⁷ Their strife with one another dated back to before the twentieth century when servants and the poor were called “Hutu” and those serving in the government and who were well off economically were called “Tutsi.”²⁵⁸ These categorizations were not originally rigid, as many Tutsi who were not as well off were addressed as Hutu. The Belgians, however, noticed the use of the labels when they took control of Rwanda in 1920.²⁵⁹ Belgium within fifteen years completely restructured Rwanda’s traditional monarchy and chiefdoms, and they created a system with a puppet king and Belgian appointed officials. Belgium also implemented an identification system that categorized all citizens as Tutsi, Hutu, or Twa.²⁶⁰ The “standards” used by the Belgians to categorize the Rwandans were based off ideas of superior races. Linda Melvern, author of *A People Betrayed: The Role of the West in Rwanda’s Genocide*, describes how “every Rwandan was counted and measured: the height, the length of their noses, the shape of their eyes.”²⁶¹ The categorizations were not accurate. Many Hutus were categorized as Tutsi simply because they were economically well off, or looked a certain way; furthermore, many Tutsis were categorized as Hutus because they lacked wealth or

²⁵⁷ Linda Melvern, *Conspiracy to Murder: The Rwandan Genocide*, New York: Verso, 2004, 5.

²⁵⁸ Linda Melvern, *A People Betrayed: The Role of the West in Rwanda’s Genocide*, New York: Zed Books LTD, 2000, 13.

²⁵⁹ Ibid.

²⁶⁰ Ibid., 14.

²⁶¹ Ibid.

a particular look. The Belgians assigned “identification cards” after Rwandans were identified as a member of one of the ethnic groups, and they required that the Rwandans carry them around.²⁶² The energy used to identify and separate Rwandans was used for a purpose. The Belgians, in creating an official Tutsi group, created a governing class and, in creating an official Hutu group, created a laboring class to exploit. The Belgians already had control of the Congo and began shipping Hutus to their copper mines there to work. In addition, the Hutus were given few if any opportunities to change their economic station in Rwandan society.

The large number of Hutus suffering in Rwanda did get attention, first from the League of Nations, who condemned Belgium’s treatment of the populace, and then again by the United Nations soon after it was established.²⁶³ The extreme mistreatment of the majority of the population was condemned by both organizations, and they both called on Belgium to “democratize” the country.²⁶⁴ Despite the disapproval of the international community, nothing was done to improve the conditions of life for the Hutus. It is easy to see how the Hutu hatred of the Tutsi began with their poor standing in society, their exclusion from serving in the government, and their state of exploitation by Belgium. These tensions resulted in the Hutu majority publishing a manifesto in 1957, demanding the end of Hutus’ subservient status and calling for “majority rule,” or rule by the Hutus.²⁶⁵ The Hutus viewed the Tutsi elite as their primary obstacle to having a democratic and healthy Rwanda. Many even argued that the Tutsi were not even Rwandan, but were invaders just like the Belgians and thus did not belong in Rwanda.²⁶⁶ The Tutsi, conversely, placed the blame for Rwanda’s struggles on Belgian control

²⁶² Melvern, *Conspiracy to Murder*, 6. Samantha Power, *A Problem From Hell: America and the Age of Genocide*, (New York: Harper Perennial, 2002), 336.

²⁶³ Melvern, *A People Betrayed*, 15.

²⁶⁴ Ibid.

²⁶⁵ Melvern, *Conspiracy to Murder*, 6.

²⁶⁶ Ibid.

of the country.²⁶⁷ The racism between the Hutus and Tutsis became very evident from this manifesto, which demonstrated what the U.N. described as a “racial divide,” providing that there was “little hope for a ‘rapprochement between the races.’”²⁶⁸

The tensions left unaddressed therefore erupted in 1959 when the Belgian-assigned King suddenly died. The Tutsi elite blamed the Belgians and Hutus for his death, claiming sabotage was involved. In response, the Tutsi elite attacked emerging Hutu leaders, leading the Hutu majority to endorse the widespread killing of Tutsis.²⁶⁹ It would be the first outbreak of mass murder in the country, leaving thousands dead and many more displaced from fleeing the massacres.²⁷⁰ In response to the violence, the Belgians began ousting all the Tutsi chiefs and political elite and replacing them with Hutus. Melvern describes how the U.N. was flooded with requests from Tutsi to help with the situation because they feared for their lives.²⁷¹ The U.N. responded by sending a commission to determine the situation in Rwanda, and it reported that the Tutsi had been expelled socially and politically from society.²⁷² The writers of the report also said that unless the Tutsis were worked back into the political system that conflict in Rwanda would not cease.²⁷³

The U.N. did not do anything else but give warnings to those in power and to the Belgians about the predicament of Rwanda. Nothing was done to change anything. So, in 1962, when Rwanda was released from Belgian control, instead of celebration ensuing, a bloodbath and mass exodus from the country followed. The president elected to rule Rwanda after its independence, Gregoire Kayibanda, was a Hutu who believed the Tutsis were “the internal

²⁶⁷ Ibid., 7.

²⁶⁸ Melvern, *Conspiracy to Murder*, 7.

²⁶⁹ Ibid.

²⁷⁰ Melvern, *A People Betrayed*, 14.

²⁷¹ Melvern, *Conspiracy to Murder*, 9.

²⁷² Ibid.

²⁷³ Ibid.

enemy,” and his position on Hutu-Tutsi relations led thousands of Tutsis to flee the country into the surrounding countries of Burundi, Uganda, and Tanzania.²⁷⁴ The situation left somewhere around 250,000 Tutsis as refugees, homeless, and entirely reliant on the aid provided to them from the Ugandan and Burundi governments and the United Nations.²⁷⁵ The situation led to Tutsis forming a militant group that attempted to overthrow President Kayibunda. They failed, but in the process angered the Hutu populace so much that another round of mass murder was committed on the Tutsis remaining in Rwanda. The number of people who died during this massacre was between 10,000-14,000.²⁷⁶ Many have argued that this was the first genocide Rwanda experienced.²⁷⁷ Kayibunda warned the Tutsis that any more actions like that would result in “the total end of the Tutsi race.”²⁷⁸ Additionally, Rwanda closed its borders to Tutsis, refusing them reentrance. Thus, for the next thirty years a large number of Rwandan Tutsis remained on the borders of their former country waiting for an opportunity to regain their lost status.

The Tutsi hatred and resentment of the Hutus was felt in Burundi, where Tutsi and Hutu groups also lived. There the Belgians had allowed for the Tutsi to hold onto their political power. In 1972, however, a Hutu group in Burundi attempted a coup against the leading Tutsi officials. They failed and set off another genocide where Tutsis killed an estimated 200,000 Hutus in Burundi.²⁷⁹ Melvern describes how the “U.S. State department estimated that an attempt had been made to kill every Hutu male over the age of fourteen; every Hutu member of the Cabinet had been killed, all Hutu officers, half the country’s school teachers and thousands of civil

²⁷⁴ Melvern, *Conspiracy to Murder*, 8.

²⁷⁵ *Ibid.*, 9.

²⁷⁶ *Ibid.*, 10.

²⁷⁷ Melvern, *Power, De*

²⁷⁸ *Ibid.*

²⁷⁹ *Ibid.*, 13.

servants.”²⁸⁰ The violence in Burundi was used as justification by Rwandan Hutus to attack Rwandan Tutsis. The ongoing violence between the two ethnic groups in the two nations received little attention from the international community, even though the evidence of genocide was overwhelming.

Stability did finally come to Rwanda after the ousting of Kayibanda. His successor was Juvenal Habyarimana, a young Hutu soldier, who quickly established a one party government, or dictatorship, that would rule the country for the next twenty years. Habyarimana was Hutu, but he was not as inclined to attack the Tutsis as his predecessor had been. He attempted to bring infrastructure and development to Rwanda and move the country into a more prosperous time. While he did not target Tutsis, he still did not move to improve their condition in Rwandan society either, nor did he lift the ban off the borders keeping many Tutsis from moving home. Melvern describes how “the U.N. High Commissioner for Refugees estimated that in 1990 there were 900,000 Rwandans living in Uganda, Burundi, Zaire, and Tanzania.”²⁸¹ Unsurprisingly, in 1990, some of these refugees banded together to form the Rwandan Patriotic Front (RPF) and they invaded Rwanda.

The initial invasion was a total failure and resulted in the outbreak of killings once more. Hutus were told to kill their Tutsi neighbors before they killed them.²⁸² Habyarimana’s government spread false reports through the nation’s media stating the Tutsis were helping the RPF kill Hutus.²⁸³ This led to another round of killings, this time targeting a particular group, the Bagogwe, who were descendants of Tutsis and whose location in the north from where the

²⁸⁰ Melvern, *Conspiracy to Murder*, 10.

²⁸¹ *Ibid.*, 14.

²⁸² *Ibid.* Power, “Bystanders to Genocide,” *The Atlantic Monthly*, September 2001, accessed September 11, 2001, [wysiwyg://1/http://www.theatlantic.com/issues/2001/09/power.htm](http://www.theatlantic.com/issues/2001/09/power.htm).

²⁸³ Melvern, *Conspiracy to Murder*, 16.

invasion originated made them prime candidates for illegally aiding the RPF. The Bagogwe did not help the RPF, but that did not stop them from almost being completely obliterated.²⁸⁴

In 1993, the RPF regrouped and delivered several humiliating defeats to the Rwandan army, prompting the arming of citizens and the creation of local militias.²⁸⁵ The threat from the RPF coincided with the country moving toward democracy. Political groups began forming and demanding change. France, Belgium, and other Western leaders were eager to end the civil war between Rwanda and the RPF given the number of other issues in the world at the time (Somalia, Haiti, the former Yugoslavia). They pushed for the two groups to cease-fire and engage in peace talks to reintegrate the Tutsis back into Rwandan society. The Arusha Peace Accords set up Rwanda to have leaders from both the Hutu and the Tutsi groups participating in making policy.²⁸⁶ The peace process, however, was not strongly supported by many Rwandan political groups, and violence against Tutsis continued throughout the peacemaking process. The treaty was eventually signed and lauded by Western powers as a great “diplomatic achievement.”²⁸⁷ Ironically, conservative Hutus in Rwanda saw the treaty as a national disgrace because it incorporated the RPF into the national army and brought Tutsis into leadership once more.

