

Human Rights Violations

*Charles F. Bahmueller,
Editor*

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Human Rights Violations

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MAGILL'S CHOICE

Human Rights Violations

Volume 1

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edited by

Charles F. Bahmueller

Center for Civic Education

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Publisher's Note

This three-volume contribution to the Magill's Choice series of Salem reference works surveys major abuses of human rights over the past century with articles on 134 individual events, ranging from "Atrocities Against Congolese Laborers Are Exposed" in 1903 to "Terrorists Attack the World Trade Center and Pentagon" in 2001. Most of the articles in *Human Rights Violations* are taken from *Great Events from History II: Human Rights* (1992), a publication with 462 articles covering a wide spectrum of issues that relate to both the advancement and denial of human rights throughout the world. Ten additional, freshly commissioned articles carry the subject up to 2001.

As Dr. Charles F. Bahmueller, shows in his Introduction to this set, the concept of "human rights" is a broad one. For the purposes of this set, human rights may be understood as those rights inhering in individual persons that should be recognized and protected by governments, through domestic legislation and international agreements. Even more basic than civil rights and liberties, human rights include the rights to life, liberty, well-being, and property. Articles in this set provide close examinations of extreme violations of those rights in countries throughout the world. Particular attention is paid to events involving government-perpetrated and other large-scale abuses of rights. Topics include state violence and political repression, genocide, terrorism, war crimes, suppression of nationalist movements, and torture and cruel and unusual punishments. The texts and bibliographies of the original articles have been updated as necessary. Another ten articles, covering events since 1992, have been freshly commissioned. These added articles cover such subjects as Myanmar's persecution of Muslims, anti-immigrant violence in Germany, Brazil's notorious massacre of youthful slum dwellers in 1993, Algeria and Egypt's crackdowns on Islamic militants, Afghanistan's repressive Taliban regime, genocide in Rwanda, government massacres in Bosnia, and the terrorist attack on the Pentagon and World Trade Center in September, 2001. All articles are arranged in chronological order of the events they cover.

Although the subject matter of *Human Rights Violations* is of particularly wide interest amidst the heated climate of antiterrorist concern that has arisen in the new century, the articles themselves have been written objectively, and the overall selection of articles presents a balanced view

of worldwide rights abuses. The geographical distribution of topics is broad, and some peoples—notably Muslims—are discussed both as perpetrators and as victims of rights abuses in different articles. Moreover, human rights abuses in the United States are not exempted from examination. Specifically American topics include the Palmer Raids of 1919-1920, the internment of Japanese Americans in World War II, the HUAC investigations, and mistreatment of inmates at New York's Attica State Prison.

As in the original *Great Events from History II* sets, articles in *Human Rights Violations* are of uniform length and format. Ready-reference top matter includes dates, locales, and brief descriptions of the events; identification of the categories of rights violations that the events represent, and brief identifications of the principal personages connected with the events. The main text of each article is presented under two subject headings: "Summary of Event," which surveys details of the event, and "Impact of Event," which explores the event's aftermath and broader ramifications. Articles conclude with annotated bibliographies, all of which have been updated for this edition.

Six different indexes at the back of volume 3 will help readers find articles. These include lists of the articles arranged alphabetically, chronologically, by country, and by category. Readers will also find an index of names listed in the articles' Principal Personages sections, as well a general Subject Index.

As always, we are grateful to the many contributors whose work has made these volumes possible. We are especially grateful to the project's Editor, Charles F. Bahmueller, of the Center for Civic Education in Southern California, who helped select the articles, wrote several of the new articles himself, and contributed the thoughtful Introduction, which follows here.

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Introduction

Human rights violations are at least as old as recorded history. Human rights violations figure prominently in the most primordial accounts of human crime, beginning in Western civilization with the biblical story of Cain slaying his brother Abel. From all that is known about the history of oppression, mass slaughter and torture, human beings have not become morally worse in modern times than they were in ages past. The behavior of various hideously cruel Roman emperors, leaders such as Attila the Hun and Tamerlane, and dozens of others amply illustrate this point. What has changed is the development of more powerful means to violate what we know as human rights, especially the most fundamental right of all, the right to life itself.

The Concept of Human Rights

The idea of “human rights” in the sense used today originated in the political philosophy of seventeenth century England, especially in the writings of Thomas Hobbes and John Locke. The human rights idea was most explicitly stated by a number of writers in the years prior to the outbreak of the American Revolution. In 1776, Thomas Jefferson employed language easily recognizable to his contemporaries when he wrote “that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness.”

Jefferson’s words rang down through the ages. When Ralph Waldo Emerson wrote in 1836 that the first burst from an American rifle in the American Revolution was the “shot heard ’round the world,” he alluded to far more than the gunshot that signaled the outbreak of war. It was the justification of the revolution—the political philosophy of the Declaration of Independence—that became broadcast to world. At the heart of that political creed was the idea that every person on earth is born with certain fundamental rights. Given a choice, people want these rights protected, and just governments are established to protect these rights.

In 1789, only thirteen years after the American Declaration of Independence, the French Revolution broke out. That same year the French National Assembly announced the Declaration of the Rights of Man and of the Citizen. Jefferson, who was then in Paris, was a principal adviser in the document’s drafting. The French declaration expanded the central

idea of natural “rights of man” of the American declaration and helped spread the “natural rights” doctrine throughout Europe and beyond.

By the twentieth century, the philosophy of the American Declaration of Independence was known to both scholars and political leaders around the world. Its democratic message had slowly been undermining the foundations of empires and monarchies. The aftermath of World War I saw the liberation of peoples ruled by empires against their will.

Meanwhile, human rights ideas were making steady inroads into rules regarding the conduct of war. International military convention has long prohibited attacks on civilians. Such formal international conventions attempt to protect innocent human life, under the implicit or explicit grounds that human life is valuable for its own sake. Such conventions assume that human beings have a right to life and therefore ought not to be deliberately attacked. Modern international conventions concerning the conduct of war and the treatment of enemies began in the nineteenth century. During the U.S. Civil War, President Abraham Lincoln appointed German-born scholar Francis Lieber to develop rules for the conduct of war. Afterward, these rules became influential in the development of limitations on abusive wartime conduct by nations.

A further consequence of the twentieth century’s World War I was the widespread view in Europe and America that war could no longer be tolerated among civilized peoples. The carnage of the war had been immense; however, that “war to end all wars” sowed the seeds of a far more destructive world war that erupted in 1939. World War II laid waste large swathes of Europe and Asia, killing tens of millions. It also saw an almost complete breakdown of distinctions between military personnel—long considered legitimate targets during wars—and civilians—who were never considered legitimate targets. The massive bombing of cities by all sides during the war killed hundreds of thousands of civilians, often quite intentionally. The Germans and Japanese were notorious for indiscriminately killing civilians and pillaging of their property. The Allies, however, also specifically targeted civilians in such incidents as the firebombing of Tokyo and the obliteration of German cities.

In a more heinous category, however, were crimes committed by Germany and Japan that shocked the conscience of the world. In these instances, although there were no specific international conventions outlawing them, the perpetrators were brought to trial after the war; many of them were convicted, and some were executed. Japanese armies destroyed large areas of China, bombing, invading, and marauding many of

its cities. The Rape of Nanking, in which perhaps 300,000 people were killed, stands out for its barbarous cruelty. Japan also committed countless war crimes against captured Allied soldiers, including the infamous Bataan Death March of American prisoners of war.

The most sensational and unthinkable evil of these crimes, however, was the Holocaust of World War II, in which perhaps eight million people were systematically rounded up throughout Nazi-occupied Europe and murdered in specially constructed death camps. The special focus of the Holocaust were Europe's Jews, some six million of whom perished, mostly in specially constructed death camps. Other Holocaust victims included hundreds of thousands of homosexuals, Gypsies, and political opponents of the Nazi regime. After World War II, revulsion at the spectacle of civilian slaughter drove home the necessity to staunch the river of human blood that so horrified humanity. At war crimes trials that began in Nuremberg, Germany, in 1946, prosecutors coined new terms to deal with the Holocaust, since no international law on the books had foreseen murder of civilians on such a scale. The first of these terms was "crimes against humanity." To describe the attempt to kill an entire people a second term entered the language—"genocide."

The idea of a crime against humanity contained the idea that all human beings have a natural right to life, which was not a new idea. Soon the idea of such rights was written into what was asserted as universally valid international law when the Universal Declaration of Human Rights was enacted by the United Nations in 1948. The declaration was drawn up partly through the influence of Eleanor Roosevelt and incorporated certain doctrines that had been part of President Franklin D. Roosevelt's New Deal thinking, especially the responsibility of governments to provide for the needs of all their citizens. This political program now rose to the level of human rights. Passage of the Universal Declaration and a large range of new human rights conventions recognized the menace of humanity's growing capacity for massive human annihilation.

The concept of crimes against humanity had as its premise the idea made famous by the power of Jefferson's prose, that certain rights come not as enactments by governments, but by nature or birth—by nothing more than the fact of the *humanity* of every man and woman. Thus the idea of human rights is that each of us has rights independent of whatever other rights we might have as citizens of this country or that; and that those who have no country nevertheless have "certain unalienable rights."

Philosophical Considerations on Human Rights

Human rights encompass a variety of rights. Rights are claims made by individuals on behalf of themselves as individuals or in association with others. Collective entities such as states and fictitious entities such as corporations also have rights under various bodies of law. We can understand rights more clearly by contrasting them to opposition to duties or obligations. Some rights entail obligations on the part of others. If someone has a legitimate right to the *exclusive* use of a piece of land, for example, others *necessarily* have an obligation to respect that exclusivity. Thus rights and obligations are usually two sides of the same coin.

Other rights do not involve complementary obligations on the part of others. In all situations of legitimate competition, for instance, one party, such as a sports team, claims the right to win a competition without also claiming that the other team has an obligation to allow them to win. This is the situation of a right versus a right. Claims of human rights, on the other hand, state generally that other parties—usually nations but in some instances individuals—have obligations to respect human rights.

There is an important distinction between positive and negative rights. Negative rights are those that require governments or persons not to interfere with such rights; while positive rights are those which require certain kinds of actions to fulfill them. The requirement that governments not interfere with citizens' freedoms of religion, speech, press, and assembly, for example, is one that protects negative rights—rights of non-interference. Positive rights, by contrast, demand active provision for these rights by governments. The claim that there is a human right to an adequate standard of living requires far more than not interfering with individuals' attempts to provide for themselves. As generally interpreted, such rights require governments to establish programs through which resources are transferred from the better-off to the less well-off. In this case, the less well-off are said to have a positive right to resources.

Can such claims to universal human rights be sustained? The answer is that there are grave difficulties with philosophical grounds to some claims to human rights. To see why this is so, we might consider the standard case in which a nation becomes obligated in international law. The standard case occurs when a nation signs and ratifies an international treaty according to which it agrees to do, or to abstain from doing, one thing or another. Here a nation *consents* to take up some set of obligations. Thus persons or other states have valid rights—legitimate claims—against ratifying states under the terms of treaties or conventions.

However, the idea of human rights is that no such consent is necessary for states to be obligated to uphold these rights. Human rights are fundamentally different from rights under a code of law. All that is required is the status of human being for such rights to be considered valid. Are we to believe, then, that each time an international organization, such as the United Nations, issues a human rights declaration, all of the world's governments, regardless of their citizens' will, acquire a new set moral obligations? Or, alternatively, that through such declarations the obligations that have always been valid are now recognized as legitimate and binding?

One problem regarding either of these cases is the time-honored idea that "ought" implies "can." One cannot be obligated to do the impossible. Since governments cannot possibly provide all of the benefits demanded by certain statements of human rights, the claim that they "ought" to provide them fails. If promises are to be legitimate, they must arouse legitimate expectations on the part of those promised. If the "pauper" is a poor government, how can it be said to have a binding obligation to provide expensive resources to its citizens that it cannot possibly afford? Evidently it has no such expensive human rights obligations. If this is so, are not many claims of positive human rights simply empty charades?

The situation of rich countries, it might be argued, is different. They have the resources to alleviate suffering. Since they *can* alleviate suffering it is not senseless to argue that they *ought* to alleviate suffering. Such arguments are frequently heard in international forums. Most wealthy countries do believe they should help poor countries in some circumstances. However, most do not give aid because they believe others have a *right* to it under human rights doctrine. They give humanitarian aid as a charitable act—because they are concerned with human suffering.

Few governments believe such aid giving to be in the same category as, for example, obligations under international conventions that they have signed and ratified. Nor, in instances in which they have signed relevant international covenants and agreements, do they believe it their duty to impoverish themselves—to give until their citizens are no better off than the impoverished of the world. Few, however, accept the idea that property is illegitimate, that all things should be considered the common property of humanity, and that no one has a moral right to be any richer than anyone else. Indeed, from all we know of the nature of man, society, and political power, such a doctrine would lead to chaos. Such claims on behalf of the world's poor nations to unlimited access to the wealth of the rich nations seem farfetched. In any case, they are certain to be rejected

by large numbers of the citizens of wealthy and middling countries. Taken seriously, such claims constitute a formula for the same perpetual armed conflict that exists without settled means of securing property. The idea that certain categories of positive human rights exist (such as rights to medical care, food, housing, and living wages) that seek to impose obligations on all governments has grave difficulties.

Opinions differ on whether the idea of human rights is bogus. Those who believe that such rights are—as the eighteenth century English philosopher Jeremy Bentham put it—“nonsense upon stilts” are in the minority. However, the philosophical case for a maximal version of human rights is hard to make. Nevertheless, at least two defenses of human rights may be offered. First, the idea of negative human rights can be used to defend basic liberal freedoms, such as those of religious beliefs, speech, and press. Here the argument might be cast as found in the Declaration of Independence, itself derived from principles established in seventeenth century England. According to this argument, people are not born with the duty to obey whatever government or set of laws happens to be in place. If they are not born with obligations, it follows that they are born with rights, as wherever individuals do not have obligations, they have rights. For example, if people are not obligated to practice a certain religion, they do have a right to religious liberty.

To acquire political obligations, people must *consent* to them. A government’s “just powers,” the Declaration of Independence states, “are derived from the consent of the governed.” Without consent, there are no political obligations. In this conception it is part of the nature of things that people acquire only those political obligations to which they consent, and therefore they are born with certain rights as part of the human condition. These rights are also known as human rights and may be expressed in general terms, such as the right to liberty.

A second line of defense for the idea of human rights is to treat it as a political movement with deep roots in the depths and horror of human suffering, especially in the twentieth century and continuing into the next century. In this view, declarations of human rights are, taken together, appeals to end the cruelties, slaughters, and oppression that have afflicted humanity throughout history but which, during the past century, became more heinous and more visible than ever before.

Common decency, it may be argued, demands a concept such as “human rights” as a moral cudgel to strike out at governments and others who mock the value and sanctity of human life and try to prevent free and

law-governed societies from coming into being. The idea of human rights argues, in effect, that a moral basis should be internationally established to demand—systematically and in detail—that abuses of men, women, and children cease. Thus courts have been established and trials held to accuse, try, and punish those guilty of assault against human decency.

Such arguments alone, it may be said, justify a human rights movement. In this view, while some human rights claims may be extreme, the worldwide drive to rid the world of tyranny and substitute humane governments in its place is another matter altogether. Articles within *Human Rights Violations* present ample evidence of the moral rapacity of human beings in every corner of the globe. In describing the doleful chronicles of the viciousness of which humanity is capable, articles in these volumes cover the violations of a comprehensive range of human rights.

War Crimes and Terrorism

Terrorist acts in the public sphere may be defined as illegal attempts to kill, physically harm, or intimidate innocent civilians to further political ends. No political end, however, justifies deliberate attacks on civilians. The idea that “one person’s terrorist is another person’s freedom fighter” can have no legitimacy, since a single general standard lies at the heart of all acceptable definitions of terrorism. In essence, the idea of “terrorism” concerns the means used in attempts to attain political ends; it does not concern judgment of the ends themselves. Such a judgment constitutes a separate issue. “Just” wars may be fought with unjust means and among unjust and morally untenable tactics is terrorism. To believe otherwise is to believe that “the end justifies the means,” a doctrine that sets loose the ill-winds of nihilism, since it destroys the legitimacy of all complaints against the means used to fight wars. During the 1950’s, Algeria’s anti-colonial National Liberation Party used terrorist tactics to gain its political ends against the French colonizers in Algeria as well as in France itself. The 1960’s and 1970’s, however, saw the rapid rise of a multitude of terrorist organizations.

Terrorism grew apace during the 1980’s, when states such as Libya and Iran began sponsoring terrorist activities. Outstanding among these acts was the bombing of a Pan American jetliner that crashed near Lockerbie, Scotland, killing 270 people in 1988. Two of the worst terrorist incidents aimed at American targets outside the United States were committed on August 7, 1998, when 224 civilians were killed by terrorist bombs exploding at the U.S. embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania.

In addition, some 5,000 civilians were also seriously wounded. Still, no incident of such magnitude had ever occurred on American soil until September 11, 2001, when hijacked airliners were flown into the towers of New York City's World Trade Center and the Pentagon Building outside Washington, D.C. This increase in terrorism spelled out the weakening—or outright dismissal—of international moral human rights norms among those involved in a variety of political struggles.

A negative history of the twentieth century could be written by way of an account of human rights violations respecting political freedom and the committal of atrocities and war crimes. World War I, the brutal, destructive and needless conflict that, in effect opened the twentieth century, quite apart from its senseless carnage that slaughtered a generation of young European men, saw the world's first wartime use of poison gas.

The same war allowed the Bolsheviks, Russia's Communist party, to stage a coup in 1917, inaugurating nearly three-quarters of a century of oppression and agony in Russia, Ukraine, and other nations absorbed into the new Soviet Union. The Red Terror of 1917 to 1924, which used terror as a means of political control, killed many thousands of people. After a brief respite, Joseph Stalin assumed power and murdered millions through a deliberate terror famine in Ukraine and a series of purges of alleged Communist Party enemies during the 1930's.

Soviet Communism and Post-World War II Europe

After World War II, Stalin added to his territorial and human booty by annexing the Baltic republics of Latvia, Lithuania, and Estonia, incorporating them into the Soviet Union. At the same time, by the late 1940's Stalin's communist lieutenants in Eastern Europe had taken over other countries, making them political satellites of the Soviet Union, their governments puppets of Stalin's will.

Two other countries in the region, Yugoslavia and Albania, also suffered communization, though independent of the Soviet Union. Yugoslavia's version, under the anti-Nazi guerilla leader Marshall Tito, was more benign than Stalin's, though dissident writers still found themselves arrested and imprisoned. Albania, turned into an impoverished, pre-modern backwater by dictator Enver Hoxha, fared much worse.

Major episodes in the Soviet oppression of post war Eastern Europe included the brutal put down of the Hungarian Revolution in 1956, when the Magyar nation attempted to throw off the Soviet yoke, but were no match for the Red Army. A similar incident came in 1968, when Czecho-

slovakia attempted to liberate itself from Soviet-style communism. Meanwhile, East Germany, under Soviet direction, erected a wall to separate its part of Berlin from West Berlin, which was part of free West Germany, because many East Germans were rejecting communism by walking into West Germany. Within the Soviet Union itself, change was fitful. Although significant numbers of prisoners were released from prison camps after Stalin's death in 1953, significant numbers remained.

In 1956, Stalin's successor, Nikita Khrushchev, revealed the worst horrors of Stalin's rule in a secret speech to the Communist Party's central committee. At that time there was a brief thaw in the icy grip of government control of society; however, the oppressive regime soon returned with full force. Among the most barbaric episodes in the later years of the Soviet Union was its attack on Afghanistan in 1979. After years of fruitless fighting, Soviet troops accomplished little, except for killing tens of thousands of Afghans, while suffering heavy casualties themselves.

Chinese and Other Asian Communism

By the 1940's communism had spread to Asia, where the Chinese communists, under Mao Zedong, assumed power in 1949. Mao's China soon became a full-fledged totalitarian state, beginning with the conquest of Tibet and suppression of its ancient religious culture, followed by forced collectivization of agriculture and the slaughter of perhaps a million peasants. Collectivization greatly aggravated the immiseration of the nation's vast rural population, which has remained deeply impoverished, with onerous taxes extracted by corrupt rural bureaucrats.

Mao's catastrophic Great Leap Forward of 1958-1960, intended to catapult China into the ranks of industrial powers within an absurdly short period, compelled peasants to neglect agriculture. Millions of people starved to death, and many more suffered horribly. For a short time thereafter, when markets were allowed to function, bumper harvests in some areas were so plentiful that some food was given away to avoid spoilage. However, such prosperity did not last long. Within a few more years, China's Great Proletarian Cultural Revolution, led by violent student radicals, produced a human rights calamity of vast proportions. The Cultural Revolution bitterly attacked traditional Chinese culture, especially its class structure and Confucian intellectual culture and social mores. Vicious fighting erupted among contending political factions. More than a million people may have died in the ensuing chaos.

Several years after Mao's death in 1976, China adopted more rational

policies. Though the state still owned most productive capital, markets began to function and a policy of opening China to the world, after decades of suffocating self-enclosure, was gradually put into practice. By the end of the 1980's however, the forces of democratic reform had become a powerful influence, especially among students. Matters came to a head in June, 1989, when old, supposedly retired, top officials were called in to deal with student demands for democratic change. Army troops poured into Beijing's Tiananmen Square, and an unknown number of students—perhaps thousands—were slaughtered. Although the regime continued economic reforms that allowed free markets an increasing portion of the economy, China's path to democracy became strewn with the detritus of political oppression. Religious freedom continued to suffer, as the religious sect Falun Gong was persecuted because its independence threatened the regime's drive to retain total control of social life.

These were not the only sites of communist political oppression. To China's south, Vietnam became a communist state after the French were driven out in 1954. Later, during the U.S. involvement in Vietnam during the 1960's and 1970's, the bordering country of Cambodia was taken over by the communist Khmer Rouge. Another human rights catastrophe ensued, as the new regime, supposedly in the course of creating a new society from its basic foundations, killed more than a million Cambodians.

Fascism

Fascism, communism's close political cousin, led to human rights violations that rivaled those of the communists. Benito Mussolini, who seized control of Italy shortly after World War I, assumed dictatorial powers in 1925-1926 and held them until he was overthrown 1943. By then, he had eliminated political liberty in Italy and, in the 1930's, wantonly invaded and occupied Ethiopia, and thrown in his lot with Nazi Germany.

Adolf Hitler helped found Germany's Nazi Party in 1920 and in 1923 attempted the overthrow of the government of Bavaria in the famous Beer Hall putsch. While imprisoned, he wrote *Mein Kampf* filled with poisonous hatred of the Jews and plans for the conquest of Europe. In 1933, after the Great Depression ominously descended, Hitler legally assumed the office of chancellor and began Germany's Nazification. Thereafter, all semblance of a legal regime was rudely thrown aside. Within weeks of taking power, Hitler set up the first concentration camp to house political enemies, as political liberty was suppressed entirely. Germany's Jews came

under increasing pressure, as the Nazi regime falsely blamed them for all Germany's misfortunes. At a Nazi Party congress in Nuremberg in 1935, Hitler passed the Nuremberg Laws, which deprived Jews of civil rights, forbade marriage between Jews and non-Jews, and placed those of partial Jewish heritage under various legal disabilities.

All of this, along with further outrages, was as nothing compared with Hitler's "final solution" to the "Jewish problem," set in motion soon after 1940, when special death factories were constructed. After the war, the infamy and unthinkable character of the Nazis' crimes helped propel widespread publicity of the vocabulary of human rights. Soon, the idea of human rights assumed an unprecedented stature and currency in international public discourse.

Other Repressive Governments

Further examples of human rights violations stand out among an enormous number that could be cited. One is the white-dominated Nationalist regime of South Africa, which until its dismantling in the early 1990's, enforced the system of apartheid of separate development. From the formal inauguration of the policy in 1948 and its further implementation in 1951, apartheid was no more than a rationalization for racial oppression, in which nonwhites, especially black Africans, were assigned a life of drudgery to serve their white masters. This regime was enforced by a police state and savage methods, including terrorist acts and murder.

Articles in these volumes on other human rights violations in Africa extend throughout the whole continent, above and below the Sahara Desert. Events discussed include the bloody Nigerian civil war over the breakaway state of Biafra, the terrorist regime of Uganda's Idi Amin, genocides in Burundi and Rwanda, and the use of hunger as a weapon by the Sudanese government.

Other of the world's twentieth century population of murderous dictators included Ferdinand Marcos of the Philippines, who held power from 1965 until he fled the country in 1986. During that time, Marcos suppressed democracy, declaring martial law in 1972, looted the country of more than \$2 billion, and had opponents killed, including opposition leader Benigno Aquino.

In Latin America, Argentina fell under the rule of a military junta that conducted a "dirty war" in which thousands of political opponents disappeared and were never seen again. In Chile, General Augusto Pinochet took over the government in 1973 and ruled with an iron fist, threw hu-

man rights standards aside, until he yielded to popular will in 1990 and stepped aside. Uruguay and Brazil likewise felt the alien presence in public life of military rule, until each managed to restore democracy. Brazil's period of intense political repression began in 1968. Even after the restoration of civilian rule in 1985, the fragility of human rights was illustrated by the police massacre of Rio de Janeiro slum dwellers in 1993.

In Central America, human rights were likewise fragile throughout the twentieth century. The mass killing of civilians by El Salvador's military in 1932 was indicative of the behavior of military governments in the region. Several other governments in the area, notably Guatemala, behaved little better. With the active assistance of Soviet Russia, the Cuban regime of Fidel Castro maintained a totalitarian regime from the late 1950's onward, while partisan elements in many parts of the world cheered him on, as if human rights meant nothing.

In the Middle East, the barest catalogue of human rights violations would require volumes. Here, the regimes of Iraq under Saddam Hussein and Iran under the shah of Iran, followed by Islamic fundamentalists led by radical cleric Ayatollah Rouhallah Khomeini, were among the most repressive and murderous in the region. Both Iraq and, especially, Iran aided terrorists. After Iraq attacked Iran in 1980, the resulting war lasted until 1988, resulting in up to 1.5 million dead. Then, in 1991, Iraq invaded neighboring Kuwait, whose oil it coveted. During the Iraqi occupation, hundreds were murdered or mutilated.

In Southwest Asia in 1996, a religious movement in Afghanistan called the Taliban began its takeover of the war-ravaged country. During the ensuing five years, until driven from power by the United States in late 2001, the Taliban regime enforced its version of fundamentalist Islam with the systematic suppression of human rights, especially those of women. Abuses inflicted upon women under the Taliban regime represent just one instance among many others of the ill-treatment of women by Islamic fundamentalists in a number of nations.

Creation of International Norms

The existence of the term "human rights" alone tells us that humanity has not simply stood idly by as murder, torture, and other forms of abuse have become ever more widely publicized. As early as the eighteenth century a determined cry went up among European intellectuals decrying practices such as torture, which was widely used. Condemned by the Enlightenment, torture became steadily outlawed in Western Europe. The

U.S. Bill of Rights, adopted in 1791, followed this trend by outlawing cruel and unusual punishments.

America's bloody Civil War was among the catalysts that led European nations to adopt a series of conventions regarding the conduct of war, beginning in the late nineteenth century. The mass slaughter of World War I led the brightest political minds to conceive the idea of collective security through international cooperation to outlaw and punish the worst abuses of power in the international sphere. Out of the Versailles Treaty of 1919 that formally ended World War I was born the League of Nations. However, the league was doomed to failure when the United States Senate failed to ratify the treaty. In 1935, when fascist Italy's flagrant aggression against Ethiopia occurred and Emperor Haile Selassie appealed to the league for assistance, the league was entirely ineffectual. Similarly, when in the same decade a resurgent Germany failed to abide by the Versailles Treaty's terms by rearming and occupying Czechoslovakia's Sudetenland, a weak and vacillating League of Nations proved powerless.

However, after the uniquely horrific war crimes of World War II, the Western powers, together with the Soviet Union and a war-racked Chinese state, came together in San Francisco and founded a collective security organization, the United Nations. This was the beginning of a series of treaties that set international norms for their signatories.

In 1947 the United Nations Universal Declaration of Rights was promulgated. Afterwards, a host of new international treaties and covenants concerning protection of human rights, including conventions against genocide, torture, slavery, racial discrimination, abuse of women, abuse of children, and other such victims. Separate international covenants were issued on economic, social, and cultural rights and on civil and political rights that are formally binding only on signatories. In addition, an International Court of Justice was established in The Hague, Netherlands; a law of the sea, requiring many years to negotiate among numerous nations, was finally established in 1982.

In general, life among nations after World War II took on a host of international laws and regimes that helped to chart a surer course for nations in their everyday relations with each other. The General Agreement on Tariffs and Trade, later renamed the World Trade Organization, began successive rounds of negotiations to lower tariffs, increasing international trade and prosperity. International regimes regulating air traffic among nations and other subjects were agreed to.

These are but a few of the most recent important developments in cre-

ating order, stability, and predictability in international life. They may serve not only to introduce the articles of these volumes but also to engage the reader in further researches to gain a more complete view of the complex web of international rules, organizations, and regimes and the roles they play in stabilizing and regulating international life.

Making Sense of Suffering and Evil

At one level most of the events discussed in *Human Rights Violations* constitute a depressing catalogue of the ill nature and malevolent possibilities of the human estate. The ground covered can quite properly be considered as definitive confirmation of biblical judgment that speaks of “the crooked timber of humanity” from which “morally straight” action can be expected. These volumes may also serve to rebuke utopians who claim that the Good Society can be achieved if only organized power can control, oppress, or otherwise maraud upon the power of free choice and the moral sensibilities of humanity.

The same material can be looked at from another perspective, however. It is not one that looks forward to a new age of perpetual peace; but it is a perspective that sees progress in a long, slow process of crafting *international* and *intranational* norms and spreading consciousness everywhere of norms that may one day largely be realized. The addition of intranational norms means that in at least some instances the international community will not tolerate the worst forms of human rights abuses by governments against their own peoples.

By the opening of the twenty-first century, the world was drawing ever closer together on account of advances in transportation and communication affecting international life. Although global terrorist actions and local wars proceeded unabated with uncharted dangers lying ahead, nevertheless, there was an important degree of international solidarity among the nations that fought back. Violent assaults against humane values and the principles of civilized life continued within and among nations and peoples; but an enlarged and energetic counter-effort just as surely opposed them. Humankind was perilously endangered. However, concerted, continuing, collective efforts to save humanity from the death and destruction of modern weapons offered renewed hope that although the “crooked timber of humanity” can never be made entirely straight, rational enlightenment might yet triumph over the forces that threaten civilization.

Charles F. Bahmueller

Human Rights Violations

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Atrocities Against Congolese Laborers Are Exposed

Category of event: Indigenous peoples' rights; workers' rights

Time: 1903

Locale: Congo Free State (later Belgian Congo; Democratic Republic of the Congo; Zaire)

King Leopold II of Belgium colonized the Congo Basin as his personal domain, maximizing his personal profits by having his agents commit unspeakable atrocities against the people of the Congo

Principal personages:

LEOPOLD II (1835-1909), king of Belgium, whose reign over the Congo Free State created one of the worst labor scandals in colonial history

SIR CHARLES DILKE (1843-1911), an author and radical member of the British parliament committed to the welfare of Africans, who exposed Leopold's atrocities to the British Parliament

EDMOND D. MOREL (1873-1924), the chairman of the Congo Reform Association, which fought to end King Leopold's rule of the Congo

TIPPU TIB (1837-1905), an Arab-Swahili trader, merchant, and administrator in Central Africa whose empire in the Eastern Congo was absorbed by Leopold II

HENRY MORTON STANLEY (1841-1904), a journalist, soldier, explorer, and pioneer explorer in Africa

Summary of Event

As Europe emerged from its Dark Ages, it struggled to break the Arab stranglehold on trade by developing sea routes to other continents. By the late 1400's, Portugal had pioneered sea routes along Africa's west and southern coasts. During explorations of Africa's coast, Europeans made contact with many African states that had achieved roughly equal levels of political development. Among these was the Congo kingdom.

Europe became wealthy as a result of a bloody and violent trade that developed in African slaves. Moral outrage and declining profits, however, curtailed the slave trade in the New World by the late 1800's. Europeans sought a new

basis for their relationship with Africa and tried free trade. Africans proved so adept at pitting European rivals against each other that they nearly caused wars in Europe between rival commercial partners. To prevent competition from escalating out of control, fourteen world powers convened a conference in Berlin in 1884-1885. In essence, they carved up Africa among themselves. Belgium received the Congo and the right to monopolize internal and external trade and government.

King Leopold II of Belgium convinced the Berlin conference to grant him exclusive control over the Congo by declaring that the state he would establish in the Congo would be a neutral field for all commercial activity and that the natives would benefit from the blessings of justice and good government. He denounced material motives for acquiring the Congo. Great Britain, fearing French and Portuguese rivalry, preferred to support Leopold, who appeared to them as weak and no real threat. Germany also supported Leopold's claim as one means of taking the French government's mind off Rhine territory lost to Germany.

Immediately after his claims on the Congo were given international recognition, Leopold II began assembling a vast African army commanded by Belgian officers. Many "recruits" were forced into service against their will. Boys as young as eleven years of age were conscripted, trained, and used as porters and as the core of future regiments. Officers were paid bonuses for every conscript recruited, whether voluntarily or involuntarily. Ruthless force was applied to those who refused to go voluntarily.

Arab slave traders were initially used by Leopold II as high and mid-level administrators. The most famous of these Swahili-Arabs was Tippu Tib, who had helped Henry Morton Stanley pacify the Congo Basin Africans and had become the chief administrator of the Eastern provinces. Tib demanded a share of the ivory profits earned in his districts. This annoyed the ambitious and greedy Leopold II. He declared to Berlin conference members his abhorrence of slavery and opposition to Arab slave traders. Leopold ordered his armies to annihilate all Arabs operating in the Congo. This earned for him the praise of Europe and left him as the undisputed ruler of the Congo. Tippu Tib and other Swahili-Arabs who survived this war lived out the balance of their lives in exile on the island of Zanzibar, off the coast of Tanzania.

Leopold II then issued clandestine orders to remove all non-Belgian European merchants from his territory. This was accomplished in part through heavy taxation, which ruined many merchants and forced others to relocate. It became apparent that Leopold II had never intended to honor his promise of making the Congo a neutral commercial zone.

Leopold's next move was to pay big personal bonuses to all officers securing very low prices for ivory; officers buying ivory from natives at high prices were given either small bonuses or no bonus at all. This guaranteed that Leopold would acquire large quantities of cheap ivory. His officers imposed ivory quotas upon villages. If a village's quota was not met, the village chief, along with village women and children, was kidnapped and held until the ivory quota was met. Selected victims were killed to force compliance when kidnapping proved to be insufficient motivation.

The pneumatic rubber tire was growing in popularity, and there was a growing demand for rubber on world markets. Rubber vines and trees grew in abundance in the Congo. Seeing this opportunity, Leopold established rubber quotas for villages in addition to ivory quotas. Chiefs were told to force villagers to supply the quota demanded or suffer punishment. Noncompliance was considered an act of rebellion, and Leopold's soldiers declared war on rebellious villages. Armed with rifles, his soldiers easily overwhelmed villagers armed with spears, bows and arrows, swords, and clubs. For every bullet fired in a village raid, Belgian officers demanded that their African soldiers present them with one left hand as proof that a rebel had been eliminated. In the 1890's, white officers became suspicious of their African troops' loyalty. Subsequently, whites demanded that their African soldiers bring them both the right hand and genitals of males killed. This was deemed necessary to prevent soldiers from killing women and children and presenting their hands as evidence that they had crushed a rebellion. Women and children from rebellious villages, if captured, were enslaved and forced into both prostitution and involuntary collection of rubber.

Soldiers also forced villagers to sup-



King Leopold II of Belgium. (Library of Congress)

ply all the fish, meat, vegetables, and fruit that they ate, regardless of season. Fish are abundant, for example, only during certain seasons of the year. A villager who could not catch the quota often had to travel far downriver and buy the balance at exorbitant prices. In extreme cases, to make such payments a son or daughter was sold into slavery.

Leopold II claimed that he eliminated slavery in the Congo when, in fact, he had merely introduced it in a new form and driven out potential Arab competitors. Africans were forced to go deeper and deeper into forests occupied by leopards, venomous snakes, and other threats. They often neglected to grow food for themselves to ensure that they met their excessive rubber quotas. The only escape from Leopold's tyrannical reign of terror was death or escape to another colonial territory.

On top of other demands, Leopold forced each village to repair specified sections of roads, railway tracks, and harbors. Most of his African subjects suffered from a chronic lack of sleep and poor nutrition. Sleeping sickness and malaria killed many in areas where these diseases had been rare before Belgian rule. Populations declined by more than 60 percent between 1890 and 1990. In many cases, whole villages migrated to neighboring colonies to escape Leopold's cruelties.

Missionaries reported these atrocities as early as 1892. Their reports were ignored until Leopold's soldiers began raiding villages in British colonies and capturing Africans. Those who survived often returned home missing their left ears, left hands, or left feet. British officials were outraged that such atrocities were committed against British subjects for Leopold II's personal gain. Sir Charles Dilke, a radical member of the British parliament, introduced evidence of these atrocities into parliamentary debates in 1897, 1903, 1904, 1905, and 1906. This created public awareness of these atrocities in Europe. Leopold consistently denied that he ordered, condoned, or had knowledge of these horrors. He gagged the Roman Catholic Church by assassinating irritating missionaries and declared that rival rubber merchants, jealous of his success, were using agitation against him to mask their own personal ambitions.

The fact remained that the Congo's forests and natural resources were being used not to benefit the Congo's inhabitants but to profit King Leopold II and his associates. Henry Richard Fox Bourne of the Aborigines Protection Society began writing extensively about the atrocities in the Congo. Edmond Morel, another reformer and convincing writer, also began publishing accounts of these atrocities as well as accusing Leopold of knowingly recruiting members of allegedly cannibalistic tribes from the Sudan into his army. Morel

shocked Europe by reporting cases of reluctant rubber-workers being mutilated and eaten by Leopold's men. He claimed that white officers knew of these crimes and ignored them as long as ivory, rubber, and food quotas were met. He further claimed that Leopold invited European officials who were disenchanted with his policies to dine with him in Brussels, at his expense. They were offered a percentage of profits from their areas in return for covering up atrocities used to gain compliance with his labor demands. Many accepted his bribes and kept quiet, fearing that assassination was the alternative. Some who refused to cooperate later disappeared. Wild animals were alleged to be the cause of death.

In 1903, an outraged European public organized the Congo Reform Association in an effort to end Leopold's wanton abuse of power and public trust. European opinion noted that people should have the right to trade freely in the produce of their soil and to enjoy the fruits of their labor. Trade, free labor, and the right to possess private property were believed to be basic human rights and the essential basis of economics. Denial to the Congolese of their right to trade goods and labor was thought to strangle their development and reduce them to permanent slavery.

Leopold had thus violated Congolese rights by declaring that the state could appropriate all salable products of the land on which his citizens dwelt. In practice, he also appropriated their labor and gave them no judicial means to challenge these acts. Leopold thus destroyed a potentially mutually profitable relationship between whites and Africans throughout the Congo. Africans were reduced to tenants on Leopold's property rather than proud landowners.

Sir Charles Dilke, Sir Harry Johnston, Sir Edward Grey, Henry Fox Bourne, Edmond Morel, and the Congo Reform Association decided that Leopold's crimes against humanity were so heinous that his rule must be ended. From 1903 to 1908, they campaigned vigorously against Leopold. Public opinion in Belgium forced Leopold to resign, despite the fact that he surrendered the Congo to the Belgian public in a final failed ploy to maintain monopolistic control over commerce in the Congo. Defeated, humiliated, and broken, Leopold died in 1909, soon after handing over control of the Congo to a reform-minded Belgian government.

Impact of Event

An Italian official in Leopold's Congo government once noted that the black slave trade should have been labeled the white slave trade. Officials with a sense of decency came to the Congo filled with Belgian patriotism and hu-

man compassion, thinking that their mission was to uplift the natives. Such men were told, after reaching the Congo, to get rubber using the most barbaric and inhumane means conceivable. In this living hell, many perished from self-inflicted gunshots. Like the Africans, they too were victims of Leopold's system with its heartless, cruel policies. That system turned decent men into pitiful brutes, while Leopold and his associates in Belgium quietly pocketed the profits produced. Ultimately, Leopold was responsible for the anguish, suffering, and denial of rights of millions of Africans whom he had reduced to misery, poverty, and slavery. Leopold preferred to call this his "taxation scheme." No public accounts were produced to account for these taxes, and in fact, Leopold was their principal beneficiary.

Duplicity and deceit could not disguise Leopold's atrocities forever. Clean, healthy, prosperous, densely populated villages were reduced to ghost towns under his rule. The few malnourished, dirty, impoverished inhabitants who remained were those too sick, weak, or frightened to flee.

Denied their rights, whole regions fought back by rebelling. The wars of rebellion that occurred bear testimony to the resilience of the human spirit, even under appalling inhuman conditions. The rebellions also show that war and widespread bloodshed should be expected responses to attempts to deny people their fundamental human rights. The courage of the decent Africans and Europeans who stood up to and fought against Leopold's tyranny helped safeguard human rights for millions of people.

Acts establishing a new colonial charter for the Congo and transferring it to Belgian control, rather than Leopold's personal control, were passed in 1908. Forced labor was not outlawed under the new charter, and many of Leopold's administrators kept their positions. The efforts of Morel and other reformers, however, gradually dismantled Leopold's system. In June, 1913, the Congo Reform Association dissolved itself, having determined that the process of reform had gone far enough.

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Dallas L. Browne

Iran Bars Non-Muslims from Cabinet Positions

Category of event: Political freedom; racial and ethnic rights; religious freedom

Time: 1906-1907

Locale: Iran

The constitution of Iran guaranteed individual religious freedom but denied non-Muslims access to high government office

Principal personages:

MOZAFFAR OD-DIN SHAH (1853-1907), the Iranian ruler who signed the first portion of the constitution when near death

MOHAMMAD ALI SHAH (1872-1925), Mozaffar's successor, who was bitterly opposed to the constitutional movement

MIRZA MALKAM KHAN (1833-1908), a onetime Iranian royal minister who was typical of the liberal constitutionalists

SHEIKH FAZLULLAH NURI (1841-1910), a staunch advocate of establishing a government on Islamic principles who was typical of the religious scholars (*ulama*) who joined the constitutional movement

SAYYID JAMAL OD-DIN AL-AFGHANI (1838-1897), a leading Pan-Islamicist who pioneered the alliance between the liberals and the *ulama* that made the Iranian revolution of 1905-1907 possible

Summary of Event

In the second half of the nineteenth century, Iran became increasingly enmeshed in international politics. The Russian empire was expanding to the southeast, while that of the British in India was moving toward the northwest. Iran was the unwilling buffer between those two imperial giants.

Iran's population at that period was approaching ten million people. More than a third of that number, however, were nomadic or seminomadic tribesmen. The rest of the country's inhabitants were scattered over the countryside in villages and hamlets. Under the Safavid dynasty (ca. 1500-1727), Iran had been a major force in the Middle East, but the fall of the Safavid empire was followed by seventy years of civil war and political chaos. The Qajar dynasty, which

claimed the throne in 1796, never enjoyed the prestige of the Safavids. The Qajars exerted real authority only in their capital, Teheran, and in a few other cities. To govern the rest of the country, the Qajars depended on an intricate series of alliances with tribal chiefs and local landlords.

The weakness of the Qajar government meant that the dynasty was comparatively poor. Their extortionate policies were much resented, but the Qajars were never able to gain sufficient wealth to sustain their imperial pretensions. This made them an easy mark for European entrepreneurs eager to gain a commercial advantage in exchange for a comparatively small contribution to the royal purse. In this way, Europeans began to exert more control over Iran's economy. Iran's merchant class (the *bazaaris*) was especially hurt by the influx of relatively cheap European goods. Old patterns of production and distribution were disrupted.

Europe's influence was further emphasized in March, 1890, when the Qajar king granted the British a monopoly over the production, processing, and sale of tobacco in Iran. Iranians were avid smokers and the crop was widely grown. Farmers, petty manufacturers, and shopkeepers all faced the prospect of losing control over this valuable cash crop.

All classes of Iranian society began to protest the granting of the tobacco concession. A few individuals who had been educated in Europe or in Iran's few European-style schools led the way by complaining that the Qajars were selling out to British imperialists. They carried on their protest through pamphlets and newspapers printed in England or Russia and smuggled into Iran.

At the same time, the religious scholars (*ulama*) also began to involve themselves in the controversy. The *ulama*, educated in the Islamic religious sciences, far outnumbered those trained in modern schools. Also, the *ulama* of the Imami branch of Shiism, which the Safavid emperors made the majority sect in Iran, enjoyed a particularly close relationship with the masses, especially the merchants. Many scholars came from mercantile families and found their most devoted followers in that group. Although they were contemptuous of the Qajars, they did not trust those educated in European schools. To the *ulama*, the liberals seemed to be as bad as the imperialists.

As the tobacco controversy heated up, some of the liberals approached Sayyid Jamal od-Din al-Afghani, who was on an extended visit to Iran. Al-Afghani convinced the liberals that they had to express their opposition to the Qajars in Islamic terms. Only then would the *ulama* and the *bazaaris* join them. The liberals followed his advice, and al-Afghani began writing to the scholars arguing that they and the liberals both wanted the same Islamic reforms. Religious scholars had greater access to the masses than did the liberals. Many of

them were preachers in mosques, and soon their sermons were filled with attacks on the Qajars. The protest grew so strong that the king was forced to withdraw the tobacco concession. He expelled al-Afghani for his participation in the controversy. Al-Afghani's work in bringing the liberals and religious scholars together, however, set the stage for more serious political change.

Throughout his reign, Mozaffar od-Din Shah dragged Iran further into foreign debt. Mozaffar was a sickly man, and he made several trips to famous European spas. In order to finance those expeditions, Mozaffar floated a number of large loans from the Russians. Scattered protests continued.

The Iranian revolution began in December of 1905. The governor of Teheran had several prominent merchants publicly beaten for refusing to cooperate with his economic policies. In protest, a crowd of *bazaaris* and *ulama* went to the Royal Mosque. In turn, a government minister hired a mob to drive them out. Several merchants and scholars were roughed up. The throng then proceeded to a shrine outside the city, where they claimed religious sanctuary. They issued a number of demands to the king, but these were not specifically formulated. Mozaffar fired the governor of Teheran, and revolutionary fervor abated temporarily.

By the end of the summer of 1906, protests had reached dramatic proportions. Several thousand prominent citizens left Teheran for the city of Qom, a famous religious center. Another fourteen or fifteen thousand people took refuge on the grounds of the British embassy. Life in Teheran came to a standstill. This time the protesters demanded an elected parliament (*majlis*). The king was forced to concede. The first *majlis* met in October of 1906, and one of its committees set about drafting a constitution, known as the Fundamental Law. In the throes of his final illness, Mozaffar signed the document in December of 1906. The Fundamental Law was a fairly brief document, much of it patterned on the constitution of Belgium. Unlike Great Britain, Belgium was not a threat to Iran, so the framers of the law thought it would not inspire much opposition.