The failure of the Arusha Accords to gain support in conservative Hutu groups can be understood by their already well-laid plans for genocide. Melvern describes how, throughout the peacemaking process in 1993, Rwanda spent most of the money it received from the IMF and World Bank on “agricultural items” such as machetes, hoes, nails, etc.²⁸⁸ The peace accords were never expected to be implemented successfully by many Hutu leaders. Meanwhile, President Habyarimana, who did manage to remain president in the transitional government under the

²⁸⁴ Melvern, *Conspiracy to Murder*, 17.

²⁸⁵ Ibid.

²⁸⁶ Power, *A Problem from Hell*, 332.

²⁸⁷ Melvern, *A People Betrayed*, 20.

²⁸⁸ Melvern, *Conspiracy to Murder*, 90.

peace accords, had lost most of his influence and power over conservative Hutus in Rwanda. Melvern, Samantha Power, and others have noted how the conservative Hutu groups, particularly those who served in the Rwandan military, had secretly laid plans for genocide.²⁸⁹

Early in April 1994 Habyarimana was on a flight leaving Kigali Airport in Rwanda when the plane was shot down. It is not known who shot down the plane, but the Tutsis were automatically blamed for the assassination, and the Hutu military and Rwandan Patriotic Front began fighting once more. The Arusha Peace Accords completely collapsed, and the long laid plans of militant Hutus in Rwanda were activated. Anti-Tutsi propaganda, which had been used heavily in the previous four years, called on Hutus to defend themselves from the RPF's attempts to destroy them and to rid themselves of the "cockroaches," a term used to describe the Tutsis and moderate Hutus, who would help the RPF. The militias and the weapons that had been built up over the last few years as "defensive measures" against the RPF were used to begin an all out campaign against the Tutsi minority in Rwanda. Tutsis and moderate Hutu politicians were targeted first, and then civilians were targeted for extermination. Nowhere, including churches, hospitals, or homes, was safe.

The U.S. State Department had been aware of the ethnic hostilities in Rwanda for some time, and intelligence officers had predicted a very bloody conflict between the two as being inevitable if the Arusha Peace Accords failed.²⁹⁰ As reports of the conflict came pouring in to the U.S. and the U.N., Belgian peacekeeping forces already in Rwanda tried to help. These soldiers, however, were targeted by the state Hutu military. They were brutally killed, and Belgium relatively quickly withdrew the rest of its soldiers. The U.S., already well briefed about the nature of the situation, sent in a battalion of soldiers to remove the 280 or so U.S. citizens from

²⁸⁹ Melvern, *Conspiracy to Murder*, 72. Power, *A Problem from Hell*, 343. Alison Des Forges, "Shame," *Foreign Affairs*, (May-June 2000): 141-144, 141.

²⁹⁰ Melvern, *Conspiracy to Murder*, 128.

the country and aid the Belgians in any way in their departure.²⁹¹ This evacuation came only two days after the assassination of Habyarimana. Under U.S. pressure, the U.N. withdrew the majority of its peacekeeping force as well. This was exactly what the Hutu military leaders in Rwanda had hoped for by killing the soldiers. They hoped to spark concern over another Somalia-like situation, and they succeeded.²⁹²

What is evident by looking at Rwanda's history and the events leading up to genocide in April 1994 is that Western powers were more than aware of the occurrences of genocide in the past and well briefed about the possibility for additional violence. A U.S. State Department report even estimated the number of people who would die from another conflict should the Arusha Accords fail to be around 500,000.²⁹³ Additionally, when the Arusha Accords had been signed, a U.N. peacekeeping force headed by Lt. Col. Romeo Dallaire was placed in Rwanda to help facilitate the peace. Dallaire's monthly reports provided serious reservations on the situation in Rwanda and about his force's ability to do anything should full scale violence break out.²⁹⁴ The U.S. and its counterparts in the U.N. were fully aware that they had a case of genocide on their hands when hostilities broke out in April 1994.

4.2 Clinton's 1994 News Conferences/Radio Addresses/Press Briefings

President Clinton had a full plate in 1994: the conflict and genocide in Bosnia was still a full-scale issue; the U.S. decided to intervene in Haiti; the U.S. had just experienced the debacle in Somalia; North Korea was not complying with international demands to stop developing nuclear power; and a small African nation called Rwanda was in turmoil. People dying in Africa was nothing new to Americans, or probably to the Clinton administration; however, what

²⁹¹ Ibid.

²⁹² Power, "Bystanders to Genocide," 9.

²⁹³ Power, *A Problem from Hell*, 357. Melvern, *Conspiracy to Murder*, 114.

²⁹⁴ Melvern, *Conspiracy to Murder*, 100. Power, "Bystanders to Genocide," 4.

occurred in Rwanda was not like anything else going on in the world. Nevertheless, Clinton made few public comments about the violence there. How Clinton addresses Rwanda is on a new level of vagueness when compared to Bosnia. Clinton never makes attempts to explain the situation in depth in Bosnia, but he does even less to acknowledge the situation in Rwanda. What can be seen is the treatment of Rwanda as a nation that has no “link” to the U.S., and so U.S. aid is directed at “humanitarian efforts” rather than preventing or intervening to stop genocide. The events are “tragic,” but beyond the U.S.’s ability to influence or stop. The radio addresses and brief public comments that Clinton makes during 1994, and the remarks his administration makes, will demonstrate a rhetorical strategy that sought to de-link the U.S. from Rwanda, that actively framed the Rwandan situation as one that was not genocide, and one that attempts to address “the individual responsibility to protect” by justifying U.S. action as being centered on “humanitarian aid.”

Clinton first publicly talked about the issues in Rwanda when he released an official statement on April 7, 1994 condemning the actions of the Rwandan military and expressing regret for the death of the president and other leading members in the Rwandan government.

I was shocked and deeply saddened to learn of the tragic deaths of President Juvenal Habyarimana of Rwanda and President Cyprien Nyaryamira of Burundi last night in a plane crash outside Kigali, Rwanda. The two Presidents were returning from a regional summit in Arusha, Tanzania, intended to bring an end to the civil wars that have plagued their two countries for more than three decades.

Both Presidents were seeking means to end the bloodshed in their troubled countries and facilitate a movement toward peace and democracy. Their deaths are a tragic blow to the long-suffering Rwandan and Burundian people.

I am equally horrified that elements of the Rwandan security forces have sought out and murdered Rwandan officials, including the Prime Minister, Agathe Uwilingiyimana.

On behalf of the people of the United States, I extend my condolences to the families of the deceased Presidents and the Prime Minister as well as to the peoples of the two nations.

I strongly condemn these actions and I call on all parties to cease any such actions immediately. These tragedies must not derail Rwanda and Burundi from pursuing national reconciliation and democracy.²⁹⁵

This is by far the most detailed account of what happened in Rwanda that Clinton gives in 1994. It clearly describes the assassination and the murders that were committed in the first few days of the conflict. It also describes the U.S. position on these events as “condemning,” with Clinton saying, “I strongly condemn these actions and I call on all parties to cease any such actions immediately.” It is an early moment where Clinton places value on human life and rights, promoting both and respecting the UDHR’s wish that these rights are acknowledged, though he makes no promises of protecting them. This is also the first time Clinton addresses the CPPCG by encouraging the two groups to return to peace. He is using his power as the president of the U.S. in an attempt to influence the groups. Despite the statement describing the murders of the state officials being the main focus, it is a moment where the Clinton administration takes a clear stance on the turmoil in Rwanda. Unfortunately, their disapproval did not count for much when not backed up with a more threatening promise.

²⁹⁵ William J. Clinton: “Statement on the deaths of Leaders of Rwanda and Burundi,” April 7, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/index.php?pid=49938>.

Clinton also makes an early mention of the problems in Rwanda during his Radio Addresses in 1994.²⁹⁶ During his April 9, 1994 radio address he said at the very end of the address:

Finally, let me say just a brief word about a very tragic situation in the African nation of Rwanda. I'm deeply concerned about the continuing violence following the assassination of the President, the Prime Minister, and other officials as well as some of our United Nations peacekeepers. There are about 250 Americans there. I'm very concerned about their safety, and I want you to know that we're doing all we can to ensure their safety. I ask you to join together this morning in praying for their safety and for a return to peace in Rwanda.²⁹⁷

The statement acknowledges the existence of Rwanda and the start of violence, but it focuses the talk about violence on the 250 Americans there. Yes, all these other people “the President, the Prime Minister, and other officials...United Nations peacekeepers” have died, but our concern is for the Americans that are there. This is one of the first times that the President publicly says something about what is going on in Rwanda, and what he says is directed not at the violence and turmoil there, but at the Americans who might be in danger. I argue this focus on the Americans in Rwanda takes away from the violence in Rwanda itself and what the people in Rwanda were going through. American listeners were not informed that the conflict was focused on the extermination of a particular group. Clinton presented the violence in Rwanda as a threat to American lives, creating anticipation among American citizens that if the Americans there were not saved they could come to harm. Clinton’s statement, while harmless on the surface, is

²⁹⁶William J. Clinton: “The President’s Radio Address,” 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/index.php?pid=49938>.

²⁹⁷William J. Clinton: “The President’s Radio Address,” April 9, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/index.php?pid=49938>.

actually a rhetorical move that directs attention away from Rwanda and places a focus on American interests. The ICJ ruling determined that states with connections to states embroiled in genocide had an obligation to assert their influence to “attempt” to stop or prevent genocide from occurring. Once again, we can expect legal advisors to have been aware of this kind of an interpretation of the CPPCG, and thus would have helped administrations, like Clinton’s, prep for how to avoid fully committing to the CPPCG. The focus on protecting Americans distracts from Rwanda’s issues and from the U.S.’s participation in the failed Arusha Peace Accords. Individual state interests supersede international connections in this instance.

Clinton makes another public plea during a radio address on April 30, 1994 for the leaders of Rwanda to stop the violence.

The horrors of civil war and mass killings of civilians in Rwanda, since the tragic deaths of the Rwandan and Burundian Presidents 3 weeks ago, have shocked and appalled the world community.

On behalf of all of the American people, I call on the Rwandan army and the Rwandan Patriotic Front to agree to an immediate ceasefire and return to negotiations aimed at a lasting peace in their country.

I applaud the efforts of regional leaders actively engaged in the quest for peace. I reaffirm the American commitment to participate in renewed negotiations under the Arusha framework.

The pain and suffering of the Rwandan people have touched the hearts of all Americans. It is time for the leaders of Rwanda to recognize their common bond of

humanity and to reject the senseless and criminal violence that continues to plague their country.²⁹⁸

The statement is yet another moment where the U.S. is taking a disapproving stance on the violence in Rwanda. There are several important rhetorical strategies that the administration continues to use that we can pull from this address. The first is the description of the violence in Rwanda as “civil war.” While Clinton describes it as “civil war and mass killings of civilians,” allowing for the excessive murders occurring, he does not make a clear distinction between the two. Civilians get killed all the time during wars. Clinton sets this up to read as if the civil war is the cause of the mass killings, when in reality the fighting between the Rwandan army and RPF only accounted for a small percentage of civilian deaths compared to the genocide raging throughout the country.²⁹⁹ The next thing to note is another plea for a cease-fire and a return to the Arusha Peace Process. Clinton discusses in his earlier address, and again here, the Arusha Peace Accords that the two conflicting parties were already working on when Habyarimana was killed. Clinton likely emphasizes the Accords in an attempt to demonstrate how the U.S. has played a part in the process to bring Rwanda to democracy. The failure of the Arusha Peace Accords has led the U.S. to be as confused and frustrated with Rwanda as everyone else. “Just stop fighting” is the message Clinton sends, and while this relates with the UDHR and covers CPPCG obligations partially, by condemning the actions it misleads listeners. The groups are not just fighting, the Arusha peace accords were not close to solving anything, there were other “goals” the Rwandan military were trying to meet, and the “civil war” was covering their actions. This is frustrating because we know President Clinton had all of the information

²⁹⁸ William J. Clinton: “The President’s Radio Address,” April 30, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/index.php?pid=49938>.

²⁹⁹ “Outreach Programme on the Rwandan Genocide,” Online by the United Nations, <https://www.un.org/en/preventgenocide/rwanda/education/rwandagenocide.shtml>

necessary to have a basic understanding of the genocide occurring, especially by the end of April, yet he simplifies what is going on in Rwanda.³⁰⁰ Furthermore, he idealizes the situation, saying, “It is time for the leaders of Rwanda to recognize their common bond of humanity and to reject the senseless and criminal violence that continues to plague their country.” This is reminiscent of the UDHR’s description in its preamble: “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.” Clinton’s remarks mirror the ideal language in the UDHR to condemn the Rwandan forces, but he does not use ideals in this instance to justify a U.S. led intervention.

Clinton continues to embrace the ideal in the last paragraph of this statement when he addresses how the violence and suffering of the Rwandans has “touched the hearts of all Americans.” It is a moment where Clinton addresses the “individual responsibility to protect” among people, but he directs responsibility for addressing the violence to the “leaders of Rwanda” who need to “reject the senseless and criminal violence that continues to plague their country.” Clinton completely removes himself from the equation of stopping the violence in Rwanda here. The “senseless and criminal violence” is only solvable by the Rwandan leaders who are responsible for it. The American people who’s “hearts have been touched” can only sit back and let Clinton speak for them in requesting these individuals to cease fighting. It is a move Clinton has made before when discussing American relations to Bosnia. He claimed then, as he does here, that the parties fighting must decide upon peace. He cannot make them come to peace.³⁰¹ Thus, we see again a focus on the end of the conflict, with Clinton stating how he

³⁰⁰ Melvern, *A People Betrayed*, 130. Melvern, *Conspiracy to Murder*, 107. Power, *A Problem from Hell*, 335. Power, “Bystanders to Genocide,” 16.

³⁰¹ William J. Clinton, “The President’s News Conference,” April 20, 1994, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=50006>.

would support “the American commitment to participate in renewed negotiations under the Arusha framework.” Despite the Arusha framework not being one that worked the first time for making peace, Clinton still presses for an end to the conflict so that they can return to this framework.

The last statement also contains the phrase “senseless and criminal violence,” which is both misleading and a warning. It is misleading because Clinton calls the violence “senseless” when it was clearly a well organized, well thought out, and excellently executed coup and genocide. The plan for a pure Hutu state was being carried out with the same tenacity and accuracy as the Nazis did with targeting their Jewish population. The only difference was the mechanism of death. This mischaracterization, however, continues the ideal story Clinton tells in this radio address that says the Rwandan leaders only need to stop fighting in order for peace talks to resume. It clearly undermines understanding of the genocidal situation in Rwanda. The next part of the phrase, however, was a warning. Clinton says “senseless and criminal violence” with the next part “criminal,” describing the violence as illegal. When we hear the word criminal it generally references illegal activity, wrongdoing, an action that must, or will, or could, be punished. Clinton may not give a clear and concise description of the conflict, or of U.S. opportunities to engage and stop the slaughter occurring, but he does make a small attempt here to warn any Rwandans listening that he knows what they are doing is wrong. To the American listener, they may have missed the subtle moment where Clinton calls out the Rwandan actions; however, it is an important small moment because it is Clinton identifying the actions of the Rwandans as illegal, and therefore punishable. Clinton is already “covering” some of his CPPCG obligations by warning the Rwandans of the implications of their actions. Article four of the CPPCG states, “Persons committing genocide or any of the other acts enumerated in Article 3

shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals,” which would mean that the leaders in Rwanda directing the violence could be held accountable. Clinton’s subtle reminder to them of this consequence is one of the only times during the actual genocide that he makes any attempt to forewarn Rwanda of the international consequences they could face for their genocide.

The above statement is even more important given that it is one of the few public statements that Clinton makes about Rwanda while the genocide is occurring. After examining all of his news conferences for 1994 (43 in total) available at *The American Presidency Project*, when the full-scale genocide broke out, there is not one reference to Rwanda.³⁰² These news conferences were one of the main sources for the President to explain his policy and set expectations through discussions with journalists who attended these conferences. In comparison with Bosnia, which was discussed or at least mentioned briefly every other news conference Clinton had from 1993-1995, Rwanda does not get the same treatment, and this is rhetorically significant. It signifies not only how Clinton and his administration viewed the U.S./Rwanda relationship, but it indicates Clinton’s strategy in addressing the storm of problems in Rwanda. As Stuckey and others have noted, the President’s ability to direct attention to certain issues is unprecedented.³⁰³ Clinton’s choice to not talk about Rwanda very much is a clear indicator of where it stood on his foreign policy agenda: “not something he was interested in.” Furthermore, without a more open discussion, it did not seem like an issue that Americans needed to be concerned about. It was sad certainly, but it was not something the U.S. could be deeply involved

³⁰² William J. Clinton: “The President’s News Conferences,” 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*,

http://www.presidency.ucsb.edu/news_conferences.php?year=1994&Submit=DISPLAY.

³⁰³ Mary Stuckey, *Jimmy Carter, Human Rights, and the National Agenda*, (College Station: Texas A&M Press, 2008), 128.

in, at least this is the impression that Clinton's silence gives. This silence devalued the Rwandan genocide and plays a part in it being overlooked by the world for an extended period of time.

The Clinton administration did not completely ignore Rwanda in 1994. There are a handful of press briefings where journalists bring up Rwanda and a response is given by an administration official. I would like to turn our attention to these few instances in order to direct our understanding of how, outside of silence, the Clinton administration was managing their relationship to the Rwandan genocide in light of UDHR and CPPCG obligations. I argue that not only is a president able to devalue something by not actively speaking about it, but he can devalue it by who in the administration is given the responsibility to speak about it. During the months that the Rwandan genocide occurred, April-July 1994, press briefings with Dee Dee Myers, the President's Press Secretary, referenced Rwanda the most. This is in comparison with the large number of people who spoke about Bosnia, including Clinton, his national security advisor, a general, and several members of Clinton's administration. The sheer number of people who spoke about Bosnia gave the issue more attention, more worth, and it displayed a more detailed rhetorical strategy. In contrast, Clinton, Meyers, and some African relief agency representatives talk about Rwanda among the administration in 1994. The only other major government entity that discussed what was going on in Rwanda was the U.S. State Department. I argue that limiting the number of people talking about Rwanda was done because it was viewed as a crucial issue when it was occurring, and, because the Clinton administration did not want to make it a big issue by having a lot of people talk about it. Also, this was because Meyers and the U.S. State Department were not going to get as much attention speaking about Rwanda as Clinton and his senior administration officials would get. It was another rhetorical strategy to limit the connection the U.S. had to Rwanda and to direct attention away from the event as

something not worth giving attention to. We can see how this plays out by looking at the press briefings with Meyers who was first asked about Rwanda on May 2, 1994 and she responded:

Obviously, the situation in Rwanda is tragic. There's a humanitarian crisis there, not to mention the tens of thousands of people that have been killed in the inter-ethnic fighting. We're doing -- the United States is doing a number of things. Assistant Secretary of State for Humanitarian Aid, John Shattuck, and Ambassador Rawson will be returning to the region -- I believe they leave tomorrow night. I'll have to double-check that. There they'll meet with regional leaders, including the President of the OAU and others to try to reinvigorate talks toward some kind of a settlement there. The President taped a statement on Saturday, which was aired in Rwanda. I think it calls on all sides to make peace. And finally, we've had direct contact through our diplomatic channels with the rebels and the government forces there urging them to continue negotiations. They're supposed to start again tomorrow in Arusha, which we will continue to encourage.³⁰⁴

The first thing to notice is that Meyers immediately labels what is going on in Rwanda as a “humanitarian crisis.” Though this is not untrue, it works to deemphasize the importance of what is going on in Rwanda as a world event. Next, Meyers labels the conflict “inter-ethnic fighting.” Again, this is not untrue, but it is a slightly misleading statement. While the RPF and the Rwandan military were clashing, the main violence occurring in the nation was the activation of local Hutu militias for the purpose of locating and killing Tutsis.³⁰⁵ There was far more outright murdering than there was fighting. The Clinton administration misrepresents the issue here further with talk about needing to reach a settlement between leaders, and President Clinton

³⁰⁴ William J. Clinton: “Press Briefing with Dee Dee Myers,” May 2, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59803>.