In October, 1907, a much larger document, "The Supplementary Fundamental Law," was reluctantly approved by the new king, Mohammad Ali Shah. This second portion of the constitution reflected some of the tensions that had emerged between the liberals and the religious scholars. After the initial success of the constitutional revolution, some of the *ulama* began to suspect that they and the modernizers did not mean quite the same thing when speaking of Islam. One of the prominent scholars, Sheikh Fazlullah Nuri, said, "What is the use of a constitution cooked in a British stew pot?" The question of the rights of religious minorities was a case in point.

Although the Safavids had made Imami Shiism the dominant sect in Iran, large numbers of the Sunni sect (the majority in the Muslim world outside Iran) remained. Sunnism was particularly strong among the tribal groups. No one considered banning Sunni participation in government, because their minority status made it unlikely that any Sunnis would find their way to high office. Christians of several sects, Jews, and Zoroastrians also lived in Iran, mostly in the cities. During the nineteenth century, European missionary and benevolent organizations began working with the Jewish and Christian groups. They built schools and hospitals that generally improved the social and economic position of the minorities. That development, however, raised the suspicion that Jews and Christians were agents of European imperialists.

In the *majlis*, religious minorities had reserved seats. Their representatives were supposed to take care of the needs of their communities. The liberal constitutionalists wanted to ensure absolute equality among all Iranians, but the *ulama* opposed that measure on several grounds. Having non-Muslims ruling over Muslims was to them a doctrinal and practical impossibility; moreover, they suspected Jews and Christians of having imperialist sympathies. As a compromise, the liberals conceded the principle that only Muslims could hold high government office and agreed to ban any missionary attempts to convert Muslims. Since the missionaries had never been successful in attracting converts from Islam, this did not amount to a serious denial of rights. The constitution did, however, guarantee personal religious freedom. Jews and Christians continued to practice their faiths without government interference. The constitution's ban on non-Muslims in the cabinet did not rouse any significant opposition among the religious minorities, perhaps because these groups had never had much influence in any of Iran's previous governments. Indeed, the prevalence of monarchy meant that even Muslim Iranians had not had much say in the way they were governed. The revolution of 1905 and the constitution were attempts to give ordinary Iranians some influence on the policies of the state.

Impact of Event

Iran's constitutional experiment ultimately failed. Mohammad Ali Shah was driven into exile in 1909. He had tried twice to overthrow the parliament and on the second attempt succeeded, but after his ouster a coalition of landlords even more reactionary than the king took control in Teheran. A few constitutionalists, including the prominent religious scholar Sheikh Fazlullah Nuri, held out in Tabriz, but eventually the Russians took the city and turned them over to the government. Many, like Nuri, were given the briefest of trials and hanged.

During World War I, Iran was occupied by British and Russian troops. Although the latter withdrew following the 1917 Russian Revolution, Great Britain retained a considerable amount of influence after the war. The British were not interested in reinstating the constitution. Their policy focused on keeping Iran stable so that the British could control Iran's expanding oil industry.

Iran never had a strong military tradition. Before the late nineteenth century, kings had relied on tribal levies when they needed an armed force. In 1879, a Cossack Brigade was established. The troopers were Iranians and the officers were Russians. Their primary duty was to protect the king. In 1917, the Russian officers withdrew, and their Iranian subordinates succeeded them as the unit's commanders. One of these, Reza Khan, staged a military coup in 1921. Although Reza was anti-British, he accepted British help in taking over the government. In 1928, Reza declared himself Shahan Shah (king of kings) and founded the Pahlavi dynasty. He and his son, Mohammad Reza, were to be its only monarchs. Throughout the rule of the Pahlavis, the constitution of 1906-1907 was, in theory, the law of the land, but the Pahlavis observed it only when it served their political purposes.

When the revolution of 1978-1979 began, an alliance of Western-educated liberals and religious scholars emerged, similar to that formed in 1890. Both sides looked back to the tobacco protest and the constitutional movement for heroic models. The names of Sayyid Jamal od-Din al-Afghani and Fazlullah Nuri were invoked constantly. Although the new constitution of the Islamic Republic of Iran was built more thoroughly on Islamic principles than that of 1906-1907, it still guaranteed religious toleration for Jews, Christians, and Zoroastrians. Like the earlier document, the new constitution did not allow religious minorities to hold high government office.

The revolutionaries of 1978-1979 were also fearful of foreign interference. They looked upon the Shah Mohammad Reza as a puppet of the British and Americans. They believed that both Great Britain and the United States would attempt to crush them. Once again, Jews and Christians in Iran were suspected of harboring antirevolutionary sentiments. In the years after 1980, however, that suspicion diminished. Many Jews and Christians fought in the war with Iraq. Those who died were given "martyr" status alongside that accorded Iranian Muslims killed in the war.

In many ways, the Iranian revolution of 1978-1979 was a continuation of the one that began in 1905. It resolved some of the tensions between liberals and *ulama* in favor of the latter. The *ulama* still appeared to command the loyalty of the Iranian masses as well as that of the *bazaaris*.

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Gregory C. Kozlowski

Muslim League Protests Government Abuses of Minority Rights in Colonial India

Category of event: Indigenous peoples' rights; racial and ethnic rights

Time: December 30, 1906

Locale: Dacca, India

The All-India Muslim League was established in 1906 to promote the political, educational, social, and economic interests of India's minority Muslim community

Principal personages:

AGA KHAN III, SIR MOHAMMAD SHAH (1877-1957), the leader of the 1906 Simla delegation and a founder and first president of the All-India Muslim League

LORD GILBERT JOHN MINTO (1845-1914), the viceroy of India who received the Muslim delegation at Simla

NAWAB MOHSIN UL-MULK, SAYYID MAHDI ALI (1837-1907), a founding member of the Muslim League

KHWAJA SALIM ULLAH, a Muslim who called the organizational meeting of the All-India Muslim League

MAULANA MUHAMMAD ALI (1878-1931), the principal architect of the Muslim League's constitution

Summary of Event

On December 30, 1906, a meeting of delegates to the Muhammadan Educational Conference (MEC) gathered to establish the Muslim All-India Confederacy. The site of the formation of what would be known thereafter as the All-India Muslim League was Dacca, the capital of the newly formed, predominantly Muslim province established by the 1905 partition of Bengal. Delegates to the MEC, more than three thousand from all of India, answered a call by Khwaja Salim Ullah to discuss establishing a political organization that would safeguard Muslim social, economic, and political interests from unfair competition and influence by majority Hindus in British India. Muslim leaders perceived encroaching disenfranchisement from European-ruled India.

Thus was born an association conceived because of the perception of a duality of interests and goals between British India's two main communities, Hindus and Muslims. The league would later facilitate not only Indian independence but also the partition of the subcontinent into two sovereign countries, India and Pakistan. That partition would have its origins in the communal and political diversity of Indian Hindus and Indian Muslims during the period from 1857 to 1947, a period known as the nationalist era.

Muslim separatism and the "two-nations" principle derived from the idea that Indian Muslims were culturally and politically distinct from India's Hindus. Indian Muslims, however, comprised many ethnic groups, reflecting the nations of the subcontinent's invaders. They were Arabs, Turks, Afghans, and Persians as well as indigenous South Asians who were converts from Hinduism. These ethnic groups constituted a syncretic Indian Islam influenced by varying cultural traditions; India's Muslims did not, therefore, constitute a monolithic group except in terms of their communal differences with the Hindu majority.

After 1857, cultural and religious nationalism became especially important to Indians, especially Muslims. Hindus had tended to adapt better to their invaders, stressing their distinctiveness as a community less than Muslims did and assimilating more easily. With the political advent of the East India Company, Muslims and several martial ethnic groups such as the Rajputs, Sikhs, and Marathas found themselves jockeying for position to fill the political void left by faltering Moghul imperial rule. Several of these groups vied with one another and with the British and the French in an attempt to fill that void. After the Indian mutiny of 1857, the British made tangible what had been true since the Battle of Plassey in 1757 and formally established the British Raj. The events of 1857 reflected badly, justifiably or not, on the Muslims, since they were perceived as having the most to gain by disrupting British rule in northern India. For a brief time after the conflict, however, since both Hindus and Muslims had been involved, there was a sense of Indian nationalism; for some it meant simply "anti-British." Indian nationalism was cemented when Queen Victoria of England became Empress of India and India was proclaimed the "jewel" in the British crown.

When the British officially announced their political hegemony, Indian nationalism became interlocked with culture, religion, and politics, most noticeably between Hindus and Muslims. With the government in the hands of foreigners who needed indigenous bureaucrats and administrators to operate it, there was keen competition for economic and political representation and influence. Muslims, shouldering a greater part of the burden in 1857 and

having been defeated by the British in governance of India, fell behind more progressive Hindus who eagerly sought positions within the British Raj. Hindus also adapted more readily to the British educational system, and educated Hindus were the first chosen when opportunities for Western education and government and military employment were opened to Indians. If this were not enough, the influence of the British extended even to social matters, affecting the lives of the indigenous governed in terms of religious and cultural practices and even language usage. This trampling on social traditions had led directly to the conflict of 1857.

Accompanying Hindu participation in the British Raj was a Hindu renaissance reviving the symbols, myths, heroes, and history of ancient Hindu rule in India. Such organizations as the Brahma Samāj and the Āryā Samāj suggested to non-Hindus that Indian nationalism reflected only the interests of the majority. Muslim revival and reassessment was one response to this.

The nineteenth century Muslim community was reflected by two main schools of thought, the Aligarh and Deoband movements. Both looked toward Islamic revitalization, but the Aligarh movement, founded by Sir Sayeed Ahmad Khan, was progressive, looking toward Western traditions and science to uplift the Muslim community rather than the orthodox revival desired by the Deoband movement. In 1875, Sayeed Khan founded the Muhammadan Anglo-Oriental College at Aligarh. Unlike some other Muslims, he saw British India not as a *Dar al-harb*, a country of the enemy, but as *Dar al-Islam*, a country of peace. Within the latter, Khan believed Muslims and Islam could flourish and prove loyal to the government. In 1867, Maulana Muhammad Qasim Nanawtawi founded the Deoband movement. Members of this group had been very active during 1857. Education was seen by both Sayeed Khan and Maulana Nanawtawi as paramount to cultural revival and survival under British rule. Whereas Khan more than accommodated Western learning, Maulana Nanawtawi did not. His curricula reflected more orthodox Muslim learning and focused on Islamic distinctiveness. It did not reflect an interest in equipping its students for participation in a government believed to be hostile to Muslims. Further straining communal harmony was the birth in 1885 of an institution instrumental in bringing about Indian independence from British rule in 1947—the Indian National Congress. With it came the beginnings of a political separation that would evolve into partition of the subcontinent. Although Muslims were members and officials of the Congress, many were concerned that it did not adequately reflect their interests and would work only to the advantage of its predominantly Hindu membership. Sayeed Khan was very much against the Congress, in part because he wanted to foster better rela-

tions between Muslim subjects and British officialdom. He saw the Congress as antigovernment and as a vehicle only for protest and “agitational” politics. To this end, he established the Joint Committee of The Friends of India, opposing the Congress’s goals and objectives. All these political machinations, as well as the 1905 partition of Bengal, which created a new province in which Muslims increased their representations on legislative bodies, led to the deputation to Simla of thirty-six influential Muslims to see Lord Gilbert John Minto, the viceroy of India, on October 1, 1906. The delegation, led by Aga Khan III, included Muslim landowners, lawyers, nobles, and merchants addressing the viceroy on “communal interests of diverse Indian communities.” The delegation advised the government that the relative numerical strength of a community should not be an issue for the government but instead the “political importance and value” of each community should be considered. In detailing the distinctiveness of Indian Islam, the delegation built upon the recent partition of Bengal, which would have worked in Muslims’ political favor had Hindu protests not nullified it in 1911. Two months after the delegation, Nawab Waqar-ul-Mulk explained the difference between the newly formed Muslim League and the Congress. The league did not seek to emulate the agitational politics of the Congress but to submit any demands to the government with due respect. The league stressed a (Muslim) national duty to be loyal to the British rule, to defend the British Empire, and to give the enemy (Hindus) a fight in doing so.

Impact of Event

The establishment of the All-India Muslim League provided Indian Muslims with a national political and communal voice different from the usual regional cultural and educational organizations, which were not as effective in political lobbying. The league, however, largely represented the interests of prosperous and influential Muslims wanting equal input into the governance of India along with influential Indian Hindus. With the Indian National Congress, it was a major negotiating factor in the bid for *svaraj* (self-government), a Congress goal announced in 1906, and later in the bid for independence and, finally, in the establishment of Pakistan.

The league was in place to protest the nullification of the partition of Bengal in 1911, which depleted Bengali Muslim representation on legislative and advisory boards and councils. The league’s purpose was also to harness and focus the political and economic interests of subcontinent Muslims. It was not, however, a grassroots movement, as the Congress became under the guidance of Mohandas K. Gandhi and Jawaharlal Nehru. Its impact on the lives of

average Muslims was thus negligible until 1947, when the partition of India led to mass migrations of Hindus and Muslims and to a painful and often deadly refugee problem. The league, however, provided a regional voice on world problems affecting the status of Muslims, particularly the fall of the Ottoman Empire and the resultant Indian Khilafat movement. The league and its leaders became symbols of Pan-Islamism.

As a political voice of Muslim leadership, the Muslim League was necessary to the passage of the Minto-Morley Reforms under the Indian Councils Acts of 1909, which provided the foundation for a set of constitutional safeguards for Muslims and other groups. These safeguards included separate electorates and proportional representation, instruments to strengthen the political influence of Muslims on government. The league also addressed nationalist inclinations, especially as it became clear that gradual self-government would eventually lead to political independence from Great Britain. It would be the Muslim League and its leader, former congress member Mohammed Ali Jinnah, that would usher in the Islamic state of Pakistan with Jinnah as *Qaid-i-Azam* (supreme leader) of the new country. It is safe to say that without the political machinations of both, there would be no Pakistan. It was Jinnah, as president of the league, who articulated most effectively the two-nation policy that finally convinced the British that there would have to be a division of the subcontinent upon their leave-taking. In August, 1947, Pakistan became a reality—the embodiment of minority rights politics in India.

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Nancy Elizabeth Fitch

Hague Conference Formulates Legal Norms of Behavior in War

Category of event: Atrocities and war crimes; international norms

Time: October 18, 1907

Locale: The Hague, the Netherlands

The Second Hague Peace Conference of 1907 revised and expanded the rules developed during the 1899 conference to mitigate suffering and protect the rights of persons in international war

Principal personages:

THEODORE ROOSEVELT (1858-1919), the president of the United States (1901-1909) who took the initiative to reconvene the Hague Conference

NICHOLAS II (1868-1918), the sovereign of Russia who convened the First Hague Peace Conference

WILHELMINA (1880-1962), the sovereign of the Netherlands who sent the invitations to attend the Second Conference at The Hague

Summary of Event

In the second half of the nineteenth century, advances in technology were rapidly making the use of force more destructive. There was a growing need to limit what states were allowed to do in the course of armed conflict; the laws and customs of war had to be revised and expanded. A number of international agreements began to do that. For example, the 1864 Geneva Convention sought to improve the condition of wounded soldiers in the field, and the 1874 Brussels Declaration attempted to codify the norms of land warfare.

As the nineteenth century drew to a close, the expansionist drive of the great powers made the outbreak of war more likely. It became more urgent to codify the standards of civilized warfare. The initiative came from Czar Nicholas II, who invited all nations maintaining diplomatic relations with the Russian government to meet for the purpose of seeking the most effective means of preserving peace, limiting armaments, and regulating the conduct of war. The Hague was selected as the site for this conference. At the request of Russia, the Dutch monarch issued the invitations. Twenty-six governments participated in the First Hague Peace Conference from May 18 to July 29, 1899.

That first conference failed to provide new approaches to peace or to limit armaments. It did produce, among other things, new rules of international law to protect both combatants and noncombatants from the effects of war and provided the foundation for the 1907 Hague Conference. This second conference, in fact, had been expected to meet sooner. The 1899 negotiations were seen as useful, and an early reconvening was supported by the diplomats involved. More urgent problems intervened, however, as Russia found itself at war with Japan, and plans for the next conference were set aside. The Interparliamentary Union (an organization of representatives of parliaments of sovereign states working for international cooperation) decided in 1904 to urge U.S. president Theodore Roosevelt to convene the Second Hague Conference. He accepted and immediately sounded out the governments represented at the first conference. All responded positively. The termination of the Russo-Japanese War, however, led the czar to resume the initiative. It was on his invitation that the queen of the Netherlands convoked the Second Hague Peace Conference.

This time, forty-four nations participated in the proceedings, from June 15 to October 18, 1907. Once again, the participants failed to devise effective ways of preserving peace or controlling armaments. They did, however, draft an unprecedented number of agreements setting limits to the conduct of hostilities, safeguarding human rights, and reducing the brutality and destructiveness of war. The most important of these was Convention IV, a revision and expansion of one of the conventions written in 1899. It provided the most comprehensive set of rules to that date for military operations on land. The regulations, as they were called in the convention, were of considerable significance for the protection of human rights. On a personal level, many of the rules promised to protect individuals in a variety of ways. The regulations stated that prisoners of war must be humanely treated. Specific rules established, often in very detailed manner, the extent of their protection, for example, the kind of work they could be ordered to do and their compensation for it. The sick and wounded must be treated according to the Geneva Convention, revised in 1906. Some of the means and methods of combat were also regulated. For example, it was forbidden to use poisoned weapons or to kill soldiers who had laid down their weapons. A belligerent occupying enemy territory was allowed to exercise its authority but with a number of restrictions. For example, the occupant must respect the rights of the people living there, their private property, and their religious practices. Pillage was forbidden. The states that were party to this convention agreed that they would issue instructions to their armed forces ensuring compliance with these regulations.

Other conventions specified that hostilities between states must not begin without prior and explicit warning. They prohibited the use of armed force for the purpose of recovering contract debts owed by a government unless the debtor state refused or failed to reply to an offer of arbitration, or failed to comply with the result of the arbitral proceedings. This was a small step in the attempt to restrict the sovereign right of states to use armed force, a goal that eventually was achieved on a much larger scale by the League of Nations, the 1928 Pact of Paris (the Kellogg-Briand Pact), and the United Nations.

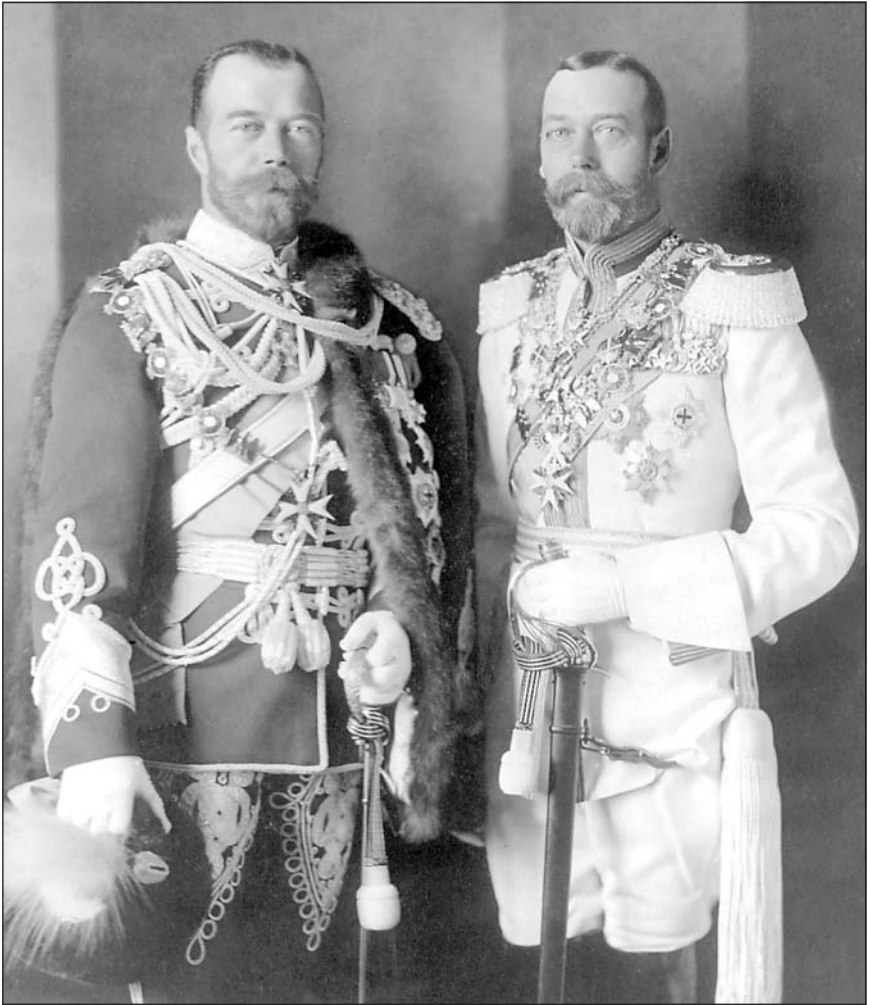
Another 1907 Hague Convention specified the rights and duties of neutral states, essentially protecting them from the destruction of war in return for their concerted efforts not to be of assistance to any of the belligerents. Some of the rules protected specific human rights. If, for example, some of the armed forces of a belligerent entered the territory of a neutral power, the latter was obligated to intern them for the duration of the war and provide the food, clothing, and relief required by humanity. After the war, the neutral power would be entitled to compensation for the internment expenses incurred.

The last eight conventions written at The Hague regulated naval warfare. They included provisions ensuring the security of maritime trade against the sudden outbreak of war and, to this end, protected against seizure of merchant vessels belonging to one of the belligerents found in an enemy port at the beginning of a war. Other provisions distinguished merchant ships converted into warships, protected the freedom of sea lanes in times of war, and ensured the safety of vessels not involved in the conflict by forbidding the laying of unanchored contact mines, which are indiscriminate.

The Hague regulations developed for land warfare were made applicable to naval bombardment. This was meant to protect the population of undefended ports, towns, or villages and to preserve buildings used for artistic, scientific, or charitable purposes and otherwise reduce the destructiveness and harshness of war.

Some provisions developed in 1899 were meant to adapt to maritime warfare the principles of the Geneva Convention for the protection of sick and wounded personnel. These were revised and expanded in 1907, specifying the conditions under which hospital ships and medical personnel could carry out their humanitarian mission.

The conventions further elaborated the rules of capture in naval warfare, exempting from capture postal cargoes and vessels used exclusively for fishing along the coast, or those employed in local trade or engaged in religious, scientific, or philanthropic activities. The conventions set up an Interna-



Czar Nicholas II (left), the initiator of the Hague Conference, in a formal pose with Great Britain's King George V. (Library of Congress)

tional Prize Court to ensure greater justice in the capture of merchant ships or their cargo.

Finally, rules were made to protect the rights of neutral powers in naval war. The kinds of activities belligerent ships could engage in while in neutral ports were specified, for example, as was the length of time belligerent ships could stay in neutral ports.

The rules and regulations written in 1907 were significant, but the nations represented at The Hague were aware that further development was needed. The Second Hague Peace Conference had failed to create institutions to preserve international peace and reduce armaments. The delegates were convinced, however, that their efforts had been useful and that this work should continue. They agreed, therefore, that a third peace conference should be held in about eight years. This lack of urgency was astounding in the light of growing international tensions and an increasing risk of war. By 1915, the scheduled date of the third conference, World War I was under way. The third conference never met.

Impact of Event

The 1907 conference substantially clarified and expanded the laws and customs of war. It showed a concern for curbing the brutality of armed conflict and reducing the suffering of both combatants and noncombatants. It is true that rapid technological developments would soon make war infinitely more devastating and that human suffering would reach unprecedented heights. The humanitarian rules of behavior would nevertheless save millions of human beings from inhumane treatment.

The legal norms of behavior, although far from evenly or generally applied, were sufficiently respected that large numbers of prisoners were taken and cared for. Wounded were attended to, medical facilities were, more often than not, given some protection, and some restraint was shown in the conduct of military operations. Undeniably, what was needed was a better way of preserving international peace, but human rights would have been infinitely more imperiled without the rules developed at The Hague. It must be remembered that a small step was taken to limit the sovereign right of states to go to war, in this case a prohibition to do so for the collection of international debts under some conditions. The League of Nations, the 1928 Kellogg-Briand Pact, and the United Nations would go much further than that. A new philosophy on the lawful use of force was emerging.

Humanitarian agencies, particularly the International Red Cross, have played an important role in the application of legal norms of behavior in war. Relentless visits or inspections (in the battlefield, in military hospitals, and in prisoner-of-war camps) by their representatives enabled them to document violations and to apply pressure for better observance of the law. Exposure occasionally led to public outcries and sanctions (for example, the war crimes trials following World War II). It would be an error to believe that most armies or most governments are anxious to violate the law. Every war finds leaders, com-

manders in the field, and lesser combatants who refuse to surrender to inhumanity. The norms of behavior found in the law of war, such as the Hague rules, give them an instrument to justify their restraint.

The Hague rules were tied to a particular period of history and its values and priorities. War rapidly changed and technology created drastically new problems in the conduct of warfare. International society changed just as much, requiring the law to be revised periodically, particularly under the sponsorship of the International Red Cross and the United Nations. A number of the rules written in 1907, however, remain a part of today's law of war.

The 1907 conference showed that large-scale codification was feasible. It demonstrated a widely shared conviction that, difficult as the task may be, nations could develop legal restraints. It was important to affirm or reaffirm standards of humane conduct. This did not solve the problem of war, but as efforts are made to find alternatives to armed violence, it remains important to attempt to protect basic human rights, even (or perhaps especially) in wartime.

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Jean-Robert Leguey-Feilleux

Armenians Suffer Genocide During World War I

Category of event: Atrocities and war crimes; racial and ethnic rights

Time: 1915 to early 1920's

Locale: Armenia and Turkey

The genocide of nearly one million Armenians by the Ottoman Empire was a carefully orchestrated plan by that government and its officials to provide a final solution to the Armenian question

Principal personages:

MEHMET TALAAT PASHA (1872-1921), a member of the Young Turk triumvirate that ruled the Ottoman Empire from 1913 to 1918

ENVER PASHA (1881?-1922), another Young Turk triumvir

AHMED DJEMAL PASHA (1872-1922), the third triumvir

ABDUL-HAMID II (1842-1918), one of the last sultans of the decaying Ottoman Empire; the Young Turks staged a revolution that pared him of all real power

HENRY MORGENTHAU (1856-1946), the United States ambassador to Turkey during the Armenian genocide

Summary of Event

Several factors contributed to the massacre of close to one million Armenians in Turkey during World War I. The Ottoman Empire was in rapid decline in the latter half of the nineteenth century. European powers, notably the United Kingdom, France, Russia, and (after 1871) Germany gradually severed various parts of the once-great empire. The Treaty of San Stefano ended the Russo-Turkish War of 1877-1878 at Turkey's expense. The genesis of the war was the massacres carried out by Turkish troops in Bulgaria in 1876. As a result of the Treaty of San Stefano, the Ottomans lost territory to Russia. The imperial Russian government acted as the protector of Christians within the Muslim Ottoman Empire, and Russia pressured the Ottoman government to allow Christian Armenians to have administrative autonomy in eastern Turkey. A second treaty, the Treaty of Berlin (1878), signed by the Ottoman Empire and Russia, essentially modified the San Stefano stipulations by allowing the Otto-

man government to agree only to treat the Armenians fairly. The modification eliminated the earlier treaty's insistence on better treatment of the Armenians as a condition for the withdrawal of Russian troops from eastern Turkey. Nevertheless, the Armenians were confident that Russian policy and national interest would effectively guarantee their safety from any attempts by the Turks to massacre their people.

Sultan Abdul-Hamid II carried out a large-scale massacre of Turkish Armenians between 1894 and 1896. The sultan justified his actions by accusing the Armenian mountaineers of the Sassoun district with rebelling against government authority. He claimed that the Armenians' refusal to pay customary protection tribute to Kurdish chieftains was sufficient grounds for military action. In the end, although the totals are estimates, between 200,000 and 250,000 Armenians were killed by Turks and Kurds (the latter are also an ethnic minority, but are Muslims). International protests and Russian threats averted a greater loss of Armenian lives. This event, together with the discontent of national minorities within the Ottoman Empire, especially in the Black Sea area, eroded the power of the sultanate. Turkey was perceived by the great powers as the "sick man" of Europe.

In Salonika, Turkish army officers loyal to the Committee of Union and Progress (the "Young Turks") were embracing a new revolutionary ideology and a program of action that would capsize Abdul-Hamid II's regime and, they hoped, restore the empire to its former grandeur. On July 23, 1908, Abdul-Hamid II was overthrown. The Young Turks, however, were not able to consolidate power until January 26, 1913, when Enver Pasha and Mehmet Talaat Pasha took control of the Ottoman Empire. They were joined later by Ahmed Djemal Pasha. These three constituted the dictatorial triumvirate that was responsible both for Turkey's entry into World War I on the side of the Central Powers and for the genocide of nearly one million Armenians.

These men espoused a new ideology known as "Pan-Turkism." This ideology was shaped by the intellectual Ziya Gökalp, who was a close friend of Mehmet Talaat Pasha and a member of the Central Council of the Committee of Union and Progress. Mehmet Talaat Pasha was a forceful advocate for extermination of the Armenian people as part of an effort to "Turkify" Turkey.

The triumvirate planned the extermination of the Armenians before the outbreak of World War I. The genocide was discussed by members of the Central Council in 1913 at a series of secret meetings. A chief aim of the Young Turks was the reunification of Ottoman Turkey with Turkish Caucasia (which was part of Russia) and Central Asia, but the Armenians were an obstacle to their Pan-Turkish empire. The Armenians were accordingly scheduled for

elimination. It is unclear if the triumvirs really believed that the Armenians might pose a threat to Turkey by fighting on the side of Russia in the event of war. From 1913 onward, the officials of the junta at Constantinople informed governors and police chiefs of their planned genocide of the Armenians. The exact time would be determined by events.

After Germany invaded France on August 2, 1914, the Turkish government moved swiftly to join the war on the side of Germany. Ottoman troops crossed the Egyptian border and had a minor clash with British forces, and the United Kingdom declared war in response. The war served as a pretext for the planned genocide, and the triumvirs were poised to strike at the Armenians. The Dashnak Party, an Armenian political party, called on its members and all Turkish Armenians to be loyal to Turkey in the event that war broke out between Russia and Turkey. Nearly one-quarter million Armenians were inducted into the Ottoman armed forces. During January, 1915, Turkish forces led by Enver Pasha suffered a major defeat by Russia at Sarikamish, on the Russian border. The junta was convinced that military defeat by the Russians was imminent and feared that revolution might break out among their subjugated nationalities. The Turkish triumvirate made the crucial decision to exterminate the Armenians in order to deflect attention from their failure on the battlefield and to implement their ideology of "Turkey for the Turks."

Melvanzrade Rifat, a member of the Central Council, recorded a telling discussion at a council meeting to the effect that, since Turkey was at war, the time was opportune to exterminate the Armenians while the European powers were preoccupied with their own struggles. Rifat noted the council's decision that even though the projected massacre might create some difficulty and public objections, it would be an accomplished fact and thus closed forever before the Europeans could react. Another member of the Central Council did not mince words, stating that an easy technique to exterminate the Armenians would be to send Armenian troops to the front to fight the Russians. The Armenians who were engaged with the Russians would then face fire from special forces in their rear sent there by the government for that purpose; they would be trapped and annihilated.

The massacres began on April 24, 1915, when the leaders of the Armenian community in Constantinople were seized by the authorities and executed. This date is still commemorated as the beginning of the Armenian genocide, which would continue in spurts, after 1915, until the early 1920's. Armenian military units were disarmed by the Ottoman government. They were systematically starved, beaten, and finally shot. Squads of fifty or one hundred Armenian troops were sent into the countryside, allegedly to work on roads and

other projects, and were shot by Turkish troops. Two thousand Armenian soldiers were sent out from Kharput in July, 1915, and murdered in the countryside; their bodies were piled in caves. Many thousands of Armenians were murdered in this fashion.

The Ottoman government, to save ammunition, decided to carry out mass deportation of Armenians, claiming that they posed a national security threat near the Russian border, where Russian forces were penetrating eastern Turkey. Many of the deportations, however, occurred far from the front. The deportation of many thousands was done during the summer months of 1915. Few of the deportees reached their destination in the Syrian wilderness. In Angora (modern Ankara), the *vali* (governor) refused to deport Armenians. The Young Turks replaced him with a governor more eager to do the bidding of the Central Council. This reliable party man carried out the wishes of the junta. Most of the Armenian inhabitants of Angora were moved at night to an area called Asi Yozgad, where Turkish tanners and butchers murdered the defenseless Armenians and threw their bodies into a river from a bridge. The sight and stench of the many bodies in the river compelled the authorities to close the bridge during the hours of daylight. The triumvirs did not keep count of the dead. According to an American relief worker, Stanley Kerr, of eighty-six thousand Armenians once living in the city of Sivas, only fifteen hundred remained in 1918. Fifteen thousand Armenians were killed in Bitlis, in the adjacent district, in a single day in 1915.

Kurds were used by Turkish officials to murder Armenians. The Ottoman government recruited Kurds and ordered them to kill Armenians, especially the males, children, and old women; young women were often spared. Kurds tossed bodies of Armenians into ravines, cisterns, and caves. Mehmet Talaat Pasha, after making himself grand vizier, boasted to the American ambassador, Henry Morgenthau, that he had done in three months what Abdul-Hamid II had failed to do in thirty years. Morgenthau protested the massacres. Talaat replied, "The massacres! What of them? They merely amused me."

The massacres were repeatedly denied by Turkish and German officials as inventions of the newspapers. When the fact of the massacres was established, both the junta and its German allies dismissed them as a national security necessity. The United States protested and, along with the United Kingdom, made it clear that Turkish officials would be held personally responsible for the atrocities in the Armenian provinces of Turkey. Otherwise, nothing further could be done until the end of the war.

A Turkish military tribunal tried the triumvirs in absentia for complicity in mass murder of the Armenians. Their sentences were carried out in various

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SITUATION IN ARMENIA APPALLING--

MORE THAN TWO HUNDRED THOUSAND REFUGEES
 DYING BETWEEN KARS AND ALEXANDROPOL--

LACK OF FOOD AND FUEL
 SEVERE WINTER ADDING TO THE DISASTER--

WE BEG OF YOU TO TAKE STEPS IMMEDIATELY
 FOR CONTINUATION SHIPMENTS AND
 PROVISIONS BY AMERICA

Aharonian President Armenian Delegation
 to Peace Conference.



Threats to Armenian survival in Turkey continued after 1918, and residents of the neighboring Armenian homeland faced new challenges when the Soviet Union was formed in the early 1920's, as this appeal for American aid shows. (Library of Congress)

ways: Mehmet Talaat Pasha was killed by Armenian exiles in 1921; Ahmed Djemal Pasha was assassinated on July 21, 1922, in Soviet Georgia, also by Armenian exiles; and Enver Pasha was killed in action in the Bukhara region on August 4, 1922, leading an attack against Soviet troops.

Impact of Event

The calculated murder of the Armenians generated world outrage. Unfortunately, that outrage took the form of parades, speeches, fund-raising for the hapless survivors, and protests from several foreign offices in a futile attempt to stop the genocide. These efforts provided no meaningful punitive or ameliorative effects.

What effect did the Armenian genocide have on the survivors? Did it teach the world, especially the great powers, to take extra care to prevent such atrocities in the future? The answers are easy enough, at least at first glance. The governments of the United States, England, and France reacted incredulously

to the mounting evidence of the mass extermination of a people. Gargantuan evil seems beyond imagining, although history is replete with pogroms and genocide. In August, 1939, Adolf Hitler, in discussing his planned murder of the Polish people, asked his advisers, "Who still talks nowadays of the extermination of the Armenians?" Hitler understood how quickly that slaughter was forgotten by the world. Who would be concerned about the Poles or the Jews in the midst of a world war?

The establishment of the League of Nations after World War I was an important development and perhaps did prevent many atrocities. The League of Nations was clearly concerned about human rights and had some limited success against the slave trade. Its several conventions on the rights of people to be free from compulsory labor and state torture were giant steps that laid at least a foundation for respect of human rights. The Armenian genocide did not inspire all these efforts, but it did galvanize much contemporary interest in mass atrocities.

The world forgot the Armenian genocide too quickly. In part, such forgetfulness was connected with the enormous slaughter on the battlefields of Europe and Africa; another several hundred thousand deaths did not seem to matter. They did matter. Killing armed soldiers was not the same thing as murdering defenseless civilians. Humanity surely learned something from the Armenian genocide. It was not, however, a sufficiently learned lesson.

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Claude Hargrove

Germany Uses Chemical Weapons in World War I

Category of event: Atrocities and war crimes

Time: April 22, 1915

Locale: Ypres, Belgium

By initiating lethal chemical warfare in World War I Germany broke an important legal, moral, and psychological barrier protecting soldiers and civilians

Principal personages:

ERICH VON FALKENHAYN (1861-1922), the commander in chief of the German forces (1914-1916)

FRITZ HABER (1868-1934), the director of the Kaiser Wilhelm Institute for Physical Chemistry and Electrochemistry; supervised the German chemical weapons effort

DUKE ALBRECHT VON WÜRTTEMBERG (1865-1935), commander of the German Fourth Army (1914-1917)

Summary of Event

The initial decision to use lethal chemical weapons at Ypres in April, 1915, was the product of disappointed expectations, frustration, and blood. At the start of World War I in August, 1914, each side expected a relatively easy victory by Christmas. Instead, the war escalated to a scale never before seen. More than 800,000 men were killed, wounded, or captured in the early battles of First Marne, First Ypres, Masurian Lakes, and Tannenberg. This figure does not include casualties from smaller skirmishes and naval encounters or those who simply fell ill in the unhealthy conditions of trench warfare. Nor were most of these casualties the expected lot of hardened professionals: Most soldiers had been civilians or, at most, in national part-time militias only a few months before. Far from being over by Christmas, in early 1915 the war had no end in sight. The war was to drag on for almost four more years and would be fought by nearly a whole generation of young men of draft age.

For their part, the Germans had expected to sweep through Belgium and then to encircle and overwhelm the French army. This so-called Schlieffen Plan, however, failed to work as expected. The French, Belgian, and British

forces were able to halt and even push back the invaders. By mid-October, 1914, the Western Front had crystallized into an essentially static line extending some four hundred miles, from the North Sea to Switzerland. The main tactics applied by both sides consisted of attrition and siege, punctuated by deadly but more or less futile attempts to push through the opposing forces.

Both sides sought ways to break out of the stalemate. Chemical warfare, poison gas in particular, seemed to some a possible solution to the impasse. This was not a decision to be made lightly, however. Although there are accounts of limited uses of poisonous gases in the Middle Ages and even in the wars between Athens and Sparta (431-403 B.C.E.), no modern army had ever used them. Indeed, when British government officials considered the possibility during the Crimean War (1854-1856), they rejected the idea out of hand on the grounds that the effects were so terrible that "no honorable combatant" could take advantage of them. This sense was behind the international Hague Declaration of 1899 which explicitly prohibited "the use of projectiles the object of which is the diffusion of asphyxiating or deleterious gases." In the same vein, the 1874 Brussels Declaration Concerning the Laws and Customs of War, as well as regulations annexed to the Hague Conventions of 1899 and 1907, recognized a principle dating back at least to Roman times forbidding the use of "poison or poisoned weapons."

The decision to use lethal chemical weapons was highly controversial in military circles. Nevertheless, General Erich von Falkenhayn, commander in chief of the German forces after the initial German failures, asked for volunteers among the commanders of his armies to try out the technology developed and overseen by Dr. Fritz Haber. With the exception of Duke Albrecht von Württemberg, commander of the Fourth Army, no one was willing to use this untested and distasteful new technology.

April 22, 1915, was a beautiful spring day near the Belgian town of Ypres. The afternoon, a Thursday, was dry and sunny with a pleasant breeze blowing off the German trenches. Even the war seemed relatively quiet. Not long after the heavy shelling began again at 5:00 P.M., two almost invisible greenish yellow clouds rose into the air near the outlying village of Langemark. The clouds merged and crept in the direction of the Forty-Fifth Algerian Division and the French Eighty-Seventh Division, by a twist of wind only skirting the Canadian First Division to the east. At first, no one among the Allies understood what was happening.

As the chlorine gas filled the trenches, it became clear that something lethal was in the air. Men and animals started gasping, choking, and crying out in pain. Within a few minutes, hundreds fell to the ground, dying. Most of

those who could do so fled in blind panic, thus forcing even more of the poisonous gas into their lungs. A few had the presence of mind to wet handkerchiefs and hold them to their faces to provide some protection as they ran.

Chaos reigned all the way back to Ypres along a four-mile gap, where only a few minutes before there had been a seemingly immovable front. Men totally divorced from military discipline choked the roads. Frightened horses without drivers dragged heavy guns. Coughing, choking, purple-faced soldiers told wild tales to anyone they met.

The Germans were not able to exploit the hole they had just put in the Allied line, nor could they profit from subsequent uses of chemical weapons in the battle. By the end of the Second Battle of Ypres on May 27, all they had accomplished was a flattening of the Allied line.

The Germans later claimed that only two hundred of their casualties at the five-week Second Battle of Ypres came from chemical weapons. The Allies said that fifteen thousand of the fifty-nine thousand casualties they suffered were a result of chemical weapons, including five thousand deaths. Although historians doubt the figures on both sides, the results of the first use of modern, lethal chemical weapons at Ypres make it clear that chemical warfare, even against untrained and unprotected opponents, is both terrifying and deadly but is no guarantee of military victory. This is significant in light of later claims that military necessity morally justifies the use of chemical warfare.

The Germans argued that their initial use of chlorine was not a violation of the regulations annexed to the 1899 Hague Declaration, since the gas escaped from canisters and was not part of a projectile. The French, who may have used tear gas in hand grenades beginning in the winter of 1915, responded to the chlorine clouds by putting tear gas in artillery shells during the fall of 1915. They claimed that their actions were not improper because the chemicals involved were not lethal. By the time the two technologies were combined, it was possible for a cynic to say that each side was merely retaliating against the violation of the other. No one mentioned Article 23(a) of the regulations annexed to the Hague Conventions of 1899 and 1907 prohibiting the use of "poison or poisoned weapons."

Impact of Event

Chemical weapons took a terrible human toll over the next three and one-half years. Of the approximately fifteen million casualties suffered in World War I, more than one million soldiers were hospitalized or killed because of exposure to chlorine, phosgene and its relatives, or mustard gas. Moreover, the airborne nature of chemical weapons allows them to spread beyond the

immediate battlefield. This makes them relatively uncontrollable area weapons, prone to harming civilians who happen to be in the wrong place at the wrong time. More than two thousand total civilian casualties can be documented from industrial accidents and attacks by the Germans that individually led to twenty or more French or Belgian casualties. Use of chemical weapons also contributed to the erosion taking place in the concept of insulating civilians from military activities. As General Peyton March, chief of staff for the United States Army, wrote later, "War is cruel at best, but the use of an instrument of death, which, once launched, cannot be controlled, and which may decimate noncombatants—women and children—reduces civilization to savagery."

After the war, proponents argued that chemical weapons were actually more humane than conventional high explosives. They based their claim on the assertion that the weapons are highly effective militarily, yet kill a smaller proportion of those who are disabled by them than do more conventional weapons. Both sides in World War I had some tactical successes using chemical weapons, but, for the war as a whole, as at Ypres, the weapons did not produce overall victory. As to their humanity, all three of the main lethal chemicals used in World War I involve very significant suffering, both physical and psychological. Victims of phosgene or chlorine end up black in the face, spitting blood, and drowning in their own bodily fluids. An unprotected victim of mustard gas will suffer blisters on every inch of the body the aerosol droplets touch, internal or external. Long-term respiratory damage for survivors was common. Conventional weapons may or may not be physically less unpleasant as sources of wounds and death, but they are often perceived as producing less horrifying kinds of injury.

The fact that chemical weapons have not been militarily decisive, while they have inflicted considerable physical and emotional pain, suggests that they may cause unnecessary suffering. This is one of the criteria recognized in international law, including the Hague Conventions of 1899 and 1907, for protecting soldiers' human rights. Chemical weapons substantially increased the suffering of a generation of young men without being crucial to the final result. They certainly killed substantial numbers of civilians needlessly.

The experience with chemical weapons from 1915 to 1918 strengthened the international conviction that chemical warfare ought to be forbidden explicitly under international law. That conviction took the form of a prohibition on the use in war of asphyxiating, poisonous, or other gases, and of bacterial methods of warfare, written into the Geneva Protocol of 1925. As of 1991, there were 129 parties to this treaty. Formal reservations of the right to retali-

ate convert the protocol into a no-first-use pact, but, as such, the moral and legal tradition against first use in war has proven remarkably sturdy. The only unambiguous first users of chemical weapons since World War I are Italy in Ethiopia in 1935-1936, Japan against China from 1937 to 1945, Egypt against Yemen in 1963-1967, and Iraq against Iran from 1984 to 1988 and against its own Kurdish citizens in 1988. Evidence in all but a handful of other cases is highly questionable.

Chemical weapons continue to be a concern in international politics. Their utilization in the Iran-Iraq War, and especially against Kurdish civilians, has heightened fears that a legal ban on first use is not sufficient to stop a power with a chemical arsenal. Use against the Kurds also emphasizes the particular suitability of chemical weapons for use against unprotected civilians. Thus, negotiations under the auspices of the Conference on Disarmament attempted to ban development, production, possession, and transfer of chemical weapons. Important strides have been made toward a new chemical weapons convention. Although success may still prove elusive, a worldwide distaste for chemical arsenals and the desire to limit proliferation may lead to an even wider prohibition against the use of chemical weapons.

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Frances Vryling Harbour

Bolsheviks Suppress the Russian Orthodox Church

Category of event: Religious freedom

Time: 1917-1918

Locale: Russia

In 1918, the new Bolshevik government began confiscating church property, forbidding religious instruction in schools, and taking civil rights away from priests

Principal personages:

VASILY BELAVIN TIKHON (1865-1925), the first Russian patriarch of the Orthodox Church since the time of Peter the Great; led the church against the Bolsheviks from 1918 to 1923

VLADIMIR ILICH LENIN (1870-1924), the architect of the October, 1917, Bolshevik Revolution

GEORGY Y. LVOV (1861-1925), the titular head of the provisional government from March until July, 1917

Summary of Event

The Bolshevik Revolution of October, 1917, meant serious trouble for the Russian Orthodox Church. Church authorities for centuries had closely associated themselves with the Russian monarchy. The Russian church had evolved from the Greek Orthodox Church, which followed the doctrine of caesaropapism; that is, the head of the state was also the head of the church. In the tenth century, Kievan Grand Prince Vladimir made Orthodox Christianity the official religion of Russia.

For a period in the seventeenth century, during the “Time of Troubles,” the head of the church (the patriarch) emerged as a more important political leader than the Russian emperor, but Peter the Great reestablished the power of the emperor over the church in the eighteenth century. Peter created the Holy Synod to replace the patriarch as head of the church. Synod members were selected by the emperor. Despite the protests of many radical priests in the nineteenth century, state control of the church remained intact into the twentieth century.

At the time of the 1917 revolutions, the Russian Orthodox Church was still

a powerful institution. It continued to receive political and financial benefits from the government of Czar Nicholas II through 1916. Nevertheless, when the February revolution of 1917 overthrew the czar, the Holy Synod offered Nicholas II only perfunctory support. Although some Orthodox priests, particularly in the rural areas, remained loyal and even refused to admit that the czar had abdicated, there were many in the clergy who not only backed the February revolutionaries but also wished to see the order of Russian society completely overturned. The lower clergy in the church long had been associated with radical reform activity. It was not unusual for radical priests to take the lead in anticzarist organizations.

The Holy Synod attempted to work positively with the provisional government established after Nicholas II's abdication, but it was not long before conservative members of the synod began to resent the government's attempt to advance the cause of church reform. Georgy Lvov, titular head of the provisional government in March, 1917, on several occasions tried to circumvent the Holy Synod to achieve reforms he believed to be necessary. Lvov had hoped that an all-Russian church council (*sobor*) that he had helped to plan for the autumn of 1917 would adopt reform measures, but he soon realized that the *sobor* would be restrained by the ultraconservative synod. Lvov's intended reforms were far from sweeping, but clergy at all levels were alarmed that he wanted to reduce the role of the church in education.

Throughout the summer and early autumn of 1917, the church and the provisional government experienced numerous changes in leadership. In these circumstances, it was very difficult to reach an understanding as to what position and role the church would have in the new regime. By the end of July, 1917, uncertainty about the future drew liberal and conservative clergy together in defense of the church. There was grave concern that the church was on the verge of losing its privileged place in Russian society. This reality led the church's hierarchy to ally itself more firmly with conservative political interests. The church, therefore, continued to support Russia's participation in World War I at a time when the army was in shambles, large numbers of people were without food, and industry was at a standstill. Those who argued for dramatic social reform (especially the Bolshevik Party) were accused by the church of disloyalty to the country. Even reform-minded priests tended to support the war effort.

The provisional government, shaky and under attack from the left and the right since May, collapsed in September, 1917, and the Bolshevik Party seized control of the government in mid-October. Before the October Revolution, Orthodox Church officials had condemned the Bolsheviks as traitors and hat-



When V. I. Lenin ordered the nationalization of all the land in Russia, it was a heavy blow against the church, which was the country's biggest landowner. (Library of Congress)

ers of Christ. The organizers of the Bolshevik Revolution, Vladimir Ilich Lenin and Leon Trotsky, accepted the view of Karl Marx that religious belief made people fatalistic about their circumstances and sapped their will to accomplish needed change.

While the Bolsheviks were attempting to consolidate their authority in the days just after the revolution, the church *sobor* was in session. The *sobor*, a gathering of representatives from all ranks of the clergy, was swift in its condemnation of the Bolshevik takeover. Conservative leaders in the *sobor* believed that the time had come for the church, in a twentieth century "Time of Troubles," to choose one person to guide the future of the institution. They prepared to reestablish the office of the patriarch, a position abolished by Peter the Great in the eighteenth century. Traditionally, the patriarch was not only the highest

church official but also a national leader with great influence in government. This is what conservatives in the *sobor* desperately wanted in 1917. Although some clergy objected to the plan, the *sobor* selected Tikhon (Vasily Belavin), formerly archbishop of Vilna. His name was drawn from an urn that contained the names of three nominees who had received sufficient votes from the *sobor*. Tikhon lacked outstanding characteristics of leadership, but, with the Bolsheviks in power, it really mattered very little. Church officials clearly deceived themselves if they thought any person holding the title of patriarch could have any impact on the Bolsheviks.

Lenin's first act against the church came on December 4, 1917, when he ordered the nationalization of all land in Russia. As the church was the single biggest landowner in Russia, this was a serious blow to its finances. In succeeding weeks, the Bolshevik government closed church schools and seminaries, made marriage a civil ceremony, and placed records of births, marriages, and deaths in government hands. On January 23, 1918, Russia was made a secular state by

government decree. This meant that all religious observances would disappear from state functions and that the government would make no further payments to the church. During the course of 1918 and beyond, recalcitrant priests and monks were arrested and imprisoned or killed.

When the great civil war began in March, 1918, the assault on the church, which sided with the opponents of the Bolsheviks, intensified. It is important to point out, however, that Lenin recognized the significant place that religion held in the lives of many Russian citizens. He did not try to prevent private religious worship, nor did he arrest Patriarch Tikhon or disband the *sobor*. Throughout 1918 and into the early 1920's, the patriarch and the *sobor* continued to berate the Bolshevik Party. (The Bolsheviks officially changed the name of their party to "Communist" in February, 1918.) The patriarch, for example, contended that the revolution was part of an international Jewish-Masonic conspiracy. The czar had been cast out so that Russian Christians could be made slaves of the Jews. The *sobor*, meanwhile, encouraged Russian believers to resist the separation of the church from the state.

It was not until 1922 that Lenin brought charges against Patriarch Tikhon and had him arrested. Tikhon was later released when he agreed to end his protests against the communist government. By that time, it was clear that all hope of displacing the communist regime was gone.

Impact of Event

The denial of church rights by the Bolsheviks put an end to the privileged relationship the Orthodox Church long had held with the government of Russia. For centuries, the church and the emperors had reinforced and protected each other psychologically and financially. Suddenly, the church and its followers needed to fight for survival. Orthodox followers benefited from the New Economic Policy (NEP) imposed by Lenin in 1921. The NEP provided for slowing down the march toward a fully communist state. The government backed away from an aggressive assault on religious belief. It was not until Joseph Stalin came to power, after a brief power struggle following Lenin's death in 1924, that a major effort was made to eradicate all religious worship in the Soviet Union (which was officially formed in 1922). Even Stalin, however, was forced to relax his efforts in the burst of patriotism that accompanied the Soviet Union's participation in World War II.

During the 1920's and 1930's, many church officials and priests left Russia to pursue their faith in other European locales. Wherever they migrated, they found other Russians who had fled from the country before the Bolsheviks could secure the borders. Large numbers of émigrés, including many from

the Russian intelligentsia, found their way to France, Belgium, Czechoslovakia, Germany, and Bulgaria. Even among those who had become disillusioned with the practices of the Orthodox Church, there was never doubt that the church still existed in exile. For those who were not fortunate enough to escape, it would be necessary to carry out religious observances in secrecy during the times of the most severe repression. There was no way that Christian followers who remained in Russia could match the government's massive funding of atheist organizations and publications that were intended to denigrate religious belief, yet scholars are unanimous in suggesting that there was never much chance that the communist government would succeed in eliminating religious belief or the longing of Russian believers for the return of their church.

The greatest impacts of the early Bolshevik attack on the Orthodox Church were to reduce its political significance, to deplete its financial resources, to create an aging and vastly diminished clergy, and to discourage young people from following the religion of their parents. It was not until the emergence of Mikhail Gorbachev as the Soviet leader in 1985 that circumstances improved for the church as an institution. Gorbachev, although an atheist, showed little opposition to religious ceremonies. In the spirit of *glasnost* (openness) and *perestroika* (restructuring), he joined in the celebration of one thousand years of Russian Orthodox Christianity in 1989. Subsequent events in 1990-1991, principally the crumbling of the central power of the Soviet state, brought about a major revival of church activities. In some of the Soviet republics, it seemed likely that the Orthodox Church again would have a major political, as well as spiritual, role.

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Ronald K. Huch

Russian Communists Inaugurate “Red Terror”

Category of event: Atrocities and war crimes; political freedom

Time: 1917-1924

Locale: Russia

The Bolsheviks under Vladimir Ilich Lenin seized power in Russia and proceeded to eliminate opposition by ruthless repression and violation of fundamental human rights

Principal personages:

VLADIMIR ILICH LENIN (1870-1924), the leader of the communists who seized ruling authority

LEON TROTSKY (1879-1940), the Marxist whom Stalin defeated in the struggle to succeed Lenin

JOSEPH STALIN (1879-1953), the ruthless dictator who made the Soviet Union a world power

Summary of Event

Russia entered World War I allied with Britain and France against the Central Powers, of which Germany and Austria were the chief members. Although Russians fought bravely, the country's poorly developed industries could not meet the needs of the armed forces or the civilians. Decades of protest against autocratic rule had divided Russia at a time when conduct of the war demanded national unity. The war brought defeat and the end of czarist rule. Nicholas II abdicated in March, 1917, amid revolution.

The abdication left Russia without a legal government. Nicholas named Prince Georgy Lvov as prime minister. Lvov became leader of a committee from the Duma, Russia's ineffectual parliament. That committee formed a provisional government that was largely under the influence of liberals who wanted a constitutional republic. More radical factions desired sweeping social and economic, as well as political, changes and therefore viewed the provisional government with malice.

Among the dissidents, two Marxist movements, the Mensheviks and the Bolsheviks (communists), competed for power with other factions. The gov-

ernment's decision to continue the war gave the Bolsheviks a major propaganda advantage. They demanded immediate peace. Lvov and Aleksandr Kerensky, the minister of war, tried to revitalize military efforts, but discipline in the army was extremely poor, and mass desertions occurred. Lvov resigned in July, 1917, and Kerensky became prime minister while German armies advanced and the provisional government languished in confusion.

In the midst of this disarray, Vladimir Ilich Lenin, leader of the Bolsheviks, returned to Russia after three years spent in exile for revolutionary activities. He called for the overthrow of the government as a prelude to peace and a radical restructuring of society. Soon the populace of Petrograd became an uncontrollable mob demanding peace, and the Bolsheviks grew rapidly. Kerensky's frantic effort to find support failed as military units defied his orders. On November 6, 1917, communists seized control of the capital and arrested ministers of the provisional government. A Military Revolutionary Committee, under Leon Trotsky, had gained support of the garrison in Petrograd. Armed force brought the communists to power.

At the time of their victory, the communists were still only one of several revolutionary groups in the capital. Ever since the unsuccessful uprising of 1905, soviets (revolutionary councils) had provided leadership for various socialist factions in the country. The Petrograd Soviet of Workers' and Soldiers' Deputies was the most important such body in 1917. Socialist Revolutionaries, Mensheviks, and Bolsheviks all had blocs of support within it, as they did within soviets elsewhere. A Congress of Soviets convened as the communists seized power in Petrograd. Most Mensheviks and Socialist Revolutionaries denounced the Bolsheviks' action and left the congress to protest it. This lack of action left Lenin's party in control.

Lenin demanded "all power to the soviets" and total authority for the Communist Party. The congress declared the immediate creation of a socialist society and instituted a Council of Peoples' Commissars to lead the new regime. Lenin was chairman, Trotsky foreign commissar, and Joseph Stalin commissar of nationalities.

The transition to dictatorship did not proceed smoothly. Most government officials were hostile and went on strike as soon as commissars appeared to take charge. The state bank refused to give money to the new rulers. The communists responded with brutal coercion.

Once the Congress of Soviets had disbanded, the Communist Party cemented its control over a one-party state. Against some opposition within his own Central Committee, Lenin made peace with the Germans on terms humiliating and costly to Russia, but the imminence of a German conquest had

left no alternative. When Socialist Revolutionary protests became violent and a dissident wounded Lenin, his regime imposed a reign of terror executed by the Extraordinary Commission for Combating Counterrevolution and Sabotage (Cheka), the communist secret police.

Among the victims of the terror were former officials of the provisional government who, upon release from jail, denounced Bolshevik tyranny and demanded free elections to choose a constituent assembly. The Cheka incarcerated them at Kronstadt Naval Base. Lenin ordered the abolition of hostile local councils and city governments.

Immediately after the communist coup, Lenin had promised parliamentary elections, but he feared that the outcome might be detrimental to his party. Trotsky persuaded him to hold the elections rather than risk a severe reaction for renegeing on the promise. The results confirmed Lenin's fears. Of the 703 deputies chosen, only 168 were communists. The Socialist Revolutionaries had a clear majority. The people had spoken; Lenin decided to silence them.

The communists arrested more opposition leaders to intimidate the assembly into declaring a vote of confidence in Lenin's government. When that body met, it nevertheless elected Socialist Revolutionary leader Viktor Chernov its president rather than accept dictation from the communists. When the deputies recessed, the communists would not allow them to reconvene. They shot those who protested. The duly elected assembly was no more, and the communists had full control of the government.

By this time the plight of the imperial family was precarious. Nicholas, Czarina Aleksandra, and their five children were under house arrest at Ekaterinburg, Siberia. In July, 1918, local Soviet leaders executed all of them. Even the family dog died in a volley of gunfire.

Despite its control of the central government, the position of the Communist Party was not secure across Russia. It needed a large, disciplined military force to impose its directives and to fight opposition groups in various parts of the country. Trotsky proceeded to construct the Red Army. Military training became compulsory for urban workers and peasants. People deemed incurably anticommunist became conscripted laborers. Capital punishment awaited deserters. Trotsky coerced former officers of the czar's army to serve his regime; reprisals awaited their families if they refused. Political commissars watched such officers and indoctrinated the troops.

To feed the Red Army, the government forced peasants to deliver to the state all but the minimum needed for their own subsistence. Peasants often resisted and suffered execution for doing so. In factories, managers worked under the supervision of Communist Party agents.

Sporadic uprisings against the regime were unsuccessful. Organized military forces gathered around commanders of the old imperial army and navy, and civil war raged until 1921. Despite Western and Japanese interventions, the communists won. Foreign assistance to the anticommunists was insufficient but just enough to allow the Bolsheviks to claim they were defending Russia against outside aggressors.

The empire of the czars had been a multiethnic state in which Russians dominated other peoples. Resentment led to secessions, beginning in 1917, as the war effort disintegrated. Finland, the Ukraine, Latvia, Lithuania, and Estonia declared independence. The communists lacked the means to prevent the loss of the Baltic states, but they did reclaim a large sector of the Ukraine, which they made a Soviet republic despite Lenin's avowed subscription to the principle of self-determination of peoples. In Central Asia, the Red Army, aided by communist subversives, imposed its rule without regard to the wishes of the peoples involved. When the Union of Soviet Socialist Republics came into being in 1922, its constitution affirmed the right of constituent republics to secede, but rulers in the Kremlin had no intention of allowing secession. Despite losses of territory, the Russian empire remained intact, with Lenin in control.



Bolsheviks forming a barricade in the streets of Petrograd (St. Petersburg) in 1917.
(Library of Congress)

Not only did the communists impose their rule upon the non-Russians of their country, but they also dealt severely with all dissidents within Russia itself. In March, 1921, sailors at Kronstadt supported striking workers in Petrograd. Trotsky led the Red Army in conquering the naval base. Many of the sailors who surrendered were shot, and many more went to prison camps.

The strength of the Kronstadt rebellion, in addition to continuing unrest in general, convinced Lenin to compromise communist ideology in order to save his regime. From 1921 until his death in 1924, he followed a New Economic Policy (NEP), a temporary retreat from state socialism. The government allowed small businesses and factories to operate in private hands, and it obtained foreign investments to aid the economy. Although many problems remained, the NEP did bring stability that aided Lenin's government.

The achievement of relative stability gave Lenin an opportunity to eliminate his opponents in a systematic way. Frightened Socialist Revolutionaries, Mensheviks, and others fled into exile. Many who remained spent years in prison and went into exile afterward. By the end of 1922, organized opposition no longer existed within the country.

In addition to dealing with opposition parties, Lenin had to face contention within the Communist Party, where abject surrender to the Germans and the NEP contradictions of Marxism had aroused criticism. Some Bolsheviks, including Trotsky, became alarmed at the growth of bureaucracy as a power base for dictatorship. A workers' opposition protested the trend toward despotism and joined Trotskyites in complaining about the NEP. At the same Party Congress that adopted the NEP, Lenin denounced deviations from this program and vowed to stop them. He purged Party membership from 730,000 to 530,000. The secret police arrested troublesome Party members.

Although Lenin was dictator, he claimed that the Soviet government operated on the principle of democratic centralism, which allowed free discussion at all levels until a Party Congress established policy. This freedom was, however, entirely theoretical. The Political Bureau of the Central Committee (Politburo) ran the party, and its members sat on the Council of Peoples' Commissars and controlled the state.

In July, 1918, a Congress of Soviets adopted a constitution with a Declaration of Rights of Toiling and Exploited People. It soon became clear, however, that this was not a guarantee of rights but an expression of aspirations for the future. This remained the case in the constitution of 1923, of which Joseph Stalin was the chief author. Despite proclamations about human rights in official documents, the peoples of the Soviet Union were subjects more than citizens, as policies toward education, religion, and the Jews indicated.

Impact of Event

In the early days of Bolshevik rule, schools became chaotic, as revolutionary fanatics introduced an anarchic concept of freedom. The state eventually imposed discipline and made schools instruments of propaganda. Attendance was compulsory, and teaching had to conform to communist ideology. Children learned to spy on their parents, and the Young Communist League (Komsomol) became a training ground for future Party members.

Since communism was militantly atheistic, Lenin's regime attacked Russia's churches. The Orthodox Church ceased to be the state religion, and the government seized its properties, including schools. A decree in 1921 forbade teaching religion to young people. When church leaders demanded freedom of religion under the constitution, the communists responded with terror. They murdered the metropolitan of Kiev and executed 28 bishops and 6,775 priests. Despite mass demonstrations in support of the church, repression cowed most ecclesiastical leaders into submission. Bishops asked their people to accept the authority of the government and promised to refrain from political pronouncements and activities. In return, the regime allowed the church to continue its strictly ceremonial and sacramental ministries.

Lenin believed public interest in religion would disappear as Marxist ideology prevailed through state-controlled education. Although individual clergy members and members of various sects continued to defy the government and paid a high price for their disobedience, the Orthodox hierarchy remained subservient. Some bishops became tools of propaganda by telling the world that the Soviets respected freedom of religion.

In contrast with its animosity toward Christians, the regime appeared at first favorably disposed toward Jews. Among thirty-one members of the first Communist Party Central Committee, five were Jews. War Commissar Trotsky was a Jew, as was Grigory Zinoviev, director of the Comintern, the agency to promote revolutions worldwide. Jews obtained positions even in the Cheka.

Since Jews were welcome in the Communist Party, many believed that a new day of freedom and opportunity had dawned for Soviet Semites. Others regarded the disproportionate number of Jews in the Red leadership as evidence that communism was an international Jewish conspiracy, and some Gentiles distrusted Jews because of their prominence in the Cheka.

When Lenin came to power, he recognized the Jews as a minority entitled to self-determination, but since the Jews were dispersed across the country, that recognition was meaningless. Stalin said that all minorities would eventually be submerged into a single socialist culture, a prospect acceptable to Jews

who had become communists. Jews who remained religious, however, were often victims of persecution.

Communist leaders showed special hatred of Zionism, the belief that world Jewry should repossess Palestine, its historic homeland. Jewish communists induced their government to outlaw Zionist organizations as counterrevolutionary. Soon the state ordered all Jewish social bodies to disband, and confiscation of Jewish schools and synagogues followed. Jews in so-called bourgeois occupations—clergymen, landlords, businesspeople, and moneylenders—suffered the same discriminations imposed upon their gentile counterparts.

Writing prophetically in the nineteenth century, novelist Fyodor Dostoevski had predicted that, when it came, the Russian revolution would begin with the promise of great freedom but lead to a cruel despotism. The rule of authoritarian czars gave way to that of totalitarian Soviets. A revolution many expected to produce a free and just society led to perhaps the most rigorous police state in history. Atrocities that began under Lenin reached huge proportions under Stalin, whose purges of the Communist Party and imposition of collective farming brought death to at least ten million people.

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James Edward McGoldrick

Palmer Raids Lead to Deportations of Immigrants

Category of event: Civil rights; immigrants' rights; political freedom

Time: 1919-1920

Locale: United States

The Palmer raids, fueled by antiradical and anti-immigrant sentiments, were the most spectacular anti-civil rights excesses of the Red Scare of 1919-1920

Principal personages:

A. MITCHELL PALMER (1872-1936), the attorney general who created a new division of the Bureau of Investigation for the war against radicalism

J. EDGAR HOOVER (1895-1972), the head of the Justice Department throughout 1919

EDWARD Y. CLARKE, a member of the Southern Publicity Association who, in 1920, was given the task of organizing, managing, and increasing the membership of the Ku Klux Klan

WILLIAM D. HAYWOOD (1869-1928), the dynamic leader of the class-conscious, revolutionary Industrial Workers of the World

EMMA GOLDMAN (1869-1940), a Russian-American anarchist who was deported from the United States to Russia at the height of the Red Scare

ALEXANDER BERKMAN (1870-1936), a Russian-American anarchist and editor of the *Blast*, deported to Russia with Emma Goldman

Summary of Event

In an attempt to rid the nation of radicalism, in 1919 United States Attorney General A. Mitchell Palmer ordered various police units of the government to raid the homes and headquarters of suspected radicals and aliens. The raids and the arrests that followed were directed against those, usually foreign-born, who were accused of radicalism. This offense covered everything from parliamentary socialism to Bolshevism, encompassing "radical feminism," anarchism, and labor militancy as well. In the immediate postwar period, American resistance to anything foreign stemmed from rumors and formal pronouncements of a great radical foreign conspiracy aimed at overthrowing the American way of life. Many Americans, encouraged by political

rhetoric and official pronouncements, were convinced that a communist revolution was imminent and that a reaffirmation of traditional American values, coupled with a good dose of law and order, was the only thing that would make America safe for Americans.

In several respects, Palmer's antiradical crusade continued the espionage and sedition prosecutions of the war years. The Overman Committee investigating German espionage during World War I, for example, simply switched to hunting communists and socialists after the war. The most spectacular excesses of the "Red Scare" ended by 1921, but the scare remained part of the political climate in the United States for many years to come. Antiradicalism, for example, played a significant role in the political agitation for immigrant restriction and antiforeign sentiments that followed the raids.

In 1919, the U.S. government and organizations purporting to defend "Americanism" responded to any activity that was perceived to be radical: strikes were busted (1919 steel and coal strikes, for example); newspapers called for government action against all radicalism, perceived or real; duly elected legislators were denied their seats in the New York State Assembly; and the National Security League, whose main weapon was "organized patriotism," successfully lobbied Congress to pass laws authorizing the deportation of aliens and other "irreconcilable radicals." The American Legion, advocating the Americanization of United States society, declared that radicals were mostly from non-English-speaking groups. Individual state legislatures, among them those of Idaho and Oregon, came close to passing laws forbidding any publication not written in English. In short, "It was an era of lawless and disorderly defense of law and order, of unconstitutional defense of the Constitution, of suspicion and civil conflict—in a very literal sense, a reign of terror," according to historian Frederick Allen.

Public reaction to radicalism so affected Palmer that he ordered the Justice Department's Bureau of Investigation (the predecessor of the Federal Bureau of Investigation) to infiltrate and investigate all radical groups. Following the implementation of this program, the bureau's head, J. Edgar Hoover, reported back to Palmer that revolution was imminent. Palmer then organized a federal dragnet aimed at stepping up the raids and arrests. On January 2, 1920, federal agents arrested more than six thousand people, most without proper warrant, incarcerating them in jails and detention centers for weeks and even months without granting rights to legal counsel or bail. Of those arrested, 516 were eventually deported, including the feminist, anarchist, and militant labor organizer Emma Goldman and fellow anarchist and labor organizer Alexander Berkman.

The intolerance expressed in the Palmer raids took many forms. Some advocated book censorship and others inflicted agony on “hyphenated Americans,” including African Americans, who were arguably the chief victims of the Palmer raids and their aftermath. As African Americans moved to the North, northern whites reacted in fear. Many of them perceived the influx of these visibly distinct Americans to be a threat to their social status. The employment of blacks threatened white workers with a status deprivation. In response, many whites struck out at the newcomers, rekindling racist fears of the past. For the emigrating blacks, the move north signaled a refusal to accept a caste system in the South which had excluded so many of them from the general prosperity of the nation. Tension mounted as black aspirations clashed with racial norms. The racial conflict which followed immediately became linked to the antiradical mood of the time. White mainstream America feared social upset from any source, whether it was black Americans or radical immigrants.

The mood of society in 1919 was as conducive to racial tension as it was to the Red Scare. Fueled by a witch hunt to weed out Bolsheviks and other radicals from America’s inner fabric, racial prejudice became a natural extension of a patriotic call for complete Americanism. From Chicago to Tulsa, racial relations often became racial violence. It was in just such an atmosphere that the Ku Klux Klan experienced a rebirth.

Fighting for its own version of “one hundred percent Americanism,” the Klan played upon the fears and hostility that existed between urban and rural America. Klan propaganda, advocating a concern that public morals were being weakened by the mixing of the races and by “Red-inspired” trade unionism, sought to rally traditional Americans to its banner. The Klan’s chief organizer, Edward Y. Clarke, roused his constituents against a “Jewish-Banker-Bolshevik conspiracy” that the Klan saw leading an international movement to take control of America. This fit right in with Palmer’s warning that a Bolshevik uprising would occur on May Day, 1920. Racism was fused to anti-Bolshevism and all that it implied. Because Jews were perceived by many in rural Protestant America to be of foreign birth, the Klan’s propaganda was received with patriotic fervor. Most rural Americans identified radicalism with foreigners. Jews, Roman Catholics, and immigrants fit into this xenophobic milieu. By 1921, Klan membership reached the one million mark.

The Americanism crusade fit in nicely with concerns of American business over the growth of trade unionism. Strikes, after all, were a threat to profits, and American businesspeople were in no mood to have profits reduced. Labor organizers, in turn, called for a reorganization of the industrial system to promote workers to a position on par with the power and prestige of industrial

capitalists. In a countervailing move against trade unionism, the business community called upon patriotism to defeat any “Bolshevik-inspired” labor organizing activity. Trade unionism was labeled as anti-American, radical, and foreign by design. American business viewed the struggle of the worker for better wages as the beginning of armed revolution in America. Anything or anyone associated with workers’ rights was therefore anti-American and should be treated as such. If this meant intolerance of Constitutional guarantees, so be it.

Impact of Event

A search for a human rights perspective on the Palmer Raids revolves around three interrelated questions. First, what gave rise to the Red Scare which precipitated the raids? Second, why were the raids aimed for the most part at an alien component of the labor movement? Third, was the entire phenomenon an aberrant episode or an action which set the tone for the rest of the decade?

The Palmer raids became part of the “normalcy” of the Harding administration. Antiradicalism continued to play a role throughout the decade in the agitation for immigrant restriction and as a catalyst for the business community’s countervailing response of trade unionism. Significant anti-immigration activity resulted in the passage of the Johnson-Reed Immigration Act of 1924, which ended three centuries of free European immigration. This law laid the groundwork for continued anti-alien activity as some native-born Americans lashed out against those who, by their mere presence, challenged traditional norms.

Union activity was confronted by the emergence of the antiunion “American Plan,” pursued by business throughout the decade. This effort, launched by employers to resist labor unionization on every front, included the use of labor spies to infiltrate the labor movement, the manipulation of public opinion through antiradical and anti-alien propaganda, and the hiring of strike-breakers to counter organized labor’s ultimate weapon. A major force behind the plan was the National Association of Manufacturers (NAM). Throughout the decade, NAM expended a very large amount of money and political influence to lobby against trade unionism. Palmer’s replacement, James Daugherty, complemented this activity in the courts. During his tenure in office, he was influential in obtaining many federal injunctions against work stoppages, forcing striking workers back to work. The courts also made it possible for trade union activities to be classified as a restraint of trade and therefore to be made illegal. The prevailing mood of the nation greeted such determinations with enthusiasm. At the beginning of the decade, 20 percent of all

nonagricultural workers belonged to labor unions. By the end of the 1920's, because of a combination of antiradicalism, employer pressure, and unfriendly government activity, this percentage was cut in half.

Support for official antiradical activity also fanned the fires of nativism. The Palmer raids continued a wartime obsession for internal security. A postwar recession, high unemployment, and failures of international cooperation led to an overall atmosphere of an inability to confront emerging social pathologies. Antiradical and deportation remedies of the Departments of Justice and Immigration were part of the nativistic renewal of the period.

The Industrial Workers of the World (IWW, or Wobblies) played a key part in the postwar antiradical renewal. Communist influence within the group encouraged anti-Bolshevist passions to surface against it. Pursuit of the Wobblies had been going on since their organization in 1905. Their attempt to unite all workers into one big union, and their objection to and rejection of revered American values such as free enterprise and upward social mobility, painted an anti-American and therefore foreign picture of the organization. America saw the Wobblies as a threat to the internal security of the nation and as a conduit of alien ideas, and the IWW became a feared organization. Whether it deserved this reputation was not the point. Federal policies toward the group took on an antiradical and antialien tone. By the time of America's entry into World War I, the immigration, espionage, and sedition laws had been broadened to allow arrest and deportation of IWW officials. Many were jailed for conspiracy because of their opposition to the war. The organization's leader, William Dudley (Big Bill) Haywood, fled from the United States to the Soviet Union, where he died and was buried in the Kremlin wall.

IWW paranoia, and the fervent nativism which it helped to spawn, was reaffirmed after the war. Wobblies, particularly in the Pacific Northwest, were rounded up in antiradical and antialien crusades. The use of troops in the raids and the denial of legal rights to those arrested and held became at once an official answer to a nation's security problem and an appeasement to an insecure public's extreme xenophobia. This "normalcy" continued throughout the decade.

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Thomas Jay Edward Walker

British Soldiers Massacre Indians at Amritsar

Category of event: Atrocities and war crimes; indigenous peoples' rights; political freedom

Time: April 13, 1919

Locale: Amritsar, Punjab, India

The Amritsar Massacre, or Jallianwalla Bagh massacre, was such an atrocious action that it can be singled out as spurring the Indian independence movement

Principal personages:

R. E. H. DYER (1864-1927), the officer who ordered a small force of Indian soldiers to open fire on a crowd of twenty thousand people

SIR MICHAEL O'DWYER (1864-1940), the lieutenant governor of Punjab who approved of General Dyer's actions

SAIF-UD-DIN KITCHLEW (1883-1963), a Kashmiri Muslim who was a coleader of agitation against the Rowlatt Acts in Amritsar

DOCTOR SATYAPAL, a middle-class medical doctor who was a coleader for agitation against the Rowlatt Acts in Amritsar

UDHAM SINGH (1899-1940), an Indian revolutionary who assassinated Sir Michael O'Dwyer

Summary of Event

Historian Alfred Draper titled one of his books *Amritsar: The Massacre That Ended the Raj*. The book's subtitle is correct, for it was that incident that galvanized sentiment to terminate British rule (the Raj) in India. Britain had ruled India for two hundred years, and India was considered the "jewel in the crown" of the British Empire. Under British rule, Indians had viewed the world through British spectacles. For the average Indian, there were two major powers in the world, Great Britain and Russia. Other European powers, except for Germany, a trading partner, were not considered relevant, nor was the United States.

In spite of this worldview, disenchantment had developed by the middle of the nineteenth century. The Mutiny of 1857 had exposed the exploitation of

British rule, and although Queen Victoria had “added the Jewel to her Crown,” Indian society was also combating philosophical and religious encroachment from the West. Revitalization movements developed to counter Christian and Western ideas. One reaction was the elimination of the *Brahmo Samaj* movement that had combined Christian doctrine and practices with Hindu philosophy. This was replaced by the *Arya Samaj*, or “Society of the Aryan People,” which not only emphasized a return to Aryan foundations but also included personal relationships that were merged with Hindu traditions to develop a sense of superiority.

Events after World War I, however, altered the British-centric view held by Indians. The change was so rapid that within three months after the war, British prime minister Herbert Asquith stated that Indian questions would have to be approached from a new angle. Events in the world contributed to the loss of awe for British power. Stirrings of nationalism in Asia and the defeat of Russia by the Japanese showed that Europeans were not invincible. The Russian Revolution resulted in the collapse of a great reactionary power and of prewar ideas of world political relations. Also, the emergence of the United States and President Woodrow Wilson’s Fourteen Points emphasized rights rather than the British ideas of concessions.

The change was not merely in attitudes or worldview. An educated leadership had emerged in India, many of whose members were educated in London and influenced by the political philosophies of John Locke and Karl Marx. It was these men, including Jawaharlal Nehru, who would later provide political leadership to the country. More immediate, however, was the treatment of and attitude toward the British after the war. At the outset of World War I, there was an outburst of loyalty to the British by the Indian people, but it diminished after the Allied victory.

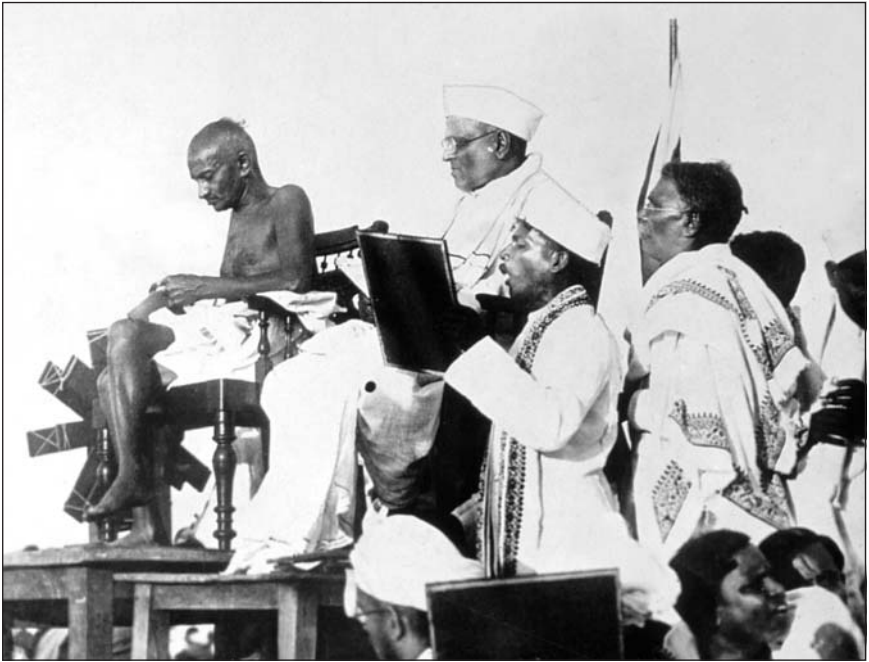
A social gap had always existed between the British and the Indians; however, the gap increased with a change in the type of people in the Indian Civil Service (ICS). The old component had stayed on during the war, while younger people had served in the military, with the result that India, by the end of the war, was ruled by an old and tired bureaucracy. Furthermore, the Indian Civil Service lacked the ability it had had in early years; it lost its prestige, and the quality of its recruits decreased. Those in the ICS saw themselves as rulers of an inferior people and perceived themselves as fulfilling the “white man’s burden” by administering to incompetent heathens.

The Indian contribution to World War I, especially from the Sikhs of Punjab, had been enormous. Sixty thousand men had been recruited from Patiala, and Sikh soldiers had fought on all fronts. Fourteen of the twenty-two

military crosses awarded for gallantry went to Sikhs, whom police and local officials treated like rustics. When Sikhs faced discrimination in Canada and the United States, the British government did not come to their aid. Tales of discrimination and humiliation meted out to Sikh soldiers in Canada and California filtered back to villages in Punjab, and the Indians believed they had been betrayed by their British rulers. In spite of the sacrifices and support they had given to the Allied cause in the war, they did not receive promised reforms.

Dissatisfaction became rampant among the Indian overseas community in Canada and the United States. As a result, the Ghadr Party was formed in North America. The party sent money and fighters to spark an uprising, which did not materialize but was worrisome for the British administrators. In 1919, the harvest in Punjab was poor, land prices were high, productivity in the canal colonies decreased, and the cost of living rose. Not only were general economic conditions worse, but the oppressive Rowlatt Act was introduced in February of 1919 and passed in March. Actually, the Rowlatt Act comprised two acts that empowered police to arrest and search people without a warrant, detain suspects without a trial, and try people before special courts with neither juries nor rights of appeal. Interestingly, wild and fabricated stories spread about how a policeman who coveted a man's wife could get the husband out of the way because of the acts; a bride and bridegroom allegedly had to be inspected by a British doctor before a marriage could take place; and, it was rumored, a family would have to pay the government a sum of money equal to that spent on a wedding. The uneducated masses believed these rumors. Mohammed Ali Jinnah, an Indian politician who resigned from his post in protest, stated in his letter of resignation, "In my opinion a government that passes such a bill in times of peace forfeits the claim to be called a civilized government." This act energized the independence movement.

At that time, Sir Michael O'Dwyer was lieutenant governor of Punjab. O'Dwyer was a brilliant academic and a good sportsman who had entered the ICS full of confidence and imbued with the conviction that the British had the divine right to rule India. O'Dwyer was pugnacious and outspoken and had a disdain for the educated Indians. He detested and distrusted them and openly expressed his views. Thus, an equal disdain developed between him and the educated Indian class. Brigadier General Reginald Dyer came from a family with a long line of associations with India. His family had lived through the Mutiny of 1857, and the events were still in their memory, as was the fear of a fresh uprising. After graduating from Sandhurst, Dyer saw several campaigns; he was a swashbuckling character who had done well in fights and brawls.



Mohandas K. Gandhi (seated, left), the driving moral force in the Indian nationalist movement, was lifted to national prominence by the Amritsar Massacre. (Library of Congress)

In April of 1919, these two men were the principal British players in Punjab, as Mohandas K. Gandhi led the agitation against the Rowlatt bills in India. In fact, it was the oppressiveness of the Rowlatt Act and Gandhi's agitation against it that propelled Gandhi from his role as an obscure politician into national prominence. In the Punjab, protests were conducted in an orderly and peaceful manner until the police caused escalation in Amritsar. Peaceful demonstrations had been led by a Hindu and a Muslim, a fact that surprised the British but resulted in Hindu-Muslim unity. One leader was Saif-Ud-Din Kitchlew, a Kashmiri Muslim who had been at the University of Cambridge with Jawaharlal Nehru. Kitchlew had a Ph.D. from Munster University and was considered pro-German. He was an eloquent speaker and supported home rule. The Hindu leader, Dr. Satyapal, was a medical doctor from a middle-class family. He was reserved, but he was a good orator and a progressive nationalist who believed in peaceful and constitutional means to gain political freedom.

When the police arrested Kitchlew and Satyapal and whisked them away to Dharamsala, the news of their capture spread throughout the city, and crowds protested the action. The mob got out of hand, and in trying to disperse the crowd, the police killed six people and wounded more than thirty. As a result, the mob assaulted white people and set fire to English-owned banks, a church, and other establishments. Marcia Sherwood, a white Englishwoman, was caught in the mob and beaten. Sherwood was a well-liked doctor who had spent fifteen years helping the people of Amritsar. This event resulted later in the famous “crawl order” given by General Dyer. The order required every Indian passing the spot where Sherwood was assaulted to crawl along the street. Three British soldiers were stationed on the spot to enforce the order.

On April 12, 1919, when Brigadier General Dyer arrived from Jullundur with troops and armored cars, he was greeted in the bazaar by crowds shouting anti-British slogans. When he received information that telegraph cables had been cut and railroad tracks had been tampered with, he declared a state of emergency, which made all meetings illegal.

The local Congress Party had already called a meeting at Jallianwalla Bagh for the Baisakhi fair, and Sikhs were there to celebrate the birth anniversary of their *Khalsa*, the Sikh soldier-saint brotherhood. Many were unsuspecting villagers who came from outlying villages and were not aware of the events that had preceded their arrival at Amritsar. General Dyer took the attitude that it was best to use quick and strong force on such occasions, so when he heard of the April 13 meeting at the Jallianwalla Bagh, he marched troops over to the scene.

Jallianwalla Bagh was a seven-hundred-by-four-hundred-foot walled-in area with only one entrance, a seven-and-a-half-foot-wide passage. There was a large crowd of people in the courtyard; estimates of its size range from fifteen thousand to fifty thousand. A meeting was going on with pictures of Kitchlew prominently displayed. Speeches and poetry were read and a resolution passed calling for Kitchlew’s release. At around 5:15 P.M., Dyer’s troops surrounded the area. Seeing the soldiers, people rose to leave, but Hans Raj, a revolutionary leader, urged people to remain, arguing that the government would never fire on them.

Hans Raj was wrong. Dyer ordered his soldiers to fire. Fifty soldiers fired a volley of shots into the crowd, but Hans Raj continued to shout “they are only blanks” when he fell. As people fell dead and wounded, others made desperate attempts to escape, but they were trapped by the high wall surrounding the area. The only exit was blocked by soldiers firing at the crowd. Some climbed into a well but later drowned. Dyer ordered the soldiers to continue firing and

to aim where the crowd was the most dense. There was no escape. Many innocent people, ignorant of the no-meeting order, were killed or wounded. The soldiers fired 1,650 rounds into the crowd, killing 379 and wounding more than 2,000. The cries of agony and thirst sounded long into the night as wounded lay dying among the corpses.

Impact of Event

It was not until the next day that people were allowed to pick up corpses and help the wounded. Repressive measures known as “Dyerarchy” were introduced. The term was coined in reference to the lawlessness of the British administrators. These measures were not excessive in physical pain or loss of money but in wounded pride. Indians meeting a white person were required to bow. Electricity was cut off in the Indian quarters, and a rigid curfew and other restrictive measures made normal existence impossible for the Indians. In the meantime, police had *carte blanche* powers to round up suspects and seemed motivated to obtain convictions at any cost. Indians were flogged without trial, and bicycles, carts, and vehicles not owned by Europeans were confiscated. Lawyers were commandeered as special constables and made to patrol the streets. Courts tried three hundred men and summarily sentenced fifty-one to death and others to imprisonment. Lahore, Kasur, Gujranwala, and most of Punjab suffered under martial law. In seven weeks, twelve hundred people were killed and thirty-six hundred wounded.

Public opinion was divided: The British community stood behind Dyer, and Indians were confused over what they saw as a change in British justice and administration. On April 19, when Dyer saw Sherwood in the hospital, in pain and her life in the balance, he was outraged and issued the famous crawl order. The summary courts that followed destroyed what faith the Indians had in British fairness. Punjabis were confused, for they had believed that, in spite of their faults, the British ruled with a semblance of fairness. They witnessed the opposite. The punishments were not countered by higher British officials, which surprised and bothered many Indians, especially the middle and upper classes who had grown up with a respect for English justice and fair dealings.

Publicity followed in the “Amritsar Leader Case,” in which Satyapal and Kitchlew were tried for revolutionary plotting against the British. The trial did much to destroy British credibility and helped galvanize public opinion against Dyer’s and O’Dwyer’s actions. Nobel Prize winner Sir Rabindranath Tagore wrote to the viceroy and relinquished his knighthood, and Mohandas Gandhi returned medals he had received in honor of service to the British. The events aroused little interest in Britain, but in India they exposed to the In-

dian people a racist attitude. The Hunter Committee, composed of English and Indians, was formed to investigate the actions. During the testimony, Dyer displayed a callous attitude. After the hearings, on a train journey to Jullundur, Dyer talked freely about teaching the “bloody browns a lesson.” He did not know that the man on the bunk above his was Jawaharlal Nehru, who was educated at Harrow and Cambridge and was the future prime minister of India. Nehru was appalled by Dyer’s callousness, and his admiration for the British changed to animosity. Dyer was censured by the committee and subsequently relieved of his command.

The matter was debated in the British House of Lords and House of Commons. Dyer was vindicated by the House of Lords but censured by the House of Commons. Dyer’s vindication had an adverse effect on British-Indian relations. In the meantime, O’Dwyer continued to proclaim his and Dyer’s innocence. Eventually the matter went to court, and O’Dwyer came out victorious. Dyer had been in poor health during much of his time in India, and he died on July 23, 1927. A Sikh by the name of Udham Singh assassinated O’Dwyer on March 13, 1940. For this action Udham Singh became a hero among the Sikhs.

The results of the Amritsar Massacre were many. Gandhi, for example, was rocketed to national prominence. He inspired many to fight the British when he visited Punjab and encouraged patriots to be *nirbhai* (fearless). Gandhi was instrumental in the decline of the Chief Khalsa Diwan, a group that espoused Western ways, and in the creation of the Central Sikh League, a group more aligned with revolutionary ideology.

Racial tensions increased. The British feared the Indians and looked on their actions with suspicion, as they had after the Mutiny of 1857, when the British almost lost India in an uprising of Indian soldiers. On the other hand, the myth of British fairness and honor was destroyed. Even Indians who had been loyal to the Empire suffered and were victimized by O’Dwyer, who claimed that he had saved the Empire. In fact, he had alienated some of its most loyal supporters, especially the Sikhs, who had been crucial in maintaining British rule in India.

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Arthur W. Helweg

Sweden Abolishes Capital Punishment

Category of event: International norms; prisoners' rights

Time: 1921

Locale: Stockholm, Sweden

During a period of democratic reform and minority governments, Sweden's parliament enacted several human rights reforms including abolition of the death penalty for peacetime offenses

Principal personages:

OSCAR VON SYDOW (1873-1936), a member of parliament chosen by King Gustav V in 1921 to replace De Geer as prime minister

J. A. BOUVIN, introduced the abolition of the death penalty for peace time offenses in Sweden's parliament in 1867

CARL ALBERT LINDHAGEN (1860-1946), a member of the Second Chamber of Parliament from 1897 to 1917 and of the First Chamber from 1919 to 1940

GERARD LOUIS DE GEER (1854-1935), a Liberal who headed a "caretaker" government in 1920 and 1921

KARL HJALMAR BRANTING (1860-1925), the prime minister of the first Social Democratic government in Sweden

Summary of Event

As early as 1855, Sweden had begun to adopt more humane treatment of its citizens. Punishments such as caning, whipping, and "church duty" (sitting in special pews at church, to be publicly ridiculed) were abolished. Limited religious freedom was granted in 1860. It was within this context of reform that the first attempt was made, in 1867, to abolish the death penalty for peacetime civil offenses and wartime offenses under the military penal code. J. A. Bouvin introduced a motion to abolish the death penalty into parliament in that year, but it was defeated.

A restructuring of Sweden's political system was also under way. In 1866, parliament began to revise its own structure and processes. The earlier four estates (nobles, the clergy, burghers, and landowners and the rural middle class) were replaced by the popularly elected Second Chamber (lower house) and a senatorial upper house. In 1907, manhood suffrage was broadened, and property qualifications generally were abolished.

During World War I, the Young Socialists, also known as Left-Socialists, continued to demand liberalization of the government and espoused Marxism. The Young Socialists were able to strengthen their political organization throughout the duration of World War I. When a potato famine in 1917 left Swedish farmers destitute, considerable public unrest threatened the government. Many nonsocialist party leaders, both Conservatives and Liberals, became concerned that the Socialists might lead the nation in a revolution similar to the Russian Revolution. Even if the Young Socialists had developed a stronger leadership, however, their power base was too small to cause major disruption.

The end of World War I caught the Conservatives unprepared. The Liberal and Socialist parties, which had both gained strength in parliament, took advantage of the moment to join forces. The two parties cooperated in order to continue their political reforms. This collaboration helped bring both political and social emancipation of women. When the 1921 Electorate Law went into effect, the number of eligible voters more than doubled, with women the clear majority. Numerous other political and humanitarian reforms were enacted, in part because they were a natural evolution of the great period of reform and in part as a means of undermining the growing strength of the Young Socialists by adopting some of their programs.

In 1920, Karl Hjalmar Branting became prime minister of Sweden's first Social Democratic government. As a single-party, minority government, it had little chance for a long tenure. When the election for the Second Chamber took place, six months after Branting's election, the Conservatives made a relatively strong recovery. Branting was forced to resign. The result of the shift in power, however, was that no party had a clear majority in the chambers, and none of the parties would form a government on a minority basis. The Liberals, the "middle" party, would cooperate with neither the right nor the left. King Gustav V therefore proposed a bureaucratic "caretaker" ministry under Gerhard Louis De Geer that would not be aligned with any of the parties. Only one member of parliament served in De Geer's "professional" ministry.