³⁰⁵ Melvern, *Conspiracy to Murder*, 119.

making a tape calling on both sides to stop fighting. The way Rwanda is being named and described by Meyers makes the Rwanda crisis seem like a civil war. It puts a focus on U.S. engagement in Rwanda prior to the outbreak of the main genocide in 1994 and frames the violence as being due to “different groups” not following the Arusha Peace Accords. This “sanitizes” the genocide that was occurring. Furthermore, by May, the genocide had been going on for a month. It would seem that the United States, which has several of the best intelligence agencies in the world, would understand what was going on there. Regardless, the naming of the event by someone other than the president, coupled with the name given being one which misconstrues the nature of the situation, is a clear way that the administration sought to cut any substantial ties to the crisis and their responsibility to address it outside basic aid. The humanitarian aid worked for two purposes. First, it worked as a connection to the UDHR that kept the administration from being accused of failing to respect and help maintain human dignity and rights. Second, it could be used to describe American attempts to help with the situation according to obligations in the CPPCG. The ICJ’s 2007 ruling on the CPPCG indicates all states must give as much help as they are reasonably able to give to prevent and stop genocide.³⁰⁶

The next question Meyers gets from journalists during the May 2 press briefing is in fact about what the United States is doing about the situation in Rwanda. Meyers discusses the U.S. giving some financial assistance to the Rwandans, but always limits U.S. engagement to humanitarian relief organized by the U.N. “It is a desperate situation. And it's difficult to address on a number of levels. But, again, we are doing what we can to provide additional humanitarian assistance and continue working with the U.N. and to try to reach some kind of a settlement that

³⁰⁶ “Convention on the Prevention and Punishment of the Crime of Genocide,” Online by the United Nations, <https://treaties.un.org/doc/Publication/UNTS/Volume%2078/volume-78-I-1021-English.pdf> Eyal Mayroz, “The Legal Duty to ‘Prevent:’ After the Onset of ‘Genocide,’” *Journal of Genocide Research* (March 2012): 79-98. *Bosnia Herzegovina vs. Serbia Montenegro Decision*, Online by the International Court of Justice, <http://www.icj-cij.org/docket/index.php?p1=3&p2=3&case=91&code=bhy&p3=4>

will stop the violence.”³⁰⁷ Meyers enacts the administration’s rhetorical strategy further by describing how they are providing “humanitarian assistance.” We can see how the aid is framed by how the event is being referenced as a “humanitarian crisis.” The U.S. is donating materials, engaging with the U.N. to see how they can help provide *humanitarian relief*. Naming the event as a humanitarian issue further detracts from the reality of the situation and removes pressure from the administration to do more. There is a focus on individuals suffering from an event that the U.S. has no control over, so relief is all that can be provided. After all, the UDHR does say that people have a right to a good life, a life with food, economic opportunities, and security.³⁰⁸ While the U.S. cannot provide these rights to everyone, they are trying to “promote” rights as the UDHR requests of “state organs and individuals.” Meyers’ description of the humanitarian aid also works to address individuals with the “individual responsibility to protect,” reassuring them that something is being done for the Rwandans. Unfortunately, the “individual responsibility to protect” that is experienced by people does not cause them to investigate the conflict. This makes them a target for manipulation. As was saw in the Bosnian case, people were oftentimes satisfied early on by being told that there was a plan. Even if the description of the plan was extremely vague, there was a plan, and all Clinton had to do was assure people that he was committed to helping resolve the conflict and stopping the violence. He said all the right things, and people would feel satisfied for a while until those plans and promises did not change the situation. There is the same situation going on here, however, due to the media’s relatively low interest early on in the Rwandan conflict. People generally had never heard of Rwanda, and thus a simple explanation such as what Meyers gives was sufficient enough to address those who were

³⁰⁷ William J. Clinton: “Press Briefing with Dee Dee Myers,” May 2, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59803>.

³⁰⁸ “The Universal Declaration of Human Rights,” Online by the United Nations, <http://www.un.org/en/documents/udhr/index.shtml>

unaware of the situation.

There is also brief mention of helping to reach a settlement to end the violence, but nothing is explicitly stated. There is no detail given about how that settlement will be achieved, or if sanctions will be placed on Rwanda, or if the U.S. will pressure the leadership involved in the violence to stop. There is a great deal that can be assumed from such a broad statement, and it works as a form of prolepsis, setting an expectation for something to happen, even though there is no knowledge of how it will happen or when. The statement also covers U.S. commitments to the CPPCG by stating that the U.S. plans to aid in settling the conflict. The U.S. is doing something even though, once again, there is no connection between the two countries. Furthermore, we can see the same focus in this statement as was seen in Bosnia: on ending the conflict. Nothing is said in detail about what the conflict is, how the Rwandans are being effected by it, why the conflict started, or what the current state of Rwanda is after a month of “fighting.” This focus on the end of the conflict, on the peace process, and not on the conflict itself works in a way to justify not talking about the conflict, which in this case works to the Clinton administration’s advantage.

The next time Meyers is asked about Rwanda is on May 10, 1994.³⁰⁹ Inquiries about the nature of the assistance that the U.S. is supposed to be giving are raised.³¹⁰ She discusses the Department of Defense beginning airlifts of “humanitarian relief supplies” and says, “we’re continuing to press for continuation in diplomatic efforts;” however, when pressed about what these diplomatic efforts were, Meyers gives yet another vague answer: “we’re trying to revive a regional dialogue there aimed at a cease-fire and a cessation of hostilities generally.” Meyers helps to give the impression that the U.S. is actively involved in stopping the violence in Rwanda

³⁰⁹ William J. Clinton: “Press Briefing with Dee Dee Myers,” May 10, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59863>.

³¹⁰ Ibid.

through diplomatic channels. However, it is clear from her early characterization of the conflict as a “civil war” that the U.S. does not want to give the impression that this conflict is their responsibility. The goal is to continue framing the violence in Rwanda as a civil war, which the U.S. cannot get involved in, but will aid diplomatically in order to be respectful of that state’s sovereignty. On the flip side, engaging in attempting to settle the conflict, even if only diplomatically, will cover CPPCG obligations to help stop genocide.

We continue to see the mischaracterization of the Rwandan conflict present in other officials’ press briefings. In the same press conference discussed in the Bosnian section, National Security advisor Anthony Lake spoke on May 5, 1994 about the U.S. reducing its peacekeeping initiatives.³¹¹ He only references Rwanda once when he admits that there had been a number of peacekeeping “setbacks there.”³¹² However, he describes the U.S. reducing its peacekeeping operations as smart because peacekeeping missions, “though a good investment,” are “too expensive.”³¹³ This outlook, though not verbally directed at Rwanda, clearly speaks to U.S. policy toward stopping the genocide. Lake, and later in the briefing General Wesley Clark, provides silent no’s to the question of U.S. intervention or active leadership in Rwanda. Their talk about peacekeeping operations circumvents direct discussion about Bosnia and Rwanda. In Rwanda’s case this is particularly destructive, because, as I have noted, higher ranking officials not talking about an event in conjunction with the president not talking about an event reduces the event’s standing in the American public’s mind. Rwanda continues to not be understood, and therefore the CPPCG’s demands for *prevention* of genocide continue to be undermined by the silence surrounding Rwanda.

³¹¹ William J. Clinton: “Press Briefing by National Security Advisor Tony Lake and Director for Strategic Plans and Policy General Wesley Clark,” May 5, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59839>.

³¹² Ibid.

³¹³ Ibid.

The next officials to speak about Rwanda were Ambassador Andrew Young, C. Payne Lucas, the President of Africare, and Michael Clough from the Council on Foreign Relations on June 27, 1994 while discussing the African conference that was hosted in Washington prior to the press briefing.³¹⁴ Clearly Africa has struggled with many problems, and a conference about Africa would not make sense if it centered on only one country. Nevertheless, given the extreme violence and loss of order in Rwanda, one would expect that it would be at the top of the agenda for people discussing African issues. What one sees though is a continuation of the rhetorical strategy set down by Clinton and his administration to *not* recognize the situation in Rwanda as genocide, or as something that demanded action, or as something that had great importance for Americans. Young, Lucas, and Clough each take turns saying essentially the same thing, which is that African needs are not limited to the events in Rwanda. What is happening in Rwanda is bad and we should work to make sure that similar issues do not happen in other countries, etc. Young says, “one of the points that was made in the conference, is that there needs to be high-level contact with these trouble points to prevent the kind of thing that we have in Rwanda.”³¹⁵ This is frustrating because there were a number of Western powers backed by the U.N. engaged in Rwanda by 1991 to try and curb the racial murders occurring there. There were people there on the ground making contact. The U.N. even sent a peacekeeping force to help promote the peace while the agreements of the Arusha Peace Accords went through. The issue that Young leaves out is that the Arusha Peace Accords were mediated by Western powers and had Western

³¹⁴ William J. Clinton: “Press Briefing by Andrew Young, Former Ambassador to the United Nations, C. Payne Lucas, President of Africare, Michael Clough, Council on Foreign Relations,” June 27, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59835>.

³¹⁵ William J. Clinton: “Press Briefing by Andrew Young, Former Ambassador to the United Nations, C. Payne Lucas, President of Africare, Michael Clough, Council on Foreign Relations,” June 27, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59835>.

prerogatives for peace that drove the negotiations. The negotiations for the Arusha Peace Accords did not address or create realistic and achievable solutions for the Rwandans and the displaced RPF.³¹⁶ The peace accords played a part in pushing already developing plans for violence past the point of no return. Furthermore, Young does not address the suspicious behavior of Rwandan leaders in the years leading up to 1994, with the development of local Hutu militias, the excess spending on weaponry, or the outbreaks of violence targeted at Tutsis. There were a great many warning signs leading up to 1994 that people on the ground noticed, but when they reported it to these larger organizations there was nothing done. However, none of these missing points is nearly as important as the key word that Young uses: “there needs to be high-level contact with these trouble points to *prevent* the kind of thing that we have in Rwanda.” Totten explains to us that the CPPCG focuses on two main things: the prevention and the punishment of genocide. Here, Young uses the key word “prevent” to describe ongoing efforts. Clearly the Clinton administration, while aware of how the CPPCG’s obligations may be interpreted, wanted to make their own interpretations. Here the argument is being made that there is “something” going on in Rwanda, and they knew that this “thing” was genocide, and that in order to “prevent” that “something” from happening elsewhere, here is what we propose to do. The argument is that the U.S. and agencies that work through the U.S. are learning from these situations in order to “prevent” similar situations down the road. This is problematic because it unintentionally plays along beautifully with the UDHR’s preamble’s goals of constantly moving forward, making progress, teaching about and supporting human rights. Rwanda then is a bump in the road that can be learned from for future problems. It completely takes away from the situation, making the claim that there is no obligation to intervene because it is already happening and therefore not preventable. Therefore, the CPPCG cannot be activated, but,

³¹⁶ Melvern, *Conspiracy to Murder*, 94.

because we can learn from it, we can promote human rights in the future for others and prevent the current situation from happening again.