Many reforms were introduced in parliament during this critical period. Included in those reform measures was Proposition No. 144, which provided for the abolition of the death penalty for peacetime offenses. The measure was introduced in the First Chamber in 1921. De Geer, with the support of the Conservatives, attempted to block passage of the proposition. At the same time, parliamentary member Carl Albert Lindhagen put forth a motion to amend Proposition No. 144 to include the abolition of wartime offenses as well. Lindhagen's motion for amendment was defeated by a 46 to 32 vote.



Karl Hjalmar Branting served as prime minister of Sweden three times and was awarded the Nobel Peace Prize in 1921. (© The Nobel Foundation)

The unamended Proposition No. 144, which exempted peacetime offenses, passed through the First Chamber by a vote of 62 to 23.

When First Chamber elections were held in 1921, the Social Democrats gained more seats, although no political party had a clear majority. Once again, the king suggested a coalition government, but the parties would not comply. Largely because of his failure to show strong leadership, De Geer was replaced by Oscar von Sydow, another nonparty legislator. It was during the tenure of Prime Minister von Sydow that both the original Proposition No. 144 and Lindhagen's amendment were considered and acted upon in the lower house, or Second Chamber. The motion for complete abolition was defeated, but the original peacetime-only abolition was

passed by a 116 to 48 vote. The failure of parliament to approve Lindhagen's amendment can be attributed to the lack of a strong majority party and the concerns of the Swedish people about wartime offenses in the aftermath of a world war and a revolution in Russia.

The abolition of the death penalty for wartime offenses as well as for peacetime offenses was finally enacted in 1972 by a 266 to 37 vote. Sweden completed abolition of the death penalty for all offenses with the 1972 legislation.

Impact of Event

Until the beginning of the twentieth century, most governments accepted the death penalty as an effective and appropriate way to prevent and to punish crime. Executions were made to appear lawful and were justified by arguing that the supreme penalty was necessary, especially for the more serious offenses, for the good of society. Since 1867, when Bouvin introduced abolition legislation, there have been intermittent movements throughout Scandinavia and the Western world to abolish the death penalty, even as punishment for murder.

Sweden's 1921 Proposition No. 144 affirmed the value of human life and established a limit on what the state might do to its citizens. Some members of parliament based their votes on the measure on political exigencies, attempting to avert further political crises. Many, however, cast their votes in a principled stand for human rights.

As one of the first nations to abolish the death penalty, Sweden exerted pressure on other Scandinavian and Western nations to reevaluate their own statutory punishments. The result has been the limiting of the numbers of offenses for which the death penalty may be demanded or the removal of that penalty entirely. Great Britain used Sweden's abolition of the death penalty and later reforms of alternative punishments as a yardstick to evaluate its own position on incarceration and executions. Great Britain's 1949-1953 Report of the Royal Commission on Capital Punishment examined the alternative punishments imposed by Sweden and expressed interest in the efficiency and humanity of Stockholm's Utrecht and Langholmen prisons, where psychiatric clinics worked with both convicted prisoners and suspects awaiting trial. The report concluded that available evidence showed that few released murderers committed further crimes of violence.

The prohibition of the death penalty became an integral part of the Instrument of Government of the Swedish Constitution. Chapter 8 states in Article 1 that no law or regulation may imply that a sentence for capital punishment can be pronounced. In 1976, this statement was moved to Chapter 2, which concerns fundamental liberties and rights. Its Article 4 states, "Capital punishment may not occur." Inclusion of the statement in Chapter 2 means that the abolition of the death penalty applies not only to Swedish citizens but also to alien residents, who are thus protected against extradition to nations where the death penalty is still practiced.

Although Norway preceded Sweden by removing the death penalty for peacetime offenses in 1905, that nation did not abolish all death penalties until after Sweden had done so. Denmark, in 1933, and Finland, in 1949, also abolished the execution of convicted offenders. By the end of the 1970's, many countries had abolished the death penalty as international public opinion generated pressure to stop executions. International human rights treaties have established restrictions and safeguards on the use of the death penalty in countries which have not yet abolished it.

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H. Christian Thorup

Mussolini Seizes Dictatorial Powers in Italy

Category of event: Political freedom

Time: 1925-1926

Locale: Italy

Benito Mussolini's seizure of power in the 1920's led to a dictatorship that destroyed political freedom in Italy and threatened international peace and stability during the 1930's

Principal personages:

BENITO MUSSOLINI (1883-1945), the founder and leader of the National Fascist Party; called on by King Victor Emmanuel III in October, 1922, to become prime minister of Italy

VICTOR EMMANUEL III (1869-1947), the king of Italy from 1900 to 1946

GIACOMO MATTEOTTI (1885-1924), an attorney and socialist representative in the Italian parliament

Summary of Event

Italy made slow but notable progress in human rights during the first decades of the twentieth century. Under a constitutional monarchy, Italians shaped a limited parliamentary democracy similar to those of other Western European nations. By the early 1900's, the working class had won the right to organize and strike. Socialist labor unions vigorously advanced both economic and political goals. A lively, diverse press gave voice to a wide range of political opinion, although the more radical publications were often restrained by government censorship and the moral condemnation of the Roman Catholic Church. Universal male suffrage, enacted in 1913, underscored the nation's political progress. Women, although denied the vote, acquired important legal and property rights in 1919. The emergence of mass political parties after World War I heralded the prospects for democratic reform.

The post-World War I years offered new opportunities to create a more equitable, democratic society. The war also jeopardized Italy's progress by creating grave economic and political instability. Conservative government leaders, business people, and landowners feared a communist revolution simi-

lar to that of Russia in 1917. Benito Mussolini's National Fascist Party compounded the political crisis with its revolutionary program and its violence against political opponents. Mussolini, a former socialist party leader and newspaper editor, had founded the Fascist movement immediately after the war. His virulent nationalism, anticommunism, antidemocratic politics, and appeal to violence attracted a large following of war veterans and political malcontents. Fascist paramilitary units, known as *squadristi*, carried out "punitive expeditions" against their rivals, primarily the socialist party and labor unions. Their brutal assaults and destruction of property, often unopposed by local government authorities, brought the country to the brink of civil war in the early 1920's.

The political crisis in Italy culminated in October, 1922, with the "March on Rome." Benito Mussolini orchestrated this threat to occupy the nation's capital with his party's paramilitary forces. While threatening armed conflict, he negotiated with influential business and political leaders and pressured King Victor Emmanuel III to invite him to form a new government. Mussolini assumed the position of prime minister and organized a coalition cabinet, filling the ministerial posts with members of his own and other conservative parties. Although the Fascists were a minority party, they achieved political dominance in the parliament following the elections of April, 1924. Under a new election law, the party receiving the most votes was given two-thirds of the seats in the Chamber of Deputies.

Mussolini's new government contended with a large, but divided, parliamentary opposition on the political left—democrats, socialists, and communists. One of his most persistent and outspoken adversaries was Giacomo Matteotti, leader of the reformist socialist party and a member of parliament. Matteotti gained a reputation as Mussolini's most dangerous critic by carefully documenting specific cases of abuse and corruption in the government. His report on the 1924 elections revealed widespread election fraud and violence by the Fascist Party. Despite personal threats from Fascist leaders, including Mussolini, Matteotti continued to denounce the government from his seat in parliament and to collect information about financial improprieties of government officials.

Matteotti's disappearance on June 10 immediately raised allegations of government involvement, and several witnesses later verified his kidnapping by Fascist *squadristi*. Although Matteotti's body was not discovered until mid-August, most of the public assumed that his abduction and murder had been sanctioned at the highest level of Fascist Party leadership, perhaps by Mussolini himself. The Matteotti affair provoked a spontaneous outpouring of popu-



Benito Mussolini addressing the people of Cardonia in 1938. (New York Times)

lar protest against the government. Labor unions organized political strikes and public demonstrations. More than one hundred deputies from opposition parties refused to participate in parliamentary proceedings, declaring that Mussolini had lost all moral and political right to govern. The “Aventine Secession”—alluding to similar protests during the ancient Roman Republic—gave the outward appearance of solidarity on the political left. Even leading conservatives, who had previously supported Mussolini’s government, now called for his resignation.

The overwhelming protest initially paralyzed Mussolini, belying his reputation as a man of action. He attempted to mollify the political right—the king, influential businesspeople, and senators—by reshuffling his cabinet and replacing Fascist ministers with well-respected conservatives. This compromising outraged Fascist militants, especially the local party leaders who demanded a “second wave” of violence to destroy the remnants of political opposition and the pretense of parliamentary government. They confronted

Mussolini and threatened him personally in several heated party meetings. Defiance to his authority within the Fascist Party as well as in the government compelled him to take action.

On January 3, 1925, Mussolini made a dramatic speech in the Chamber of Deputies in which he assumed complete responsibility for the violence committed by the Fascists, including the murder of Matteotti. He challenged the members of the parliament to impeach him, and with a threatening over-tone announced that the situation would be “cleared up all along the line” in the following forty-eight hours. This speech marked the beginning of Mussolini’s dictatorship. Within hours, local authorities began closing down the meeting halls of opposition groups and suppressing antigovernment publications. More than one hundred political dissidents were arrested. The *squadristi* unleashed a “second wave” of violence, destroying opposition presses and using intimidation and physical assaults to silence protest. The anti-Fascist opposition, contentious, divided, and unable to agree on a course of action, offered little effective resistance to Mussolini’s seizure of power.

Mussolini’s personal dictatorship gradually took shape over the next two years. He established his authoritarian rule through rigorous enforcement of existing laws, new restrictive legislation, and special executive decrees. After several unsuccessful assassination attempts against Mussolini in 1925 and 1926, the government passed a series of “exceptional decrees” that formally outlawed all political parties, banned anti-Fascist organizations and publications, and cancelled all passports. The participants in the Aventine Secession were stripped of their parliamentary immunity and barred from taking their seats in the Chamber of Deputies. Local elected governments were eliminated and replaced by state-appointed administrators.

The exceptional decrees created the Special Tribunal for the Defense of the State, a military court that functioned outside the normal judicial process and allowed the arbitrary arrest and imprisonment of more than five thousand government opponents. The death penalty, which had been abolished in 1890, was reintroduced. Giovanni Amendola, Piero Gobetti, Antonio Gramsci, and several other prominent anti-Fascists died as a result of street beatings or lengthy prison terms. Hundreds of others fled the country in order to escape the *squadristi* violence or imprisonment.

The government decrees sanctioned the operations of a secret state police, identified by the sinister, but apparently meaningless, acronym OVRA. Under the efficient direction of Arturo Bocchini, the police monitored antigovernment activity and used their authority to place individuals under house arrest or send them into “internal exile” in remote villages or on coastal islands. Man-

datory identity cards allowed the police to control personal movement, employment, and access to public services. By 1927, Mussolini's regime had eliminated most vestiges of political freedom in Italy. Discarding the parliamentary designation of prime minister, he referred to his position as "head of state" and adopted the title *Il Duce*—the Leader. Through his dictatorship, he sought to fulfill his own maxim: "Everything in the State, nothing outside the State, nothing against the State."

Impact of Event

Mussolini's seizure of power marked a disturbing political development in the modern world. It repudiated more than a century of European progress toward greater political democracy and individual liberty and introduced the term "totalitarian" into modern political vocabulary. Although Mussolini's regime never achieved the totalitarianism of Adolf Hitler's Germany or Joseph Stalin's Soviet Union, the results of his dictatorial rule proved devastating to a free society. The ban on political parties and elections destroyed democratic politics; the abolition of labor organizations stripped workers of their right to seek economic redress; and the purging of the state bureaucracy and the courts ensured total government acquiescence to Mussolini's authority.

The establishment of the Special Tribunal allowed the regime to bypass regular judicial procedures and arrest, imprison, or exile thousands. Many Italians defied the government by leaving the country on their own accord. During the 1920's and 1930's, Italy lost some of its most talented citizens to emigration, including the nuclear physicist Enrico Fermi and the renowned orchestral conductor Arturo Toscanini. The elimination of a free press, strict control of the media and education, and the use of secret police to stifle political dissent further eroded individual freedoms.

The goal of creating a totalitarian state represented an unprecedented degree of government intrusion into the daily lives of citizens. Even organized sports, recreational programs, youth groups, artistic activities, and professional associations fell under government supervision. Only the conservative institutions that lent timely support to Mussolini in his first years—the military, the monarchy, and the Roman Catholic Church—retained a large degree of autonomy under the Fascist regime.

Mussolini's success in Italy inspired similar "fascist" movements in several European countries. Each had its own identity, but they all shared an affinity for political violence and an abiding contempt for democracy and individual civil rights. In Germany, the Nazis imitated and refined the methods of the Italian Fascists. Their success brought Adolf Hitler to power in 1933 and marked

the beginning of an unparalleled disaster for human rights and international peace.

Mussolini's belligerent foreign policy effectively destabilized international relations at a time when most nations were seeking ways to ensure peace. In the years following World War I, European diplomats had worked diligently to limit armed conflict through the newly founded League of Nations, naval disarmament treaties, and collective security agreements. With his invasion of Ethiopia in 1935, Mussolini challenged the League of Nations and revealed its impotence against military aggression. He defied the Geneva Convention's ban on poison gas and used it with devastating results against Ethiopian troops. His military assistance to Francisco Franco in the Spanish Civil War helped destroy democratic government in Spain and install a dictatorial regime that remained in power for more than thirty-five years. Mussolini's military success in Africa encouraged Hitler's ambitious plans for German territorial expansion. With the Pact of Steel in 1939, the two men cemented a military alliance that brought on the greatest human catastrophe in modern history, World War II.

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Michael F. Hembree

League of Nations Adopts International Slavery Convention

Category of event: Civil rights; international norms; workers' rights

Time: September 25, 1926

Locale: Geneva, Switzerland

The 1926 International Slavery Convention was part of an effort begun by colonial nations a century earlier to suppress slavery in all of its forms

Principal personages:

PAUL HYMANS (1865-1941), a delegate to the League of Nations from Belgium
FREDERICK J. LUGARD (1858-1945), the United Kingdom's delegate on the
Temporary Slavery Commission

HENRY MORTON STANLEY (1841-1904), a British subject, writer, and explorer:
his expeditions helped reveal the extent of slavery in Africa

Summary of Event

The ancient Greeks believed in natural slavery, especially for people who did not speak Greek, who were referred to as "barbarians." With the advent of Christianity and the nation-state, a variety of justifications were used to harmonize slavery with the teachings of the Bible. Christians, for example, justified enslaving people who practiced cannibalism and human sacrifice.

The philosophers of the American and French revolutions did much to discredit slavery by condemning it for destroying the natural liberty of human beings. In the aftermath of the Napoleonic Wars, at the Congress of Vienna on February 8, 1815, the victorious nations declared their intention to suppress the slave trade. The powers with colonial possessions were advised of their obligation and duty to abolish the slave trade. However, the institution of slavery itself, in the form of plantation slavery in the British possessions and in the United States, was virtually untouched.

None of the nations at the Congress of Vienna in 1815 was willing to trespass on the sovereignty of other states to end any form of domestic slavery. Nevertheless, the Congress of Vienna was a major step toward engendering an agreement among European nations to work to abolish the international traffic in slaves, especially the trans-Atlantic trade.

Colonialism could be justified, according to Sir Frederick Lugard, who had served for many years in Africa as a colonial administrator, only if it provided mutual advantages for the colonized “natives” and for the world. Colonialism was a “school” to Christianize and civilize “savage” peoples. In return, the colony would provide European capitalists with raw materials for their industries and markets for their manufacturers.

In 1885, European nations held the African Conference at Berlin. That conference called for the suppression of slavery and specifically of “the Negro slave trade,” but the act passed by the conference applied only to the Congo Basin. It was, however, an important development in creating a body of international law which was militantly opposed to slavery.

Explorers, such as Henry Morton Stanley, had discovered and publicized the existence of a vast area in Africa that was controlled by Arab slave raiders. Arab traders, such as Tippu Tib, actually posed a military threat to the tribes of the region and even to the Belgian military. Strong military operations were necessary in the Congo and elsewhere in Africa to defeat combative slave traders. The parties to the African Conference, in an 1886 decree, provided for penal servitude for slave traders.

Slave caravans penetrated the interior of Africa from the shores of the Mediterranean, the Red Sea, the Persian Gulf, and the Indian Ocean. The traffic in slaves encompassed the modern countries of Nigeria, Sudan, Ethiopia, Ghana, Burundi, and Democratic Republic of the Congo, among others. Slaves brought to trading centers in northern and eastern Africa were sold for local use or, as was more often the case, were sent to Turkey, Saudi Arabia, Iran, and other eastern countries. Another decree in 1888 regarding labor contracts prohibited the enslavement of natives by nonnatives. The colonial powers were trying to abolish slavery indirectly by abolishing the slave trade.

There were difficulties connected with the outright abolition of domestic slavery (that is, slavery within a colony) and forced labor, and an international consensus did not yet exist for a frontal attack on slavery and its analogous forms. An impressive step was taken to suppress slavery at the Second Brussels Conference of 1890. The General Act of Brussels, signed on July 2, 1890, as a result of that conference, had more signatories than earlier international conventions on the suppression of slavery; it also had more enforcement requirements in its articles than did preceding conventions. The nations meeting at Brussels included all of the major European nations, as well as the United States, Turkey, Iran, and Zanzibar. The General Act of Brussels prescribed specific measures for the acceding nations to take against slave raiding and trading in the territory under European control.

The measures enacted by the antislavery alliance were designed to spur the parties to organize the administrative, judicial, and military services of government in their territories of Africa so that they could more effectively regulate the slave traffic. The General Act of Brussels required the establishment of military posts in the interior, where slave raiders collected slaves for overland transit to the coasts for shipment to eastern countries; an increase in the use of steamships manned by soldiers on navigable waterways and lakes, thus expanding the presence of the central government throughout the region; more operations by “flying columns” of soldiers to maintain contact between various military posts; and the installation of telegraphs as a means of linking isolated areas to the provincial capital to monitor movements of slave traders and to allow for a more rapid deployment of military forces.

The articles of the General Act of Brussels were meaningful in setting the foundation for more expansive efforts toward suppressing the slave trade, domestic slavery, and many of the forms of forced labor. Belgium employed military force against slave raiders to gain control of the interior and to suppress slavery. In time, with the use of native troops and modern weapons, the Belgians secured the interior from large-scale raids from outside the Congo Basin, at a cost of considerable losses of Belgian soldiers. The problem of domestic slavery was left to languish. It was difficult to differentiate between slavery, according to many European apologists, as an acceptable social institution and slavery as a barbaric and cruel method of employment of individuals against their will. Domestic slavery was seen as inevitable but susceptible to gradual elimination through “civilizing” of native people by European colonizers. Enslavement of natives by natives was considered by Europeans to be beyond the realm of their control, while slavery imposed by nonnatives on natives was strictly prohibited as odious to all civilized people and was punishable by law.

World War I interrupted the international efforts to stop slavery and the continuing endeavor at enforcement of the precepts of the General Act of Brussels. The victorious allies—Belgium, the United Kingdom, France, Italy, Japan, Portugal, and the United States—signed a new compact at Saint-Germain-en-Laye on September 10, 1919. The new convention was formulated to complete the work started by the General Act of Brussels.

The Saint-Germain-en-Laye Convention was short-lived. It was superseded by antislavery activities of the newly founded League of Nations. The League of Nations confirmed the previous antislavery declarations and proclaimed its own intent to achieve the complete suppression of slavery “in all of its forms and of the slave trade by land and sea.”

In 1924, the League of Nations appointed a Temporary Slavery Commission of eight experts to compile information on slavery, so-called domestic slavery, slave raiding, serfdom, purchase of girls as brides, simulated adoption of children for purposes of sexual exploitation, varied forms of indenture, and compulsory labor by state and private employers. Sir Frederick Lugard, perhaps the most influential and respected member of the Temporary Slavery Commission, helped to craft the commission's report to the Council of the League of Nations. Sir Frederick's broad experience and practical approach to the suppression of slavery assured the report's adoption by most of the member states of the League of Nations. His suggestions moved the members to moderate positions while retaining the goal of the eventual end of *de facto* slavery through a process of transition and the development of new modes of employment.

Paul Hymans, the Belgian delegate to the League of Nations in 1926, personified the efforts by Belgium to establish an unambiguous posture toward the suppression of the slave trade and nonnative enslavement of natives. He was reluctant, as were most members, to grapple with the question of forced labor and domestic slavery. The Belgians were, to a good extent, successful in suppressing the slave trade in the Congo Basin.

The report of the Temporary Slavery Commission stated the objectives of the commission. It defined "enslavement," made proposals for regulating and punishing persons engaged in slave-raiding and the slave trade, and addressed "slave dealing" and the more controversial domestic slavery issue. In an auxiliary category, the report discussed the acquisition of girls by purchase, disguised as payment of dowry, and adoption of children "with a view to their virtual enslavement or the ultimate disposal of their persons."

The Temporary Slavery Commission was shrewdly cautious on the question of forced labor: Its abolition was desirable but not achievable given the provisions of the Covenant of the League of Nations, which prohibited intervention by member states into the domestic affairs of any state. In addition, the commission recognized a need for compulsory native labor in an environment that was inhospitable to white workers. According to the adopted Convention on Slavery, signatories recognized the need for governments to use compulsory or forced labor for public projects but urged that such use should be transitional and should end as soon as possible. Signatories were allowed to accept all or only some of the provisions of the convention, significantly weakening its impact. It was more moral suasion than enforceable law, but it represented a goal to be striven for by many members of the League of Nations.

Impact of Event

The 1926 Slavery Convention defined slavery as “the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.” The convention required the former colonies of Germany and the Ottoman Empire, now mandates of the League of Nations, to suppress slavery and to prepare the people of the mandates for active participation in their own political affairs.

Ethiopia was denied entry into the League of Nations until it formulated a definite plan to eliminate all forms of slavery, which it finally accomplished to a limited extent in the official abolition of slavery in 1942. Liberia, the other recalcitrant slave state, was pressured by the League of Nations to outlaw intertribal slavery and to abolish some other forms of servitude.

The most significant impacts of the 1926 Slavery Convention were on slave raiding and the de jure abolition of slavery in Ethiopia and Liberia. The mandate system also gave the League of Nations moral clout and some circumscribed political leverage in suppressing domestic slavery and specific forms of forced labor.

It was the transition from slavery to certain forms of servile labor, including debt bondage and contract labor, that undermined the effects of emancipation of slaves around the world. Two strategies emerged to replace de facto slavery. One was to entice new labor from other areas by means of indentures, or contracts to work for specific periods of time. This system often involved the accumulation of debts by the laborer. The other form, emerging in the aftermath of emancipation, was peasant bondage, which used former slaves on small land holds and on large projects, such as road building and railroad construction. Peasant bondage was a form of virtual slavery in which workers were “paid” in the form of training or provisions. Both systems, in many variations, are indirect forms of slavery, or servitude. In the United States, servile labor took the form of sharecropping and share tenancy, in which workers paid part of their harvest as rent. In the Caribbean, it was in the form of contracted labor from India and the Middle East.

The 1926 International Slavery Convention had an important impact, in laying the foundation for continuing struggle against de jure slavery and in establishing continual international opposition to all forms of slavery. It did not, however, immediately end all forms of exploitive labor arrangements.

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Claude Hargrove

El Salvador's Military Massacres Civilians in *La Matanza*

Category of event: Atrocities and war crimes; revolutions and rebellions

Time: January-February, 1932

Locale: El Salvador

The massacre of up to thirty thousand peasants by the army ended a radical reform movement in the Salvadoran countryside and ushered in fifty years of repression and military rule

Principal personages:

AGUSTÍN FARABUNDO MARTÍ (1893-1932), a principal leader of the Salvadoran Communist Party

MAXIMILIANO HERNÁNDEZ MARTÍNEZ (1883-1966), the military dictator of El Salvador who ordered the 1932 bloodbath

ARTURO ARAÚJO (1877-1967), the reform-minded civilian president of El Salvador, unseated by a right-wing coup that transferred power to General Martínez

Summary of Event

Social relations in El Salvador in the first decades of the twentieth century were characterized by a wide division in power. The peasant masses, who had once enjoyed communal property rights as part of an ancient landholding system, had seen these rights taken away in the late 1800's by a powerful clique of coffee planters. Behind a shield of "liberal" legislation, these growers had succeeded in expanding their holdings to encompass nearly all of the country's arable land. They modernized the economy by tying their fortunes to the exclusive cultivation of coffee, for which a large international market existed.

The peasants, most of whom were Pipil Indians, had an almost mystical reverence for their cornfields. The disestablishment of their communal system had a psychological, as well as a material, effect on their lives. Without access to land, they had no options other than to work on the coffee plantations as *colonos*, receiving in exchange tiny plots for their own subsistence along with a miserable wage, often issued in kind. Once-independent peasants were thus reduced to debt peons.

For their part, the coffee growers, or oligarchs, took advantage of a seemingly limitless world demand for their product. The coffee boom, which lasted throughout the 1920's, stimulated urbanization, brought railways and telegraph lines to the interior, and widened the economic gap between the coffee growers and the peasantry. The wealthy lived in regal splendor while the poor seethed in their poverty.

The rural environment of El Salvador had little in it of philanthropy. The planters kept wages low and they paid almost no taxes that might support social services. Discontent among the poor was widespread in consequence, and isolated uprisings occurred frequently. The rural constabulary and the national guard smashed all of these movements. As time went by, the oligarchs came to rely more and more on coercion to maintain the status quo in the countryside.

The Great Depression of 1929 provided the catalyst for a social explosion. The demand for coffee on the world markets collapsed. With prices falling, the *colonos* lost the opportunity to find work. Wages fell 60 percent. In the cities, the Depression gave rise to a period of intense political discussion, with younger members of the oligarchy expressing some doubts as to whether the traditional order could contain the social crisis. A few individuals looked to reformist solutions.

Among their number was Arturo Araújo, an admirer of Britain's Fabian Socialists. Araújo was something of a wild card in Salvadoran politics, and the *Partido Laborista* he founded reflected an eclectic blend of mysticism, anti-imperialism, and what was termed *vitalismo mínimo*—the idea that every citizen deserved a "vital minimum" of goods and services necessary to a happy life. Such sentiments appealed to many, especially in the cities, where trade unionists and middle-class professionals lent avid support to Araújo.

The Communist Party of El Salvador also favored this wayward son of the oligarchy. In this instance, however, their support was conditional, since the communists, led by veteran activist Agustín Farabundo Martí, feared that Araújo's popularity might overshadow their own plans to carve a measure of power from the country's difficulties. As it turned out, they needed to fear something far more sinister.

Despite the misgivings of most oligarchs, the government held free elections in January, 1931. Five presidential candidates, most of whom represented conservative coffee interests, entered the field against Araújo. The latter went on to win anyway and took office at the beginning of March. Problems plagued Araújo from the beginning. The Depression hit the country people very hard. Although he had made vague promises as to land reform, the new



San Salvador, the capital of El Salvador, shortly before the revolution. (National Archives)

president simply could not deliver on these while simultaneously safeguarding the privileges of the elite.

The lack of direction displayed by Araújo was evident from the beginning. The oligarchs, who had previously thought Araújo merely risky, now saw him as positively dangerous and looked to anyone who might deliver them from his influences. The peasants and the trade unionists also became disillusioned. Seeing that their support had brought them repression and not reform, they began to consider more radical solutions, particularly those espoused by Farabundo Martí and the communists. Several strikes by *colonos* in April and May were brutally crushed by forces under War Minister (and Vice President) Maximiliano Hernández Martínez. Widespread rebellion now seemed likely.

Of all the groups opposed to Araújo, clearly the most willing to act upon its grievances was the military. The president had tried to reduce the army's budget by 25 percent and tried to retire a number of senior officers. Most crucial, however, was his inability to pay his soldiers. In normal times, export duties paid the greater part of government expenses, but with coffee exports at rock bottom, Araújo's administration was delinquent in its payments to all officials.

The end came swiftly. On December 2, 1931, army units loyal to General Martínez seized control of San Salvador and other major cities. Only Araújo loyalists initially condemned the attack. Most political parties, including the

communists, gave their tacit approval. They felt reassured when Martínez announced that municipal elections scheduled for January, 1932, would go forward. The Left then organized meetings and street demonstrations, distributed leaflets, and prepared for the elections. Few doubted that Martínez would keep his word.

The general, however, had his own ambitions. A man of a mystical frame of mind who would later conduct seances in the presidential palace, Martínez felt certain that he acted with divine aid. Having identified all opposition organizers, he cancelled the elections and began a massive repression. Realizing that they were moving in the eleventh hour, the communists launched an urban revolt on January 22, supposedly set to coincide with a rural insurrection in the western departments of Santa Ana, Ahuachapán, and Sonsonate. The Indian leaders of those areas had tenuous ties to Farabundo Martí, even though they had no use for communists generally. They nevertheless decided that a revolt offered them their last chance of deliverance.

They were wrong, tragically so. The army quelled the urban uprising in a matter of hours, police agents having already penetrated the revolutionary cells. They had previously detained Farabundo Martí. A policy of summary execution began that included even suspected members of opposition groups. Martí received unusual treatment: He was given a brief trial before he faced the firing squad.

The rural districts experienced the full fury of the repression. The peasant rebels, armed with machetes, managed to hold out for forty-eight hours. They killed some fifty policemen. The army and the irregular forces set up by the landowners exacted an awesome revenge in what Salvadorans still refer to simply as *la matanza*, the massacre. The army regarded anyone with Indian features as being automatically guilty and liable for the ultimate penalty. Whole villages were razed. Hospitals were checked and the wounded dragged out and killed. Women, children, and dogs were shot along with men. The corpses soon became so numerous that they could not be buried and were simply left in ditches along the roads. As one witness later observed, only the vultures ate well that year. Before the violence had run its course in February, as many as thirty thousand people had died. The massacre left a legacy of violence in Salvadoran politics that decades later had yet to be overcome.

Impact of Event

La matanza left a deep scar in Salvadoran society. Virtually every family in the western part of the country lost someone to the army terror. The effects of the repression went even further, however, than the loss of life.

There were cultural losses. Because Martínez and the army chose to identify the Pipil Indians as part of a wide communist conspiracy, most Indian survivors rushed to deny their Indian identity. They abandoned the use of native garb, which they saw as a provocative symbol of resistance likely to bring down the wrath of the police. Indians encouraged their children to avoid speaking Pipil except at home, and then only in hushed tones.

There were social losses. With the members of many families serving in the army or among the rebels, the repression could not help but have a divisive impact. It became impossible to trust anyone. All of the traditional foci of rural authority and trust—the church, and more important, the socioreligious brotherhoods (*cofradías*)—lost the popular support they once had enjoyed. Fear dominated the peasant landscape. Only the oligarchs could claim that *la matanza* had increased the level of solidarity in their ranks. It also taught them the false lesson that class solidarity outweighed national reconciliation and that their survival depended on the subordination of the peasants.

Finally, the repression brought political losses. General Martínez followed *la matanza* with a twelve-year dictatorship that brooked little opposition, even from the oligarchs. Although civilian vigilantes conducted much of the 1932 slaughter, its political outcome confirmed the army's claim on power. Martínez was only one of many military presidents who were to rule El Salvador during the twentieth century. As an institution, the Salvadoran armed forces consistently resisted pressures to make room for civilian participation in politics. When open application of force was inadvisable, the military acted in collusion with the oligarchs to create death squads.

For their part, the peasant masses in the El Salvador of the late twentieth century became caught between two polar extremes. They could either join the ranks of the army and the elites, who perceived the struggle as an anticommunist crusade, or they could join with the Farabundo Martí National Liberation guerrillas, the ideological descendants of Martí, and fight to establish the kind of Leninist regime that had been repudiated throughout the Eastern Bloc. In either direction, death threatened the average citizen. The greatest and most frightening legacies of *la matanza* are the effects that it left in the popular mind and the knowledge that it can happen again.

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Thomas L. Whigham

Hitler Uses Reichstag Fire to Suspend Civil and Political Liberties

Category of event: Civil rights; political freedom

Time: February 27, 1933

Locale: Berlin, Germany

Adolf Hitler used the burning of the German parliament (Reichstag) building as an excuse to limit civil and political liberties granted under the Weimar Constitution

Principal personages:

ADOLF HITLER (1889-1945), the chancellor of Germany and leader (Führer) of the Nazi Party

HERMANN GÖRING (1893-1946), the Prussian minister of the interior, president of the Reichstag, and prosecutor at the Reichstag fire trial

JOSEPH GOEBBELS (1897-1945), the Nazi propaganda leader and, after March 13, 1933, the German minister of propaganda

MARINUS VAN DER LUBBE (1909-1934), the Dutch arsonist who burned the Reichstag building

GEORGI DIMITROV (1882-1949), a Bulgarian defendant at the Reichstag fire trial, later secretary-general of the Communist International

ERNST TORGLER (1893-1963), a German communist representative to the Reichstag and defendant at the trial

Summary of Event

The years following World War I were a period of chaos in Germany. Defeat in war and the humiliation of the peace at Versailles made the populace bitter, frustrated, and angry. They vented their frustration on the Allies, on Jews and other non-German peoples, and above all on the Weimar Republic created to replace the monarchy. The first wave of turmoil arose from 1918 to 1923, but it subsided as economic conditions improved in the second half of the 1920's. The Weimar Constitution appeared to be working very well. With the outbreak of the depression in 1929, however, a new swell of political agitation based on race and class hatred gained momentum.

The turbulent years immediately after the war saw the rise of extremist parties on the left and right. From 1919 to 1923, the German Communist party initiated three uprisings. Nationalist, anticommunist, and anti-Semitic groups also on several occasions attempted to overthrow the republic and committed acts of terror against its officials. The most infamous uprising of the political right in those years occurred in Munich in October, 1923—the unsuccessful “Beer Hall Putsch” of Adolf Hitler, leader of the National Socialist German Workers’ Party, the Nazis. In the lull of 1925-1929, the party did not fare well, but with the depression, all extremist parties and organizations gained support. Hitler found his star on the ascendant.

As conditions in Germany worsened and political haggling in the parliament (Reichstag) accomplished little, the aged and reactionary president of the republic, former Field Marshal Paul von Hindenburg, disregarded the principles of democratic government. He relied solely on his aristocratic cronies to rule, principally Baron Franz von Papen, who assumed the chancellorship in 1932. The latter, however, found himself stymied by the communists and the Nazis, whose strength in the parliament had increased with the depression. Preferring the right, von Papen came to an agreement with Hitler, whom he hoped to control. Thus, after a number of back-room deals, on January 30, 1933, von Papen convinced von Hindenburg to appoint Hitler as the new chancellor of Germany.

Hitler’s chancellorship came through neither a mass revolution nor the ballot box. Although the Nazi Party had grown rapidly in strength since 1929, Hitler had lost the presidential election to von Hindenburg in 1932. Likewise, his Nazis, although gaining a plurality, were able to win only thirty-seven percent of the vote in the parliamentary elections of July, 1932. Without sufficient popular support, Hitler needed a different way to break out of the restrictions which von Papen had imposed on him.

In one of his first acts as chancellor, Hitler used emergency decrees provided by the constitution to replace the democratically elected Socialist government of the Prussian state with one led by Hermann Göring, a Nazi minister without portfolio in the national cabinet. Hitler also took measures against the communists, who were calling for resistance although not actually carrying out any overt acts. Göring raided communist headquarters in Berlin and closed their printing presses. Many did not see Hitler’s chancellery as a threat until then because the Nazis remained a minority in the government. The left now became alarmed, and apprehension concerning the Nazis spread.

On February 25, the day after Göring’s raid, three attempts to start fires in government buildings were aborted. The next day, Hitler’s astrologer, Erik

Hanusson, predicted a building would soon go up in flames. On Monday, February 27, a Dutch arsonist, Marinus van der Lubbe, perpetrator of the February 25 attempts, purchased some incendiary materials and went to the Reichstag. After surveying the building from several directions, he entered a nearby building to wait for dark. At 9:00 P.M. he scaled the wall to the balcony near a little-used entrance. Shortly afterward, a passerby, hearing breaking glass and seeing a person (presumably van der Lubbe) fleeing with a flame in his hands, notified the police. An officer went to the scene but watched transfixed while flames began to engulf the internal rooms.

By the time the firemen arrived, the building was already burning down. Ernst "Putzi" Hanfstaengl, an associate of Hitler, saw the fire from his apartment and notified Goebbels, at whose house Hitler was attending a party. Neither Hitler nor Goebbels at first believed Hanfstaengl, who was known for his practical jokes, but as the fire progressed further, even the revelers could see the red sky. One report states that Hitler yelled, "It's the communists!" Hitler and Goebbels went to the scene. They found Göring, who was distraught over the possible loss of the building's precious Gobelin tapestries. Göring also blamed the communists. He told Hitler that a number of communist deputies had been in the building shortly before the fire broke out and that one arrest had already been made. Hitler asked about other buildings, and Göring assured him that he had taken precautions to preserve them.

Hitler, Göring, and von Papen then conferred on what action to take. Von Papen went to inform von Hindenburg, and Hitler convoked a meeting of his cabinet and civic and police officials. The police inspector assigned to the case reported that the police had found van der Lubbe, who admitted that he committed the arson as a protest. Göring shouted, "This is the beginning of a communist uprising," and Hitler added, "Now we'll show them! Anyone who stands in our way will be mown down!" He threatened to hang or shoot communists, socialists, and even conservative opponents. When the police inspector revealed that van der Lubbe was not a communist and had carried out the deed alone, Hitler refused to believe it. "This is a cunning and well-prepared plot," he said. The chancellor then went to the offices of the Nazi Party newspaper, *Voelkischer Beobachter* (People's Observer), and immediately helped compose a version of the story that blamed the communists for the fire. Göring likewise assisted in changing the report of the official Prussian press service to exaggerate the facts and imply that a conspiracy was involved.

The fire was just the excuse Hitler needed to begin his drive for totalitarian power, to change the Weimar Republic into the Third Reich. Hitler argued that a single individual could not have perpetrated the arson. Van der Lubbe,

furthermore, had been a member of the International Communist Party and also had been arrested twice in Leiden for setting fires to public buildings. In fact, however, historical research has demonstrated that van der Lubbe did set the fire alone. The International Communist Party to which he belonged was a small splinter group, more anarchist than Marxist in ideology and not part of the Communist International directed by Moscow. Indeed, van der Lubbe and the communists loyal to Joseph Stalin had little use for each other.

Göring found four communists to indict in addition to van der Lubbe—Ernst Torgler, a leader of the German Communist Party and a member of the Reichstag, and three Bulgarian agents of the Communist International: Georgi Dimitrov, Vasili Tanev, and Blagoi Popov. In a spectacular trial in which Hitler, Goebbels, and Göring (one of the prosecutors) hoped to prove to the world that a communist conspiracy actually did exist, the communist defendants, particularly Georgi Dimitrov, proved their innocence. In fact, Dimitrov went as far as accusing the Nazis of deliberately setting the fire themselves. He humiliated Göring in an unexpected courtroom confrontation which was broadcast and reported around the world. In other countries, communists and other antifascists organized protests. Nazi opponents convened a countertrial in London with a court of respected international jurists to show that the Nazis did indeed start the fire. Goebbels's propaganda ploy had backfired, causing the government to move the trial from Berlin to Leipzig, where they concluded it with little publicity.

The court acquitted the communists but found van der Lubbe guilty. The Dutchman was executed shortly thereafter. Dimitrov, Tanev, and Popov were released and were welcomed to the Soviet Union. Some say their acquittal and release came about through pressure from Moscow, which threatened retaliation against German citizens living in the Soviet Union. Furthermore, the court ruled that although the accused communists were innocent, the fire was part of a communist conspiracy. The authorities released Torgler several months after the Bulgarians.

Dimitrov in 1935 became the secretary-general of the Communist International and the spokesperson for Moscow's new foreign policy, which was to be implemented by world communist parties promoting antifascist coalitions even at the expense of delaying the world socialist revolution. In 1948, Dimitrov became prime minister of communist Bulgaria. Popov also returned to Bulgaria after the war and served in a number of government posts. Tanev was killed in guerrilla warfare during World War II. Torgler, falsely accused of being a Nazi agent, was expelled by the German Communist Party. He settled in Hanover, where he retired from political life.



Ernst Torgler, the German communist who was falsely accused of starting the Reichstag fire. (New York Times Berlin)

Impact of Event

Even before Hitler became chancellor, economic crises and flaws in the Weimar Republic's constitutional government subjected Germany to stress and social disorientation. The constitution's provisions allowed President von

Hindenburg and Chancellor von Papen legally to act in a high-handed manner. They had no compunctions about doing so, as they had little regard for parliamentary or democratic government in general and the Weimar Constitution in particular. The spirit of the law fell victim to this era. The conservative government's favoritism toward right-wing nationalists allowed Nazi storm troopers to wreak havoc in the German cities and placed Jews, trade unionists, political moderates, and the political left in a state of jeopardy and fear. These events did not bode well for the promise of civil and political freedom which the drafters of Weimar had hoped to bring to a recovering Germany.

Von Papen and von Hindenburg's political manipulations, in fact, brought Hitler to power. He, too, needed little excuse to begin antidemocratic and anticonstitutional actions, such as the dismissal of state governments and raids on opponents. Nevertheless, the high-handed manner in which the Nazis acted as soon as they gained power could have caused them difficulty in retaining it. After all, they still depended on the barons (von Hindenburg, von Papen, and their associates) for their real authority. These aristocrats disliked the Nazis not so much because of their nationalist and anticommunist ideology but because of their lower-class origins and "crudeness." Hitler's party may have had the plurality in Parliament, but it did not have the majority and as yet had not demonstrated its ability to win a clear victory at the polls.

Thus, Hitler needed to have extraordinary powers. The Reichstag fire gave him the opportunity to demand the enabling legislation which virtually created a dictatorship for him. Whether he believed that the communists were conspiring to seize power is immaterial, just as it is immaterial whether, as the communists then charged, the Nazis deliberately started the fire to get this legislation. Historical opinion considered the latter allegation true until the 1960's, when it was disproved. The fire was an opportune event for Hitler, but if it had not happened, he undoubtedly would have found another route to totalitarian power.

President von Hindenburg enacted the enabling legislation on February 28, 1933, the day after the fire. He cited a constitutional provision permitting the government to rule by decree in times of emergency. The justification was the need for "a defensive measure against communist acts of violence endangering the state." The decree, in part, read: "Restrictions on personal liberty, on the right of free expression of opinion, including freedom of the press; on the rights of assembly and association; and violations of the privacy of postal, telegraphic and telephonic communications; and warrants for house searches, orders for confiscations as well as restrictions on property, are also permissible beyond the legal limits otherwise prescribed."

With the enabling legislation, Hitler outlawed the Communist Party and arrested its leadership. He harassed other opposition parties as well, closing their papers and outlawing their meetings. New elections were scheduled for March 5. The government's own actions hindered the opposition campaigns. Despite their efforts, the Nazis could do no better than forty-four percent of the vote. Nevertheless, Hitler held full power. He used the legislation to break down the federal structure of the republic and take over all the state governments. Although originally perceived to be temporary, the decrees enacted under the enabling legislation were permanently applied to the Third Reich. Over the ensuing months, the government banned all political parties except the Nazis. Civil and political guarantees were effectively ended. Discriminatory legislation directed against the Jews was put into effect. Political opponents, some even within the Nazi Party, were arrested without cause, forced to emigrate, or even murdered extralegally. The Weimar Republic was dead and the Führer was the dictator of his Third Empire.

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Frederick B. Chary

Nazi Concentration Camps Begin Operating

Category of event: Atrocities and war crimes; prisoners' rights

Time: March, 1933

Locale: Germany

The opening of Nazi Germany's first concentration camps was an early step in a destruction process that culminated in the Holocaust

Principal personages:

ADOLF HITLER (1889-1945), the Nazi Party leader named German chancellor on January 30, 1933

HEINRICH HIMMLER (1900-1945), the head of the SS and second in power in Nazi Germany; presided over the "final solution"

THEODOR EICKE (1892-1943), the commandant of Dachau beginning in June, 1933; became chief of Nazi concentration camps in July, 1934

HERMANN GÖRING (1893-1946), the Prussian minister of the interior who played a leading role in organizing the Gestapo

RUDOLF HÖSS (1900-1947), an SS officer who became commandant of the death camp at Auschwitz

ERNST RÖHM (1887-1934), the leader of the SA (*Sturmabteilung*), the Nazi storm troopers

PAUL VON HINDENBURG (1847-1934), Germany's president from 1925 to 1934

Summary of Event

Although the Nazis never gained a majority in any freely contested election, their control of Germany began on January 30, 1933, when Adolf Hitler was named chancellor by Paul von Hindenburg, president of the Weimar Republic. Six months later, the Nazis stood as the only legal political party in Germany, Hitler's decrees were as good as law, basic civil rights had been suspended, and thousands of the regime's suspected political opponents had been interned in a growing number of concentration camps. Before the Third Reich fell twelve years later, millions of people—including two-thirds of the European Jews—would perish in the brutal world of concentration camps.

Disregarding the principle that one should not be punished unless found guilty in a fair trial, concentration camps remove from society people who cannot be confined through the normal workings of a state's criminal code. The Nazis did not invent them, nor did they have a systematic design for developing such places as soon as they came to power in Germany. Gradually, however, a deadly camp system did evolve. An early step in that process occurred at Dachau, a town about ten miles northwest of Munich, where one of the first concentration camps was established. The site of a vacated World War I munitions factory provided the needed space for Dachau's first prisoners, who entered the camp in late March, 1933. Those early inmates were political opponents of the Nazis, mainly communists and social democrats, who were kept under so-called "protective custody."

Heinrich Himmler was the Nazi leader who established Dachau. In 1925, he had joined the SS (*Schutzstaffel*), a small group of dedicated Nazis who served as Adolf Hitler's personal bodyguards. Hitler appointed Himmler head of the SS in 1929. Only about two hundred strong at the time, the SS, under Himmler's direction, eventually numbered in the hundreds of thousands and formed an awesome empire within the Nazi state. Meanwhile, shortly after Hitler became chancellor in 1933, Himmler gained important police powers in Munich and in the entire province of Bavaria. He used his authority to create the Dachau camp.

Bavarian state police guarded the camp at first, but in April, 1933, SS personnel took over. Theodor Eicke became Dachau's commandant in June. As he regulated camp life, including stating rules about work and punishment, Eicke ensured that Dachau's procedures would be systematic and replicable as well as harsh. After Eicke was appointed head of the Nazi network of concentration camps in July, 1934, the system he had developed at Dachau became standard. The SS personnel who trained under him saw to it that his policies were established at other camps as they rose to new positions of leadership in the system. One who did so, for example, was Rudolf Höss, whose Dachau training prepared him to become the commandant of Auschwitz in German-occupied Poland in 1940.

Although the Dachau model fostered by Himmler's SS leadership eventually dominated the Nazi camp system, that outcome was not a foregone conclusion in the early months of the Third Reich. By the end of July, 1933, Nazi Germany held nearly twenty-seven thousand political prisoners in "protective custody." Dachau contained its share, but thousands more prisoners could be found in a variety of other detention centers. These centers lacked overall coordination. They shared only the fact of incarcerating people who predomi-

nantly were “guilty” only in the sense that they were judged politically suspect by the Nazis.

An early pretext for arrests of the “politically suspect” was the fire that ravaged the German parliament building on February 27, 1933. Although Nazis have been suspected of setting the blaze to serve their own purposes, Hitler blamed the Reichstag’s destruction on communist arson. The next day, President von Hindenburg signed the emergency decree that the Nazis wanted: By suspending basic rights guaranteed by the Weimar Constitution, and thereby allowing detention for persons suspected of hostility to the state, it opened the door for a policy of *Schutzhaft*, or “protective custody,” that would guard the Reich’s security by imprisoning those who were suspected of threatening it. Taking advantage of this sweeping decree, the Nazis launched a wave of arrests throughout the country.

Many victims of this campaign were interned in camps quickly set up by the SA (*Sturmabteilung*), the brown-shirted Nazi storm troopers led by Ernst Röhm. Others, especially in Prussia, were imprisoned in detention centers created by Hermann Göring, the chief of the Prussian police, who was also organizing the Gestapo, a secret police force dedicated to maintaining the security of the Nazi state. Precisely how many of these camps existed in 1933 remains unclear, although informed estimates indicate that Prussia alone had twenty of them.

In a regime where terror loomed so large, anyone who could gain control of the Nazi concentration camps would wield immense power; thus, Göring attempted to outdo his rivals, only to be outdone by Himmler. By early July, 1934, Himmler not only had established the SS camp at Dachau but also had gained control of the political police in the Reich’s various states—including Göring’s Gestapo in Prussia. In addition, he had masterminded a purge of the SA, and appointed Eicke, his SS subordinate, to supervise the concentration camps throughout Germany.

This consolidation of power eliminated most of the small camps that had sprung up wildly in 1933. By September, 1935, the six official concentration camps in the Third Reich were at Dachau, Lichtenburg, Sachsenburg, Esterwegen, Oranienburg, and Columbia Haus (near Berlin). On the eve of World War II, in the late summer of 1939, even those camps—except for Dachau, which was reconstructed in 1937 and 1938—had been eclipsed by newer and larger installations at Sachsenhausen (1936), Buchenwald (1937), Flossenbürg (1938), Mauthausen (in Austria, 1938), and Ravensbruck (a concentration camp for women, 1939).

In the period from 1933 until the outbreak of World War II in 1939, there

were changes in the concentration camp population. The number of prisoners fluctuated. Although mostly political prisoners were incarcerated at first, the concentration camps gradually engulfed many other types of people in addition to the communists, social democrats, and trade unionists who had been targeted initially. By 1938, Jehovah's Witnesses, members of the clergy, "asocial elements"—such as homosexuals and those called "habitual criminals"—as well as Gypsies and Jews were among those in the camps. From person to person and place to place, treatment varied to some degree, but exhausting labor, severe punishment, poor food, filth, disease, and execution were all among the possible and persistent threats. Release from a concentration camp was possible, but death while in a camp was likely.



Slave laborers in Buchenwald concentration camp. Conditions in individual concentration camps varied, but prisoners faced exhausting labor, severe punishment, poor food, crowding, filth, disease, and possible execution in virtually all the camps. (Digital Stock)

Impact of Event

Nazi concentration camps of the kind that began at Dachau in March, 1933, were only the beginning of an unprecedented twelve-year assault against human rights. What followed from that beginning may be glimpsed by considering further what the term “concentration camp” can mean. Sometimes that category is used to refer collectively to all the camps of detention and death that the Nazis established. The evolution of Nazi policy, however, requires some further distinctions.

Although all the Nazi camps derived partly from impulses and intentions that brought Dachau into existence, not every camp in the Nazi system was simply a holding pen for political detainees. After World War II began with the German invasion of Poland on September 1, 1939, different but related institutions started to appear. There were, for example, labor camps, transit camps, prisoner-of-war camps, and, most destructive of all, extermination or death camps.

The Nazis violated human rights in virtually every possible way, but no group received more inhumane treatment from them than the Jews. In the early years, however, relatively small numbers of Jews were interned in concentration camps such as Dachau and Buchenwald. Not until the summer of 1938, and especially after the *Kristallnacht* pogrom in November, 1938, were large numbers of them imprisoned solely because they were Jews. Even then, most of these Jewish prisoners were eventually released after paying a ransom or proving that they were about to emigrate from Germany. Jewish fate, however, would change catastrophically with the outbreak of World War II.

Nazi ideology held that Jews were the chief obstacle to the racial and cultural purity that Hitler craved for the Third Reich. Political opponents were dealt with ruthlessly to ensure Nazi domination of Germany. Nazi aims soon identified the Jews as an even more virulent threat. Their polluting presence, Hitler believed, would have to be eliminated. For a time, the Nazis relied largely on punitive laws to segregate Jews, expropriate their property, and deprive them of their professions and other rights. The Nazi strategy was to make life so difficult that the German Jews would be forced to leave. This plan did not achieve its goals; thus, Nazi policies aimed at specific population reduction had to change when Hitler went to war to expand geographically the German nation.

Hitler’s conquests, especially in Eastern Europe, brought millions of Jews under German domination. What gradually evolved was a policy of mass murder—the “final solution” to the Jewish question. From late 1941 until late 1944, the policy was implemented most systematically by the gas chambers that

operated at six death camps in occupied Poland: Chelmno, Belzec, Sobibor, Treblinka, Majdanek, and Auschwitz-Birkenau.

Dachau and the other early concentration camps on German soil were never death factories like Treblinka and Auschwitz-Birkenau. The violations of human rights initiated at the first camps, however, were part of wide-ranging aims to stamp out every element of dissent and diversity that stood in the way of Nazi domination. Concentration camps such as Dachau helped to pave the way for other camps. These other camps were even worse because they were specifically designed to remove unwanted lives, especially Jewish ones, by unrelenting mass murder.

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John K. Roth

Stalin Begins Purging Political Opponents

Category of event: Atrocities and war crimes; political freedom

Time: December, 1934

Locale: Soviet Union

Soviet leader Joseph Stalin undertook a brutal four-year campaign of terror against those he believed to be his political enemies in the Communist Party

Principal personages:

JOSEPH STALIN (1879-1953), general secretary of the Communist Party beginning in 1922

SERGEI KIROV (1886-1934), the closest aide to Stalin during the late 1920's; led the Party organization in Leningrad

LEON TROTSKY (1879-1940), a Marxist theorist who played a principal role in orchestrating the 1917 Bolshevik Revolution

NIKOLAI YEZHOV (1895-1938), the head of the NKVD (secret police) during the most intense period of the purge

LEV KAMENEV (1883-1936), a close associate of Vladimir Ilich Lenin; became chair of the Moscow Soviet in 1918 and a member of the Politburo in 1919

GRIGORI ZINOVIEV (1883-1936), the head of the Comintern (Communist International) in 1919 and a collaborator with Lenin

Summary of Event

The murder of Sergei Kirov, the Communist Party leader in Leningrad and a member of the Soviet Politburo (policy-making committee), gave Joseph Stalin an excuse to begin a reign of terror similar to those carried out by earlier Russian leaders Ivan IV and Peter the Great. Scholars have debated for some time over what motivated Stalin to embark on such a destructive course. There are some who have argued that he was disappointed by the failure of his first Five-Year Plan (1928) to achieve all the goals he had set, while others have suggested that his intent was to centralize power in his own hands at the expense of the Communist Party. More than a few have contended that the purging stands as proof of Stalin's unstable and unbalanced state of mind.

Although the "Great Purge" began in December, 1934, there were harbin-



In 1937 Leon Trotsky fled the Soviet Union for Mexico, where he was assassinated in 1940. Here he is pictured sitting in the company of artists Frida Kahlo (in white dress) and Diego Rivera (left rear) and others. (Archivo Cenidap)

gers of what was to come during the period from 1927 (when Stalin assumed power) to 1934. On several occasions, the Party, at Stalin's urging, had removed hundreds of local communist leaders from their posts. They were charged with falling under capitalist influence or not pushing hard enough to fulfill Stalin's drive to collectivize the countryside. The areas most affected were Odessa, Kiev, and the Urals. These "preliminary purges," widespread as they were, paled by comparison to what occurred after the murder of Kirov in December, 1934.

Kirov was shot by Leonid Nikolayev, a Communist Party member described by some at the time as disgruntled. Stalin immediately blamed the assassination on his principal political enemies, Leon Trotsky (in exile at the time), Lev Kamenev, and Grigori Zinoviev. It is now generally agreed by scholars that Stalin arranged the murder of Kirov, his friend and ally.

On the day of Kirov's murder, Stalin asked the Party to issue a decree eliminating civil and legal rights for all persons accused of "terroristic acts." This made it possible for the government to arrest, detain (for the purpose of gaining forced confessions), or execute anyone it wished. In January, 1935, Kamenev, Zinoviev, and two others were tried, convicted, and sentenced to prison for their alleged roles in the Kirov murder. The length of the sentences was irrelevant, as none of those arrested was ever released. This was the beginning of what became known as the "purification" of the Communist Party. Stalin began with Kamenev and Zinoviev because he perceived them as especially treacherous. They had once worked closely with him in the 1920's but then had turned against him and given their loyalty to Trotsky. After the January convictions, hundreds, perhaps thousands, of Party members came under suspicion. Many were shot, detained, or sent to distant regions of the Soviet Union. Although some in the Politburo were uneasy with this development, Stalin insisted that it was necessary to protect the country from those who wished to "wreck" his great drive for full communization.

The first victims when Stalin began purging the Party were those considered to be "Old Bolsheviks," Party members who had been associated with Lenin and Trotsky during the 1917 Revolution and in the formative days of the Soviet state. Many had been supporters of Lenin's moderate New Economic Policy begun in 1921. The greatest number of those purged in 1935 were individuals who, after Lenin's death in 1924, had supported Trotsky's claim to succeed Lenin as head of the Party and the state. Between 1924 and 1927, Trotsky and Stalin competed for control. Stalin was ultimately successful, and Trotsky went into exile for the remainder of his life. Stalin continued to insist, however, that Trotsky's followers ("Trotskyites"), guided by their leader from abroad,

were working to remove him from power. Having been established as his enemies, they became convenient scapegoats to explain every failure that Stalin experienced. He could simply say that the Trotskyites had wrecked his plans.

In 1936, Stalin intensified the purging. Public trials (“show trials”) were held in which those accused were expected to confess their misdeeds and to implicate others involved in plots against Stalin. Kamenev and Zinoviev, already in prison, were among sixteen Old Bolsheviks put on public trial in August, 1936. All were charged with conducting a terrorist campaign at Trotsky’s bidding, and all were sentenced to death. From that point, the purging began to mushroom. After a second round of show trials in January, 1937, there was no way to brake the terror that Stalin had instigated in 1935. No one except Stalin was insulated from the possibility of being charged as a Trotskyite.

For the first eighteen months after Stalin started the purge, the country at large remained relatively unaffected. That changed in 1937. Nikolai Yezhov, the new chief of the NKVD (secret police), understood that Stalin expected him to dispatch all the Soviet leader’s political opponents as quickly as possible. With Yezhov in charge, the purging became much better organized. The NKVD began to arrest thousands of people, usually in the predawn hours. Anyone accused of disloyalty to Stalin was presumed to be guilty of “wrecking.” Desperate to prove their loyalty to the regime, officials and ordinary citizens began to accuse others of treason. Neighbors denounced neighbors, fellow workers denounced each other, subordinates denounced their superiors, and relatives denounced relatives. In each instance, the person denounced to a local official was arrested and charged as an “enemy of the people.” Falling victim to the purge was largely chance for those outside the Party, but those most frequently denounced were persons of foreign birth or members of minority groups, especially Ukrainians, Jews, and Armenians. All who were accused were expected to confess (the NKVD used torture when persuasion failed) and to implicate others.

There is evidence that Stalin was aware of the effect on the country of the expanded purge, but by the middle of 1937 even he was powerless to slow it down. The general hysteria in the country made the terror an unstoppable force. Citizens throughout the Soviet Union lived in fear of a late-night or early-morning knock on the door. The terror reached its peak in 1937 and early 1938; thereafter, the NKVD was no longer able to respond to the huge number of accusations. Yezhov, architect of this worst phase of the purging, was himself charged with “Trotskyite” leanings in 1938 and purged. The coming of World War II in the late summer of 1939 finally brought the purging to an end.

Impact of Event

Stalin's purging of political opponents created great problems for the Communist Party and, ultimately, for the country at large. Those officials and Party leaders who were purged had to be replaced, and the replacements were frequently ill-equipped to handle their new responsibilities. The dimensions of the purging serve to illustrate this point. More than one-half of the Communist Party's Central Committee (78 of 139 members) were purged, and more than one-third of those who sat in the Politburo between 1927 and 1938 were expelled. The army and the government suffered staggering losses: Thirteen of the fifteen commanders of the Soviet Army were purged between 1935 and 1938, as were fourteen of the eighteen ministers of state. Thus, throughout the ordeal the purgers were themselves always subject to being purged.

As the purging expanded beyond the confines of the Party, the effect on the country was devastating. Business and industry came virtually to a standstill, as workers and supervisors were afraid to make an error lest they be charged with "wrecking." In the major cities—Moscow, Leningrad, and Kiev—there was little activity, as residents tried to limit their associations. The Moscow telephone directory was not published in 1938, because most people wanted to keep their telephone numbers and street addresses a secret. Artists, writers, and intellectuals dared not express themselves freely. All were expected to produce works that somehow glorified the Stalinist state and reflected negatively on what had existed before Stalin. Stalin wanted paintings of tanks and factories, not romantic sunsets or anything that might be considered bourgeois. Writers of history were to make it clear that Stalin's regime represented the culmination of all that had gone before in Russia's past.

The most important political consequence of the Great Purge was that Stalin obliterated all political debate and discussion. Members of the Politburo no longer raised questions during their meetings with Stalin. He had succeeded in creating one-person rule, or, as Nikita Khrushchev called it, "the cult of the personality." Although World War II made Stalin a hero in the Soviet Union, the legacy of fear that he instigated was not seriously challenged until three years after his death, when Khrushchev addressed the Communist Party Congress. In that February, 1956, speech, Khrushchev, who had risen to prominence as Stalin's ally during the purge, condemned Stalin as a murderer and Stalinism as a misguided formula for a successful communist state.

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Ronald K. Huch

Japanese Troops Ravage Nanjing

Category of event: Atrocities and war crimes

Time: December, 1937, to February, 1938

Locale: Nanjing, People's Republic of China

After having captured the Nationalist Chinese capital city of Nanjing, three divisions of Japanese troops were allowed to kill, rape, loot, and burn

Principal personages:

IWANE MATSUI (1878-1948), the overall commander of the expeditionary force that captured Nanjing, later executed for war crimes

PRINCE YASUHIKO ASAKA (1887-1964), the commander succeeding Matsui at Nanjing; presided over the atrocities but was not prosecuted

AKIRA MUTO (1892-1948), the officer who ordered troops into Nanjing and was in closest contact with the atrocities; later executed for war crimes committed elsewhere

KINGORO HASHIMOTO (1890-1957), the officer who ordered the sinking of the USS *Panay* and other vessels; later sentenced to life imprisonment

CHIANG KAI-SHEK (1887-1975), the president of China and military commander in chief who rejected negotiations

Summary of Event

Japan had begun absorbing parts of China in 1895 with the annexation of Taiwan, followed by Manchuria in 1932, Jehol Province in 1933, and Inner Mongolia in 1935. In the latter three, a pattern was established of local Japanese field commanders initiating military action, whereupon the Tokyo higher command would debate but finally back up their actions, and then the Chinese Nationalist government under Chiang Kai-shek would submit to a local settlement to avoid major confrontation. The Japanese attitude toward the Nationalist government and the Chinese people came to be contemptuous. In July, 1937, an accidental clash occurred outside Beijing and, when the Chinese did not back down, the Japanese army was forced to choose between withdrawal and full military assault. Dismissive of Chinese military capability, they chose the latter course, hoping that a quick defeat would topple Chiang, neutralize China, and free Japanese troops for expected confrontations with the Soviet Union.

The key to rapid conquest was Shanghai, the gateway to the Yangtze valley and central China. Once taken, the passage to Nanjing, the Nationalist capital 170 miles inland, would be easy. Chiang committed the cream of his officer corps and best-trained troops to the battle for Shanghai, losing the majority of them in a suicidal stand against naval and air bombardment that began in August and lasted into November.

With the Japanese forces bogged down in street fighting, the higher command formulated a strategy that would outflank the Shanghai fortifications and expedite the drive on Nanjing, which many in the Japanese army and government expected to be the final campaign. The overall commander of the expeditionary force was General Iwane Matsui, a slight, tubercular man pulled out of retirement by the emperor himself. He had been a pan-Asian idealist earlier and, although he advocated the drive on Nanjing, there is nothing to indicate that he held any enmity toward the Chinese, whose language he spoke fluently. The flanking forces he drove toward Nanjing, however, were hard to control. Indications of their mood were shown in the bombing, strafing, and looting of cities and villages along the way.

Many in the Japanese high command, including Matsui, believed that negotiations for a cease-fire should have been initiated before attacking Nanjing. Chiang had indicated willingness to negotiate, although at the same time he issued orders that Nanjing was to be defended to the last, despite its indefensible position and its lack of military value. In any case, Japanese moderates were overridden and no terms were offered. The assault began on December 9, with a creeping artillery and air barrage that shattered all resistance by December 13. On December 17, with the Nanjing atrocities already beginning, Chiang, who had moved his government inland, issued his historic address rejecting all negotiations and calling for a people's war to the bitter end.

As the attack on Nanjing began, General Matsui was removed from personal supervision of field operations and confined to theater command. Emperor Hirohito's uncle, General Prince Yasuhiko Asaka, was appointed to the Nanjing operation. His headquarters issued secret orders to kill all captives, referring presumably to the Chinese troops trapped in the besieged city. Under him were the field commanders whose troops perpetrated the Nanjing outrages: Lieutenant General Kesago Nakajima of the Sixteenth Division, General Heisuke Yanagawa of the Nineteenth Corps, Lieutenant General Hisao Tani of the Sixth Division, and Colonel Akira Muto, in charge of billeting troops, who moved troops from encampments safely outside Nanjing into the city, where the holocaust took place.



The remains of South Station in Shanghai, which the Japanese ravaged before attacking Nanking. (National Archives)

The Chinese never formally surrendered the city. Their retreat was unplanned and disjointed, leaving about seventy thousand troops trapped inside. About three-fourths of the city's population of one million fled, with Japanese firing on boats in the Yangtze, killing thousands as overloaded junks capsized. Many people were trampled in the confusion. As the Chinese authorities departed, they turned over supplies and effective authority to a self-appointed committee of twenty-seven foreign residents—American, British, German, and Danish missionaries, academics, and businesspeople—who established a safety zone of about two square miles in the northwest part of the city. Working tirelessly to protect a refugee population that reached a total of one-quarter million, they protested to Japanese authorities without result and restrained countless acts of individual brutality by their sheer presence, al-

though they were never formally recognized by the Japanese. It was their diaries, letters, reports, film, and reminiscences that provided the four-thousand-page record of the atrocities in Nanjing for history and for the Allied war crimes trials.

Systematic looting began as soon as Japanese troops reached the city. Evidence of command complicity lay in the organized nature of the looting and the fact that army trucks were used. Later, even refugees were stripped of their pitiful possessions. Arson was likewise systematic, with thermite strips efficiently used to burn whole sections of what had been one of the loveliest cities in China. Tricked by notices promising good treatment, disarmed Chinese soldiers, and later virtually all males of military age, were bound and murdered by machine gun or bayonet. Many were staked and used for bayonet or sword practice. Prisoners were roasted over fires, doused with kerosene and set on fire, burned with chemicals, disemboweled, or buried up to the neck before torture.

Rapes occurred more and more frequently and increasingly flagrantly, often on the street in broad daylight. Pregnant women, girls as young as nine, and women as old as seventy-six fell victim. Women were gang-raped, were raped and then murdered, or saw their children murdered. Women were rounded up and kept for months in sexual bondage at camps.

The grisly statistical totals for the seven weeks between December, 1937, and February, 1938, when the carnage finally subsided, are difficult to determine since official sources are often biased and the eyewitnesses were unaware of the bigger picture. Many died unrecorded, given the difficulties of wartime records in China. A high estimate of the death toll is 300,000; the true number is almost certainly more than 150,000. There were more than twenty thousand rapes. The overall economic loss is impossible to fix. Japanese army warehouses were filled with looted valuables. Some officers, including Nakajima, retained small fortunes in plunder, but most was sold to defray army expenses. A study on a limited sample of individuals estimated that the average farmer lost the equivalent of 278 days of labor and the average city dweller lost 681 days. Nanjing would take more than a year to begin economic revival.

On December 12, as Nanjing was falling, Japanese forces under Colonel Kingoro Hashimoto bombed and sank an American gunboat, the USS *Panay*, twenty-five miles upriver from Nanjing. Lifeboats were strafed and the craft was machine gunned from a nearby Japanese gunboat. Two American tankers, two British gunboats, and two British-flag steamers were also bombed. Four American crew members were killed, and sixty were wounded; two British crew members and countless refugees were also killed. Hashimoto, an ultra-

nationalist zealot, had done this on his own initiative in defiance of standing policy to avoid provoking the West. In contrast to the Nanjing outrages, the Japanese government apologized officially and privately and offered indemnities, which were accepted by the United States and Great Britain with little protest.

Impact of Event

The attitude of the Japanese army and government at first was to ignore the events at Nanjing, treating them as a matter for the army and accepting the army's bland fictions minimizing the horror. Later, however, Nanjing veterans on leave boasted openly of their depredations. In December, newspapers had even reported a grotesque sort of contest between two lieutenants racing to see who could cut down the most Chinese with their swords, referring to the race as "fun." The authorities were forced to suppress virtually all mention of atrocities. Japanese school texts, even decades later, avoided the subject, and prominent officials have asserted that it never happened.

The Imperial Japanese Army almost never punished a soldier for excesses (punishment was reserved for lack of aggressiveness), so punishment had to wait for the war's end. Matsui, who had scolded his subordinates for their complicity (they laughed at him), retired after Nanjing, built a temple, and held services for the dead of Nanjing. Even though he was less guilty than most, he offered no defense and so was the only prominent officer executed specifically for the Nanjing atrocities at the Tokyo war crimes tribunal. Muto was executed for war crimes in the Philippines, Hashimoto was given a life sentence, and Prince Asaka, protected by his royal connections, escaped prosecution.

Nanjing had a crucial effect on the course of the war. Japan might have won the war either with an acceptable offer of terms or with an immediate drive past Nanjing into the interior. Instead, the brutal tactics at Nanjing clearly failed to shock the Nationalists into negotiating and allowed them time to reorganize to carry on the war. This left the Japanese with the sole alternative of creating collaborationist governments, which were divided and subject to the same independent field commands that had produced the Nanjing incident. Japan's actions in China cost it any credibility in negotiations with the United States. The breakdown of these negotiations produced the impasse that made Japan's attack on Pearl Harbor possible.

The atrocities in Nanjing had a consciousness raising effect on world, and particularly on American, public opinion. Newspapers in the United States began reporting on the sinking of the USS *Panay* almost immediately. Reports on the larger disaster at Nanjing came more gradually, but were regular after December 30. Photographs were taken by foreigners, and even by the ingenious

Japanese, of horrible scenes. Chinese shops that processed the film smuggled out duplicate prints. There was even motion picture footage taken by the Reverend John Magee of the carnage, footage that was later used by the isolationist America First organization to frighten Americans into staying out of war. So many, however, were moved to anger and sympathy that the film was withdrawn.

Nanjing was one of the great atrocities of World War II. Never quite overshadowed by the more massive but impersonal Holocaust, it remained the benchmark for personal savagery and exemplified the dilemma posed by the rights of noncombatants in any profound nationalistic or ideological conflict.

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David G. Egler

HUAC Begins Investigating Suspected Communists

Category of event: Accused persons' rights; political freedom; workers' rights

Time: 1938

Locale: Washington, D.C.

HUAC searched for communists and fascists within the government and elsewhere for thirty-seven years before quietly expiring in the wake of the Watergate scandal

Principal personages:

MARTIN DIES (1901-1972), the first chair of the Un-American Activities Committee

SAMUEL DICKSTEIN (1885-1954), a New York congressman and tireless foe of anti-Semitism

J. EDGAR HOOVER (1895-1972), the longtime director of the Federal Bureau of Investigation (FBI)

J. PARNELL THOMAS (1895-1970), a HUAC member, later chair of HUAC

Summary of Event

The House Committee on Un-American Activities (HUAC) investigated Communist Party members, native fascists, and other proponents of so-called foreign "isms" in five different decades. For the first seven years of its life (1938-1945), HUAC served as a special committee chaired by Martin Dies. Established as a regular, standing committee of the House of Representatives in 1945, HUAC reorganized in 1969 and served the last six years of its life as the House Committee on Internal Security (HCIS). For the entire thirty-seven year period, the committee remained committed to what its members and staff called a politics of exposure.

The two congresspeople who led the fight to establish HUAC, Martin Dies and Samuel Dickstein, could scarcely have had more different priorities. Dickstein was predominantly troubled by native Nazi and other far-right movements, notably Fritz Kuhn's German-American Bund and William Dudley Pelley's Silver Shirts. Explicitly anti-Semitic, such groups looked to Adolf Hitler's Germany for inspiration. They goose-stepped, rallied, flew swastikas, and advocated violence against Jews and other so-called lesser races. To root

out native fascism, Dickstein proposed an investigation of all organizations found operating in the United States for the purpose of diffusing within the United States slanderous or libelous un-American propaganda of religious, racial, or subversive political prejudices, especially that which would incite the use of force or violence. From 1933 to 1938, the House rebuffed Dickstein's repeated calls for such an investigation.

With little interest in anti-Semitism but with a great interest in subversion by communists and other leftists, Martin Dies saw the possibilities in the sort of investigation that Dickstein advocated. Backed by conservative leadership in the House and assured of the support of the southern bloc, Dies proposed a similar investigation of the extent, character, and objects of un-American propaganda activities in the United States; the diffusion within the United States of subversive and un-American propaganda that attacked the form of government guaranteed by the Constitution; and all other questions that would aid Congress in any necessary remedial legislation. Dickstein himself became the most fervent advocate of Dies's resolution, and in May, 1938, with the support of both conservatives and those who wanted to attack anti-Semitism, the House overwhelmingly approved Dies's resolution. HUAC was born.

Martin Dies conceded that it would be difficult to legislate effectively in this matter but promised nevertheless to bring "the light of day . . . to bear upon" un-American activities and to allow public sentiment to do the rest. Under his leadership, the committee membership—Arthur D. Healy, John J. Dempsey, Joe Starnes, Harold G. Mosier, Noah M. Mason, and J. Parnell Thomas—acted on this directive. Samuel Dickstein had only a Pyrrhic victory. He was not appointed to the committee and soon became a critic of Dies's nearly exclusive focus on the left.

Where Dickstein stood against Hitler and anti-Semitism, Dies stood against Franklin D. Roosevelt and the New Deal. During Roosevelt's first term, a clear majority of the House and Senate were willing to accept the administration's innovative social and economic program to combat the Great Depression. In the second term, a congressional rebellion began, with New Deal Democrats facing increased opposition from a coalition of Republicans and conservative southern Democrats. HUAC's birth represented one of a handful of victories for this anti-New Deal coalition.

Dies and his conservative supporters were critical of the New Deal's limited accomplishments. The Depression was simply not going away. Unemployment remained high, production continued to lag, and in 1937 the economy tumbled downward once again—a recession, in other words, in the midst of depression. Roosevelt's second-term emphasis on urban-based issues, the so-

called Second New Deal, also alienated congressional conservatives, many of whom, because of the seniority system, chaired powerful committees in the House and Senate. Dies's own benefactors included the ultra-conservative vice president, John Nance Garner of Texas, and Speaker of the House William Bankhead of Alabama. Dies, Garner, and Bankhead were further alarmed by the sit-down strikes of 1935-1936; the efforts of Senator Robert Wagner and others to obtain antilynching legislation in 1936-1937; Roosevelt's court-packing scheme of 1937 and attempt to purge the Democratic party of obstructionists by calling for the defeat of anti-New Deal Democrats in the 1938 primaries; and what was generally perceived to be a marked ideological shift by the White House to the left.

President Roosevelt faced not only an informal yet quite formidable conservative coalition but also nearly unanimous congressional antipathy toward further meddling with the separation of powers doctrine or the fundamental institutions of Congress, the courts, and the states. Congressional conservatives were determined to halt the expansion of the New Deal and to reverse what HUAC would later describe, in 1942, as the "creeping totalitarianism" of the executive's "effort to obliterate the Congress of the United States as a co-equal and independent branch of government."

When HUAC began functioning in August, 1938, the conservative bloc in Congress was already strong enough to grind the New Deal to a halt. Dies used the new committee to go on the offensive. His strategy was direct. Targeting the New Deal's programs, personnel, and constituency in a series of well-publicized hearings, Dies intended to expose and neutralize what J. Parnell Thomas, the senior Republican member of the committee, called "the four horsemen of autocracy"—fascism, Nazism, Bolshevism, and New Dealism. Equating the modest social and economic reforms of the Roosevelt years with un-Americanism, Dies and Thomas recognized no distinction between the New Dealers' efforts to tinker with the system and the more radical plans of communist revolutionaries to overthrow the government and abolish capitalism.

HUAC launched well-publicized hearings on the National Labor Relations Board, the Bureau of Indian Affairs, and the Federal Theater Project, among other New Deal agencies; compiled dossiers on people from lowly civil servants all the way up to Eleanor Roosevelt; and spread allegations about communist infiltration of the Congress of Industrial Organizations and other groups that supported the Roosevelt administration. In August, 1938, alone, *The New York Times* devoted more than two hundred column inches of space to the Dies Committee's spectacular charges.

During the World War II years, Dies and Thomas pushed for a stringent federal employee loyalty program. Although HUAC never ignored native fascist groups, the focus on communism and the New Deal remained intact. In 1942, Dies sent a list of 1,124 allegedly subversive federal employees to Attorney General Francis Biddle and Federal Bureau of Investigation (FBI) Director J. Edgar Hoover. Nearly every one of them was accused of communist associations. When subsequent investigations led to the firing of only four employees, Dies charged a cover-up. The Roosevelt administration's incompetence and negligence in confronting the domestic communist threat, he argued, raised the specter of the administration's complicity, unwitting or otherwise, in an international communist conspiracy. "The New Deal," Thomas said, carrying the assault one step further, "is either for the Communist Party, or is playing into the hands of the Communist Party."

Such charges did not stick, and HUAC labored in relative obscurity during the last of the war years. Dies himself gave up the fight. Citing poor health and a desire to return to private business, he chose not to stand for reelection in 1944, and his committee expired at the end of the Seventy-eighth Congress, only to be recreated in January, 1945, as a regular, standing committee of the House—the result, ironically, of a parliamentary maneuver by John E. Rankin, one of the most outspoken anti-Semites ever to serve in the House.

Impact of Event

Martin Dies and his committee refined many of the methods and techniques later identified with McCarthyism. HUAC, in its early days, mined the communists-in-government issue, worked to legitimize the idea of guilt by association, championed the veracity of excommunist witnesses, and worked diligently to open a direct pipeline to the FBI and other executive agencies concerned with internal security. Dies himself, as one historian observed, named "more names in a single year than Joe McCarthy did in a lifetime."

Ultimately, HUAC derived its power from its incredibly voluminous files, consisting of derogatory information on the political associations of at least several hundred thousand American citizens; its access to FBI informants and symbiotic relationship with FBI officials; and its ability to compel testimony under threat of imprisonment. During the Cold War era, assumptions about the seriousness of the threat posed by communists on the home front put the law on HUAC's side, enabling the establishment and maintenance of pervasive blacklists of the sort that Dies could only dream about. These blacklists were first institutionalized in the entertainment industry. HUAC's interest in Hollywood had in fact dated from 1938, when its chief investigator advised the press

that even child actor Shirley Temple had once inadvertently served the interest of the Communist Party. In 1947, J. Parnell Thomas, then HUAC chair, formed a secret alliance with the FBI and its director, J. Edgar Hoover. By 1950, the blacklists were spreading with startling speed to the nation's teachers, lawyers, doctors, newspaper reporters, carpenters, and plumbers.

It was also during Thomas's tenure as chair that HUAC broke its most spectacular case, against former State Department official Alger Hiss. Against the backdrop of the Cold War, the Hiss case provided HUAC with the ammunition needed to make a credible attack on the integrity of New Deal programs and personnel. It also gave HUAC and its imitators, notably Senator Joseph R. McCarthy's Permanent Subcommittee on Investigations, enough power to plunge the nation into a protracted four-year search for communists in government.

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Kenneth O'Reilly

Stalin Nearly Destroys Russian Orthodox Church

Category of event: Religious freedom

Time: Summer of 1939

Locale: Soviet Union

The long Bolshevik campaign against religious practice and belief in the Soviet Union reduced the Russian Orthodox Church to institutional near-extinction by the late summer of 1939

Principal personages:

JOSEPH STALIN (1879-1953), the general secretary of the Communist Party of the Soviet Union

ADOLF HITLER (1889-1945), the dictator of Germany who made the Soviet-German pact of August 23, 1939

SERGIUS (1867-1944), the senior prelate of the Russian Orthodox Church between 1927 and 1944

ALEKSI (1877-1970), the metropolitan of Leningrad from 1933 through the siege of Leningrad in World War II, head of the Russian Orthodox Church from 1945 to 1970

Summary of Event

When the Bolsheviks came to power in Russia in 1917, they began to act on their atheist convictions, which held that all religion was opium, a spiritual gin which capitalist exploiters used to drug the workers into submission. They decreed the separation of church and state, nationalized church lands and assets, cancelled the status of the Russian Orthodox Church as a legal entity, discontinued state subsidies to religious bodies, deprived church marriages and baptisms of official standing, and banned organized religious education of the young. In 1922, in the midst of famine, the Bolshevik regime ordered the church treasures confiscated, ostensibly to finance relief for the starving. Believers and international religious bodies, among them the Holy See, offered to ransom the Russian Orthodox Church's sacramental objects, but the Bolshevik regime pressed ahead. Soviet press accounts reported some fourteen thousand bloody fights as priests and parishioners tried to guard their

churches. Many churches were closed and priests and hierarchs arrested. Tikhon, the patriarch (religious leader) of Moscow, was placed under house arrest. With government support, a Renovationist, or Living Church, movement was organized and split the church for a time.

On April 7, 1925, Patriarch Tikhon died. His death plunged the Russian Orthodox Church into a rolling crisis of leadership. By 1927, ten out of eleven prelates successively named to act as head of the church were in prison or in exile, and most of the bishops were in similar straits.

The man who emerged as acting head of the church was Metropolitan Sergius. Arrested more than once, Sergius was released from prison in March of 1927 and issued a declaration of loyalty to the Soviet Union on July 24 of that year. Sergius's action in support of a godless and hostile state outraged many believing Orthodox people in the Soviet Union as well as many Soviet exiles abroad. Sergius justified his declaration as necessary to preserve the church.

The forced industrialization and collectivization drives that were launched in 1928 led to another crisis for the church. Troops and Communist Party workers fanned out into the countryside. Peasant resistance to them produced violence, the slaughtering of livestock, and the destruction of food stores. More than five million people were said to have died in this man-made famine. Peasants defended their churches and priests with scythes and pitchforks against soldiers and communist militants determined to deal harshly with the vestiges of Orthodox reaction. The campaign changed the face of the Russian countryside, which later became dotted with the shells of churches serving as granaries, overcrowded dwellings, storehouses, and workshops, their rusting and disintegrating cupolas standing hollow against the sky.

A third great wave of church closings began in 1936 and gathered momentum over the next three years. This was the period of the great purges. The terror of the prison camp complex of the Gulag Archipelago in Siberia was felt in every corner of the land. An estimated nineteen million Soviet citizens died in the purges, and the police (NKVD) became the largest employer in the Soviet Union, responsible for one-sixth of all new construction. With restraint and normal living swept away, church closings on a large scale resumed, and the arrest of priests and the incarceration of bishops accelerated.

By mid-1939, Metropolitan Sergius lived in Moscow virtually alone, cut off from any regular contact with the churches still functioning in the country. There were only four active bishops in all of Russia. Metropolitan Aleksii of Leningrad was the second, Aleksii's suffragan, Nikolai of Peterhof was the third, and Metropolitan Sergii, who later defected to the Germans, was the fourth. All four prelates lived from day to day in the expectation of arrest.

The numbers of open churches and functioning priests were very small. Soviet official sources and foreign scholars confirm that there were no open churches at all in more than one-third of the provinces of the Russian federated republic. One-third of the provinces of the Ukraine had no functioning churches, and an additional three Ukrainian provinces had only one open church each. According to Friedrich Heyer, the German troops that occupied Kiev in 1941 found only two churches in that diocese; sixteen hundred churches had been functioning before the 1917 Revolution. Three priests were serving in those two churches, one at the edge of the city of Kiev and one in the countryside. In the Ukrainian province of Kamenets-Podolski, the Germans found one aged priest holding services. A mission team which followed German troops into the area south of Leningrad found two priests reduced to complete impoverishment. It is probably a fair estimate that in 1939 two hundred to three hundred churches were functioning in the Soviet Union, and no more than three hundred to four hundred priests were conducting services.

Describing the situation through the 1930's in the diocese of Rostov-on-Don, Nikita Struve observed that the archbishop, Serafin, was exiled to the far north, where he soon died. His vicar, Nicholas Ammasisky, was sent to the steppes to graze a flock of sheep. He was arrested a second time and shot, but miraculously recovered from his wounds. The former cathedral was transformed into a zoo.

In Odessa, according to Dimitry Pospelovsky, where there had once been forty-eight churches, Stalin allowed one to remain open. Apparently the great eye doctor, Academician Filatov, had treated Stalin and asked, as a return favor, that one church be allowed in the city. Stalin, however, made no promise to spare the priests. Each Sunday, and later just at Easter, a priest would appear from the congregation and celebrate the liturgy, only to disappear into the NKVD dungeons the following day. After all the priests who dared martyrdom had disappeared, there remained a few deacons who could perform the entire rite except for the eucharist. They likewise disappeared and were replaced by psalmists, who in turn were liquidated. There remained only laypeople, who prayed as best they could in the church. In the summer of 1939, then, the Russian Orthodox Church teetered on the edge of institutional destruction.

Impact of Event

In the late summer of 1939, an event occurred that was unrelated to Stalin's repression of the Russian Orthodox Church but which profoundly affected its situation. Signed on August 23, 1939, the Molotov-Ribbentrop Pact opened the door to Soviet annexation of Eastern Poland in September of 1939 and of



Joseph Stalin. (Library of Congress)

the Baltic states and Romanian Bessarabia and Northern Buhovina in 1940. The annexations brought the Russian Orthodox Church millions of faithful parishioners and thousands of active parishes, functioning churches, and priests. The church also acquired monasteries, nunneries, seminaries, and other resources.

On June 22, 1941, Hitler's armies attacked the Soviet Union and swept forward on a thousand-mile front stretching from the Baltic Sea to the Black Sea. Behind German lines, thousands more Orthodox churches were able to open their doors and start serving believers living in pre-1939 Soviet territories, most of whom had long been denied the opportunity to worship in a functioning church.

As soon as Hitler attacked, Metropolitan Sergius publicly rallied believers to the defense of the Motherland. When German forces were advancing on Moscow, however, Stalin ordered Sergius evacuated, and the head of the Russian church was sent by train to Ulyanovsk, a small provincial city seven hundred kilometers east of the capital. Sergius was able to open some churches in that region and consecrated a few bishops, thereby reconstituting diocesan life along the Volga. By the spring of 1942, there were about a dozen Orthodox prelates of episcopal rank.

On September 4, 1943, Stalin received Sergius and two other metropolitans in the Kremlin. Stalin authorized the opening of more churches, convents, seminaries, and theological academies, as well as allowing more bishops and the elevation of a new patriarch. Four days later, nineteen bishops assembled and elected Sergius as patriarch. By this time, Red Army forces were pushing the Germans back, and Stalin's motives in his more supportive religious policy probably revolved around the need for reliable leadership over the thousands of Orthodox parishes which had been established under the German occupation. Stalin probably also perceived an advantage in tapping Russian pride and religious patriotism as Soviet rule was being reestablished in the lands overrun by Hitler. The Russian Orthodox Church emerged from the war with about fourteen thousand churches.

The travails of Orthodox believers in the Soviet Union did not end with the country's victory in World War II. Nikita Khrushchev launched another antireligious assault in the 1959-1964 period, but even Khrushchev's onslaught did not reduce the Russian Orthodox Church to the desperate straits of 1939. Under Mikhail Gorbachev, the church was permitted to reopen thousands of parishes, scores of monasteries and nunneries, and a substantial number of seminaries and theological training schools. A new law of freedom of conscience was promulgated. While religious believers continued to encounter problems and difficulties of various kinds, Soviet people found the opportunity to worship, teach children religion, engage in charitable work, and perform other religious functions and duties to an extent not witnessed since the Bolshevik Revolution of 1917.

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Nathaniel Davis

Soviets Massacre Polish Prisoners of War

Category of event: Atrocities and war crimes; prisoners' rights

Time: 1940-1943

Locale: Katyn Forest, near Smolensk, Soviet Union

In the early spring of 1940, the Soviets executed more than four thousand Polish prisoners of war in the Katyn Forest

Principal personages:

WINSTON S. CHURCHILL (1874-1965), the prime minister of Great Britain 1940-1945 and 1951-1955)

JOSEPH GOEBBELS (1897-1945), the Nazi minister of propaganda

FRANKLIN D. ROOSEVELT (1882-1945), the thirty-second president of the United States (1933-1945)

JOSEPH STALIN (1879-1953), the first secretary of the Communist Party of the Soviet Union (1922-1953)

Summary of Event

On August 23, 1939, the Soviet Union and Nazi Germany signed an agreement that set the stage for the outbreak of World War II in Europe. The agreement, in part, provided the basis for the dismemberment of Poland. Shortly thereafter, on September 1, 1939, German armed forces attacked Poland, and on September 17, the Soviet army moved into eastern Poland and occupied its assigned portion of Polish territory. Under the weight of the German onslaught and the Soviet invasion, Polish resistance collapsed, and the remnants of Poland's government fled the country.

Immediately after the termination of hostilities in Soviet-occupied Poland, Soviet authorities began the forced deportation of approximately 1.2 million Poles to areas within the Soviet Union. In addition, the Soviets captured more than two hundred thousand members of the Polish armed forces. These prisoners were joined by thousands of Polish reservists arrested at home as well as by soldiers who had initially escaped to Lithuania and Estonia only to be taken by the Soviets after the Baltic states fell under Soviet control. In the final count, approximately 250,000 members of the Polish armed forces, including about

ten thousand officers, were placed in more than one hundred major Soviet prison and labor camps.

The international situation changed dramatically on June 22, 1941, when Germany launched a surprise attack on the Soviet Union. Soon thereafter, the Soviets and the Polish government-in-exile, located in London, reestablished diplomatic relations and agreed that the Soviets would grant amnesty to those Poles being held in the Soviet Union. Simultaneously, the new Polish embassy in the Soviet Union took steps to organize a Polish army on Soviet soil composed of those members of the Polish armed forces who were being held as prisoners of war by the Soviets. Eventually, after these former prisoners had been assembled by the new Polish military command in the Soviet Union, it became clear that approximately fifteen thousand soldiers remained missing, including some eight thousand officers. Indeed, only two of the fourteen general officers and six of the three hundred high-ranking Polish staff officers captured by the Soviet Army reported. Moreover, it was not just professional officers who were missing: Hundreds of reservists, including doctors, lawyers, educators, and journalists, were also missing. Investigations by Polish authorities revealed that the missing individuals had been held at three camps: approximately sixty-five hundred men at Ostashkov, four thousand at Starobelsk, and five thousand at Kozelsk. In late April and early May, 1940, troops from the Soviet Union's People's Commissariat of Internal Affairs (the NKVD) had removed in small groups all but 448 of the prisoners from the three camps. Investigations revealed that the men from Kozelsk had been taken by rail to a point immediately west of Smolensk, but there they had disappeared. Indeed, of the approximately fifteen thousand men originally held in these three camps, only the 448 survived. Polish requests for information concerning the missing soldiers were addressed to Soviet officials but were met with evasive and contradictory responses. Nevertheless, between the summer of 1941 and the spring of 1943, the Poles continued to attempt to ascertain the fate of the missing soldiers.

Meanwhile, in late February, 1943, German field police discovered the mass graves of several thousand individuals, apparently Polish officers, in the Katyn Forest about ten miles west of Smolensk. Prior to the German capture of the area in 1941, the Katyn Forest had been controlled by the NKVD. This information was transmitted to Berlin, where Nazi officials recognized the propaganda value of this discovery and moved to capitalize upon the opportunity. Consequently, on April 13, 1943, German radio announced that Soviet authorities had executed thousands of Polish prisoners of war. The Germans quickly followed this announcement by inviting a series of specially chartered

international groups to examine the site and report their conclusions. Three investigatory commissions were formed under German sponsorship. First, an international commission was formed, drawing distinguished specialists in the field of forensic medicine from twelve European countries other than Nazi Germany. On April 28, 1943, the members of this commission began their three-day investigation of the grave sites in the Katyn Forest. While there, they examined 982 corpses already exhumed by German authorities and 9 that had been hitherto untouched and were randomly selected by the commission. During their investigation, the members of the group had complete freedom to move throughout the area and enjoyed the full cooperation of the Germans at the site. Simultaneously, the Germans invited a medical delegation from the Polish Red Cross in German-occupied Poland to conduct a second investigation in the Katyn Forest. Without the knowledge of the German authorities, the Polish underground infiltrated the Polish Red Cross group. The Polish team remained at the site for five weeks, during which it, like the international commission, was given full German support as well as freedom of movement around the site, including authority to photograph whatever it wished. Finally, a specially formed German medical team was sent to Katyn. In addition to these three teams, journalists from Germany, German-occupied Europe, and neutral European states visited the Katyn Forest, as did German-sponsored Polish and Allied prisoner-of-war delegations.

The German authorities, the various medical commissions, and the other visitors to the area found more than four thousand corpses buried in eight six-to-eleven-foot-deep mass graves. In addition to the bodies actually found, some analysts have speculated that there may be more than three hundred more undiscovered Polish corpses in the forest. In any case, all but twenty-two of the bodies were clad in Polish uniforms and were piled face down in layers. Many, especially the younger men, had had their greatcoats tied over their heads with ropes connected tightly to their hands, which were tightly bound behind their backs. As a result, any movement of the hands would serve to tighten the ropes that secured the greatcoats at the neck. In addition, many bore bayonet wounds. All, however, had been shot through the head in a similar manner. Finally, the individual graves of two Polish general officers, in uniform, were also located in the forest.

Based upon a variety of evidence collected at the site, the three German-sponsored commissions independently reached similar conclusions. They agreed that the Polish prisoners had been executed and buried about three years prior to their exhumation. In other words, they had been murdered in the spring of 1940. Since this was more than a year prior to the German inva-

sion of the Soviet Union in June, 1941, and since the Katyn Forest was under the control of the NKVD at the time of the killings, the conclusion of the commissions was that Soviet authorities had killed the Polish prisoners. The conclusions of the three German-sponsored commissions were confirmed and further supplemented by additional evidence supplied by the families of the dead soldiers and by the survivors of Camp Kozelsk. This additional material clearly established that the Polish soldiers found in the forest were the missing prisoners from Camp Kozelsk. Finally, the fact that the Germans fully cooperated with the investigators at the Katyn Forest site and subsequently attempted to preserve the evidence of the atrocity suggested that the Nazis were not the murderers.