Young also maintains the administration's policy of not saying the word genocide to begin with, but then also works to write off Rwanda as a lost cause. He does not say this directly, but neither does he spend anytime talking about what should be done once "things" like Rwanda happen either. Lucas continues this vague kind of language, also referencing the "thing" in Rwanda: "because we've been talking about for two days, how do we avoid the kind of thing that we have in Rwanda."³¹⁷ The refusal here to name what is going on in Rwanda demonstrates that "humanitarian crisis" as a descriptor was considered vastly inadequate by this point. By June, estimates of the number of deaths in Rwanda had begun to be released in major media outlets, and it was becoming more clear how far short humanitarian crisis fell in describing the "thing" in Rwanda.³¹⁸

The Clinton administration makes an important statement on July 15, 1994 about the closing of the Rwandan embassy in the U.S.³¹⁹ It is very short, but incredibly important: "The United States cannot allow representatives of a regime that supports genocidal massacre to remain on our soil."³²⁰ The genocide in Rwanda had been raging for over three months by July 15, 1994, and it is a very important moment when Clinton makes an official order removing the Rwandan embassy from U.S. soil. It is the closest the Clinton administration comes in 1994 to officially calling the crimes in Rwanda genocide plain and simple. The description used, "genocidal massacre," is not quite as powerful, for while it uses genocide as an adjective to

³¹⁷ William J. Clinton: "Press Briefing by Andrew Young, Former Ambassador to the United Nations, C. Payne Lucas, President of Africare, Michael Clough, Council on Foreign Relations," June 27, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59835>.

³¹⁸ Allan Thompson, ed. *The Media and the Rwandan Genocide* (London: Pluto Publishers, 2007), 68.

³¹⁹ William J. Clinton: "Official Statement," July 15, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59863>.

³²⁰ *Ibid.*

describe the nature of the “massacre,” it does not invoke the same legal and historical weight that the term “genocide” alone does. To plain and simply call a regime’s actions genocide is far more declarative and aggressive. While this is just another moment where the administration refuses to call the “thing” in Rwanda genocide, it is also one of the moments where we can see the administration struggling with the constraints placed on it by the CPPCG. It was clear that genocide was happening in Rwanda, and it was also clear that the U.S. did not want to get involved anywhere else in the world. So, in order to try and still meet basic CPPCG requirements, the Clinton administration and the U.S. State Department acknowledged at different points that “genocidal acts” and “genocidal massacre” were occurring. This still allowed them to not “activate” the CPPCG fully, by simply calling it genocide, but it also let the public and world know that the Clinton administration knew what was going on.

On August 1, 1994, President Clinton wrote a letter to Congress informing them of U.S. relief efforts he had organized and deployed to Rwanda now that the genocide was over (the RPF took control of Rwanda in July and began cooperating and requesting humanitarian assistance from the U.N.).³²¹ The letter, while not a public announcement, was available to the public once read in Congress. It details briefly the events leading to the genocide, with the deaths of the Rwandan and Burundi presidents and subsequent militant Hutus taking over the country and beginning the fight with the RPF again. Clinton describes how the “incident ruptured the peace and led to a resumption of the civil war that has now resulted in the deaths of hundreds of thousands of Rwandans, many of them Tutsi civilians who were the victims of genocide on the part of radical Hutu elements aligned with the former government.”³²² It is the first time Clinton

³²¹ “The Rwandan Patriotic Front,” Online by Human Rights Watch, <http://www.hrw.org/reports/1999/rwanda/Geno15-8-03.htm>

³²² William J. Clinton: “Public Documents: Letter to Congress,” August 1, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59863>.

precisely calls what happened in Rwanda genocide, but he only calls it genocide after it is already over. This is significant in a number of ways. First, it demonstrates Clinton attempting to fulfill his duties to the CPPCG by informing the Congress of his relief efforts and his communications with the new government as it seeks to establish stability and come to terms with the violence that it just underwent. The CPPCG charges in article six that “persons charged with genocide or any of the other acts enumerated in Article three shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.”³²³ Clinton describes in his letter how the U.S. has “urged this new government to broaden its political base, refrain from retribution, respect the rule of law, and otherwise create the conditions of safety and security that would permit the refugees to return home.”³²⁴ While there is no acknowledgement of the CPPCG, it can be seen that Clinton is working with other nations to help rebuild Rwanda so that it has the ability to begin dealing with the genocide as it is charged to do in article six. While the efforts Clinton describes are mainly humanitarian efforts that satisfy UDHR principles far more than the CPPCG principles, the attempt to cover “obligations” is still present.

Clinton turns increasingly toward the values stated in the UDHR as discussion around Rwanda deepens and more knowledge emerges about the genocide in 1994. In his radio address on December 24, 1994, Clinton says,

Of course, there are still too many people, from Bosnia to the refugee camps outside Rwanda, who are plagued by violence and cruelty and hatred. And we must

³²³ “Convention on the Prevention and Punishment of the Crime of Genocide,” Online by the United Nations, <https://treaties.un.org/doc/Publication/UNTS/Volume%2078/volume-78-I-1021-English.pdf>

³²⁴ William J. Clinton: “Public Documents: Letter to Congress,” August 1, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59863>.

continue our efforts to help them find peace. But we should remember how many people around the world are moving toward freedom and how fortunate we are here in America to have been able to help them to move toward freedom. To them, America is a beacon of hope. They admire our values and our strength. They see in us a nation that has been graced by peace and prosperity. They look to us for leadership and for eternal renewed energy and progress.³²⁵

Clinton first describes how “there are still too many people...who are plagued by violence and cruelty and hatred,” but “we should remember how many people around the world are moving toward freedom and how fortunate we are here in America to have been able to help them move toward freedom.” Clinton describes the many issues in the world that the U.S. has helped to solve, and how we should continue to help “find peace.” This story of the benevolent leader is really interesting when compared with the UDHR’s preamble:

THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.³²⁶

³²⁵ William J. Clinton: “Radio Address,” December 24, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59863>.

³²⁶ “The Universal Declaration of Human Rights,” Online by the United Nations, <http://www.un.org/en/documents/udhr/index.shtml>

We can see a common thread between Clinton's statement about progress in the world from American initiative mirroring the aspirations laid out in the UDHR's preamble for "teaching and education to promote respect for these rights and freedoms by progressive measures." Clinton sets up the impression that despite the U.S. and other world leaders' failure to respect more fully the CPPCG, America is still a great leader doing a lot of good in the world. The narrative he develops is that the U.S. cannot do everything, but it is constantly working to improve conditions. This focus on progress is reminiscent of the UDHR's preamble, and it gives weight to his words by demonstrating at least some adherence to international law.

I have only looked at the news conferences, radio addresses, and press briefings for the Clinton administration in 1994, but it can be seen from this small set that there was not a lot said on Rwanda by the administration. People working for the administration were naming Rwanda's genocide as a "humanitarian crisis" or as a "thing." These names helped to circumscribe discussion of Rwanda. The vague, anticipatory language that often times accompanied talk about Rwanda was misleading and is evidence for the administration working to "manage" their international obligations. Clearly, silence from the president combined with confusions on naming and misrepresentations of U.S. commitment to Rwanda worked well as rhetorical strategies that made the Rwanda genocide look less important, and in the same stroke made the U.S. look good for still addressing the issues there. However, these rhetorical strategies fail to continue covering the Clinton administration once more knowledge about the killings in Rwanda is found after the genocide. In 1995-1998, Clinton is forced to continue rhetorical management of U.S. relations to the Rwandan situation in order to make sure the U.S. covered the ideals in the UDHR and the obligations in the CPPCG.

4.3 Post 1994: Clinton Describes Progress

Victims' stories of butchery and fright began to be disseminated across the globe after 1994. As Hauser argues, victims surviving their abuse and sharing their stories of survival enact the thick sense of the moral vernacular. Their stories began to challenge and shed critical light on the powers who participated in their subjugation. The United States, as a leading member of the U.N. and the lone superpower in the world in 1994, was brought under fire in subsequent years for not doing anything to stop the violence. This dissemination of knowledge forced Clinton to manage the Rwandan genocide in a similar fashion to the way he and his administration managed the Bosnian genocide: by engaging in the conflict on the borderline and using this small engagement to meet the bare minimum requirements of the UDHR and CPPCG's requests of state support for human rights. I will look at a couple of news conferences where Clinton discusses U.S. obligations and aid to Rwanda, and I will look at the speech he gave at Kigali airport in 1998. I will analyze how these documents sought to address the potential threats of accusations against the U.S. for not respecting and following the UDHR and CPPCG.

There is a narrative of progress that continues to be seen post 1994, when accusations of neglect were made against the Clinton administration for their treatment of the genocide in Rwanda.³²⁷ Clinton continued to try and demonstrate how much the U.S. had done in the world to minimize the effects of the genocide in Rwanda. In a June 12, 1996 news conference Clinton mentions Rwanda, along with a slew of other places the U.S. had been involved in as well, to describe the progress the world was experiencing because of their efforts.

Look at Bosnia, the Middle East, Russia, Rwanda, and Burundi, to name a few countries. And look at the global fight against crime, drugs, pollution, poverty, and

³²⁷ William J. Clinton: "News Conference," June 12, 1996. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59863>.

disease. Look, too, at the world trading system, at the future of the NATO Alliance. All of these issues need transatlantic leadership. And the new transatlantic agenda has given us a solid framework on which to build this strong leadership. We have made a good start, but we need to go much further.³²⁸

Clinton describes all these places where the U.S. made efforts to address some problem, and he imbues these places and their issues as being addressed, if only in part, by U.S. and “transatlantic efforts.” He gives a sense of moving forward: “we have made a good start, but we need to go much further.” This connects with the idea in the UDHR’s preamble that there must always be efforts to promote human rights and freedoms through progressive measures. This language style makes it easier to put past failures aside because some things were a success.

The U.S. did very little to help stop the Rwanda genocide, but that did not stop Clinton from attempting to absolve the U.S. for not intervening in his 1998 visit to Kigali, Rwanda. Over the four years after the genocide, reports of the terrible murders circulated widely. People began to hear about the tiny country in Africa in a new way. The conflict began to be construed as genocide and not tribal warfare.³²⁹ Certainly this put the Clinton administration in a difficult position. They seemed to be “accomplices to genocide,” and that did not flush well with the American narrative. During a planned visit to Africa, Clinton stopped in Rwanda to discuss American aid to the country. On March 25, 1998 at the Kigali Airport he gave a speech that did more than pledge American assistance to Rwanda.³³⁰ Clinton’s speech reclaims the space he had abandoned nearly four years earlier to name the conflict in Rwanda.

³²⁸ William J. Clinton: “News Conference,” June 12, 1996. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59863>.

³²⁹ Allan Thompson, ed. *The Media and the Rwandan Genocide*, London: Pluto Publishers, 2007, 103.