Meanwhile, the Soviet Union denied the German accusations and charged that the Nazis had themselves committed the crime. On April 15, 1943, two days after the initial German radio broadcast announcing the discovery of the mass graves, the Soviets stated that the Polish prisoners had been seized by invading Nazis during the summer of 1941 and, subsequently, the Nazis had executed them. After the capture of the Smolensk region, the Soviet authorities organized a special Soviet commission to investigate the Katyn Forest murders. The Soviet team was composed exclusively of Soviet medical experts; no international medical experts were asked to participate. Predictably, given the official title of the Soviet investigatory team, "The Special Commission for Ascertaining and Investigating the Circumstances of the Shooting of Polish Officer Prisoners by the German-Fascist Invaders in the Katyn Forest," the Soviet team concluded that the Germans had murdered the Poles between September and December of 1941. The Soviets claimed to have found nine documents on the bodies bearing dates after May, 1940. In view of the fact that most of the bodies had been previously and extremely carefully searched by the German-sponsored commissions, most observers discounted these so-called finds as fabrications.

Following World War II, the Katyn Forest atrocity was inconclusively examined at the Nuremberg Trials, and later, in considerable detail, from 1951 to 1952 by a committee of the U.S. House of Representatives. Notwithstanding continued Soviet denials of guilt and assertions that the Germans were responsible, virtually all analysts outside the communist countries concluded that the Soviets had killed the Polish prisoners found in the Katyn Forest. Finally, in 1990, fifty years after committing the atrocity, the Soviets acknowledged that the NKVD had murdered the men.

Two questions remained, however, even after the establishment of Soviet guilt for the Katyn atrocity. First, what happened to the more than ten thou-

sand Poles held at Camps Starobelsk and Ostashkov? Apparently these men were also killed by the NKVD, although their exact fate remained unclear. Second, why were 448 men from Kozelsk, Ostashkov, and Starobelsk allowed to live? It would seem that the NKVD selected those individuals who appeared to be procommunist, were susceptible to Soviet propaganda, or who, by virtue of their background, were deemed worthy of selection for survival.

Impact of Event

Nazi Propaganda Minister Joseph Goebbels immediately recognized the significance of the Katyn Forest discovery and took special efforts to make certain that Germany derived the fullest propaganda dividends from the Soviet atrocity. For example, the German-controlled media in Poland provided extensive coverage of the Katyn Forest investigations. The Nazi media argued that Jewish Bolshevism was responsible for the atrocity. Hence, the Poles were told that they must look to the Germans for protection against the ruthless Soviets. Moreover, the extensive daily coverage, extending from April 14 to August 4, 1943, coincided with the Nazi massacre of the Warsaw ghetto, the latter extending from mid-April to mid-May, 1943.

In addition to attempting to influence Polish public opinion, the Germans intended to use the atrocity to split the Allied cause. There, however, the Germans unwittingly assisted Moscow in the latter's policy objectives. Immediately following the German announcement of the discovery of the mass graves in the Katyn Forest, on April 15, 1943, the Polish government-in-exile in London decided to call upon the International Red Cross to conduct a full investigation. The following day, the British press reported this decision. On April 17, a spokesperson for the Polish government-in-exile confirmed the decision and, that same day, the Poles formally made their request to officials of the International Red Cross in Geneva, Switzerland. Meanwhile, in Berlin, acting upon a British press story predicting the Polish request to the Red Cross, but prior to the formal request itself, Goebbels decided to embarrass the Poles by issuing a second German request to the International Red Cross to investigate the atrocity. The timing of the German request was designed to coincide with the Polish request, thereby making it appear that the London Poles and Berlin were acting in concert. Thus, the German request was handed to the representatives of the International Red Cross in Geneva less than one hour prior to the Polish appeal. For its part, the International Red Cross responded that it would conduct an investigation provided that the Soviet Union joined with the Poles and Germany in requesting such an investigation. The Soviet Union, of course, did not agree to join in the request.

The appearance of Polish-German cooperation in requesting the investigation provided Soviet leader Joseph Stalin with an opportunity to cut his ties with the London Poles in favor of his own Moscow-sponsored Union of Polish Patriots. Thus, not only did the Soviets fail to request an investigation by the International Red Cross, but on April 19, 1943, the Soviet media also denounced members of the Polish government-in-exile for collusion with the Nazis in perpetuating the so-called Nazi-fabricated allegations that the Soviet Union was responsible for the Katyn atrocity. This theme was in turn repeated by the pro-Soviet media outside the Soviet Union. The free Polish media responded that the Polish government-in-exile was merely seeking answers to questions as to what had happened in Katyn Forest.

Nevertheless, on April 21, 1943, Stalin informed British prime minister Winston Churchill and U.S. president Franklin Roosevelt that the Soviets had decided to sever relations with the Polish government-in-exile in London. Churchill and Roosevelt responded by appealing to Stalin not to risk the unity of the Allied cause by breaking relations with the London Poles, while Churchill appealed to the Polish leaders in London to drop the entire matter. Notwithstanding British and American appeals, however, on April 26, 1943, the Soviets notified the Polish ambassador in Moscow of the Soviet government's decision to break relations with the Polish government-in-exile in London. Subsequently, despite the fact that the London Poles, under pressure from the British, withdrew their request to the International Red Cross for a neutral investigation the day after the severance of Soviet-Polish relations, the Soviet Union remained firm in its decision to break relations.

Clearly, Stalin had decided to use the Polish government-in-exile's response to the German announcement of the Katyn discovery as his excuse to dispose of the independent Polish authorities in London in favor of the Soviet-backed Poles. Indeed, the latter would ultimately serve as a central component in the satellite regime erected by the Soviet Union in postwar Poland. Thus, the massacre of more than four thousand Polish prisoners of war by the Soviet NKVD in the Katyn Forest and the disappearance and presumed execution of another ten thousand Polish prisoners not only deprived Poland of a significant element of the prewar Polish elite but also was ultimately used to advance successfully Soviet objectives in postwar Eastern Europe.

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Howard M. Hensel

United States Interns Japanese Americans

Category of event: Civil rights; immigrants' rights; racial and ethnic rights; prisoners' rights

Time: February 19, 1942

Locale: Washington, D.C., California, Oregon, Washington, and Arizona

The forced removal and internment during World War II of approximately 110,000 Japanese Americans living on the Pacific coast was one of the gravest violations of civil liberties in United States history

Principal personages:

MAJOR GENERAL ALLEN W. GULLION (1880-1946), the Army's chief law enforcement officer as provost marshal general

MAJOR KARL R. BENDETSSEN (1907-1989), Gullion's aide and a key figure in pushing for evacuation of Japanese Americans

LIEUTENANT GENERAL JOHN L. DEWITT (1880-1962), the commander of the Army's Western Defense Command

EARL WARREN (1891-1974), the California state attorney general

JOHN J. McCLOY (1895-1989), the assistant secretary of war

HENRY L. STIMSON (1867-1950), the secretary of war who gave his support to the internment and removal

FRANCIS B. BIDDLE (1886-1968), the United States attorney general

FRANKLIN D. ROOSEVELT (1882-1945), thirty-second president of the United States; issued Executive Order 9066 authorizing Japanese-American removal

DILLON S. MYER (1891-1982), the director of the War Relocation Administration

Summary of Event

At the time of the Japanese attack on Pearl Harbor, December 7, 1941, there were approximately 110,000 Japanese Americans living on the Pacific coast of the United States. Roughly one-third of those were the issei—foreign-born Japanese who had migrated before the exclusion of Japanese immigrants in 1924 and were barred from United States citizenship. The rest were the

nisei—their United States-born children who were U.S. citizens and for the most part strongly American-oriented. The government had in place plans for the arrest of enemy aliens whose loyalty was suspect in the event of war. In the immediate aftermath of Pearl Harbor, approximately fifteen hundred suspect Japanese aliens were rounded up. Those not regarded as security risks were, along with German and Italian aliens, restricted from traveling without permission, barred from areas near strategic installations, and forbidden to possess arms, shortwave radios, or maps. The attack on Pearl Harbor, however, gave new impetus to the long-standing anti-Japanese sentiment held by many in the Pacific coast states. The result was loud demands from local patriotic groups, newspapers, and politicians for removal of all Japanese Americans. Leading the clamor was California state attorney general Earl Warren, who warned that their race made all Japanese Americans security risks.

Within the military, the lead in pushing for the roundup of Japanese Americans on the Pacific coast was taken by Major General Allen W. Gullion, the Army's chief law enforcement officer as provost marshal general, in a bid at bureaucratic empire building. His key lieutenant in pushing this program was his ambitious aide, Major (later Colonel) Karl R. Bendetsen, chief of the Aliens Division of the provost marshal general's office. Lieutenant General John L. DeWitt, the commander of the Army's Western Defense Command, was an indecisive and easily pressured man with a history of anti-Japanese prejudice. At first, DeWitt opposed total removal of the Japanese Americans. By early February, 1942, however, he added his voice to the calls for such action. "In the war in which we are now engaged," DeWitt would rationalize, "racial affinities are not severed by migration. The Japanese race is an enemy race." He warned in apocalyptic terms about the dangers raised by the "continued presence of a large, unassimilated, tightly knit racial group, bound to an enemy nation by strong ties of race, culture, custom and religion along a frontier vulnerable to attack."

Those views were shared by his civilian superiors. The decisive figure was Assistant Secretary of War John J. McCloy, who in turn brought Secretary of War Henry L. Stimson to support total removal. Attorney General Francis Biddle and most Justice Department officials saw no necessity for mass evacuation, but Biddle yielded to the War Department on the issue. Most important, President Franklin D. Roosevelt, from motives of political expediency as much as from any anxiety over possible sabotage, gave his full backing to the military program. On February 19, 1942, Roosevelt issued Executive Order 9066, authorizing the military to designate "military areas" from which "any or all persons may be excluded." Congress followed by adopting legislation in March



U.S. troops watch as Japanese American residents of San Pedro, California, board a train to the Manzanar relocation center in the eastern Sierras. (National Japanese American Historical Society)

making it a criminal offense for anyone excluded from a military area to remain there.

No one appeared to have given much thought to what would be done with the evacuees. At first, the military simply called upon the Japanese Americans living in the western parts of California, Oregon, and Washington, and in the strip of Arizona along the Mexican border, to leave voluntarily for the interior of the country. Resistance by interior communities to the newcomers led the Army to issue, on March 27, 1942, a freeze order requiring Japanese Americans to remain where they were. The next step was the issuance of orders requiring Japanese Americans to report to makeshift assembly centers pending transfer to more permanent facilities. By June, 1942, more than one hundred thousand Japanese Americans had been evacuated. The evacuees were transferred from the assembly centers to ten permanent relocation camps in the interior, each holding between ten and eleven thousand persons, administered by the newly established War Relocation Authority (WRA). The camps were surrounded by barbed wire and patrolled by armed

military guards. The typical camp consisted of wooden barracks covered with tar paper, and each barrack was subdivided into one-room apartments—each furnished with army cots, blankets, and a light bulb—to which a family or unrelated group of individuals was assigned. Toilets and bathing, laundry, and dining facilities were communal. Religious worship (except for the practice of Shinto) was allowed. Schools were later opened for the young people. Although the evacuees grew some of their own food and even undertook small-scale manufacturing projects, most found no productive outlets in the camps for their energies and talents. The WRA promoted the formation of camp governments to administer the day-to-day life of the camps, but those governments lacked meaningful power and rapidly lost the respect of camp populations.

Conditions were at their worst, and the resulting tensions at their height, at the Tule Lake, California, relocation center, which became a dumping ground for those from other camps regarded as troublemakers. The upshot was terror-enforced domination of the camp by a secret group of pro-Japan militants.

A nisei recalled poignantly the scene of the evacuees being taken off to a camp: “The sight of hundreds of people assembled with assorted baggage, lined up to board the buses at the embarkation point, with rifle-bearing soldiers standing around as guards, is still imprinted in memory. And I can still remember the acute sense of embitterment. . . .” Life in the camps, said another, held evils that “lie in something more subtle than physical privations. It lies more in that something essential [is] missing from our lives. . . . The most devastating effect upon a human soul is not hatred but being considered not human.”

At first, Dillon S. Myer, the director of the WRA from June, 1942, on, regarded the relocation centers as simply “temporary wayside stations.” In 1943, the WRA instituted a program of releasing evacuees against whom there was no evidence of disloyalty, who had jobs waiting away from the Pacific coast, and who could show local community acceptance. By the end of 1944, approximately thirty-five thousand evacuees had left the camps under this release program. The Roosevelt administration had, by the spring of 1944, recognized that there was no longer any possible military justification for the continued exclusion of the Japanese Americans from the Pacific coast. To avoid any possible political backlash, however, the Roosevelt administration waited until after the 1944 presidential election to announce the termination of the exclusion order and allow nearly all of those still in the relocation centers to leave at will. Many of the evacuees, fearful of a hostile reception on the outside, continued to cling to the camps. In June, 1945, the WRA decided to terminate the camps

by the end of the year and later imposed weekly quotas for departure, to be filled by compulsion if required.

Impact of Event

The evacuation and internment was a traumatic blow to the Japanese-American population. Since evacuees were allowed to bring with them only clothes, bedding, and utensils, most sold their possessions for whatever they could get. Only slightly more than half of the evacuees returned to the Pacific coast, and most found their homes, businesses, and jobs lost. Japanese Americans suffered income and property losses estimated at \$350 million. Of even longer-lasting impact were the psychological wounds. Internment dealt a heavy blow to the traditional Japanese family structure by undermining the authority of the father. Many *nisei*, eager to show their patriotism, volunteered for service in the United States military. The Japanese-American One Hundredth Infantry Battalion and 422d Regimental Combat Team were among the Army's most-decorated units. On the other hand, more than five thousand *nisei* were so embittered by their experiences that they renounced their United States citizenship. Thousands more would carry throughout their lives painful, even shameful, memories from the years spent behind the barbed wire.

Defenders of civil liberties were appalled at how weak a reed the U.S. Supreme Court proved to be in the war crisis. The first challenge to the treatment suffered by the Japanese Americans to reach the Court involved Gordon Hirabayashi, a student at the University of Washington who had been imprisoned for refusing to obey a curfew imposed by General DeWitt and then failing to report to an assembly center for evacuation. Dodging the removal issue, the Court on June 21, 1943, unanimously upheld the curfew. Refusing to second-guess the military, the Court found reasonable the conclusion by the military authorities that "residents having ethnic affiliations with an invading enemy may be a greater source of danger than those of a different ancestry." On December 18, 1944, a six-to-three majority in *Korematsu v. United States* upheld the exclusion of the Japanese from the Pacific coast as a similarly reasonable military precaution. The Court, in the companion case of *Ex parte Endo* handed down the same day, however, barred continued detention of citizens whose loyalty had been established. The ruling's substantive importance was nil, because it was handed down one day after the announcement of the termination of the order barring Japanese Americans from the Pacific coast.

The Supreme Court has never formally overruled its *Hirabayashi* and *Korematsu* rulings. Later decisions, however, transmuted *Korematsu* into a pre-

cedent for applying so-called “strict scrutiny” to classifications based upon race or national origin—that is, that such classifications can be upheld only if required by a compelling governmental interest. Pressure from the Japanese-American community led Congress in 1981 to establish a special Commission on Wartime Relocation and Internment to review the internment program. The commission report concluded that the internment was not justified by military necessity, but had resulted from race prejudice, war hysteria, and a failure of political leadership. At the same time, petitions were filed in federal courts to vacate the criminal convictions of resisters to the evacuation. The climax was the unanimous decision by a three-judge panel of the Ninth Circuit Court of Appeals in 1987—which the government declined to appeal to the Supreme Court—vacating Gordon Hirabayashi’s curfew violation conviction on the ground that the order had been “based upon racism rather than military necessity.” In 1988, Congress voted a formal apology along with \$1.25 billion in compensation to surviving internment victims.

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Legal Slavery Ends in Ethiopia

Category of event: Civil rights; workers' rights

Time: August 27, 1942

Locale: Ethiopia

The Ethiopian government decided to abolish slavery in order to gain international respectability

Principal personages:

HAILE SELASSIE I (1892-1975), the emperor of Ethiopia (1930-1936 and 1941-1974), committed, theoretically, to the abolition of slavery

MENELIK II (1844-1913), the emperor of Ethiopia (1889-1913), opposed the slave trade but actually caused it to increase through his expansionist policies

BENITO MUSSOLINI (1883-1945), the Italian fascist premier who conquered and occupied Ethiopia

Summary of Event

The abolition of slavery by the imperial government of Ethiopia was a protracted and ambiguous process involving both domestic and international factors. The principal catalysts were the League of Nations, the Italian invasion and occupation from 1935 to 1941, Emperor Haile Selassie, and an undulating political economy within Ethiopia.

Ethiopia is a hybrid nation, geographically situated between Negroid and Caucasoid peoples. Ethiopians are descendants of immigrants from Saudi Arabia, the earliest inhabitants of the high plateau, and the Negroid people of the south, west, and east. The people are predominantly, within a linguistic context, Amharic and Tigreanic speakers, related to Semitic language groups. There are about one hundred other linguistic groups. About half of the Ethiopian population belongs to the Coptic Christian Church. The remaining population is mostly Muslim, with a fairly small number of rural people practicing animism. The total population in 1991 was approximately 30 million.

The Amharas, Tigreans, Gallas, Somalis, and Danakils are different from Negro Africans. They are dark brown in complexion and have Caucasian features, in particular, narrow noses and "straight" hair. It is not entirely clear what role color or complexion played in social status and in slavery. In all prob-

ability, color prejudice was important in determining servile status of people. Nevertheless, the political economy, in the original sense of that term, in Ethiopia enveloped several socioeconomic fundamentals.

Historically, Ethiopian emperors had partial control over the country; the princes and nobles, or *ras*, were landowners who were able to exploit much of the land under a system called *gabar*, which was a form of serfdom. *Gabar* was a system both of rents and of tribute to landlords and local nobles.

Slavery was an important economic component of social life. It harmonized with a configuration of ancient traditions benefiting both the local aristocracy and small farmers. Those who owned land inevitably owned human beings who worked on large fruit and coffee plantations, in the gold mines in the Adowa region, and, especially in northern Ethiopia, in subsistence households producing cereals and pulses and raising livestock.

Ethiopian imperial officials wanted to create a centralized and modern state which could present itself to the world as a civilized country. Emperor Menelik II despised the slave trade in particular, because it depicted Ethiopia as a backward country. Menelik undertook to limit or abolish the slave trade through imperial decrees before 1907, but without measurable results. His opposition to the slave trade figured in civil strife between 1907 and his demise in 1913. The slave trade was a curious issue for the government to challenge, as it simultaneously refused to acknowledge or oppose the institution of slavery which made the slave trade possible.

Ras Tafari became head of government in 1916, as regent of Empress Zauditu, Menelik's daughter. He did little to limit the growth of the slave trade or the institution of slavery. Slavery was a manifestation of local landlord prerogatives and, therefore, any real effort by central government to challenge slavery would have quickly encouraged state disintegration.

Ras Tafari, the future Emperor Haile Selassie, was one of three regents who tried to gain admission of Ethiopia to the League of Nations. The United Kingdom, Italy, and other members of the League opposed Ethiopia's entry because the slave trade and slavery were still practiced in Ethiopia. Slave raids were especially offensive to the British, since slave raiders crossed into British colonies. The United Kingdom's long-standing opposition to the slave trade was a major reason for its interest in questioning the status of Ethiopia. The British government believed in the "white man's burden" of "civilizing" what it perceived to be backward cultures. British territorial ambitions, in any case, should not be discounted. After many pledges to abolish the slave trade and slavery, Ethiopia was admitted to the League of Nations in 1923, with France as its main supporter.

The imperial government of Ethiopia passed a law in 1923, to satisfy the League of Nations' insistence that Ethiopia abolish slavery, prohibiting slave raiding across international borders. Another imperial proclamation on March 31, 1924, declared that slaves born into slavery after the date of the proclamation should be freed upon the death of their master; however, the ex-slaves must remain with the family for seven years. This law and others were powerless in actually liberating slaves.

The several proclamations were aimed at an international audience, namely, the member states of the League of Nations. Ethiopia was trying to maintain its independence within a sea of European colonialism. It is incorrect to claim that Ethiopia abolished slavery in 1924. It did not: It only made public gestures in that direction. The reality of attaining abolition would be arduous and protracted.

Haile Selassie became emperor in 1930 after the death of Zauditu. He began to transfer more political authority from local, hereditary potentates to the imperial government in Addis Ababa. Emperor Haile Selassie accepted a Briton as his adviser on slavery, Frank de Halpert. De Halpert directed the antislavery bureau and guided antislavery legislation. In 1931, an imperial edict required the registration of slaves and the manumission of slaves upon the master's death. Haile Selassie vowed that slavery would end in fifteen or twenty years. De Halpert did not believe that the emperor was truly committed to abolishing the slave trade or slavery; he resigned as adviser to the emperor on antislavery matters in 1933.

Italians represented themselves as civilizers and Ethiopians as slavers and barbarians. This explanation was used to justify Italian aggression against the Ethiopian empire in 1935. Italy took control of Ethiopia in 1936 and announced the liberation of 400,000 slaves in areas under its military control. Despite the Italians' claim, slavery continued to exist in areas under their control. The Italian government paid Ethiopian workers but did not pursue a consistent program to liberate slaves.

Italian occupation, however, did have a salutary effect on the political economy of Ethiopia. The *gabars* system of tenancy was at least damaged by allowing many tenant farmers to escape an oppressive serfdom which differed little from outright slavery. Italian rule, in short, undermined serfdom and weakened the institution of slavery itself. In no way, however, should it be construed that blatant military aggression by the Italians was designed to do anything other than satiate Benito Mussolini's desire to create an Italian empire. Italian occupation simply eroded a servile labor system and served the needs of the Italian propaganda apparatus. The Italians built roads and generally im-



Emperor Haile Selassie speaking from his palace balcony in July, 1935, shortly before the Italian invasion of Ethiopia began. (Library of Congress)

proved the infrastructure of their controlled areas, but Ethiopia was never under complete Italian military control.

After the Allies invaded Ethiopia, Haile Selassie had little choice but to reinforce his earlier attempts to abolish the slave trade and finally to end slavery itself. The British were not prepared to restore Haile Selassie to his throne unconditionally. The emperor had to prove to them that he was going to rid Ethiopia of slavery. Haile Selassie had consistently demonstrated his disdain for slavery but was timid in confronting the political risks involved with an outright assault on the practice.

On November 11, 1941, Haile Selassie abolished the *gabar* form of tenancy. This was an important step toward the abolition of slavery. The *gabar* system of tenancy was a kind of extortion, including a tithe to the emperor, forced requisitions of grain or firewood, portorage, and other forms of labor obligations.

On August 27, 1942, Emperor Haile Selassie issued the proclamation to abolish slavery in Ethiopia. It repeated the two main antislavery measures of the 1930's. The proclamation accepted the 1926 convention's definition of slavery as any form of servile labor against the will of the individual, and it called for the immediate abolition of the legal status of slavery. The death penalty was allowed (but unlikely) for transporting slaves and for participating in

the slave trade. The weakness of the proclamation was that it placed the responsibility for enforcement of the law on local courts, courts that were controlled by slaveowners, the nobility, and smallholders. Alternative forms of punishment included forty lashes, a \$10,000 fine, or a maximum of twenty years in a local jail.

Impact of Event

The 1942 proclamation was a landmark in Ethiopian history. Its goals, however, took a long time to achieve in practice. Haile Selassie did not seriously alter the political economy of Ethiopia as it pertained to slavery or any other major component of the body politic. He did start a process toward realization of human rights. It is not too farfetched to compare Haile Selassie's accomplishments with those of U.S. president Abraham Lincoln. Lincoln issued the Emancipation Proclamation, but how effective was it? In the short term, it was ineffective, but in time the institutions of slavery and sharecropping were extinguished. Nevertheless, in both cases a process of liberation and enfranchisement was begun.

Reports of slave raiding in the 1950's were plentiful. The Annual Report of the Anti-Slavery Society for 1954-1955 told of escaped slaves from Ethiopia fleeing to the Sudan, with their masters in hot pursuit. Ethiopians and Europeans were still engaged in a flourishing slave trade in the 1960's between Ethiopia and Saudi Arabia. There was continued ambiguity in the socioeconomic situation in Ethiopia as it pertained to slavery. A raised consciousness about human rights and individual liberties in Africa gave some hope that countries might soon understand the significance of respecting the dignity and individual liberties of human beings. In the Ethiopian case, the 1942 proclamation was an incipient step taken toward abolishing slavery and morally challenging the legitimacy of it.

Much more can be done and must be done in behalf of servile laborers. The question of the status of servants in Africa, even fifty years later, needed clarification before the vestiges of slavery could be eradicated. The 1942 proclamation was a simple prescription for a highly complex social issue. The approach taken was, perhaps, the only one available. The path to abolition of slavery in Ethiopia was to abolish its legal status in the hope that reality would then follow.

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Claude Hargrove

French Quell Algerian Nationalist Revolt

Category of event: Political freedom; revolutions and rebellions

Time: May 8, 1945

Locale: Sétif, Algeria

A series of political and social developments led to the outbreak of mass violence in eastern Algeria, hastening the process of its decolonization under French rule

Principal personages:

FERHAT ABBAS (1899-1985), the president of the Algerian provisional government-in-exile in 1958

ABD EL-KADER, MESSALI HADJ (1898-1974), a radical nationalist and one-time member of the French Communist Party

CHARLES DE GAULLE (1890-1970), the head of the French government in 1945

MAURICE VIOLETTE, the governor general of Algeria from 1925 to 1927; coauthored the Blum-Violette proposals

Summary of Event

The people of the predominantly Muslim town of Sétif, located in the Department of Constantine, Algeria, gathered on May 8, 1945, for a V-E Day celebration of the end of World War II. Some eight thousand people, many young children among them, gathered at the mosque near the town's railroad station. Violence directed against the French colonialists broke out, leading eventually to more than ten thousand deaths.

The incident in Sétif was a symptom of tension that had existed between the French and the Algerian Muslims since before World War II. Although it was not manifested in violence prior to the Sétif revolt, Algerian nationalism centered on personalities representing three major trends of thought. The first group, led by Messali Hadj, was violently anti-French and demanded total independence from French rule. After the Sétif incident, when his Algerian People's Party (PPA) was banned, Messali Hadj persisted and created a new Movement for Triumph of Democratic Liberties (MTLD) with essentially the same demands. The second group, led by Ferhat Abbas and his Friends of the Manifesto and Liberty (AML, founded in 1944), pursued assimilationist politics with a goal of Algerian autonomy within the French system. After the AML

was banned in the aftermath of Sétif, Abbas too formed a second movement, the Democratic Union of the Algerian Manifesto (UDMA). The most direct influence on the Muslim masses, however, was exerted by the third group, the religious leaders.

The *colons* (Algerian Europeans), both French and others, resisted pressure from both the Algerian moderates, who demanded French citizenship through assimilation, and the radicals, who demanded independence. The *colons* allied themselves with powerful elements of the French government, bureaucracy, and military and controlled the Algerian government through influence, finance, and the press.

The major French response to the early assimilationist demands of the educated Algerians was the Blum-Violette proposals of 1936, which would have extended citizenship initially to a few thousand Muslims. Even this modest effort at conciliation was obstructed by the determined opposition of the *colons*.

The Algerian economy mainly served the *colon* interests. Commercially cultivated farmlands in the northern plains were controlled by *colons*. These lands had yields almost ten times as high per acre as the infertile lands to the south, to which the Muslims had been driven beginning in the early 1900's. The *colons* exercised similar control over railroads, shipping, and other industrial enterprises. The plight of the Muslim farmers was complicated by high population growth and the gradual subdivision of their lands in the south. They depended for their meager livelihood on raising sheep and crops on their own land or sharecropping on *colon* farmlands in the north.

Political agitation prior to Sétif, led by Ferhat Abbas's AML, added to tension. The AML, which came to be dominated by Messali Hadj's followers, succeeded in having a resolution for complete independence adopted at the AML congress in March, 1945.

The political atmosphere in Algeria had been charged with expectation for change since the landing of the Anglo-American forces in Algeria in 1942. That atmosphere was influenced by the apparently anticolonial tone of the Atlantic Charter, signed in 1941. Muslim sentiments were further aroused by the establishment of the Arab League, a symbol of Arab unity, in 1945.

On the eve of the Sétif incident, the AML, which feared the possibilities stemming from the policy of confrontation advocated by the Communist Party of Algeria, publicly attacked that policy. During May Day parades one week prior to the Sétif incident, there had been clashes, resulting in casualties, between the police and demonstrators in Algiers and other cities. There was no police intervention during Sétif's May Day parade.

The local AML leaders agreed to act responsibly during Sétif's V-E Day celebration on May 8 as well, promising to respect a police ban on political slogans. They planned to lay a wreath at the local war memorial and then disperse. On reaching the center of town, however, some people in the crowd brought out small British, American, and French flags amid shouts of "long live Messali," "long live free and independent Algeria," and "down with colonialism." At least one man waved the green-and-white Algerian national flag. The commissioner of police, with only a few officers at his disposal, reluctantly decided to intervene. In the ensuing scuffle a spectator was shot, possibly by a panic-stricken police officer.

By noon, the rumor of what some saw as a holy war spread east as well as north to the Babor Mountains. During the night, armed Muslims rampaged through the isolated villages and farms, cutting power lines, breaking into railroad carriages, and setting fire to public buildings. Guelma, a major town about 165 miles to the east, was encircled by a mob on May 9. Encouraged by events in Sétif, Muslim mobs went out of control and committed atrocities on helpless Europeans of all ages, sometimes mutilating the victims' bodies. The prefect of Constantine called on Yves Chataigneau, the governor general, to

send in the army. Violence continued for five days, spreading to settlements such as Sillegue, El Ouricia, LaFayette, Chevreur, Perigotville, and Kerrata. More than one hundred European men, women, and children were killed, one-third of them petty government officials, symbols of French presence in Algeria.

The army, called in after five days, restored order in Constantine. Rather than bringing the culprits of the mob violence to justice and punishing the guilty, a policy of reprisal was adopted and hastily put into operation. The governor general gave the orders for repression, so Charles de Gaulle, head of the French government, was presumably kept informed and must have had some responsibility for the army actions.



Charles de Gaulle. (Library of Congress)

The retaliatory army actions meant to protect and perhaps avenge the Europeans have been described as a veritable massacre. Martial law was declared in Constantine. An army of about ten thousand Senegalese and Legionnaires was given almost a free hand to clean up an area roughly between the cities of Sétif and Guelma extending north to the coast. This force rounded up hundreds of Muslims, summarily executing anyone suspected of any crime as well as anyone found without the identity brassard prescribed by the army. Interrogations using violent methods were often held in public. Indiscriminate aerial and naval bombardments added to the death tolls, especially those of the innocent. On a single day, the French Air Force P-39 and B-26 airplanes flew three hundred sorties. Such repeated punitive operations destroyed many *machtas*, or Muslim settlements, particularly between Guelma and the coast. French naval units from the Gulf of Bongui repeatedly shelled the coastal settlements at close range.

Arms were distributed to the Europeans as an added measure to ensure their safety. The Europeans quickly formed vigilante groups and roamed the countryside meting out their own justice. More than two hundred Muslims were shot in Chevreul. Victims of the vigilantes were often old men, women, and children. The victims' bodies were sometimes mutilated and their homes were often destroyed.

Estimates of the death toll ranged from a few hundred to nearly fifty thousand. Official European casualties were eighty-nine dead and 150 injured. French army officers involved gave a moderate estimate of between six thousand and eight thousand Muslim dead. The Algerian national press put the figure at fifty thousand dead, and *The New York Times* estimated about eighteen thousand Muslims dead. One plausible explanation for these wide discrepancies was the large number of Muslims who fled their villages once the army action started, thus depleting their ranks temporarily.

Apart from the activities of the vigilante groups, the army made wholesale arrests of suspects, some of whom were only remotely connected to Sétif and the mob violence there. These arrests posed a major threat to Muslims' personal freedom. Ferhat Abbas, who visited the governor general to congratulate him on the allied victory over Germany, was arrested inside the governor general's mansion. His AML was banned soon afterward. Messali Hadj's party bore the brunt of the arrests. Of about forty-five hundred arrested in the aftermath of the Sétif incident, about one hundred were given the death penalty, and sixty-four were given life sentences.

France, along with the rest of Europe, was busy with victory celebrations, and major French newspapers played down the extent of violence in Constantine. De Gaulle himself dismissed the events as insignificant.

Impact of Event

Tension built upon the inferiority of Muslim wealth and status within the colonial system erupted into violence in Sétif. The official inquiry committee on Sétif, which never published a final report, mentioned in its provisional report the resentment toward an unjust system felt by those Muslims who returned to Algeria after working in more egalitarian environments outside the country. Their resentment found a sympathetic reception among others.

The repression led to expression by poets and politicians alike. Poet Kateb Yacín, who was then sixteen years old, spoke about his first feelings of nationalism. Ben Bella, the revolutionary leader who was returning to Algeria after serving with the French army, was aghast at the sight of the bloody repression. Hardly any nationalists believed any longer that changes in the colonial system could be accomplished through reform.

In terms of long-run political consequences and human rights in Algeria, no result of the violence in Sétif was as important as the resolve of groups of young men to fight colonialism by every means at their disposal. Insecurity of life and property and violation of personal freedom became common experiences for many after the outbreak of revolution in November, 1954. Torture as a means of eliciting information from suspects became such common practice that at one point in 1957 a proposal was made to approve its use by the French army.

The French tried to stem the growing tide of Algerian nationalism by granting some political rights. In addition to allowing French citizenship to limited numbers who did not have to relinquish their rights under Koranic laws, a privilege that had been granted to a few beginning in 1944, the French gave voting rights to women, recognized Arabic as another official language along with French, and brought the tribes in the southern high plains under civilian rule for the first time. In September, 1947, dual electoral colleges were introduced for the Algerian assembly, one for the French minority and another for Muslim French subjects. Artificial parity between the two in representation, however, allowed the French to maintain official control, vitiating the purpose of representation. Confidence in French goodwill further eroded after the 1948 assembly elections, in which widespread official use of gerrymandering and other kinds of fraud resulted in a landslide victory of official candidates over the nationalists. The governor general, appointed by the French Ministry of Interior, retained the ultimate control over administration.

The Bandung Conference of Nonaligned Nations called upon France in April, 1955, to implement Algeria's right to independence. American official

policy under President Dwight Eisenhower was to avoid antagonizing France, a North Atlantic Treaty Organization (NATO) ally. Upon John F. Kennedy's ascent to the U.S. presidency, U.S. military aid to France was reduced to a fraction of its 1953 volume. France sought to maintain its former ties with Algeria after an initial period of readjustment. For example, France gradually absorbed about one million Algerian workers into its expanding economy during the 1960's and 1970's. The revolt at Sétif thus marked the initial stage of Algerian revolution, starting the period of resistance to France's massive efforts to retain Algeria within its political system.

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Japanese War Criminal Is Convicted

Category of event: Accused persons' rights; atrocities and war crimes

Time: October 29, 1945-February 23, 1946

Locale: Manila, the Philippines

The Yamashita case set the precedents that commanders are responsible for their troops' actions and that captured soldiers are not protected by the U.S. Constitution even after hostilities end

Principal personages:

TOMOYUKI YAMASHITA (1885-1946), the Japanese general who attempted to defend the Philippines from Allied invasion in World War II

DOUGLAS MACARTHUR (1880-1964), the supreme commander of the Allied Powers in the Pacific at the time of the Yamashita trial

RUSSEL B. REYNOLDS (1894-?), the U.S. Army major general in charge of the Sixth Service Command based in Chicago and the president of the commission that tried Yamashita

Summary of Event

General Tomoyuki Yamashita, the "Tiger of Malaya," had a distinguished career before World War II that became even more distinguished during the war. The most brilliant of his achievements was a ten-week campaign down the Malay Peninsula that led to the fall of Britain's "invincible" fortifications at Singapore on February 15, 1942. Despite Yamashita's success and immense popularity in Japan after this event, General Hideki Tōjō, Japan's prime minister, sent Yamashita into virtual exile in Manchuria. The reason for Tōjō's animosity is unknown, but it may have resulted from Yamashita's reputation as a moderate and his opposition to beginning the war. In 1929, Yamashita had gone so far as to suggest that the Japanese army should be reduced to a size adequate only for defense.

In October, 1944, new rules in Tokyo sent Yamashita to command the Fourteenth Army Group in the Philippines. By that time, the Japanese situation in the Philippines was desperate. Ten days after Yamashita arrived, American troops landed at Leyte, and Yamashita had little choice but to retreat to the mountains of Luzon. Allied naval victories and air supremacy cut off Japanese supplies and communications, placing the Japanese in a hopeless situation.

Upon hearing a radio broadcast from Japan announcing defeat, Yamashita ordered his troops to surrender unconditionally and surrendered himself on September 3, 1945. General Douglas MacArthur, in Tokyo, appointed a commission of five U.S. Army generals to try Yamashita for war crimes as quickly as possible.

On October 29, 1945, Yamashita's trial opened. The charge against him was that troops under his command had committed atrocities. These were of three kinds. In the first category were atrocities committed in Manila during February of 1945, just before the Americans took the city. The troops in Manila were naval forces placed under Yamashita's tactical command in January, 1945; they remained under the administrative command of the navy. Although Yamashita ordered them to abandon the city twice, the admiral in Manila chose to obey a naval order to stay and destroy the harbor facilities. This decision doomed the troops, and they knew it. About twenty thousand soldiers ran berserk, raping and pillaging until American artillery destroyed central Manila at point-blank range.

A second group of atrocities occurred outside Manila, mainly in the district commanded by Colonel Masatoshi Fujishige. Fujishige was proud of the fact that there were no rapes in his area, but he did order the destruction of villages in an attempt to stop guerrilla actions. He stated that he ordered his troops to kill anyone who opposed them, including women and children. In defense of this policy, he told how a child had thrown a hand grenade at him. He said the policy was his, and that he had not reported his actions.

The defense wanted to remind the commission of the case of American brigadier general Jacob H. Smith, who had ordered his troops to conduct a punitive expedition against Philippine guerrillas in 1901. Smith had said, "I want no prisoners. . . . The more you kill and burn, the better you will please me." Everyone over ten years old was to be killed. A court-martial for breach of discipline sentenced Smith merely to be reprimanded by his superior. No such allusions were allowed, however, as the commission specifically warned the defense lawyers not to present any cases of misconduct by American troops.

A third category of offenses was the mistreatment of prisoners of war in violation of the Geneva Convention of 1929 requiring that prisoners receive the same rations as their captors. Many witnesses testified that they received insufficient food, but it was fairly easy for the defense to establish that Japanese soldiers were no better fed because of the American blockade and poor transportation. The prosecution concentrated on the so-called "Palawan Incident" of December 14, 1944, in which a local Japanese commander had 142 American prisoners killed. Yamashita did not take command until three weeks after this

incident occurred, but the prosecution argued that he should have known about it and done something about it.

In general, the defense contended that Yamashita knew nothing of these incidents and could have done nothing about them had he known. By the time he took command, communications were so bad that he was isolated from the troops he nominally commanded. His lawyers argued that he was being tried for who he was rather than anything he did. There was no proof that he ordered any atrocities or knew of them. The prosecution argued that he must have heard about some atrocities, because there had been so many.

Conduct of the trial by General Russel Reynolds bore only faint resemblance to normal courtroom proceedings. The commission, none of whose members were lawyers, ignored rules of evidence and law by allowing hearsay testimony, unsupported affidavits by absent witnesses—despite an act of Congress prohibiting them—and propaganda films to be submitted as evidence. They cut short defense cross-examination for the sake of speed and threatened the defense attorneys with retribution for slowing down the proceedings with objections.

It was not much of a surprise to anyone when the commission found Yamashita guilty on December 7, 1945, and sentenced him to hang. The defense lawyers feared that MacArthur would order Yamashita's execution before the U.S. Supreme Court could agree to hear the case. MacArthur did refuse a suggestion to delay the execution and announced his intention to proceed on the grounds that the Supreme Court had no jurisdiction over him, but the secretary of war ordered him to delay the execution.

Yamashita's appeal noted that the Commonwealth of the Philippines was not an occupied territory like Germany or Japan, and that he should be tried in civilian courts. His attorneys also said that the unusual circumstances of war had passed with the surrender of Japan, making military courts unnecessary. Their strongest argument was probably that the trial had been conducted in an improper manner.

Unlike the Nuremberg Trials, the Yamashita trial was not in the hands of an international tribunal. It was the sole responsibility of the United States, and U.S. law applied. Eight justices of the Supreme Court heard the case and gave their opinions on February 4, 1946. Six of them declared in the majority opinion that the military commission did have the right to try Yamashita, because the war was not technically over until a treaty was signed. They dismissed the case against the irregularities in procedure by saying that it was up to the military authorities to review the case and make any corrections. Justice Frank Murphy and Justice Wiley Rutledge dissented strongly. Both delivered scath-

ing denunciations of the commission and the “vacuity” with which it handled the case. They also agreed that Yamashita was being punished for who he was and not for anything he had done.

President Harry Truman denied an appeal by the defense attorneys. Yamashita was hanged on February 23, 1946.

Impact of Event

Even at the time of Yamashita’s trial and execution, many people saw the dangers of the precedent being set. In his dissenting minority opinion, Justice Murphy said:

In my opinion, such a procedure is unworthy of the traditions of our people or of the immense sacrifices that they have made to advance the common ideals of mankind. The high feelings of the moment doubtless will be satisfied. But in the sober afterglow will come the realization of the boundless and dangerous implications of the procedure sanctioned today. No one in a position of command in an army, from sergeant to general, can escape those implications. Indeed, the fate of some future president of the United States and his chiefs of staff and military advisers may well have been sealed by this decision.

Justice Rutledge ended his dissenting opinion with a quotation from Thomas Paine: “He that would make his own liberty secure must guard even his enemy from oppression; for if he violates this duty he establishes a precedent that will reach himself.”

The fate of no U.S. president has been sealed by the Yamashita decision, but it has caused considerable embarrassment for some. During the war in Vietnam, several opponents of U.S. policy suggested that the various atrocities committed by U.S. troops were the responsibility of their commanders, up to and including the commander in chief.

Bertrand Russell and Ralph Schoenman conducted the International War Crimes Tribunal in 1967 and 1968 in an attempt to convince the world that the United States was guilty of war crimes in Vietnam. The hearings in Stockholm came to nothing because the proceedings were biased, but accusers based their contention that President Lyndon B. Johnson was responsible for atrocities in Vietnam on the Yamashita precedent. One historian of these events wrote, “While collective guilt, like the notion of original sin, may have a place in theology, it is not part of Anglo-American jurisprudence. Here guilt is always personal, and if all are guilty then in effect nobody is guilty.” The Yamashita case introduced another principle into American jurisprudence. Someone, preferably the highest-ranking person, must pay even if all are guilty.

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Nazi War Criminals Are Tried at Nuremberg

Category of event: Accused persons' rights; atrocities and war crimes

Time: November 20, 1945-October 1, 1946

Locale: Nuremberg, Germany

The Nuremberg Trials of twenty-two Germans accused of war crimes resulted in the conviction of nineteen of the defendants and provided thorough documentation of Nazi crimes against humanity

Principal personages:

ROBERT H. JACKSON (1892-1954), the chief American prosecutor

GEOFFREY LAWRENCE (1902-1967), the president of the tribunal

HERMANN GÖRING (1893-1946), the designated successor of Adolf Hitler until April, 1945, and the creator of the Gestapo

ALBERT SPEER (1905-1981), the minister of armaments who relied on slave labor to increase war production

WILHELM KEITEL (1882-1946), the chief of Hitler's high command between 1938 and 1945

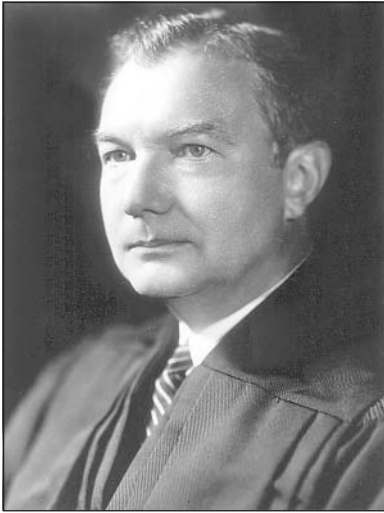
ALFRED ROSENBERG (1893-1946), the chief Nazi ideologue and Reich minister

HANS FRANK (1900-1946), the governor general of Poland after 1939, whose diary recorded Nazi crimes

ERNST KALTENBRUNNER (1903-1946), the head of the Reich Main Security Office who was responsible for the administration of the "final solution" after January, 1943

Summary of Event

The war that Adolf Hitler launched in 1939 was not simply another military conflict involving territorial and economic disputes growing out of traditional international conflicts. Rather, it was an attempt by the Nazi leadership to exploit or exterminate a large number of religious and ethnic groups in Europe classified as "racially inferior." By 1942, the Allied leaders had decided that Nazi crimes demanded retribution. The next year, the Allies formed a United Nations war crimes commission to collect evidence of the activities of war criminals. After reconquering Kharkov in 1943, the Soviet army tried and executed several German officers for committing war crimes against the Soviet popula-



U.S. associate justice Robert H. Jackson served as chief of counsel for the prosecution at Nuremberg. (Collection of the Supreme Court of the United States)

tion. The Moscow Declaration of 1943 stated that after the conflict, Germans accused of war crimes would be returned to the countries in which their crimes had been committed and that major Nazi war criminals would be placed before an international tribunal.

Much of the responsibility for designing the mechanism and procedure that would eventually result in the Nuremberg tribunal rested on American shoulders. The U.S. secretaries of war and state initiated plans for a trial. They faced the opposition of the U.S. secretary of the treasury, Henry Morgenthau, and the British leaders Winston Churchill and Anthony Eden, who demanded the summary execution of Nazi war criminals. In October, 1944, Joseph Stalin expressed his support of a trial, and

by January, 1945, U.S. president Franklin D. Roosevelt had also become convinced of the necessity of a judicial process. After Roosevelt's death, President Harry Truman appointed Robert H. Jackson, an associate justice of the U.S. Supreme Court, as "Chief of Counsel for the prosecution of Axis Criminality." Jackson worked out the details for the trial in collaboration with other Allied representatives in London. On August 8, 1945, the Charter of the International Military Tribunal was issued in London, providing the legal basis for the prosecution of Nazi war criminals.

Nuremberg was selected as the site for the trial. The city was able to provide the essential facilities, since its palace of justice had survived Allied air attacks. In addition, Nuremberg had a symbolic significance, since it had hosted yearly Nazi Party rallies. A tribunal of eight judges was created, representing the United States, Great Britain, France, and the Soviet Union and presided over by the British judge, Geoffrey Lawrence. Only the four senior judges were permitted to vote on sentences and on guilt or innocence. Each of the four Allied countries provided a prosecuting team in charge of specific tasks. Twenty-two Nazi leaders, including both civilian and military officials, were indicted. The

defendants faced either all or a combination of the following four major charges: crimes of conspiracy, crimes against peace, crimes against the rule of war, and crimes against humanity. In addition, six organizations were charged. These included the Gestapo, the Schutzstaffel (SS), the Nazi Party leadership corps, the Reich Cabinet, the Sturm Abteilung (SA), the general staff, and the military high command. Based on a massive amount of documentation that came primarily from Nazi sources, the prosecution presented its case between November 20, 1945, and March, 1946. The defense was faced with the difficult task of having to refute documentary evidence that frequently had been created by the various defendants themselves. On October 1, 1946, the judges rendered their verdicts, pronouncing twelve death and seven prison sentences. Three of the defendants were freed. Three organizations, the SA, the Reich Cabinet, and the military high command, were found not to be criminal organizations, while the SS, the Nazi Party leadership corps, and the Gestapo were found guilty of a variety of crimes. Hermann Göring escaped execution by committing suicide, and nine other war criminals were hanged on October 16, 1946.

The written and oral record of the trial revealed a shocking history of Nazi crimes against Jews, Gypsies, Poles, Russians, and numerous other segments of European society defined as inferior by the Nazis. Most of the individuals tried and convicted at Nuremberg represented major criminal organizations that carried out these crimes. Göring, Hitler's designated successor until late April, 1945, and the creator of the Gestapo in 1933 in Prussia, was the leading surviving representative of the Nazi hierarchy. Although he held a number of official titles, as plenipotentiary for the Nazi Four Year Plan he had been responsible for the brutal exploitation of Europe for Nazi economic gains. In addition, in the summer of 1941 he had delegated to Reinhard Heydrich the task of preparing a plan for the "final solution" of the Jewish problem that resulted in the infamous Wannsee conference in Berlin in January, 1942. Albert Speer, the minister of armaments, played a key role in increasing German military production after 1942 by exploiting European slave labor. Perhaps as many as four million workers from Eastern Europe perished in German factories and work camps.

Nazi war crimes and crimes against humanity expanded exponentially after the invasion of Poland in 1939 and particularly after the attack on Russia in June, 1941. Beginning in 1939, thousands of Germans suffering from mental and physical defects were murdered by medical technicians. After the conquest and partition of Poland, Hans Frank was appointed governor general of that country. His diary reveals the full horror of German occupation that af-

fected both Jews and Poles. The Nazis made every effort to exterminate the Polish intellectual and cultural elite. Before the invasion of Russia, the chief of the German high command, Wilhelm Keitel, agreed to issue orders to the troops that authorized the extermination of captured Soviet commissars. As a result of the neglect of the German army, millions of Soviet prisoners of war perished in German camps. The total of Poles, Russians, and other Eastern Europeans who died as a result of starvation, shootings, and physical exertion may have reached nine million. In addition, 40 percent of Europe's Gypsies were murdered in extermination camps.

Ernst Kaltenbrunner, the head of the Reich Main Security Office, represented the SS organization at Nuremberg. After assuming office in early 1943, Kaltenbrunner became responsible for the Nazi police and extermination forces. The most notorious Nazi crimes against humanity involved the systematic murder of six million Jews. Beginning with the invasion of Russia, SS security forces executed thousands of Jews in Eastern Europe. By the spring of 1942, extermination camps with gas chambers were in operation. Jews were rounded up in all parts of Europe and sent to extermination camps in Eastern and Central Europe, particularly the Auschwitz-Birkenau complex. The commander of that extermination camp vividly described the brutal process during the Nuremberg Trials. On April 18, 1946, the defendant Hans Frank declared that a thousand years would not erase German guilt for these crimes.

The tribunal clearly appreciated the nature of these crimes. Nineteen of the twenty-two defendants were found guilty.

Impact of Event

The most immediate impact of the Nuremberg Trials was the punishment of at least some leading Nazis and German military leaders for crimes committed by the Third Reich. Although the Soviet Union, which under Joseph Stalin committed crimes against both peace and humanity, was represented on the tribunal, the indisputable fact remained that most of the Nuremberg defendants deserved punishment. Subsequent trials by the American military authorities between December, 1946, and March, 1949, resulted in the conviction of one hundred fifty additional war criminals ranging from industrialists to medical doctors. After West Germany regained much of its autonomy in the mid-1950's, German courts continued legal proceedings against war criminals. In 1958, the West Germans established a special investigative center in Ludwigsburg in order to bring war criminals to trial. Seven years later, the German statute of limitations for murder was extended.

The trial produced an immense amount of documentation of German mil-



Former high-ranking officials of the Third Reich listen to testimony during their trial.
(National Archives)

itary and civilian war crimes. It clearly demonstrated to the German public and the world the full extent of Nazi war crimes. In an effort to atone for German crimes against European Jews, Konrad Adenauer, the West German chancellor after 1949, concluded an agreement with representatives from Israel that provided for sizable German payments to that state. Unfortunately, Gypsies and former slave laborers from Eastern Europe had much less success in obtaining compensation from the German state. In addition, before its demise as an independent state in 1990, the German Democratic Republic (East Germany) refused to accept any responsibility for crimes committed during the Third Reich.

The long-term impact of the Nuremberg Trials has been much less spectacular. In 1946, the General Assembly of the United Nations passed a resolution that accepted the principles of international law produced by the Nuremberg Trials. In addition, article seven of the United Nations charter called for an international court of law. The United Nations, however, was unable to produce an acceptable code of crimes against peace and security. By 1953, the United Nations special committee gave up its efforts to establish an international criminal court to enforce Nuremberg's legal principles.

Unfortunately, the Nuremberg principles could neither deter violations of human rights nor prevent an increasing number of genocides around the world, including those in Cambodia and Burundi. An outstanding example of the failure of Nuremberg to prevent state racism was the system of apartheid established in South Africa after 1947.

The Nuremberg Trials have been cited by a variety of partisan spokespeople defending opposite views. For example, during the Vietnam War, General Telford Taylor, a former U.S. prosecutor of Nazi war criminals, suggested that United States actions in Vietnam violated Nuremberg principles. This view was echoed by a “war crimes trial” organized in Stockholm, Sweden, by Bertrand Russell, the famous British philosopher. At the same time, spokespeople for President Lyndon B. Johnson argued that the United States was enforcing in Vietnam the Nuremberg principles against aggression.

On a positive side, U.S. Supreme Court Justice Robert Jackson maintained that he was greatly influenced by his experience at Nuremberg. He claimed that he voted to abolish state-enforced school segregation in the American South in 1954 because he had seen at first hand the results of race prejudice. If nothing else, Nuremberg will remain as a constant reminder of the inhumanity of Nazism.

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Johnpeter Horst Grill

HUAC Investigates Hollywood

Category of event: Accused persons' rights; political freedom; workers' rights

Time: 1947

Locale: Washington, D.C.

A strong anticommunist storm gathered in the United States that culminated in the purge of Hollywood's liberal community by the House Committee on Un-American Activities (HUAC)

Principal personages:

MARTIN DIES (1901-1972), a Democratic congressman from Texas who chaired the House Special Committee on Un-American Activities from 1938 to 1944

J. PARNELL THOMAS (1895-1970), a Republican congressman from New Jersey who was a member of the Dies committee in 1938 and who became the chairman of HUAC in 1945

HARRY S. TRUMAN (1884-1972), the thirty-third president of the United States (1945-1953)

Summary of Event

In 1938, nine-year-old film star Shirley Temple was accused of being a dupe of the Communist Party because she had waved at a group of communist journalists while in France. This was not an aberration; it was a logical outcome of the right- and left-wing extremism that infected the United States at the time.

During times of intense crisis, Americans have been prone to hunt for scapegoats to explain their troubles. Having correct ideas is used as a measure to prove that a person is indeed "100 percent American." Extremists on both the right and left vie to have their ideas become the moral law of the land. Purges ("witch-hunts"), flag waving, and a decreased tolerance for any form of dissent that might jeopardize the status quo are symptoms of such epochs.

Anticommunist, and generally antforeign, sentiment rose during World War I and continued to find support into the 1920's. This sentiment was expressed in legal action against foreigners such as the Palmer Raids and several acts limiting immigration into the United States. Groups such as the Ku Klux Klan, with their message of intolerance of "foreign" or different peoples and ideas, flourished.

In 1934, Representative Samuel Dickstein proposed that a permanent committee be established to investigate what he called “un-American activities.” On May 26, 1938, the U.S. House of Representatives authorized a special committee to investigate un-American activities. Martin Dies chaired the committee; he was assisted by his former clerk, Robert E. Stripling, as counsel, and by Representative J. Parnell Thomas and others. During the first days of the committee’s existence, 640 organizations, 483 newspapers, and 280 labor unions were accused of un-American activities. The patriotism of the Boy Scouts, the Camp Fire Girls, and Shirley Temple was questioned. When the committee could find no communists more substantial than such long-dead playwrights as Christopher Marlowe and Euripides, it quickly lost credibility. Nevertheless, a similar lack of knowledge about Marxism and communism continued to underlie HUAC inquests.

The Dies Committee did contribute heavily to Congress’s June 1, 1939, elimination of the proposed Federal Theatre from President Franklin Delano Roosevelt’s New Deal. The committee’s lessons were not forgotten: Show business people were easy targets, and targeting Hollywood brought instant media attention. The Dies Committee also established the tactics that were used by HUAC, Senator Joseph McCarthy, and others after World War II: sensational press releases; secret, fabricated lists of “known” communists; attacks on anything liberal; and “proof” in the form of gossip, illogic, and association with a touch of truth.

Attacks on communism diminished during World War II, because the Soviet Union was one of the Allied Powers. As part of the war effort, *Song of Russia* (1944) and other pro-Soviet films were made at the War Department’s request. *Song of Russia* was denounced in the 1947 HUAC hearings because it showed happy, smiling people in the Soviet Union.

After World War II, the U.S.-Soviet alliance dissolved. Republicans and ultraconservative groups assaulted communism anew. President Harry S. Truman announced the Truman Doctrine, an anticommunist foreign-aid effort, on March 12, 1947, to blunt Republican charges that he was soft on communism. The State Department was purged of alleged communists, and Truman established a peacetime security-loyalty program. U.S. attorney general Tom Clark compiled a list of organizations espousing communist, fascist, totalitarian, or subversive ideas to be used internally to determine which government employees should be investigated. The list was published and quickly became HUAC’s primary source document.

On October 20, 1947, a subcommittee of HUAC opened its first postwar hearings. Because of prehearing publicity, more than one hundred news agen-



The Hollywood Ten. (Museum of Modern Art/Film Stills Archive, New York)

cies were present, along with three major radio networks and eleven newsreel and television cameras stationed above the witness table. The committee was chaired by J. Parnell Thomas, and Robert E. Stripling served as chief counsel. Other members of note were Representatives Richard M. Nixon and John S. Wood, who became HUAC's chair in 1950. Friendly witnesses, mainly studio executives, were called the first week. During the second week, nineteen witnesses, mainly writers, were subpoenaed. Ten witnesses said that the proceedings themselves were un-American and un-Constitutional. These ten became known as the "Hollywood Ten" or the "Unfriendly Ten." (The Hollywood Ten were writers Alvah Bessie; Lester Cole; Ring Lardner, Jr.; John Howard Lawson; Albert Maltz; Sam Ornitz; and Dalton Trumbo, in addition to directors Herbert Biberman and Edward Dmytryk and writer-producer Robert Adrian Scott.) The ten claimed the right to free speech as their defense for their actions. Hollywood's entertainment community loudly supported the ten's

First Amendment rights. The ten were liberal, and all had some affiliation, however cursory, with the Communist Party.

On November 24, 1947, Congress voted to cite the Hollywood Ten for contempt. Immediately, fifty top studio executives met at the Waldorf-Astoria Hotel in New York City to determine their position regarding the ten. Eric Johnson, the president of the Motion Picture Association of America, read the Waldorf Declaration: The Ten would be suspended without pay, and from that point forward, no studio would “knowingly” employ anyone associated with the Communist Party.

A congressional investigatory committee has two primary functions: to secure information needed to create legislation and to oversee the executive branch’s activities. These committees have no direct legislative or judicial functions. HUAC in effect performed both functions, and in so doing castrated the civil rights of subpoenaed witnesses. Witnesses were not allowed to meet or cross-examine their accusers, no exclusionary rules regarding hearsay evidence were used, and witnesses were not allowed due process. Eight of the ten were writers, but the committee produced no evidence that they had written anything that was subversive or that called for the violent overthrow of the U.S. government. The committee never documented any evidence of communist infiltration of the movie industry, and even if it had, membership in the Communist Party was not illegal. Nevertheless, without judge or jury, the Hollywood Ten were tried and sentenced.

If the committee had been serious about its attempt to root communism out of the film industry, it could have succeeded. The contributions of highly paid Hollywood artists to Communist Party causes were known but not investigated. Thomas contended that he had a list of seventy-nine prominent communists in his files, but only the Hollywood Ten were prosecuted.

Thus, the subpoenaing of entertainment people was not done to support legislation (none was ever proposed). None of the witnesses were government employees, so the attorney general’s list should not have been utilized. The Hollywood Ten were judged guilty because their thoughts were improper. They were convicted of contempt because they refused to answer the committee’s questions the way the committee wanted them to.

In 1950, after the Supreme Court refused their last appeals, the Hollywood Ten went to jail for at least a year apiece. Ring Lardner, Jr., and Lester Cole were sent to the federal prison in Danbury, Connecticut—as was J. Parnell Thomas, who in 1948 had been convicted of a payroll scam. Lardner was made a stenographer in the classification and parole office; Thomas was made caretaker of the prison’s chicken yard.

Impact of Event

Between March, 1947, and December, 1952, some 6.6 million people were checked by Truman's security program. No espionage was discovered, but some five hundred people were dismissed from government-related jobs.

Alger Hiss was convicted in January, 1950, of perjury in a highly publicized and sensational trial. In February, the British uncovered massive espionage that eventually led to the execution of American spies Julius and Ethel Rosenberg. Senator Joseph McCarthy began his campaign for reelection by using his attack on communism as his stepping-stone to power. In June, the Korean War began, and three former Federal Bureau of Investigation agents published *Red Channels: The Report of Communist Influence in Radio and Television* (1950), which became the bible of blacklisting.

HUAC's Hollywood investigation began again in 1951. Blacklisting—for ridiculing HUAC, for being subpoenaed, or for unknowingly being on the list that Hollywood studios and professional guilds claimed did not exist—became institutionalized. A suspected communist could not get work without publically naming names and recanting supposed sins, thereby receiving absolution from the committee.

Not only did Hollywood not support its own, but no one else did either. No one questioned the right of the committee to exist or to do what it was doing, not the press, not the American Civil Liberties Union, and not the Anti-Defamation League of B'nai B'rith or the Hollywood-based American Jewish Committee. Ten of the nineteen subpoenaed were Jews, as were six of the ten who were indicted.

The blacklisted went underground and set up their own networks. "Clean" writers' or fictitious names were put on scripts. Only the Hollywood community knew that Maltz wrote *The Bridge on the River Kwai* (1957) and *The Robe* (1953) or that Trumbo wrote *Roman Holiday* (1953), *Cowboy* (1958), and *The Brave One* (1956). *The Brave One* won an Oscar that no one claimed until 1975. A mystique developed around the blacklisted writers. As a result, more and more work came to them.

The blacklist had a chilling effect on social criticism. In 1947, 28 percent of all movies dealt with social issues; in 1949, only 18 percent did. By 1954, only about 9 percent of all films dealt with social problems. In 1953 and 1954, the U.S. Supreme Court made two rulings that finally protected witnesses from the abuses experienced by the Hollywood Ten and others caught up in the anticommunist sweep.

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Dixie Dean Dickinson

La Violencia Begins in Colombia

Category of event: Atrocities and war crimes; indigenous peoples' rights; political freedom

Time: 1948

Locale: Colombia

The Dance of the Millions (rapid economic expansion) led to political unrest among rural people that exploded into violence with the assassination of populist leader Jorge Eliécer Gaitán in 1948

Principal personages:

JORGE ELIÉCER GAITÁN (1898-1948), a leftist champion of the rural poor
LAUREANO GÓMEZ (1889-1965), a Conservative Party leader and president from 1950 to 1953

MANUEL QUINTÍN LAME (1883-1967), an Indian activist who started a grass-roots movement in the 1920's

GUSTAVO ROJAS PINILLA (1900-1975), a general who seized power in 1953 at the height of the violent unrest

ALFONSO LÓPEZ PUMAREJO (1886-1959), a Liberal Party leader, president from 1934 to 1938 and 1942 to 1945

Summary of Event

Jorge Eliécer Gaitán was the symbol of hope for the rural poor of Colombia. In a nation torn by decades of partisan strife, the assassination of this populist leader on a street in the nation's capital, Bogota, brought a wave of revulsion against the Conservative government then in power. An enraged mob beat the assassin to death minutes after Gaitán fell. The existence of a plot behind the assassination has never been proven, but the immediate consequences of Gaitán's death were obvious. The international delegation to the Ninth Pan-American Conference, including United States secretary of state George C. Marshall, watched with a mixture of fear and shock as violence overwhelmed their host city. The aroused masses directed their hostility against the incumbent Conservatives. Political outrage merged with urban violence to become a bloody civil war that spread into already unstable rural areas. Two hundred thousand people eventually died, and property damage was im-

mense. *La Violencia* (the violence) swept up displaced Indians and dispossessed mestizos (a biological or cultural mixture of Indian and European) who had been struggling to survive for decades. The death of their champion darkened already dim hopes for recovery from the ravages of years of disruptive economic change.

Gaitán's death was not the sole cause of *La Violencia*. Its origins challenge even the most sophisticated analysis. Some perpetrators of violent acts were angry Liberal supporters whose frustrations from their defeat in Gaitán's presidential campaign in 1946 exploded with his assassination. Others were unbalanced types who took advantage of their nation's state of near anarchy to engage in criminal acts. A large number of the participants came from the rural poor, who attacked the Conservative government after having been driven to the margins of society by intrusive economic change.

The rapid economic expansion, or "Dance of the Millions," of the 1920's was an object lesson in economic overexpansion based on imprudent investments. Colombia found the economic means to recover from its disastrous civil war (1899-1902) and the painful loss of commercially important Panama (1903). The nation's productive coffee lands had found markets in the United States and Europe, and its petroleum potential rivaled those of Mexico and Venezuela. U.S. investors saw a bright future in the land of El Dorado, but they were mistaken. The worldwide depression of the 1930's spoiled their prognosis, and the repercussions of their massive injections of investment capital into coffee production contributed to the social and economic dislocations that spawned *La Violencia*.

By the early part of the twentieth century, the Indian population of Colombia had fared little better than the Native Americans of the United States. The Chibcha civilization, located around present-day Bogota, succumbed to Spanish conquest in the 1530's. The surviving Chibcha and other Indian groups became laborers in Spaniards' mines and on their *haciendas*. Only a few reservations, generally located in isolated zones to the south and east of the richer central mountain areas, provided havens for native communities. These reservations were segregated from the rest of Colombia and provided a subsistence living at best. By 1900, the Indian population amounted to less than 10 percent of the national total.

Under pressure from aggressive, land-hungry coffee planters in the early decades of the twentieth century, the Indians attempted to meet the challenges to their reservations and their cultural traditions. With the influx of foreign investments in the 1920's, the Dance of the Millions raced through the commercial centers of Medellín and Cali to the previously isolated mountains,

where the Indians had maintained their marginal existence. State and local governments, often in collusion with the coffee interests, revised the reservation laws to open the lands for sale in the private sector. Armed with a superior knowledge of the new regulations, an eager following among certain politicians, and large capital reserves, the planters took control of what had been Indian reservation lands and, in the process, reduced the Indians to tenant farmers, wage laborers, or homeless drifters.

Indians tried to resist commercial encroachments. Native leader Manuel Quintín Lame formed a militant resistance movement in Tolima and Huila provinces in south central Colombia. Although Quintín Lame was an Indian traditionalist, he collaborated for several years with communists to form an Indian community, San José de Indias, and to attempt to strengthen nearby reservations. His success was brief, however. In 1931, white landowners had him jailed and, after serving two years in prison, he returned to find San José de Indias destroyed and the future of the Indian people even more dismal than it had been a decade earlier.

Mestizos were a factor in Colombian history from the colonial era and, by the twentieth century, made up probably half of the nation's population. Unlike the isolated Indians, the mestizos were direct participants in the economy, serving as laborers on the coffee plantations and working as independent peasant farmers. In the last half of the nineteenth century, mestizo peasants moved to unoccupied areas in the southern mountain region of the country and cleared land for farming. They eventually formed squatter communities along this frontier, where they used simple farming techniques to produce corn, beans, and yucca for their own consumption and coffee, tobacco, and wheat for sale in markets. They produced a significant part of the food consumed in Colombia in the late 1800's and early 1900's. Each community centered on a chapel, a market, and perhaps a school or a local government building. The peasants' lives were hard and their work was difficult, but they had a sense of ownership and independence.

Unfortunately, their lives were beginning to change in ways that brought frustration and disappointment. The expansion of the large coffee plantations soon disrupted and, in some cases, destroyed many of the peasant communities. Using their legal and political connections to full advantage, coffee entrepreneurs secured title to peasant land and forced once-independent farmers to become tenants or wage laborers, or to be expelled from the land altogether. Peasants protested such usurpations but had only minimal success in the frenzied Dance of the Millions of the 1920's. In the depression-ridden 1930's, however, peasant protests spread from local communities into an ex-

pansive but amorphous national movement. The Liberal administration of President Alfonso López Pumarejo was sensitive to this unrest and passed Law 200, the nation's first land reform legislation. This law promised to make the national government the chief protector of small properties, but the enforcement of this statute in rural areas involved land surveys, property assessments, and other complexities that the powerful estate owners blocked or delayed.

The rural poor found a new leader in Jorge Eliécer Gaitán, who carried their cause much further than had either López Pumarejo or Quintín Lame. Gaitán was a mestizo whose law degree and political ambitions elevated him above his lower-middle-class background. Gaitán was a hypnotic speaker with a charismatic personality, and his dark, rugged visage was indicative of the Indian elements in his ancestry. He appealed to the mestizo, the Indian, and the urban worker, thereby attracting a following that posed a real challenge to the nation's landed elite. His ideology was a combination of populism and socialism in which the national government was to protect the disadvantaged against the onrush of commercial expansion. Gaitán maintained his appeal to rural folk from the early 1920's until his assassination in 1948. His campaign for the presidency in 1946 aroused the hopes of the mestizo and Indian masses, and his defeat was a devastating blow. The bitter rivalry between the Gaitán wing of the Liberal Party and the victorious Conservatives erupted in sporadic violence as early as 1946, but Gaitán's dramatic death ignited an explosion of violence unprecedented in Colombian history.

Impact of Event

The economic dislocations and human suffering caused by the "Dance of the Millions" of the 1920's and the depression of the 1930's were greatly intensified by the epidemic of bloodshed in *La Violencia*. From 1950 to 1953, the Conservative government of President Laureano Gómez became increasingly unstable as disorder spread into rural areas. Police and military units met stalemate and even defeat in their confrontations with antigovernment guerrillas. In 1953, Gómez went into exile as a general, Gustavo Rojas Pinilla, took charge in Bogota. The near paralysis of the national government left many rural districts without police protection. The exact causes of the violence that erupted under these conditions are too complex for easy generalization. Apparently much of the violence came out of local conflicts that varied from region to region. In the province of Boyacá it was rooted in the Liberal-Conservative animosity, in Antioquia it sprang from the struggle for control of the land, and in Tolima and the eastern plains it involved a mixture of economic and political motives. Roughly similar conditions of widespread disorder in Mexico from

1910 to 1940 had opened the way for social revolution, but in Colombia violence and disruption prevailed over organized political protest and structural reform.

The dictatorship of Rojas Pinilla generally attempted to impose military solutions in rural areas, but with little success. The army's battlefield victories were short-lived, as many guerrillas resorted to banditry in some cases in order to survive and in other cases to exact revenge. By the early 1950's, an ominous phenomenon appeared: roving groups of outlaws who plundered and murdered with no apparent motive beyond their own antisocial mentality. These unstable criminal elements inflicted a reign of terror on many defenseless rural communities.

The generations-old peasant struggle for land met another severe setback in *La Violencia*. Banditry mutated into land grabbing through violence and threats of violence. Small farmers abandoned nearly four hundred thousand parcels of land in order to protect themselves and their families. Although the fate of these farm properties is difficult to determine in every case, large estates gained considerable quantities of land in this process. Colombia lost an important part of its independent productive peasantry in these years.

The impact of the tumultuous four decades that spanned the Dance of the Millions of the 1920's and *La Violencia* of the 1940's and 1950's on the lives of Colombia's Indian and mestizo peoples gives little cause for optimism. Although the reservation Indians and the mestizo peasants of the early twentieth century did not enjoy anything approaching an idyllic existence, they were developing means of coping with the spreading commercial economy. The surge of coffee expansion in the 1920's, however, often deprived them of land, and the civil war of the 1940's and its transformation into random, criminal violence left many of them on the edge of survival. Several of the small rural communities formed by settlers a half century earlier disintegrated.

One source of hope was the 1957 formation of the National Front, a coalition of Liberal and Conservative leaders that began to search for a land reform formula to satisfy the needs of the rural masses. Unfortunately, the formula proved to be elusive. Some peasants achieved a modicum of prosperity and the National Front achieved a fragile political stability, but neither of these accomplishments could surmount Colombia's basic rural problems. In regions where violence had been most intense, many of the brutalized, the dispossessed, and the homeless became aggressive, antisocial individuals who expended their energies in outbursts of civil unrest and, during the 1970's and after, in the international drug trade.

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John A. Britton

Palestinian Refugees Flee Israel

Category of event: Immigrants' rights; indigenous peoples' rights; refugee rights

Time: 1948

Locale: Palestine

Four hundred thousand Palestinians were driven from their homeland after the first Arab-Israeli war in 1948, joining those who fled to safety after the U.N. vote to create a Jewish state

Principal personages:

ARTHUR BALFOUR (1848-1930), the British foreign minister and author of the Balfour Declaration

COUNT FOLKE BERNADOTTE (1895-1948), the United Nations special mediator in charge of reconciling Arabs and Jews

HAJ AMIN AL-HUSSEINI (1893-1974), the British-appointed mufti of Jerusalem who became leader of the Palestine Arab Higher Command in 1935

CHAIM WEIZMANN (1874-1952), the chief Zionist delegate to the Paris Peace Conference and the first president of Israel

DAVID BEN-GURION (1886-1973), a principal leader of the Zionist movement in Palestine and Israel's first prime minister

Summary of Event

As World War I raged in the Middle East, Great Britain and France signed the Sykes-Picot Agreement in 1916 to divide the region into British and French zones of influence. Meanwhile, the British high commissioner of Egypt, Sir Henry McMahon, carried out diplomatic contacts with Hussein ibn Abdallah, emir of the Hijaz, whereby the British promised the Arabs independence if they joined the Allies against the Turks. On November 2, 1917, however, British foreign minister Arthur Balfour issued a declaration favoring the idea of establishing a Jewish national home in Palestine.

The Balfour Declaration stipulated that nothing would be done to harm the rights of the indigenous Arab population, at the time numbering nearly 575,000, or 92 percent of the population. Subsequent events proved otherwise. Violence was already foretold by the King-Crane Commission, dispatched

by U.S. president Woodrow Wilson in the summer of 1919 to investigate conditions of the region in preparation for the Paris Peace Conference.

The Zionist delegates at the conference argued that Great Britain, not France, should be given the League of Nations' mandate to rule Palestine. Having been supported by the Balfour Declaration, the Zionists were handed their second victory when the British were given the mandate to govern Palestine and when the preamble of the mandate contained a copy of the Balfour Declaration. Article 2 of the mandate gave the British responsibility "to place the country under such political, administrative and economic conditions as will secure the establishment of the Jewish national home." Article 4 called for the establishment of a Jewish Agency "as a public body for the purpose of advising and cooperating with the Administration of Palestine in such economic, social and other matters as may affect the establishment of the Jewish national home." The agency was allowed "to construct or operate, upon fair and equitable terms, any public works, services and utilities, and to develop any of the natural resources of the country." Thus, the British were constrained by their commitment to the idea of a Jewish homeland in Palestine from protecting the civil rights and nurturing the national aspirations of the indigenous population, as mandate powers were supposed to do.

A rural, largely peasant, society long ruled by the Ottoman Turks, the Palestinians entered the twentieth century ill-equipped to cope with the problems presented by the modern world. The traditional Palestinian leadership consisted mostly of urban notables, who failed to unite and to form an effective response either to the British or to the Zionists. Palestinian political parties were divided according to family or local, rather than national, interests. Furthermore, the Palestinians found themselves isolated as the Sykes-Picot Agreement took effect and the new Arab states fell under British and French colonial rule.

The imbalance in the benefits of the British mandate became manifest in the growing ability of the Zionist movement and the Jewish Agency to create an infrastructure for a future state, especially as Jewish immigration increased in the 1930's. Palestinians and their political parties became gravely alarmed as the institutional gap between the two communities widened. The parties set aside their differences and, in 1935, formed the Palestine Arab Higher Command, headed by Haj Amin al-Husseini. The Palestinians resisted the British and the Zionist program with a long general strike, followed by the 1936-1939 revolt. The weakness of the Palestinians, the might of the British troops, and the pressure applied by surrounding Arab governments combined to defeat the revolt.

The Zionist drive to establish a Jewish state in Palestine began to bear fruit. Already the Peel Commission, sent in 1937 to investigate the sources of Palestinian unrest, recommended partition of the country. The United Nations authorized the creation of the United Nations Special Committee on Palestine (UNSCOP) to investigate all questions and issues relevant to the Palestine problem and to make its recommendations to the United Nations by September, 1947. When UNSCOP finally submitted its findings to the U.N. General Assembly, it recommended partition of the country into a Jewish state and an Arab state and that Jerusalem become an international city. The Palestinians rejected partition on the grounds that it violated their rights, as it violated the provisions of the U.N. Charter. They pointed out that the proposed Jewish state included 56 percent of Palestine even though Jews were not in the majority. Also, Jews owned only 10 percent of the land in the proposed Jewish state. Despite the misgivings of some and the total rejection by others, the partition was passed on November 29, 1947.

The partition resolution guaranteed, in theory, the civil, political, economic, religious, and property rights of the Arabs who were to be included in the Jewish state. It stipulated, among other things, that no discrimination of any kind would be made among the inhabitants on the grounds of race, religion, language, or sex. In practice, it sparked a new wave of violence, as a result of which nearly three hundred thousand Palestinians fled their homes to safer areas before May 14, 1948, the date the state of Israel was proclaimed. A significant event in this period was the April 9 attack on the Arab village of Deir Yassin, on the outskirts of Jerusalem, where more than 250 men, women, and children were massacred. News of the massacre spread, raising the level of fear and panic among the population. Having already lost its leadership and having no institutional support, the Palestinian civil and political authority quickly collapsed. Villagers felt defenseless, and the numbers of those fleeing to safety accelerated. The exodus left some areas with no resistance to approaching Zionist forces. Tiberias fell on April 18, Safad on May 10, and Jaffa on May 13, 1948.

The armies of the Arab states finally entered Palestine on May 15. During the ensuing war, thousands more villagers fled to safety. On May 22, the United Nations ordered a cease-fire, which was affirmed on May 29. Intermittent truce violations and outbreaks of fighting led to another U.N. Security Council-sponsored cease-fire on July 15. Count Folke Bernadotte, the U.N. special mediator, was charged with the supervision of truce arrangements. In his attempt to reconcile the two sides, Bernadotte submitted plans for a settlement advocating the refugees' right to return home. He argued that "It would



David Ben-Gurion announcing the independence of the State of Israel on May 14, 1948. (Library of Congress)

be an offense against the principles of elemental justice if those innocent victims of the conflict were denied the right to return to their homes while Jewish immigrants flow into Palestine.”

On November 16, with no peace in sight and with more refugees being forced out of their homes, the United Nations ordered the establishment of an armistice in Palestine. Armistice agreements between Israel and its Arab neighbors were negotiated between February and July of 1949 with the mediation of Ralph Bunche, who became U.N. special mediator after Bernadotte’s assassination. By then, Israel controlled 77 percent of Palestine. Estimates of the total number of refugees range from 750,000 to 900,000. Most of them were forced under the care of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), established on December 9, 1949.

Impact of Event

The war of 1948 is regarded by the Palestinians as a catastrophe. They had become a shattered nation. Palestinians who remained under Israeli rule sud-

denly found themselves a defeated minority in their own land. Palestinian national authority was destroyed. The majority of Palestinians became stateless refugees, living in makeshift camps and depending on rations issued by the United Nations.

The Arab host countries were poor and underdeveloped. Their fledgling, and largely agrarian, economies were unable to absorb the sudden influx of refugees. The UNRWA offered food and health care, started development programs, and built schools, among other assistance programs. Once education and vocational training became available to the Palestinians, their social, economic, and political role in the region improved. Many moved to Saudi Arabia and to the Gulf emirates when these began to develop their oil economies. Palestinians served in a variety of roles, such as educators and skilled laborers. Many became wealthy, but they remained stateless, except for those who acquired Jordanian citizenship.

Their presence throughout most of the Arab world was a reminder to the Arab people as well as to various governments of the plight of the Palestinians. To the Arab people, the Palestinians became a symbol of their own lack of power and the backward conditions of the region after years of misrule. A bond would be established between the forces for social change. To the majority of Arab governments, for whom realization of the Palestinians' right to return became a humanitarian duty and a political necessity, their presence was viewed as a radicalizing factor. This shaped the relationship of the Palestinians to the Arab governments: sometimes championed and at other times barely tolerated because of their influence. For the most part, Palestinians' civil rights were neglected whether they were living in refugee camps in the surrounding Arab countries or were under Israeli rule.

The region experienced revolutionary upheavals after the creation of Israel in 1948, changing the nature of the ruling groups and radicalizing the domestic and international policies of the Arab states. The Arab-Israeli conflict remained alive and led to major wars in 1956, in 1967 (when Israel took over the West Bank and the Gaza Strip), and in 1973. Two major Israeli military operations against the Palestinians in Lebanon were carried out in 1978 and in 1982.

The Palestinian question had global repercussions as the United States and the Soviet Union supplied arms and extended, to their respective allies, economic assistance and diplomatic backing. During the era of the Cold War, the Arab-Israeli conflict remained a dangerous issue between the two superpowers. The Palestine Liberation Organization (PLO), formed in 1964, represented the Palestinians after 1967. Arab and non-Arab governments gradually

recognized the position of the PLO, which was eventually granted observer status at the United Nations in the continuing effort to find a just solution to the Palestine question and to redress the loss of Palestinian national rights.

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Mahmood Ibrahim

United Nations Adopts Convention on Genocide

Category of event: Atrocities and war crimes; international norms

Time: December 9, 1948

Locale: United Nations, New York City

Nazi execution of millions of persons in attempts to exterminate whole races provoked the United Nations, in one of its first acts, to draft international conventional law declaring genocide a crime against humanity

Principal personages:

RAPHAEL LEMKIN (1900-1959), a Polish lawyer and longtime advocate of branding genocide as an international crime

ELEANOR ROOSEVELT (1884-1962), the chair of the United Nations Commission on Human Rights

CHARLES MALIK (1906-1987), the rapporteur of the Commission on Human Rights during the drafting of the convention

Summary of Event

Although massive violations of the human right of existence have not disappeared, twentieth century civilization no longer accepts such behavior as unfortunate but normal. Willfully destroying a people is now repugnant, condemned by principles of international law. Stirred by the Nazi execution of millions of persons in attempts to exterminate whole races, the United Nations General Assembly, at its first meeting in 1946, addressed the systematic killing or harming of target groups of persons.

In a 1946 resolution, the Assembly defined genocide as the denial of the right of existence of entire human groups. It said that this act shocks the human conscience, violates moral law, and offends the spirit and aims of the United Nations. The Assembly affirmed that genocide is a crime under international law, a crime the entire civilized world condemns and the commission of which is punishable for the principals and accomplices, whether public officials or private individuals, and whether the crime was committed on religious, racial, political, or any other grounds. The Assembly initiated a study group to draft a convention on the prevention and punishment of this crime. Two years

later, on December 9, 1948, the Assembly adopted the Convention on the Prevention and Punishment of the Crime of Genocide, or the Genocide Convention.

The term “genocide” was coined by Raphael Lemkin, a Polish lawyer who served as an adviser during the Nuremberg trials. He had sought as early as the 1930’s to arouse interest in condemning genocide and campaigned successfully for the United Nations’ adoption of the convention. The word derives from the Greek word *genos*, meaning race, tribe, descent, kin, sex, or kind, and the Latin word *cida*, meaning killing. This created word, Lemkin said, denoted destroying a nation, people, ethnic group, or other identifiable group through coordinated action directed against individuals, not as individuals but as members of an identified group. This definition was revised during the negotiation producing the 1948 convention.

Working with Lemkin on the convention’s first draft were two well-known human rights supporters, Eleanor Roosevelt, U.S. delegate to the United Nations and chair of the U.N. Commission on Human Rights, and Charles Malik, Lebanon’s permanent representative to the United Nations and commission rapporteur. The trio found some legal groundwork in the Charter for an International Military Tribunal (CIMT) of August 8, 1945. This document had authorized the major war crimes trials at the conclusion of World War II. The CIMT specified three types of crimes—crimes against peace, crimes in war, and crimes against humanity. Crimes against humanity included genocide. The Genocide Convention, however, went beyond the CIMT, separating such assaults from wartime. Criminal genocide, then, could be action by governments against their own nationals, in war or in peace.

In the Genocide Convention, the contracting parties confirm that genocide is a crime under international law and that they will prevent and punish it. The convention describes genocide as any of several acts committed with intent to destroy, in whole or in part, a national, ethnic, racial, or religious group. Those acts include killing group members, causing serious bodily or mental harm to group members, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, imposing measures intended to prevent births within the group, or forcibly transferring children of the group to another group.

The convention says clearly that genocide is a matter of international concern. This is true of conspiracy in, incitement of, and complicity in attempts to commit genocide, even if perpetrated by a government on its own territory and against its own citizens. Any contracting party can call upon the United Nations to intervene anywhere against genocide. The convention specifies

that genocide shall not be considered a political crime. Someone accused of a political crime is normally not subject to extradition. The contracting parties pledge in genocide cases to grant extradition in accordance with their national laws and treaties in force, to try people accused of genocide in their own courts, or to turn the accused over to a recognized international penal tribunal should the world community create one. The convention binds the parties to enact the necessary enforcement legislation.

The United Nations achieved some success creating this convention, which came into force in 1951. The United Nations managed modestly to define the crime of genocide, symbolically denounce it, and prescribe some punishments for it. The convention prompted some member states to enact enabling legislation that defined genocide as a crime under their codes, punishable by municipal courts. Finally, the convention stipulated a procedure for punishment: competent U.N. organs, using the International Court of Justice to interpret, apply, or demand compliance with the convention.

The United Nations has had difficulty in preventing or punishing genocide. The convention lacks needed specificity for several reasons. It was the international community's first attempt at drafting rules to constrain genocide. It was also one of the first post-World War II attempts at international legislation. Moreover, several states negotiating the convention had themselves been guilty or suspected of behavior they were now calling criminal. Meanwhile, for various reasons, courts have found no opportunity to clarify through decisions in individual cases the meaning of many of the convention's articles. In addition, the convention focuses more on punishing an act of genocide than on preventing it. This makes teaching the law difficult as well. Several of these points deserve further attention.

First, the convention has wording problems. How should courts determine "intent?" Does this word rule out as "accident" any actions that might appear to constitute genocide? The phrase "in whole or in part" raises a question of how large a "part" would qualify. How, in this sense, does genocide differ from murder? What is "mental harm" in the convention's language? How would one document it? How severe need it be to qualify as genocide? What objective standards would a foreign ministry or court use to determine that a crime had occurred? At what point does the restriction against "incitement to genocide" become an infringement of other human rights, such as freedom of speech and press?

The convention does not address whether a government has the right to dispose of its political opposition without interference from the outside world. The convention's listing of acts constituting genocide is not logically exhaus-



Pol Pot, whom some observers credit with being responsible for the deaths of nearly a quarter of Cambodia's people. (National Archives)

tive and appears to be more the outcome of the dynamics of negotiating, competing national interests, and personalities than of an intellectual exercise. This is evidenced in the convention's excluding as genocide, in effect, the destruction of political groups, as in the Soviet Union under Joseph Stalin, Indonesia in 1965, Democratic Kampuchea (Cambodia) under Pol Pot, or Uganda under Idi Amin. This need not thwart growth in the convention's applicability. Drawing a line between political violence and ethnic violence is sometimes difficult, as in Burundi. Ethnic difficulties rapidly become politicized after a previously repressed group achieves independence. Older rivalries, suspended during a period of external control, may break out when the control lifts. Evidence of this existed in

South Africa and the Balkans during the early 1990's.

Second, states' values conflict. This has frustrated application of the convention and prevented its ratification in some countries. With collective major power interests growing more common regarding matters of international peace and security, the international community may witness more willingness to take steps to stem human rights abuses, including genocide, even without host government approval. In the decades immediately after the convention's enactment, superpower rivalry contributed to states' preferring not to think about the convention's existence.

Third, states put sovereign interests above protecting human rights. Negotiators of the convention inevitably faced the same spirit that drove drafters of the U.N. Charter to include an article enshrining territorial sovereignty. This allows individual states to judge their own interests and, when they can get away with it, their own behavior. One result is that, the Genocide Convention notwithstanding, some states still may practice genocide. No matter how many governments deny directly having approved genocide within their borders, large sections of populations have been eliminated with at least tacit approval

of other states. Genocide remains, then, a major form of contemporary massive massacres, with death tolls in the millions. Indeed, in the twentieth century more persons died at the hands of their own states than were killed in war by other states. The real issue is how free a government is to dispose of its political opposition without interference from the outside world.

Fourth, the convention names no specific court to rule reliably and effectively. United Nations members are left only whatever existing courts that are recognized by disputants governed by the convention. Hence, enforcement provisions are weak. How likely are governments to pass, or obey, legislation regarding genocide when the governments themselves are likely to be the perpetrators?

Impact of Event

More than one hundred states had ratified the convention by mid-1991. The convention's authors hoped that they had made permanent and universal a generation's revulsion. With the law spelled out, they believed that states would hold one another in check, through either moral suasion or the threat of international embarrassment. If these failed, states party to the convention would try the accused, allow an international penal tribunal to do so, or extradite them for trial elsewhere. Any needed clarification of the convention would come from the International Court of Justice (ICJ).

The proponents' hopes faded. Several signatory states have themselves committed genocide, with no other states calling them legally to account. Continually, somewhere, one or more states appear indifferent to genocide or to genocidal massacres. Even the United Nations sometimes has been blind and deaf to such actions. The United Nations' major contribution has been to provide humanitarian relief for survivors; however, U.N. peacekeeping and observer forces have certainly also averted many massacres. The international community has not yet found the will to create either an ad hoc or standing international criminal court beyond the war crimes tribunals at the close of World War II. Numerous governmental and nongovernmental bodies have examined particular instances of genocide and repeatedly called on states to desist from or avoid engaging in the crime. When the United States finally ratified the convention in 1986, it attached two reservations, five understandings, and one declaration. These amendments had the effect of denying ICJ jurisdiction without express U.S. consent. The United States promised to extradite accused persons only if required to by specific prior treaty with the country concerned, putting U.S. combat forces outside the convention during wartime, and agreed to participate in a future international penal tribunal only if

permitted by the U.S. Congress. Forty years after signing the convention, the United States finally amended its laws to comply with it.

A United Nations assessment of the convention in 1985 underscored certain weaknesses in the law by proposing an optional protocol to deal with ethnocide (systematic mistreatment or killing of an ethnic group) and ecocide (degrading the global environment in ways that seriously injure or kill human beings, as in the Persian Gulf War in 1990-1991); killing political groups and other groups not covered by the convention's definition; amending the convention to clarify what acts constitute culpable omission and the question of using superior orders as a legal defense; and clearly stating that genocide is subject to universal jurisdiction, or that any state may try someone accused of genocide. In the absence of these revisions, the international community will continue to face the reality of continued unpunished acts of genocide.

The Genocide Convention contributed to fundamental change in international law. It, the U.N. Charter, and other human rights conventions together have internationalized many human rights. Prior to World War II, such rights were deemed matters of domestic jurisdiction of each state. How a state treated its own nationals was not an international legal concern. States had no right to address each other concerning behavior such as genocide. It is no longer intervention in another state's affairs for a state to express concern about or ask for explanations of another state's human rights practices.

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Kenneth L. Wise

East Germans Flee to West to Escape Communist Regime

Category of event: Political freedom; refugee rights

Time: 1949

Locale: Berlin, Germany

Hundreds of thousands of people migrated to the West after the partition of Germany into the German Democratic Republic (East Germany) and the Federal Republic of Germany (West Germany)

Principal personages:

KONRAD ADENAUER (1876-1967), the conservative anticommunist, anti-Nazi chancellor of the Federal Republic of Germany

WALTER ULBRICHT (1893-1973), the communist leader of East Germany, a loyal ally of Moscow

HARRY S. TRUMAN (1884-1972), the president of the United States (1945-1953)

JOSEPH STALIN (1879-1953), the general secretary of the Communist Party of the Soviet Union, leader of the communist world

Summary of Event

World War II was a series of different conflicts. In Europe, it was simultaneously a continuation of a centuries-old struggle between Germany and Russia for the mastery of Central Europe, an ideological battle against fascism, and a fight by a coalition of powers to stop Adolf Hitler's aggression. German defeat brought these conflicts into conjunction. When the war ended, Joseph Stalin, as master of Russia, wanted Germany prostrate and its resources used to rebuild the Soviet state.

Stalin's Western allies, the United States, Great Britain, and France, had less clear goals. Some Western leaders saw communism as being as great a danger as fascism and had joined Stalin only for military expediency, seeing Hitler as the more immediate threat. Others hoped that the wartime alliance would produce continued cooperation with the Soviet Union after the peace. Some in the West agreed with Stalin that Germany should be reduced to impotency. They believed, perhaps unfairly, that the country had been responsible for both world wars and therefore should be severely punished. Henry Morgen-

thau, Jr., a presidential adviser and secretary of the treasury under President Franklin D. Roosevelt, suggested in 1943 that the country be “pastoralized” so that it could never make war again. France, which like the Soviet Union had suffered brutal occupation by the Nazis, particularly desired that German aggression be curbed.

In the years following World War II, as Moscow imposed its own order on Eastern Europe with less than democratic means, Western skepticism grew concerning Stalin’s commitment to European peace and independence. A civil war between communists and monarchists in Greece and the appearance of strong communist movements in France and Italy also contributed to the breakdown of the East-West coalition.

Geopolitical issues overrode even these ideological concerns. Neither Germany nor France remained strong enough to counterbalance the Soviet Union on the European continent. As early as October, 1944, British prime minister Winston Churchill and Stalin agreed that there should be a formula for dividing Eastern Europe. In February, 1945, at Yalta in the Soviet Union, Churchill, Stalin, and Roosevelt developed further plans which placed Eastern Europe in the Soviet sphere and Western Europe in the Anglo-American. Roosevelt died in April, 1945, a month before the war in Europe ended. After the German surrender, Churchill and Stalin met with the new U.S. president, Harry S. Truman, at Potsdam (outside Berlin). Here they decided the fate of Germany. In the midst of the conference, British voters unseated Churchill’s Conservative party. Labour Party leader Clement Atlee became prime minister and replaced the venerable Churchill at Potsdam. The change did not greatly affect the negotiations in progress.