³³⁰ William J. Clinton, “Text of Clinton’s Rwanda Speech,” Online by CBS News, <http://www.cbsnews.com/news/text-of-clintons-rwanda-speech/>

After thanking his audience, Clinton opens the speech: “I have come today to pay the respects of my nation to all who suffered and all who perished in the Rwandan genocide.” It is straightforward, explicit, and clear. The U.S. President acknowledges that there was genocide in Rwanda, that a lot of people died, and that this is relevant to the U.S. The significance of Clinton not only acknowledging what went on in Rwanda, but giving a speech about it, is great. It does not invoke the CPPCG treaty, but it opens the door for CPPCG inquiries into the nature of the events, who committed them, and who did what to uphold their obligations.

Clinton backs up his declaration of genocide by describing the atrocities that took place: “Families murdered in their home, people hunted down as they fled [from] soldiers and militia, through farmland and woods as if they were animals.”³³¹ The narrative gives the name of genocide more presence because it confirms what genocide is and that it occurred in this place. Clinton describes in the speech how “it is important that the world know that these killings were not spontaneous or accidental.”³³² It is not enough to just call what happened genocide. Clinton discusses what genocide is in order to more clearly demonstrate how the situation in Rwanda was genocide. He continues this description with “these events grew from a policy aimed at the systematic destruction of a people.”³³³ These are clear-cut definitions from the U.N. definition of genocide in the CPPCG’s article 2.³³⁴ Genocide is set apart from mass murder almost always by the *intent* of the murderers. This intent is to destroy a people. This is a complete turn around from what the Clinton administration had been saying during the genocide. Let alone not wanting to say the word genocide, they de-emphasized the importance of the event and its relation to the U.S. Yet, here the President makes his clearest statements recorded on what the

³³¹ Ibid.

³³² Ibid.

³³³ Ibid.

³³⁴ “Convention on the Prevention and Punishment of the Crime of Genocide,” Online by the United Nations, <https://treaties.un.org/doc/Publication/UNTS/Volume%2078/volume-78-I-1021-English.pdf>

reality of the situation was.

The speech is representative of the narrative of progress that the Clinton administration wants to create. Clinton first discusses his responsibility for the address of the conflict: “The international community, together with nations in Africa, must bear its share of responsibility for this tragedy, as well.” It may be that what happened in Rwanda was genocide, but that does not make the U.S. the sole country responsible for letting the genocide persist. Clinton lessens his own burden by distributing responsibility to other countries because now he is not the only one who did not act. If progress is to be had, all nations must work together to act on these situations. However, there does remain the question of why did *he* not act? The confusion about the conflict is used by Clinton to explain his own absence. “It may seem strange to you here, especially the many of you who lost members of your family, but all over the world there were people like me sitting in offices, day after day after day, who did not fully appreciate the depth and the speed with which you were being engulfed by this unimaginable terror.”³³⁵ Clinton claims that he did not understand what the Rwandans were going through. It is through this claim that Clinton attempts to alleviate himself of the responsibility for not intervening. It was not that he did not care about the Rwandans; he just did not really know what was going on to do anything about it. This is of course very misleading, but falls in line with the narrative he is constructing.

The last part of the narrative addresses the abstract and oftentimes indeterminable U.S. policy toward Rwanda in 1994. When U.S. officials commented on what the U.S. was doing to help the Rwandans they often gave very general statements about what was being done (humanitarian aid) and how much aid might be given. In his speech, Clinton gives a step-by-step plan of what the U.S. and the international community need to do in order to “never again be shy

³³⁵ William J. Clinton, “Text of Clinton’s Rwanda Speech,” Online by CBS News, <http://www.cbsnews.com/news/text-of-clintons-rwanda-speech/>

in the face of the evidence.”³³⁶ The plan is significant also in that it lacks prolepsis, or anticipatory rhetoric. Many of the comments in 1994 about what the U.S. was doing were promises of “we will do this,” but in the Kigali speech Clinton is authoritative and describes “what we must do now,” and says, “we must work now to remedy the consequences of genocide.”³³⁷ He places what is going to be done in the present, not in some hopeful future moment. This immediacy is backed up with what the U.S. *has* been doing. Clinton says, “The United States has provided assistance to Rwanda to settle the uprooted and restart its economy, but we must do more.”³³⁸ This language is active and is demonstrating engagement with the present.

Towards the end of the speech, Clinton begins to describe how to move on from such a nightmarish experience by embracing the ideal. This ideal is reminiscent of the UDHR’s ideals. He claims knowledge on what drives these events from his experiences dealing with other conflicts: “I know it is not the division between Hutu and Tutsi, or Serb and Croatian and Muslim in Bosnia, or Arab and Jew, or Catholic and Protestant in Ireland, or black and white. It is really the line between those who embrace the common humanity we all share and those who reject it.”³³⁹ Clinton spent a great deal of this speech talking about the responsibility of the international community, but here he speaks from his own perspective as he describes what leads people to commit the crimes that they do. He relies on his previous work in the world to give him ethos in speaking to the problem of violence in the world. The moment works also to demonstrate what Clinton has achieved over his time in office. Though it is not an overt claim of “look at what I’ve done,” it is certainly a way of drawing attention away from his inaction with

³³⁶ Ibid.

³³⁷ Ibid.

³³⁸ Ibid.

³³⁹ William J. Clinton, “Text of Clinton’s Rwanda Speech,” Online by CBS News, <http://www.cbsnews.com/news/text-of-clintons-rwanda-speech/>

Rwanda and toward what he accomplished in all of these other human rights abuse cases. It is a throwback to the UDHR's request that the "common bonds of humanity" be recognized, respected, and promoted by member states.³⁴⁰ Clinton attempts to demonstrate through these other cases his attempt at progress and pushing for the "common bonds of humanity" to be respected.

Clinton's speech in Kigali is a clear move away from what he and his administration were doing and saying during the Rwandan conflict. It reverses all of the previous rhetorical strategies, from abstract to concrete, from prolepsis to the present, from silence to actively naming the conflict. The speech is also a moment that he takes to address criticism of his administration for not intervening by explaining that the situation was difficult to understand and that the entire international community failed at helping out in Rwanda, not just the U.S. under Clinton's watch. Finally, Clinton closes by taking leadership of the situation and demonstrating his knowledge of such conflicts by listing off his "successes," which show how he can talk about how to help rebuild Rwanda even though he was not able to stop it from falling apart.

The speech Clinton gave made way for him to continue openly talking about the genocide and what should have/could have been done by everyone in order to have stopped it. In a news conference in South Africa two days later on March 27, 1998, Clinton had this response to a reporter's question:

Q. [Inaudible]—genocide in Rwanda, and you said that the United States should have acted sooner to stop the killing. Do you think that American racism, or what you described as American apathy toward Africa, played a role in its inaction? How have you

³⁴⁰ "The Universal Declaration of Human Rights," Online by the United Nations: <http://www.un.org/en/documents/udhr/index.shtml>

grappled personally with that experience 2 days ago? And have you considered any specific policy changes, given that this isn't the first time in this century America has been slow to act, that would compel a faster American response in the future, besides early warning systems?

President Clinton. Let me say, first of all, I do not believe that there was any—I don't believe there was any racial element in our slow response. I think that—keep in mind, I don't think anybody on the outside was prepared for somewhere between 800,000 and a million people to die in 90 days. And look how long it took the United States and Europe, through NATO and then through the U.N., to put together the machinery to go in and deal with the Bosnia problem.

So I would just say to you, I think that—the point I was trying to make is I do believe that generally America has been and the whole American policy apparatus has been less responsive and less involved in Africa than was warranted. I think that's a general problem.

But I think in the case of Rwanda, what I believe we have got to do is to establish a system, hopefully through the United Nations, which gives us an early warning system, that gives us the means to go in and try to stop these things from happening before they start, and then, if it looks like a lot of people are going to die in a hurry, that kicks in motion some sort of preventive mechanism before hundreds of thousands of people die.

I mean, if you look at the sheer—the military challenge presented by those who were engaging in the genocide, most of it was done with very elemental weapons. If there had been some sort of multinational response available, some sort of multinational force

available, to go in pretty quickly, most of those lives probably could have been saved. And we're going to have to work this out through the U.N. and then figure out how to staff it and how to run it and whether it should be permanent or something you can call up in a hurry, how such people would be trained, what should be done. But my own view is, if we think that that sort of thing is going to happen, it would be better if the U.N. has a means to deal with it in a hurry. And I would be prepared to support the development of such a mechanism.³⁴¹

Clinton makes several moves here. The first is to justify the “slow response” of America by discussing the speed of the Rwandan genocide as a factor in his ability to react. In order to justify not preventing the genocide in Rwanda, Clinton plays the “we didn’t know card” by saying “I don't think anybody on the outside was prepared for somewhere between 800,000 and a million people to die in 90 days.”³⁴² This “not knowing” or “not being prepared” for the magnitude of the Rwandan genocide is coupled with how long it takes to get a force together. Clinton says “and look how long it took the United States and Europe, through NATO and then through the U.N., to put together the machinery to go in and deal with the Bosnia problem.” This works to Clinton’s advantage because not only does he get to defend America’s reaction to Rwanda, but his slow response to Bosnia gets justified as well because of “how long” a force takes to be put together. It can be seen from the documents spanning his address of the Bosnian crisis, and the documents in this section on Rwanda, that there was rarely an indication of “a force” being put together. Nevertheless, Clinton is able to use this as a defense against failing to fulfill article one of the CPPCG, which states that all member states will undertake to prevent and punish the

³⁴¹ William J. Clinton: “News Conference,” March 27, 1998. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59863>.

³⁴² William J. Clinton: “News Conference,” March 27, 1998. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59863>

crime of genocide.³⁴³

Next, Clinton gives an idea of a new “early warning system” that would help identify genocide and activate a “multinational force” that would work through the U.N. to stop or prevent the kind of carnage that occurred in Rwanda. It is very interesting that Clinton describes this because he values prevention, a key idea throughout the CPPCG. He values multinational cooperation, also valued by and requested by the CPPCG in article 8: “Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in Article 3.”³⁴⁴ He also places a value on the United Nations as an organization able to deal with this sort of problem if given the resources. Clinton wants to cover his administration in this interview because the question is not about American racism so much as it is about him not doing anything when he was in charge of the most powerful country in the world at that moment in time. So, it can be seen that he excuses his actions and others (because he was not the only one who failed to prevent genocide) by describing the swiftness of the conflict as a barrier to it having been addressed because of how long it takes to get forces together. Therefore, he argues, if conflicts can and will occur this swiftly, and member states are unable to address the conflicts, then the U.N. should develop an apparatus that has the ability to determine and react to these conflict situations quickly. In this moment he is essentially saying that the CPPCG’s charge to member states to prevent genocide is not a workable solution; therefore, the U.N. itself should undertake to stop these kinds of conflicts. Clinton is trying to make the CPPCG null and void at the moment when he was most

³⁴³ “Convention on the Prevention and Punishment of the Crime of Genocide,” Online by the United Nations, <https://treaties.un.org/doc/Publication/UNTS/Volume%2078/volume-78-I-1021-English.pdf>

³⁴⁴ “Convention on the Prevention and Punishment of the Crime of Genocide,” Online by the United Nations, <https://treaties.un.org/doc/Publication/UNTS/Volume%2078/volume-78-I-1021-English.pdf>

threatened by it. No surprises there, but still, it is interesting how he constantly weaves between trying to defend his actions according to the CPPCG obligations, and, yet, at the same time, he tries to devalue it as an idea.

Clinton's "idea" for a multinational force can be seen as a moment where he is trying to buy himself time, trying to make his administration look good because of how vague the idea is. Just like in descriptions of aid to Bosnia and Rwanda, he does not say if this "force" would be deployed without member state or General Assembly consent. Who (of the member states) would contribute people to this force? Who would arm it? Who would pay for it? Could it be a force deployed by the Human Rights department of the U.N.? His vagueness on what exactly he would consent to is overshadowed even more by the fact that while he can say he would support such an approach, a military force that could be deployed by the U.N. would hardly go over well with U.S. Senators who are actually responsible for ratifying treaties. It is like making a promise but behind your back your fingers are crossed because you know you do not have the authority to keep that promise. This all does not matter though, because the answer makes Clinton appear as a humble leader who wants answers for Rwanda as much as anybody else. His answer also falls in well with the UDHR's principle of progress.³⁴⁵ Clinton essentially argues that "we failed this time," and he explains why, but here is his answer to this problem: a "multinational force" through the U.N. to address these issues. Clinton's argument presents the failures of yesterday as the lessons of tomorrow.

³⁴⁵ Universal Declaration of Human Rights, Online by the United Nations: <http://www.un.org/en/documents/udhr/index.shtml> Micheline Ishay, "The Universal Declaration of Human Rights at 60: A Bridge to Which Future?" *Perspectives on Global Development and Technology*, (2010): 11-27, 13.

4.4 Concluding Remarks on the Clinton Administration and Rwanda

Looking at the Clinton administration's rhetorical strategy in some of its most publicized comments, including interviews from radio addresses, news conferences, and press briefings, it can be seen how the administration sought to use silence, abstraction, minimization of the conflict, and manipulation of the language and themes of the CPPCG and UDHR to navigate international obligations to promote human rights and prevent genocide. Though scholars have shown us how the word genocide was avoided by the administration and also how the media did not play an active role in reporting on the situation, this chapter has attempted to show how silence and the assignment of discussing Rwanda to staff under the president worked to de-emphasize the importance of the event, which resulted in it being easier to avoid international commitments in the UDHR and CPPCG. In addition, by examining what the staff said about Rwanda, it was shown how they made attempts to limit understanding about the conflict and yet "cover" their international obligations with discussion of "humanitarian aid." This strategy of making the Rwanda conflict seem to be a remote, unimportant conflict took a large amount of pressure off the administration to actively stop the violence according to CPPCG obligations.

These strategies are brought even more into focus when compared with Clinton's Kigali speech in 1998. Though four years after the conflict, Clinton and his administration are no longer able to claim that no one fully understood the nature and the scope of the conflict in Rwanda. They now have been severely criticized for their inaction, and this pressure creates a rhetorical demand to which Clinton needed to respond to help salvage the reputation of his administration and his own image. The speech attempts to answer the questions of how and why the administration could ignore such bloodshed while demonstrating how they still did what they could. The speech worked to demonstrate a fulfillment of basic CPPCG obligations, even in the

process of giving the speech, because of its official recognition of genocide. Only so much can be determined from examining the public statements of the Clinton administration at this moment in time, but what can be seen in these documents surrounding the Rwanda genocide is that the UDHR and CPPCG are important legal documents whose weaknesses were turned into hermeneutic opportunities that allowed for the U.S to only reach for the minimum to avoid intervening more aggressively to stop genocide.

5. MOVING FORWARD

The Bosnian and Rwandan genocides were both moments in the recent past where the international community failed to uphold its promise in the UDHR and the CPPCG to “never again” let human beings lose their rights and succumb to horrors like genocide. These documents were written to protect human rights, yet, in order to get them through the U.N. and adopted by member states, they were strategically edited to allow a degree of flexibility in their enforcement. This flexibility has given leaders of member states, like Clinton, hermeneutic opportunities to work with when faced with situations like those in Bosnia and Rwanda. The earlier chapters discussed these hermeneutic opportunities in detail, but I would like to review their significance across the situations.

5.1 The Universal Declaration of Human Rights

Clinton and his administration did not dismiss the Bosnia and Rwanda situations; conversely, the administration oftentimes expressed how sad and terrible the events were. One of the UDHR’s strengths is that it promotes human rights and the respect for those rights. The UDHR sets a standard for the treatment of human beings and, when this standard is not met, as in the cases of Bosnia and Rwanda, people tend to notice. We see the Clinton administration

struggle with this because they cannot ignore the violence and abuses occurring for fear of being accused of not truly following these principles. Even if the administration has no intention of protecting human rights, it still paid (in public opinion) to look like they did. We saw this in Bosnia when Clinton discussed how the people in Bosnia were experiencing terrible things because of civil war, and how the U.S. was committed to helping relieve their suffering.³⁴⁶ This same concern for people was seen in Rwanda when Clinton asked the warring parties to stop fighting because what they were doing was wrong.³⁴⁷ It was seen again in Press Secretary Dee Dee Meyer's descriptions of humanitarian aid being sent to relieve the refugees' sufferings.³⁴⁸ However, in attempting to demonstrate their adherence to the UDHR's value for human rights, the Clinton administration exposed one of the document's weaknesses.

The UDHR values human rights, but as a declaration it is not a legally binding document. It has significant international acclaim that keeps it from being ignored, but it does not have the ability to force states to protect human rights. Instead, the document requests that "individuals and all organs of society" promote human rights.³⁴⁹ Many individuals and different organs of society have felt what Cronin-Furman called the "individual responsibility to protect," and they have promoted human rights and helped pressure their governments to act to protect human rights.³⁵⁰ The Clinton administration was confronted with similar calls for intervention and action from individuals during the Bosnia and Rwanda genocides.

³⁴⁶ William J. Clinton, "The President's News Conference," April 21, 1993, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/>

³⁴⁷ William J. Clinton: "Statement on the deaths of Leaders of Rwanda and Burundi," April 7, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/index.php?pid=49938>.

³⁴⁸ William J. Clinton: "Press Briefing with Dee Dee Myers," May 2, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59803>.

³⁴⁹ "The Universal Declaration of Human Rights," online by the United Nations, <http://www.un.org/en/documents/udhr/index.shtml>

³⁵⁰ Kathleen Renée Cronin-Furman, "60 Years of the Universal Declaration of Human Rights: Toward an Individual Responsibility to Protect," *American University International Law Review*, (2009): 175-198, 177.

Clinton and his administration did not want to involve the U.S. military in either conflict; therefore, he strategically addressed individuals' "responsibility to protect" with proleptic rhetoric promising action and results for the people in Bosnia and Rwanda. The principle of protecting human rights was used to allay concerns about the situation by demonstrating that the administration was equally distressed by the events and was working to effect some kind of change. This strategy was seen in Bosnia when Clinton described how negotiations with the different groups were close to achieving peace and when his administration described their efforts with airdrops.³⁵¹ In the same fashion, concerns about Rwanda were addressed by the administration in describing Clinton's attempts at communicating with the warring groups and by providing humanitarian aid.³⁵² All these moments were used to allay concern and demonstrate that something was being done. The weakness is that individuals were oftentimes satisfied with these descriptions and would back off their demands. While the administration did make some efforts to help protect human rights, these efforts fell short of making a significant difference on the overall conflicts causing the violence.

The Clinton administration attempted to explain its failed efforts to end the violence in both cases as being due to the U.S. not being capable of protecting everyone's rights. This defense can be seen in the press briefing with National Security Advisor Anthony Lake describing how peacekeeping operations are too expensive and need to be dialed back because there are just too many people out there to help them all.³⁵³ When the airdrops were not getting to the Bosnians, or the humanitarian aid sent to Rwanda was not enough to cover the waves of

³⁵¹ William J. Clinton, "The President's Radio Address," February 19, 1994, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=49721>

³⁵² William J. Clinton: "Press Briefing with Dee Dee Myers," May 10, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59863>.

³⁵³ William J. Clinton: "Press Briefing by National Security Advisor Tony Lake and Director for Strategic Plans and Policy General Wesley Clark," May 5, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59839>.

refugees fleeing from the genocide, the Clinton administration claimed they were not responsible because they could not protect everyone's rights and what they were doing was better than nothing. This was true, but it was also an excuse to cover for the failures they were experiencing in the cases where they chose to try and do something.

The UDHR is also heralded as a document that promotes the development of human rights. When it was passed in 1948 there were a great many human rights issues throughout the world, and the document recognizes this and states: "every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance."³⁵⁴ This vision of progress has helped to encourage many people to overcome human rights abuses and establish new laws that better follow the declaration, as Ishay has discussed.³⁵⁵ However, this story of progress was not sufficient to improve the plight of the Bosnians and Rwandans. The Clinton administration used previous international successes to overshadow the events occurring at that time. During the events in Bosnia, Clinton talks about all the people the U.S. had helped in Haiti, the Middle East, and Northern Ireland; therefore, their failure in ending the violence in Bosnia was just a snag.³⁵⁶ The same argument is made in his speeches following the Rwanda genocide.³⁵⁷ Despite the U.S. failing to intervene to stop genocide, Clinton still argues that the U.S. and the rest of the world are progressing, protecting more rights and helping more people than ever before. The UDHR's

³⁵⁴ "The Universal Declaration of Human Rights," online by the United Nations, <http://www.un.org/en/documents/udhr/index.shtml>

³⁵⁵ Micheline Ishay, "The Universal Declaration of Human Rights at 60: A Bridge to Which Future?" *Perspectives on Global Development and Technology* (2010): 11-27, 13.

³⁵⁶ William J. Clinton, "Speech on Bosnia," November 27, 1995, Online by CNN. http://www.cnn.com/US/9511/bosnia_speech/speech.html.

³⁵⁷ William J. Clinton, "Text of Clinton's Rwanda Speech," Online by CBS News, <http://www.cbsnews.com/news/text-of-clintons-rwanda-speech/>

spirit of progress is hijacked by the Clinton administration to overshadow the events that were occurring at the time.

The UDHR's strengths and weaknesses were used by the Clinton administration to help it manage its involvement in Bosnia and Rwanda and frame its limited participation in each situation in a positive light. The reception of how the administration handled these events was important in relation to how the administration viewed the CPPCG's hermeneutic opportunities. The Clinton administration did not have the ICJ's 2007 ruling to guide them in what they could and could not get away with; therefore, their approach to the Bosnia and Rwanda genocides was like walking on an edge without knowing where the edge is.

5.2 The Convention on the Prevention and Punishment of the Crime of Genocide

The CPPCG has different qualities from the UDHR, but it was still edited so that it would pass through the U.N. General Assembly and be ratified by member states. It provided a different set of hermeneutic opportunities to the Clinton administration during the Bosnian and Rwandan genocides. The first and most notable strength of the CPPCG is that it is a treaty; therefore, it is legally binding.³⁵⁸ Where the UDHR fails to bind states to enforcing human rights, the CPPCG requires states to prevent and to punish genocide. Conversely, the CPPCG's greatest strength has also turned out to be its greatest weakness. Member states, such as the U.S., do not want to contribute their military power to places where they may upset allies, or expend troops on a cause that does not gain them anything they want. Therefore, we saw the Clinton administration work to actively manage the U.S.'s commitments according to the CPPCG.

The first way they "managed" their commitments to the CPPCG was to avoid calling the situations in Bosnia and Rwanda "genocide." Some scholars have argued, such as Heinze, that

³⁵⁸ "Convention on the Prevention and Punishment of the Crime of Genocide," Online by the United Nations, <https://treaties.un.org/doc/Publication/UNTS/Volume%2078/volume-78-I-1021-English.pdf>

using the word “genocide” does not activate the CPPCG, and, thus, the Clinton administration’s reservation over using the word was unwarranted.³⁵⁹ I disagree, because naming an event, as so many scholars have demonstrated, has significant bearing on how the event is perceived. I argue the Clinton administration refused to use the word genocide to avoid framing these situations as genocides and therefore as situations that morally demanded military intervention to stop them. Presidential scholars have also noted that when presidents name events it has significant bearing on how the event is talked about and referred to.³⁶⁰ Calling either event genocide would not have aided the Clinton administration in their goal to keep U.S. military forces unengaged. Therefore, we see the administration call the two different situations by various names. Bosnia was framed as a civil war, massacres, and ethnic cleansing.³⁶¹ Rwanda was also framed as a civil war, tribal warfare, mass murder, ethnic cleansing, and genocidal massacres.³⁶² All these phrases were used to detract from the reality of the situations. Even phrases such as genocidal massacres, while similar to genocide, do not carry the importance of the word “genocide.”

The CPPCG activation is not limited to the use of the word “genocide,” otherwise it would never be successfully invoked. The next strength of the CPPCG is that it specifically requires states to prevent and punish genocide.³⁶³ It does not allow states “off the hook” for not completing their obligations just because they did not officially recognize what was going on as

³⁵⁹ Eric A. Heinze, “The Rhetoric of Genocide in U.S. Foreign Policy: Rwanda and Darfur,” *Political Science Quarterly* (2007): 122:3.

³⁶⁰ Mary Stuckey, “Establishing the Rhetorical Presidency through Presidential Rhetoric: Theodore Roosevelt and the Brownsville Raid,” *Quarterly Journal of Speech* (August 2006): 87-309. Eric A. Heinze, “The Rhetoric of Genocide in U.S. Foreign Policy: Rwanda and Darfur,” *Political Science Quarterly* (2007): 359-383. Ernesto Laclau, *On Populist Reason*, New York: Verso, 2005. Edward Keene, “The Naming of Powers,” *Cooperation and Conflict* (June 2013): 268-282. Suzanne Katzenstein, “Reverse Rhetorical Entrapment: Naming and Shaming as a Two-Way Street,” *Vanderbilt Journal of Transnational Law* (2013): 1079-1099. Tema Milstein, “Nature Identification: The Power of Pointing and Naming,” *Environmental Communication* (March 2011): 3-24. Carine Defoort, “The Rhetorical Power of Naming: The Case of Regicide,” *Asian Philosophy* (July 1998): 111-119.

³⁶¹ See Chapter Three.

³⁶² See Chapter Four.

³⁶³ “Convention on the Prevention and Punishment of the Crime of Genocide,” Online by the United Nations, <https://treaties.un.org/doc/Publication/UNTS/Volume%2078/volume-78-I-1021-English.pdf>

genocide. The Clinton administration had to make sure it gave some amount of attention to each of these events in order to avoid not fulfilling their obligations. The weakness of the specific charge to prevent and punish genocide is that there is no description of what these actions look like. Therefore, the Clinton administration worked to demonstrate that their level of involvement was sufficiently addressing the issues in each place. In Bosnia, diplomatic involvement coupled with NATO support was framed as significant contributions to addressing the violence in Bosnia.³⁶⁴ In Rwanda, the humanitarian assistance and diplomatic attempts were framed, at least during 1994, as being enough to address the turmoil there.³⁶⁵ These actions were further buffered with speeches from Clinton describing additional aid to be given to both regions: in Bosnia's case to enforce the Dayton Peace Accords, and in Rwanda to help with refugees and restoration. The CPPCG, and to a great extent the U.S.'s power in the world, gave the Clinton administration a great deal of flexibility in how they framed their attempts to prevent genocide.

The Clinton administration was also able to mirror the CPPCG's focus on punishment in its own strategy of how to deal with the conflicts once they were over, even when the violence in each case was at its highest. This focus on what to do once the conflict had ended detracted from the issues occurring during the conflict. This distraction provided the Clinton administration with breathing room because they were still technically participating in fulfilling their international obligations, even if they were doing so in such a way that failed to achieve the overall goal of the CPPCG to stop genocide. In the Bosnia case this was seen in Clinton's refusal to lend military support to UNPROFOR until after a peace agreement was signed.³⁶⁶ This was to the detriment of

³⁶⁴ William J. Clinton, "The President's News Conference," March 9, 1993, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=46314>.

³⁶⁵ William J. Clinton: "Press Briefing with Dee Dee Myers," May 2, 1994. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=59803>.

³⁶⁶ William J. Clinton, "The President's News Conference," March 26, 1993, Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=46377>

many Bosnians, as they had to wait for the E.U., U.N., and NATO to come to an agreement before bombings could be conducted to force a stop to the Serbian advance. Similarly, in Rwanda's case, the Clinton administration worked to detract attention from the conflict until it was finally over, and then it committed significant aid in the form of troops and supplies to help the RPF begin addressing the crimes and the task of rebuilding the country.³⁶⁷

The CPPCG is a treaty that is legally binding and gives states specific responsibilities in cases of genocide; nevertheless, it has failed as an international document in ways similar to the UDHR by being too flexible with how the responsibilities it gives states are interpreted and with how it allows states to fulfill their obligations. Leaders in the world, such as Clinton and his administration, have used the hermeneutic opportunities in the CPPCG to construct rhetorical strategies that address and manage their obligations so that they maintain international relationships and public opinion.

5.3 A Way Forward?

The UDHR and the CPPCG were constructed with the highest of hopes: that they could make a positive difference in people's lives. They have not failed completely in their missions to promote and protect human rights, but neither have they reached their full potential. The hermeneutic opportunities in each document have been used to circumvent the obligations the documents place on states, and this has largely resulted in cases like Bosnia and Rwanda. The purpose of examining these cases has been to show how the documents' weaknesses, as others have discussed, are actually used in cases where human rights have been abandoned. My analysis contributes to our understanding of how these documents frame the human rights abuse cases and, in particular, leader's responses to these situations. What has been learned from this

³⁶⁷ William J. Clinton, "Text of Clinton's Rwanda Speech," Online by CBS News, <http://www.cbsnews.com/news/text-of-clintons-rwanda-speech/>

particular examination is not only how leaders must address these human rights documents, but possibly how these transgressions against international law can be stopped.

The UDHR and CPPCG are not likely to be edited and made more powerfully binding documents in the near future; this may seem then like a lost cause. We can look back at the Bosnian and Rwandan cases and be frustrated by the opportunities wasted by the Clinton administration to help, or that frustration can be channeled into a better understanding of the opportunities that individuals and organs of society have under these documents. The drafters of the UDHR had to see the document compromised on a number of levels throughout its different edits before it was presented to the General Assembly; however, the document included the following expression: “every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.”³⁶⁸ Individuals and all organs of society have the task of helping to promote human rights. This is a task that has perhaps lost momentum in recent years because people have relied too heavily on their leaders for action. State governments are the most ideal actors in addressing cases of human rights abuse and genocide, but, because they are so disinclined to help promote human rights, they cannot be relied on.

If action is to be garnered for people suffering it must be through the people who witness and learn about their suffering. Doxtader expressed concern that human beings lose their rights when they lose the ability to speak; however, Hauser tells us that by seeing people survive and

³⁶⁸ “The Universal Declaration of Human Rights,” online by the United Nations, <http://www.un.org/en/documents/udhr/index.shtml>

continue to live, despite the wretched conditions they were placed in, they do speak.³⁶⁹ People are affected by the images of people suffering and their stories, but they do not always know how they can help. What looking back at these cases shows us is that individuals and organs of society, while having significantly less power in the world than states, do have the opportunity to interpret and respond to situations where human beings are suffering. Public pressure and the need to address the “individual responsibility to protect” played a large role in the rhetorical strategies the administration used in both cases. Individuals continue to face obstacles, such as having to actively interpret what their leaders are telling them, but they also have more lively international communication methods than ever before. The enforcement of these documents must come from individuals and organs of society before they can come from an international organization like the U.N. It should be the objective of people in the U.S. and across the globe to help draft and push through laws in their own country that address these hermeneutic weaknesses. These local laws are the best hope at the moment of addressing the gaps in international law. The individual states and their people could then hold their leaders accountable for *how* they participate in human rights crises.

³⁶⁹Erik Doxtader, “The Rhetorical Question of Human Rights-A Preface,” *Quarterly Journal of Speech* (November 2010): 353-379. Gerald Hauser, “The Moral Vernacular of Human Rights,” *Philosophy and Rhetoric* (2008): 440-466.

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