The Potsdam agreement called for the division of Germany into four parts—American, British, French, and Soviet zones. It treated Berlin separately but also divided it into four parts, even though it was situated geographically inside the Soviet zone. Furthermore, the treaty allowed the Soviets to take reparations, including machinery and produce, from their zone and from the others as compensation for the damage done to the Soviet Union under German occupation. France and other European countries occupied by the Nazis received similar, but lesser, compensations. The Soviets, in fact, removed industrial material from Germany as soon as they could, even before the agreements were in place.

The Soviet zone, the largest in area, encompassed about 40 percent of German territory, including most of eastern Prussia to the Weser River, Saxony, and Thuringia. In addition, the Germans surrendered their prewar territory east of the Oder and Neisse Rivers directly to the Soviet Union, Poland, and



Shortly after Germany's partition, signs appeared in West Berlin warning residents about the new international boundaries. (National Archives)

Czechoslovakia. Both of the latter were soon to fall under the complete domination of Moscow. Furthermore, all German conquests after 1938 were restored. The French zone, 10 percent of German territory, fell along the Rhine valley. The British zone, 20 percent, lay in the north. The United States' zone, 30 percent, was located in the southwest.

Stalin interpreted the meaning of democracy in a manner vastly different from that of the Western leaders. Moscow instituted systems of government in Eastern Europe that were controlled by communist parties through one-candidate elections. Opponents of the Moscow system were forced into silence or exile. The authorities even imprisoned or executed some. On the other hand, the West put pressure on native communists, sometimes extralegally, reducing their influence. The communist

parties, however, were rarely completely outlawed. Moreover, Washington's Marshall Plan brought rapid economic recovery to Western Europe, further reducing the communists' appeal in both Eastern and Western Europe. The two camps rapidly went their separate ways. In 1946, Winston Churchill declared that an Iron Curtain had fallen across Europe. By 1948, the wartime alliance between the Soviet Union and the West had broken down completely. The Cold War began.

The split between the former Allies had repercussions for Germany. Each occupier drew up a temporary administration modeled on its own goals and precepts of government. In 1947, the Western allies—Great Britain, the United States, and France—relinquished their own authorities and united their sections into the new Federal Republic of Germany, with a capital at Bonn. The first elections resulted in the anti-Nazi conservative Konrad Adenauer becoming the first chancellor. Berlin remained legally distinct,

but the three Western sections there were also united into a free city, West Berlin.

The Soviets followed suit. They declared East Germany as the German Democratic Republic (DDR), with East Berlin as its capital and Walter Ulbricht, a communist leader loyal to Moscow, as its prime minister. In 1948, Moscow tried to restrict access to the city even though access was guaranteed by treaty. An air lift, sponsored chiefly by the United States, caused the plan of blocking the roads to backfire. The Kremlin lifted the blockade.

The new situation struck terror into the Germans in the East. While others in the Soviet Bloc had little chance of leaving their homelands, Germans who lived in Berlin, or who could get there, could make their way to West Berlin simply by taking a subway ride. Once in West Berlin, they could join relatives or simply move themselves into the Federal Republic. The total number of Germans who had left the East for the West exceeded 1.5 million by the end of 1951. The lure of the West, especially the benefits provided by the airlift and the Marshall Plan, provided the East Germans more than enough incentive to give up all of their possessions and take a chance in the West. The bleak future which the German Democratic Republic promised also provided an impulse. In addition, the new governments of Eastern Europe expelled almost eight million more Germans whose families had lived in their countries for generations. Most of these came from German territories received as compensation by Poland, Czechoslovakia, and the Soviet Union. These migrations further divided the two Germanies. This division, perhaps more than any other condition, symbolized the Cold War.

Impact of Event

The establishment of two Germanies was in many ways convenient for both the West and the Soviet Union. It allowed the World War II settlement to continue even after the alliance broke down. The Germans did not like this settlement, however, and the Federal Republic of Germany (West Germany) never recognized the two-Germany policy. It even took measures against the policy, such as the 1955 Hallstein Doctrine, named after Walter Hallstein, a foreign office official. The Hallstein Doctrine stated that Bonn would not recognize any country with diplomatic relations with the DDR. Exceptions were granted to the Soviet Union and some Third World countries. Later, in the 1960's, Bonn modified the doctrine in order to establish relations with Eastern Europe, but unification remained a goal for West Germany.

In contrast, the communist leaders of the DDR supported the two-Germany policy, since it served both Moscow's interest and their own. Only under this



Germany after its partition.

situation could they have an opportunity to govern, as it was clear that reunification would mean the end of communist power in Germany. The Sovietization of East Germany, however, produced a large amount of hostility among the populace. In 1953, a mass uprising erupted.

Escape to the West through Berlin continued. Between 1949 and 1961, another 1.5 million or more East Germans migrated to the West. In the 1950's, Western aid rebuilt Western Europe, including West Germany and West Berlin. In the meantime, the states of Eastern Europe suffered under the bur-

den of having to help build up the devastated Soviet Union as well as their own countries. As West Berlin became a beacon of prosperity, more and more East Germans decided to forsake their homes and migrate to the West.

Stalin died in 1953. His successor, Nikita Khrushchev, soon began a program of de-Stalinization, reversing some of Stalin's policies. Some liberalization took place in the East. The example of West Berlin and West Germany prospering in Europe spurred an economic revival in the East. Compared to other socialist countries, the German Democratic Republic was a miracle in its own right, especially considering that the Soviet Union took its goods and services as reparations and that it had not received the massive aid granted to West Germany. The exceptionally rapid development of the Federal Republic, however, increased the migrations to the West to a fever pitch. While the Soviet Union and its allies could glory in technological accomplishments, such as the first earth satellite and manned space flights, or in their huge armed forces systems and intercontinental ballistic missiles (built and designed in large part by German engineers and scientists), the West continued to enjoy a consumer and societal miracle. West Germany joined the North Atlantic Treaty Organization (NATO) and the Common Market. The Federal Republic had become a world economic power. There were no lines or shortages, as there were in the East. The new era in the 1960's, under the guidance of dynamic young President John F. Kennedy in the United States, added to the lure and attraction of the West for Germans living in the East Bloc. The loss of East German citizens to the West became too much for both the Germans and the Soviets, especially since those who left were the most highly trained and skilled. On August 13, 1961, the authorities sealed the border, and in the next weeks the Soviets and East Germans erected a massive wall across Berlin that stood until 1989. In October, 1990, forty-five years of separation ended when West Germany absorbed East Germany, and all of Germany was once again under a single government.

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Frederick B. Chary

Geneva Convention Establishes Norms of Conduct in War

Category of event: Atrocities and war crimes; international norms

Time: August 12, 1949

Locale: Geneva, Switzerland

The Geneva Convention of 1949 established norms of conduct in warfare that addressed assistance and protection of members of the armed forces, prisoners of war, and civilians

Principal personages:

JEAN HENRI DUNANT (1828-1910), the Swiss founder of the International Red Cross and joint winner of the first Nobel Peace Prize

U THANT (1909-1974), the Burmese secretary-general of the United Nations from 1962 to 1971

PAUL RUGGER (1897-1969), the Swiss diplomat who served as president of the International Red Cross from 1948 to 1955

Summary of Event

The unparalleled loss of life in World War II refocused efforts to establish norms of conduct in warfare, efforts that diplomats and scholars have made throughout history. The first Geneva Convention of 1864 laid the groundwork for a number of subsequent conventions. Article six of the first of the Geneva “laws on war” attempted to establish the principle that “wounded or sick combatants, to whatever nation they may belong, shall be collected and cared for.” A major force behind this convention was Jean Henri Dunant, the founder of the International Red Cross. The 1864 convention was a significant departure from previous agreements among states that addressed rules of state conduct in war, innovative because it moved toward the protection of individual human rights during hostilities.

During World War II, the principles contained in the original Geneva Convention and its revisions were not successful in preventing military actions against noncombatants. While existing conventions did protect several categories of persons, events during the war suggested that the original Geneva Convention required revision. The German policy of genocide against Euro-

pean Jews and the Allied policy of bombing civilian population centers (including the atomic destruction of the cities of Hiroshima and Nagasaki) were examples of violations of the humanitarian principles contained in the original convention. After the war, the War Crimes Tribunals in Nuremberg and Tokyo suggested to the international community that the most flagrant violations of human rights during war were not against soldiers or prisoners but rather against civilians in the form of forced labor, relocation, and torture.

Before World War II ended, there was general agreement that the protection of individual human rights would be incorporated in some fashion into the United Nations organization proposed by the Allied powers. The London Charter that established the Military Tribunals at Nuremberg identified murder, enslavement, deportation, and other actions as crimes against humanity. The United Nations Charter of 1945 declared that the advancement of human rights was a primary goal of member states. The modern concept of human rights was also contained in the United Nations' Universal Declaration of Human Rights of 1948.

In the twentieth century, the establishment of norms of conduct designed to protect civilian populations in war was addressed primarily by the International Committee of the Red Cross (ICRC), headquartered in Geneva, Switzerland. Although the United Nations has frequently referred to the Geneva Conventions of 1949, the conventions were prepared under the auspices of the ICRC and the Swiss government. By the late 1940's, the efforts of the United Nations to establish laws of war had fallen victim to the superpower rivalry between the Soviet Union and the United States. Between 1945 and 1948, the ICRC conferred with a number of diplomats and experts about clarifying the existing conventions as well as establishing more efficient monitoring structures.

These efforts led to the Diplomatic Conference for the Establishment of International Conventions for the Protection of Victims of War, held in Geneva from April to August, 1949. The sixty-four states represented at the conference endorsed four international conventions that addressed postwar concerns about wounded combatants in the field and at sea, the treatment of prisoners of war, and protection of civilians in periods of state warfare. The overall agreement was divided into four separate conventions linked by general principles included in the preamble of each convention.

The first and second conventions were not dramatic departures from international agreements established before World War II. The 1949 convention on the amelioration of the condition of wounded, sick, and shipwrecked military personnel were in large part a restatement of the humanitarian principles



Jean Henri Dunant, founder of the International Red Cross and joint winner of the first Nobel Peace Prize.
(© The Nobel Foundation)

contained in the 1929 Geneva Convention and the 1907 Hague Convention. In both conventions, combatants on land or sea who were unable or unwilling to engage in military operations were not to be murdered, tortured, deliberately subjected to illness, or denied medical treatment. The first two conventions also restated both the noncombatant status of medical personnel and clergy as well as the special status of vehicles and facilities marked with the distinctive symbol of the ICRC.

The third convention, the Geneva Convention Relative to the Treatment of Prisoners of War, was an attempt to broaden the 1929 Geneva Convention that addressed treatment of prisoners. While many elements of the 1929 convention remained, the later

conventions were significant because they attempted to grant prisoner-of-war status to a number of categories of persons who were previously denied such status. Under the 1949 conventions, partisans, regular forces who profess allegiance to a state not recognized by the detaining power, and military support staff possessed the same rights under international law as regular combatants. The convention also stated that prisoners cannot be punished without a proper legal tribunal.

The fourth convention was the first international agreement on the laws of war to establish norms of conduct in the treatment of civilians. Previous conventions, including the 1864 Geneva Convention, had not specifically addressed the rights of civilians during war. Although most of the provisions in the 1949 convention were adopted by the ICRC in 1939, the outbreak of World War II prevented their implementation. The Geneva Convention Relative to the Protection of Civilian Persons in Times of War, adopted in 1949, was in large part accepted by the international community as a response to the savage Nazi wartime occupation of Europe. The Nazi practices of denial of medical care to civilians, mental and physical coercion, imprisonment of civilians as hostages, and use of civilians for medical experiments were prohibited. The

fourth convention established a code of conduct for occupying powers that prohibited murder, torture, and corporal punishment of civilians in occupied territories. The fourth convention also established a system of monitoring actions of states through neutral states and the ICRC.

Impact of Event

At first glance, the large number of nations that were parties to the 1949 conventions suggests that the principles contained in the conventions became central components of international law. Unlike domestic law, international law is based on custom and precedents. States generally tend to obey international law when it benefits their interests. Events after World War II suggest that the legal and political difficulties that hindered previous conventions also applied to the conventions of 1949. While a number of signatory states have publicly embraced the conventions over the years, it is apparent that states have not forsworn the use of armed force. Historically, the creation of standards of conduct in war has tended to lag behind both military strategy and technology. It is clear when examining the conduct of wars since 1949 that civilians continued to be subjected to the burdens of armed conflict. Because they were in large part a response to the devastation of World War II, the 1949 conventions did not address the conduct of military operations. The conventions also did not anticipate the tremendous increase in internal armed conflict and the resulting impact on civilian populations.

Most armed conflicts after 1945 were not those between sovereign states, addressed in the 1949 conventions. Most armed conflict has been in the form of civil wars that were often supported by one or more outside states. States that were signatories to the 1949 convention frequently took the position that internal conflicts did not fall under the 1949 convention because they did not meet the convention's definition of armed conflict. There were many examples of states refusing to recognize the application of the 1949 conventions to internal armed conflicts. During the 1960's and 1970's, the government of Iraq denied the ICRC access to Kurdish populations because it took the position that the Geneva protocols did not apply to civil conflict. Despite numerous reports of civilian hardships, the Ethiopian government provided a similar explanation when it denied the ICRC access to the Eritrean populations in the 1970's.

At an individual level, the 1949 conventions did not address the difficulties involved in compelling states to follow the conventions protecting civilians. While many states have recognized the human rights of military prisoners, the welfare of civilians has often been ignored by states that publicly embrace the first three Geneva conventions of 1949. In 1971, the Pakistani government

went to the International Court of Justice to secure protection for members of its armed forces that had been detained by India. During the same period, the Pakistani government failed to show similar respect for Indian or Bangladeshi civilians in war zones.

In 1970, in response to the Proclamation of Teheran, issued by the International Conference on Human Rights in 1968, United Nations secretary-general U Thant issued a report that called for a renewed emphasis on the protection of prisoners and civilians close to battle zones. U Thant's report proposed that the ICRC expand on article three of the 1949 convention to apply protection to persons not participating in armed conflict. From 1971 to 1973, the ICRC held meetings in Geneva to prepare texts of two protocols to the 1949 conventions. By 1974, the protocols had been submitted to the Diplomatic Conference on the Reaffirmation and Development of Humanitarian Law in Geneva, and in June, 1977, they were adopted. Protocol I extended the coverage of the four Geneva conventions to wars of "national liberation." The broadening of the definition of armed conflict led the United States and other states to reject ratification of the protocol. Protocol I also prohibited methods of warfare that cause unnecessary suffering to civilian populations. Protocol 2 was an attempt to modify the rights of noncombatants in international armed conflict.

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Lawrence Clark III

China Occupies Tibet

Category of event: Atrocities and war crimes; political freedom; religious freedom

Time: October 7, 1950

Locale: Tibet and China

Although the communist Chinese claimed that Tibet had always been part of China, the military invasion and subsequent immigration of ethnic Chinese caused massive dislocations of population and culture

Principal personages:

TENZIN GYATSO (1935-), the fourteenth Dalai Lama, spiritual leader and head of state of Tibet

MAO ZEDONG (1898-1976), a Chinese communist leader and founder of the People's Republic of China

ZHOU ENLAI (1898-1976), the leading international spokesperson and prime minister of the People's Republic of China from its founding until his death

JAWAHARLAL NEHRU (1889-1964), a leader of the Indian independence movement and first prime minister of India

Summary of Event

No two countries on earth could have been geographically and historically closer, yet ideologically further apart, than Tibet and the People's Republic of China (PRC) in 1950. After more than a millennium of cultural and political development, Tibet had evolved into a theocracy whose head of government was regarded as divine, and China had become an atheistic Marxist state headed by one of the most powerful revolutionary figures of the century. Conflict between the two was inevitable.

Nevertheless, according to the official view of the PRC, there was no invasion of Tibet in 1950. Tibet was historically a part of China, according to this view, and the military intervention was based on humanitarian socialist principles. Although the Chinese prevailed militarily and politically in that conflict, the official Chinese view found little acceptance in the world community.

Tibet did not really exist as a country before the seventh century, when it

was finally unified by a powerful tribal leader named Songtsen Gampo. By marrying into royal families of both Nepal and China, he consolidated his power, and as a secondary effect, introduced Buddhism to Tibet. The balance of power between ancient China and Tibet shifted many times before a treaty concluded between the nations in 821-822 c.e. established inviolable boundaries and pledged mutual sovereignty. Between the tenth and thirteenth centuries, power gradually became concentrated in the Buddhist monasteries, and in 1244 c.e. Basba, the first Lama king, became ruler. In a later period (the eighteenth and nineteenth centuries), Manchurian Chinese had considerable influence in Tibet, although the exact nature of the relationship remains controversial among historians. China points to this period as a time of suzerainty of the Manchus over Tibet, supporting the claim that China and Tibet are historically one. Tibet, however, was isolated by choice from the world at large, while China had trade and diplomatic contacts with Europe and Asia. China was therefore free to color its relationship with Tibet in shades of its own choosing.

Tibet's isolation came to an end at the close of the nineteenth century. Interventionist pressure came not from China but from British India, when the Younghusband expedition of 1904 forced Tibet into accepting trade agreements with the outside world. The moderate stance of the British emboldened the Chinese to use force against Tibet for the first time in more than ten centuries. The Tibetans drove out the Chinese (Manchu) forces in 1912, and in 1913 the thirteenth Dalai Lama declared Tibet independent. This move led to border disputes with China in the eastern areas of Tibet, and an attempt to settle the disputes at the Simla Conference (1913-1914) failed when China refused to ratify a treaty agreed to by the British and Tibetan delegations. A *de facto* boundary followed the upper Yangtze River.

The thirteenth Dalai Lama died in 1933. According to Tibetan tradition, the Dalai Lama reincarnates within a few months and succeeds himself; a successor, slightly more than two years old, was chosen according to traditional principles in 1937. The new Dalai Lama began his monastic training shortly thereafter, and was lifted onto the golden throne at the age of five.

Meanwhile, civil war in China was drawing to a close. The communists, under Mao Zedong, defeated the Nationalists, and the People's Republic of China was inaugurated on November 24, 1949. On January 1, 1950, the "liberation" of Tibet was announced as one of the main tasks of China's People's Liberation Army (PLA), and on September 30, 1950, Chinese premier Zhou Enlai declared that Tibet "must be liberated." Historians view China's real interest in Tibet as military and strategic.



On October 7, the PLA invaded neighboring Tibet. The Tibetan army resisted but was overrun within a few weeks. Although the PRC maintained from the outset that it was acting to free the people of Tibet from “imperialist oppression,” it has never been made clear who the imperialists were. The last group of non-Tibetan people to inhabit Tibet in significant numbers were the Manchus, and only a handful of European traders were in Tibet at the time of the invasion.

The Dalai Lama completed his formal training at the age of fifteen and was installed as head of the government on November 17, 1950. On May 23, 1951, the PRC announced the signing in Beijing of a Seventeen-Point Agreement between the two countries. The terms of the treaty were apparently arrived at through coercion and deception, as the delegation sent by the Dalai Lama was not empowered to conclude such an agreement.

The situation in Tibet remained highly unstable, but the Tibetan government did everything possible to make the best of it. The Dalai Lama himself went to Beijing and served as a vice president of the Steering Committee of the People's Republic of China. By his own account, he found many things in Marxism that he felt to be compatible with Buddhist philosophy, and his meetings with Chairman Mao were earnest and friendly. In the end, however, the deceitfulness of the Chinese and the atheistic orientation of communism convinced him that the Chinese were intent on destroying his country as he knew it. On the point of deceitfulness, his experiences with the charming but untrustworthy Zhou Enlai were educational. On the point of atheism, Mao reminded the Dalai Lama of communist theology in their last private meeting. "Religion is poison," said Mao. "Firstly it reduces the population, because monks and nuns must stay celibate, and secondly it neglects material progress."

Revolt broke out in Tibet's eastern region in 1956, and as it spread into the central regions Mao announced that Tibet was not yet ready for communist reforms. As the unrest continued, the Chinese tried to assert control, but the revolt exploded in 1959. The situation deteriorated so completely that the Dalai Lama was forced to flee into northern India. About twenty thousand Tibetans followed during the first year of his exile.

India's role in the unfolding tragedy of its neighbor and spiritual cousin has been widely criticized. The government of the Hindu subcontinent made only the mildest of protests when the invasion began and failed to offer even significant moral support. Historians of the period assign much of the blame to Prime Minister Jawaharlal Nehru. Although his government did offer land for refugee settlements, the Dalai Lama was initially restrained from taking his people's case to the court of world opinion and was forbidden from engaging in political activities.

Analysts are generally in agreement that fear of China, not antipathy toward Tibet, accounted for India's rather cynical performance. India's deference toward the Chinese, however, did not prevent the outbreak of war between the two countries in 1962. India had hoped that Tibet would be a buffer against Chinese military incursions, but it became a springboard instead.

In fairness to Nehru, it can be said that he learned from his mistake, if only too late. In fairness to his government, it can be said that India provided much-needed assistance with land for settlements, education, and health care for its nearly one hundred thousand Tibetan refugees.

Impact of Event

Although Tibet was a feudal society in which needed reforms had been blocked by the aristocracy and vested interests, reports from refugees and independent investigations disclose a far different picture of the “liberation” from that put forth by the communist Chinese. According to the Legal Inquiry Committee on Tibet in its report to the International Commission of Jurists in Geneva (1960), the Chinese had violated sixteen of the thirty points of the United Nations Universal Declaration of Human Rights. Atrocities of the most egregious kind were amply documented, including summary execution, torture, rape, forcible separation of children from parents, and wholesale destruction of shrines and monasteries. In the name of reform, Tibetans were forced to work longer hours for less food, but collectivization of Tibet’s agriculture proved as disastrous as China’s own “Great Leap Forward.” Eventually the death toll from famine ran into hundreds of thousands.

In addition to the turmoil and destruction that took place during the invasion and subsequent uprisings, Tibetans were subjected to the depredations of the Red Guards during the Cultural Revolution in China. The Red Guards were keenly interested in Tibet’s shrines and monasteries, which they considered to reflect the “reactionary” side of Tibetan culture. Of approximately thirty-seven hundred monasteries operating in Tibet before the invasion, only seven hundred were spared. The International Commission of Jurists found unequivocally that the Chinese had committed genocide against Tibetans through their attempts to eradicate Buddhism.

As a result of an aggressive Chinese immigration policy, Chinese outnumbered ethnic Tibetans in the Tibetan Autonomous Region, and Chinese arts and crafts began to replace indigenous arts and crafts in that area. What remained was a thin veneer of Tibetan culture, which apparently was being maintained as a tourist attraction.

The Chinese introduced secular public education to Tibet, provided health care facilities, improved drainage, and built wells, canals, and roads. Nevertheless, the death tolls in various uprisings give some indication of the depth of Tibetan suffering under the Chinese and Tibetans’ determination to regain their independence. More than eighty-seven thousand died between March of 1959 and September of 1960, and even more than that number are thought to have been killed in the 1969 uprising. An independence uprising in 1989 left as many as one hundred dead in Lhasa, Tibet’s capital. The death toll since the 1950 invasion is estimated at 1.2 million.

After the Cultural Revolution, China admitted that “mistakes” had been made. China’s policy became more “open,” and in 1979 the first of several fact-



Tibetan refugees fleeing the Chinese occupation. (National Archives)

finding missions by representatives of Tibet's government-in-exile (including the Dalai Lama's brother) was allowed to return to Tibet.

Tibet's plight gradually gained the world's attention and sympathy. The Dalai Lama, living in exile in northern India, received the 1989 Nobel Peace Prize for his efforts to gain independence through nonviolent means. His brother, Lobsang Samten, died in 1985 at the age of fifty-four. In his autobiography, the Dalai Lama writes: "In a way, despite my profound sorrow, I was not much surprised at this. His experiences as a member of the first fact-finding mission had affected him profoundly. . . . I do not think it an exaggeration to say that he died of a broken heart."

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L. B. Shriver

South Africa Begins Separate Development System

Category of event: Civil rights; political freedom; racial and ethnic rights

Time: June 21, 1951

Locale: Cape Town, South Africa

The Bantu Authorities Act, one of several key apartheid laws passed after the National Party victory of 1948, began to implement the “grand design” for separate development in the Bantu Homelands

Principal personages:

DANIEL FRANÇOIS MALAN (1874-1959), the South African prime minister from 1948 to 1954

HENDRIK FRENCH VERWOERD (1901-1966), the leading theorist of separate development, native affairs minister from 1950 to 1958 and prime minister from 1958 until his death

ALBERT LUTULI (1898-1967), the president of the African National Congress from 1952 to 1967

JAN CHRISTIAN SMUTS (1870-1950), the prime minister from 1939 to 1948

Summary of Event

Before the watershed election of 1948, South Africans of non-European ancestry had long experienced significant forms of legal and social discrimination. With the end of slavery in 1833, pass laws continued to require blacks (also called “Natives” or “Bantu”) to carry identification cards. The Native Land Acts of 1913 and 1936 prohibited blacks from owning land in areas of white residence and designated about 13 percent of the land for blacks, who composed about 70 percent of the population. Although most segregation laws were aimed at blacks, there also were limitations on the political and social rights of Asians and so-called coloreds (people of mixed black-white ancestry). In general, Afrikaners of Dutch and other European ancestry were more uncompromising supporters of rigid segregation than were English-speaking whites, and in the 1930’s Afrikaners began to use the word “apartheid” to refer to their ideas of racial apartness or separation.

The government of the United Party under Jan Christian Smuts, in power

between 1939 and 1948, did not in any way challenge the legitimacy of segregation and white domination. Still, United Party policies were considered excessively liberal by members of the National Party, the party of most Afrikaners. Although Smuts was one of the designers of the United Nations charter, his government passed a 1946 law that restricted places where Indians might reside or purchase land, and Smuts's prestige was damaged when the U.N. General Assembly approved a resolution critical of the 1946 law. Early in 1948, nevertheless, liberals were encouraged when Smuts chose Jan Hofmeyr as deputy prime minister and when he accepted H. A. Fagan's commission report that concluded that "total segregation" was entirely impractical.

In the election of 1948, the platform of the National Party denounced the Fagan Report and endorsed a policy of apartheid. A campaign pamphlet argued that black rights should be restricted to the black reserves, that most Indians should return to India, and that "the fundamental guiding principle of National Party policy is preserving and safeguarding the White race." The conservative leader of the party, Daniel François Malan, was a Dutch Reformed minister who often spoke of Afrikaner history as "not the work of men but the creation of God." The election was very close, but the National Party, in a coalition with other Afrikaner parties, did manage to win a five-seat majority in the House of Assembly, the dominant chamber of the South African parliament.

Despite this slight majority, the Nationalists moved boldly to implement their program for apartheid. On August 19, Prime Minister Malan told the parliament that this program would begin with four points: the end of black representation to the House of Assembly; the establishment of limited self-government for blacks in their reserves; the removal of colored voters from the electoral roll in Cape Province, allowing them white representatives; and the mandated racial segregation of all schools and universities. The parliament quickly passed one of many "petty apartheid laws" that made it illegal for blacks to use first-class coaches of railroad cars, and in 1949 it approved a law that prohibited marriages between persons of different races.

Smuts, until his death in 1950, led the fight against the passage of apartheid legislation, but the National coalition had the necessary votes to prevail. The African National Congress (ANC), a black organization begun in 1912, was the most conspicuous opponent of the Malan government, and it was at this time that Albert Lutuli and Nelson Mandela began to attract international attention. In its annual meeting of 1948, the ANC developed a program of action based on strikes and civil disobedience; by 1950 the ANC had decided to end all cooperation with the government. Similarly, the Anglican Church, the

Roman Catholic bishops, and the South African Indian Congress all made strong denunciations of the concept of apartheid. Moral condemnation, however, did not have any visible impact on the Malan government.

During 1950, Malan was able to win the parliament's approval of three significant laws. On June 19, the parliament passed the Group Areas Act, which divided the country into specific regions to be exclusively reserved for whites, blacks, or coloreds. About the same time, the Population Registration Act provided for the systematic classification of people into one of those three racial categories (an Asian category was added later). The third law, the Suppression of Communism Act, outlawed the expression of almost any ideas that had anything in common with Marxist socialism, including any doctrine that promoted "the encouragement of feelings of hostility between the European and non-European races."

On October 18, 1950, while the parliament was in the process of making these sweeping changes, Malan added Dr. Hendrik Verwoerd to his cabinet as the minister of native affairs. A university sociologist and newspaper editor from Johannesburg, Verwoerd was an articulate defender of a "grand design of separate development" for the different ethnic groups of South Africa. Verwoerd insisted, and probably convinced himself, that his grand design was not oppressive to non-Europeans and that it would allow all South Africans to realize their aspirations with full respect for the country's pluralism of cultures and traditions. Tribalism was the key to Verwoerd's grand design, with the goal of increasing tribal autonomy within the reserves while excluding blacks from other regions, except when their cheap labor was necessary.

Verwoerd's ideas about tribal autonomy provided the theoretical justification for the Bantu Authorities Act, which passed the House of Assembly on June 21, 1951. The main intention of the legislation was to reinforce the authority of the tribal chiefs and headmen, thus endorsing the traditional basis of authority within the reserves. Each local tribe was to have a tribal council (made up of a chief and his advisers) for the administration of local affairs. The tribal councils of a region would elect representatives to a regional council, which would have executive authority over hospitals, roads, education, medical care, and other matters designated by the governor-general. Above this level, regional councils would appoint representatives to a territorial council, with the entire system under the supervision of the Department of Native Affairs. The law abolished the Natives' Representative Council, a partially elected advisory body that had existed since 1936.

Under the new system, tribal chiefs and headmen were selected from customary ruling families, but at the same time they were officially appointed

by the white government and paid a small salary for carrying out their duties. As a result, tribal chiefs and headmen had the problem of keeping the confidence of both their own people and their European supervisors. The Department of Native Affairs reserved the power to remove any chief or headman considered unreliable, and Verwoerd made no secret about his determination that tribal leaders were expected to conform to official policies. In future years, the government would not hesitate to dismiss nonconformists, the most famous case being the 1952 dismissal of Lutuli because of his refusal to give up membership in the ANC. In addition to the issue of white control, the ANC opposed the Bantu Authorities Act because of its promotion of divisive tribalism. The ANC

looked upon tribalism as the greatest barrier to the development of the kind of African unity necessary for a successful struggle against apartheid.

In the defiance campaign of 1952, the ANC leadership wrote to Prime Minister Malan requesting the repeal of the Bantu Authorities Act and five other “unjust laws.” Malan’s secretary replied that they should address their concerns to the Native Affairs Department and that the government would “make full use of the machinery at its disposal” to enforce the laws. Despite the defiance campaign and international protest, the Malan government was able to get its way in putting the 1951 law into effect. In 1953, three Bantu Authorities were introduced in the Transvaal, and two years later, the government achieved a major goal when the Transkeian General Council (called the “Bunga”) voted to accept the principle of the new system. Meanwhile, the parliament continued to pass increasingly restrictive apartheid legislation, and there appeared to be no way to stop South Africa from moving further in the direction of Verwoerd’s grand design for separate development.



Albert J. Lutuli's leadership in the African struggle against apartheid led to his being awarded a Nobel Peace Prize in 1960. (© The Nobel Foundation)

Impact of Event

The Bantu Authorities Act of 1951 began the implementation of separate development by promoting Bantu self-government in the reserves while preserving white control. Verwoerd understood that it was necessary to gain the support of chiefs and headmen and that this required that they be given vested interests in the system. In altruistic rhetoric, he argued that integration of the races could only result in conflict and the exploitation of non-Europeans; in contrast, the system of separate development would allow the Bantu to achieve equality and democracy within the tribal homelands. Critics noted that the fragmented reserves were in isolated areas with poor land and with few resources for economic development.

By 1953, the pillars of the apartheid system were firmly in place. Apparently the majority of white voters in South Africa approved of the direction of the National Party leadership, for in the general election of that year the National Party coalition greatly increased its majority. With its new majority, the Malan government passed three important laws that made apartheid increasingly oppressive to blacks, coloreds, and Asians. The Reservation of Separate Amenities Act of 1953 required segregation of all public facilities, including recreational areas and governmental services. The Bantu Education Act segregated educational institutions and increased governmental control of education to prevent blacks from receiving preparation for jobs reserved for whites. A third law of 1953, the Public Safety Act, authorized the police to arrest suspects without trial or judicial review, and it also allowed the government to declare a state of emergency for a period up to one year.

By the time that Verwoerd became prime minister in 1958, he had formulated a blueprint for taking apartheid to its logical conclusion. He was determined to eradicate all "black spots" in areas of white residence, forcing all blacks to live in one of the reserves. Also, building upon the foundation of the Bantu Authorities Act, he was resolved to bring order to the 260 scattered reserves. His first measure as prime minister was the Bantu Self-Government Act, which aimed at consolidating the existing reserves into eight Bantu homelands (called "Bantustans" by Verwoerd). In general, the homelands were made up of scattered pieces of land spread across three provinces. As in the 1951 law, the governing authorities were tribal chiefs and headmen, with the Bureau of Bantu Affairs retaining the veto over appointments and major decisions.

Despite internal and external condemnation, in subsequent years the National Party continued to win elections and to consolidate the apartheid system. In the 1970's, the government managed to transfer limited powers of

self-government to ten tribal homelands and to confer all blacks with citizenship in one of these ethnic homelands. Since they were deemed to be citizens of the homelands, blacks of South Africa could not claim any political rights within the regions of the country that elected the national parliament. Thus, by the 1970's Verwoerd's vision for separate development appeared to be evolving in the way that he had intended; however, he had not anticipated the extent to which black poverty, alienation, and international opposition would increase over the years.

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Thomas T. Lewis

United Nations Sets Rules for Treatment of Prisoners

Category of event: International norms; prisoners' rights

Time: August-September, 1955

Locale: Geneva, Switzerland

The United Nations' formulation of Standard Minimum Rules for the Treatment of Prisoners committed the associated nations, at least in principle, to the acknowledgment of prisoners' rights

Principal personages:

JOHAN THORSTEN SELLIN (1896-1994), the general rapporteur of the First United Nations Congress on the Prevention of Crime and Treatment of Offenders

DAG HAMMARSKJÖLD (1905-1961), the secretary-general of the United Nations

WILLIAM P. ROGERS (1913-2001), a vice chairman of the Congress on the Prevention of Crime and Treatment of Offenders

Summary of Event

Article 1, paragraph 3 of the United Nations Charter, drafted in 1945, acknowledges the goal of "promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion." It was a decade from the signing of the charter before the First United Nations Congress on the Prevention of Crime and Treatment of Offenders met in Geneva, Switzerland, from August 22 through September 3, 1955, to devise specific language on behalf of those humans with the status of prisoners. This delay is hardly surprising. For most of recorded history all over the world, little attention has been paid to the subject of prisoners' rights. Customarily, prisoners everywhere cede specific rights as a result of their convictions, but society has tended to ignore the matter of prisoners' rights. As a matter of fact, the 1955 congress approached the subject of the treatment of prisoners more from a humanitarian perspective than from a legal one.

Fifty-one nations participated in the congress, which drew heavily on the work of the International Penitentiary Commission in 1926, as revised in 1933

and noted by the League of Nations in the latter year. The Standard Minimum Rules for the Treatment of Prisoners—the resolution which the congress adopted on August 30, 1955—reflect a last revision of the Penitentiary Commission's work before the functions of this organization were transferred to the United Nations in 1951.

The rules are divided into two sections, those of general application and those applicable to special categories of prisoners. A statement of nondiscrimination against prisoners on the basis of race, color, sex, language, religion, political or other opinion, national or social origin, birth, or other status stands as a preface to the first section. The first of the general rules requires an entry in a registration book for every prisoner indicating identity, reasons and authority for commitment, precise time of commitment and release, and details of the commitment order.

The remaining rules in this section pertain to seventeen aspects of prison life: separation of categories; accommodation; personal hygiene; clothing and bedding; food; exercise and sport; medical services; discipline and punishment; instruments of restraint; information to and complaints by prisoners; contact with the outside world; books; retention of prisoners' property; notification of death, illness, transfer, and the like; removal from prison; institutional personnel; and inspection. The following paragraphs will discuss the rules pertaining to a selection of the foregoing items.

Prisoners should be separated by categories determined by reference to such matters as sex, age, criminal record, the reason for their detention, and necessities of their treatment. Many prisoners are people awaiting trial; these should be separated from convicts. In addition, civil prisoners (for example, those confined for debt) should be separated from convicted criminals, and young prisoners from adults. The congress could not precisely define for facilities in countries all over the world such terms as "young prisoners" and "adults," nor could it specify the criteria for separating prisoners according to types of offense.

The subsection on discipline and punishment insists on firm discipline that does not restrict prisoners more than dictated by the need for safety and order. Prisoners are not to be entrusted with disciplinary duties, they are not to be punished except in accordance with regulations, and they must be informed of the offenses for which they are disciplined. Corporal punishment, detention in a dark cell, and "all cruel, inhuman, or degrading punishments" are forbidden as punishments for offenses of a disciplinary nature. Any punishments that might endanger the physical or mental health of a prisoner cannot be imposed without certification of the prisoner's fitness by a medical officer.

The participants in the congress obviously associated the need for books with the need for religious life. Thus, recreational and instructional books are to be made available to all categories of prisoners, and wherever the number of prisoners of a particular religion warrants, a qualified representative of the religion should be available for counseling and services.

The longest discussion pertains to institutional personnel, who must exhibit “integrity, humanity, professional capacity, and personal suitability.” Knowing full well the difficulty in staffing prisons all over the world with such people, the congress emphasized in this section the importance to the larger community of the social service provided by prison personnel.

This section discusses such matters as salaries, work conditions, education and training (including in-service training), and types of specialists needed. The director should be a qualified, full-time person who lives in or near the institution and should speak the language of the majority of the inmates; the director of a women’s facility should be a woman. Close supervision by medical officers is also specified.

The rules applicable to special categories indicate the provisions necessary for prisoners under sentence, prisoners with mental disorders, prisoners awaiting trial, and civil prisoners. Although the congress termed the rules “minimum” ones, few of the world’s penal institutions had attained such standards. It was decided to ask governments throughout the world to consider the adoption of the rules and to issue progress reports to the United Nations every three years.

The congress attempted to reflect the consensus of prevailing thought on the treatment of prisoners and the general management of penal institutions. Like many pronouncements by United Nations bodies, the rules are necessarily expressed in the kind of general terms that almost inevitably emanate from a group representing vastly different cultures from around the world, and this



U.N. secretary-general Dag Hammarskjöld (©The Nobel Foundation)

lack of specificity is a drawback. The rules were significant nevertheless because they represented acknowledgment by an international body of the parameters of prisoners' rights.

The devisers of the minimum rules represented a rather broad spectrum of humanitarian, economic, administrative, social, and psychological thought. They were not a group that could be faulted as being "soft on crime." Much of the motivation was practical: All over the world, prison experience often made offenders a greater threat to society than they had been previously.

On July 31, 1957, the Economic and Social Council (ECOSOC) of the United Nations passed a resolution urging that the Standard Minimum Rules be as widely publicized as possible and that Secretary-General Dag Hammarskjöld make arrangements to publish information on compliance as it came from various world governments. In addition, ECOSOC urged wide publicity for other recommendations made by the 1955 congress having to do with the selection and training of personnel for penal and correctional institutions, on open penal and correctional institutions, and on general principles of prison labor.

On December 20, 1971, the General Assembly reaffirmed the resolution of 1957 and drew attention to articles 5, 10, and 11 of the Universal Declaration of Human Rights, which dealt respectively with the right not to be subjected to inhuman treatment or punishment, the right to a fair and public hearing by an independent and impartial tribunal in any civil or criminal proceedings, and the right of an indicted person to be presumed innocent until proven guilty along with the right not to be subjected to retrospective criminal sanctions. On December 14, 1973, the General Assembly, by a vote of 107-0 with 20 abstentions, praised the continuing work of an ad hoc committee concerned with the Standard Minimum Rules and recommended renewed attention to their dissemination and implementation.

Impact of Event

Many writers on prisoners' rights in the decades following the United Nations' adoption of the Standard Minimum Rules either explicitly judged the rules to have had little impact or implicitly suggested as much by their inattention to them. Disenchantment with the efficacy of United Nations efforts in general probably played a part informing the consensus, as did a common conviction that rules written so generally as to gain the approval of representatives of many diverse nations must necessarily have few teeth in them.

It is ironic that prisoners' demands in the Attica Prison riots in New York in September of 1971 included many of the items covered in the Standard Mini-

imum Rules, for example, the needs for a healthier diet and for adequate medical treatment. These issues were subsequently addressed, but unless one or more of the rebelling prisoners had been reading the rules, fear generated by the riots, not the recommendations of the United Nations, motivated such reforms as were achieved. Two years after the riots, G. O. W. Mueller, the director of the Criminal Law Education and Research Center at New York University, concluded that the rules "have not yet been complied with" in the United States.

Nevertheless, the Standard Minimum Rules have had an impact. They are invoked from time to time in cases involving prisoners in the United States, and nongovernmental bodies such as the International League of Human Rights and the International Commission of Jurists often refer to them. The Canadian Human Rights Act condemns discrimination on the basis of race, sex, religion, and other usual bases but adds the far less usual "conviction for an offence for which a pardon has been granted."

Among medical and health professionals, the Standard Minimum Rules have gained widespread attention. A 1972 international symposium on the medical care of prisoners in London disclosed some hopeful signs. The assertion by a professor of criminal law in Warsaw University that Poland observed the rules and had based its penal code partly on them was not seriously challenged in the subsequent discussion. The medical superintendent of Grendon Psychiatric Prison in England (which he reported as having achieved impressive results with prisoners plagued by mental disorders) insisted that England and Wales had "advanced well beyond the Standard Minimum Rules for the medical care and protection of prisoners."

The United States has seen a trend away from the traditional "hands off" policy of the courts in cases involving medical practice. Beginning in the 1970's, suits by prisoners increased greatly. By 1980, more than half the state prison systems in the United States were subject to court orders because of prison conditions or flawed decision-making processes. Such developments do not in and of themselves improve the lot of any prisoner. Suits often fail, and states manage to dodge or stall compliance with court orders. The process of educating governments and the general public in neglected rights of prisoners is a slow one, and it is extremely difficult to point to any individual who has unequivocally benefited from the Standard Minimum Rules, but they have increasingly become part of the atmosphere in which penologists, criminologists, and legislators work. It appears, however, that prisoners' rights are unlikely to become a major element in the social consciousness of very many people without direct experience of prison life.

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Robert P. Ellis

Sudanese Civil War Erupts

Category of event: Atrocities and war crimes; racial and ethnic rights

Time: August 18-30, 1955

Locale: Torit, Equatoria Province, Sudan

The revolt of the Southern Corps of the Sudanese army against their northern officers, only months before Sudan's independence, was the first incident in a long-running civil war

Principal personages:

RENALDO LOLEYA (?-1956), a second lieutenant in the Southern Corps and leader of the mutiny

ISMĀ'IL AL-AZHARĪ (1902-1969), the prime minister of the Sudan during the transition to independence, 1954-1956

SIR ALEXANDER KNOX HELM (1893-1964), the governor-general of the Sudan during the final months of British colonial rule

IBRAHIM ABBOD (1900-1983), the commander in chief of the Sudanese armed forces who seized power in 1958 and remained president until 1964

Summary of Event

The civil war in the Sudan is one of the more intractable conflicts in Africa, having claimed countless lives. The conflict centered on the southern Sudan—defined as the Bahr al-Ghazal, Upper Nile, and Equatoria provinces—which is distinguishable from the rest of the country on both ethnic and religious lines. Whereas the north is largely Muslim and Arabic-speaking, at least thirty different languages are spoken by people in the southern provinces. The people of the south adhere to a variety of religions, including Christianity, and are generally darker skinned than the northerners (the majority of whom consider themselves to be Arabs), but there is no clear racial distinction.

The British ruled the Sudan from 1898 to 1956, although they did so (in theory) jointly with Egypt, in an arrangement known as the Condominium. The British were never enthusiastic about the cultural influence of Islam in the south, and from 1930 their policy aimed specifically at maintaining the distinct identity of the peoples of the south. The southern provinces were closed to northerners, except for those on government business. Greek, Syrian, and

Jewish traders were encouraged to set up business in the south, while northern traders were expelled. The Arabic language, northern styles of dress, and even Arabic names were discouraged or prohibited. Christian missionaries were encouraged; Muslim proselytizing was banned. Education in the south was left to missionaries. The aim of the British was to preserve and develop southern cultures, but the result was inequality and mistrust between north and south. Southerners lagged behind northerners in education, economic development, and political experience. Northerners tended to view the south as backward and uncivilized, whereas memories of nineteenth century slave trading added to southerners' fears of the north.

In 1946, the British reversed their policy and began to reintegrate the south. By this time, nationalist political parties had emerged in the north and were demanding British withdrawal. Negotiations for the transition to independence largely bypassed the southerners, many of whom feared they were unprepared to hold their own in an independent Sudan. Mistrust in the south increased when, in 1954, the newly elected transitional government, dominated by northerners, began the process of "Sudanization" of the army, police, and administration. Most of the positions vacated by the British went to northerners: Out of eight hundred administrative posts which were "Sudanized," only six went to southerners. Even in the Southern Corps, which was entirely composed of southern troops, the higher ranks (twenty-four positions in all) were filled by northerners as British army officers departed, while only nine junior posts remained for southerners. Although the root of the problem was that there were few southerners qualified to fill higher ranks, southern soldiers tended to view it as another case of northern arrogance and discrimination.

By 1955, the situation had become dangerously polarized. Two southern members of the ruling cabinet were dismissed in May for disagreeing with the prime minister, Ismā'il al-Azharī, on southern affairs. Southerners of all political stripes were attempting to form their own southern bloc in parliament, advocating a federal constitution with some autonomy for the south. The government rather clumsily attempted to head this off, and in July had one southern member of parliament and five other men arrested and sentenced to prison, after a trial later described as "farical" by a commission of inquiry. The day after this trial, and only sixteen miles away, a crowd protesting the dismissal of three hundred southern workers at a cotton project was fired on by soldiers and police. Six were killed by gunfire, and two others drowned trying to escape. Meanwhile, a faked telegram had been circulating in the south, purporting to be by Prime Minister Ismā'il al-Azharī, in which officials in the south

were instructed to “persecute [the southerners], oppress them, ill-treat them according to my orders.”

On August 7, authorities uncovered a mutiny plot in the Southern Corps. The conspirators were spreading the rumor that northern troops were “coming to kill southerners.” Three days later, the government airlifted northern troops into Juba, the capital of Equatoria, and civilians began to flee the city. Meanwhile, the government proceeded with plans to move Number Two Company of the Southern Corps from Torit, Equatoria, to Khartoum, the capital of the Sudan, on August 18. When the day came, the soldiers refused to obey their orders, having heard rumors that they were to be executed in the north. Within a few hours, the base was under the control of mutineers. The mutineers killed several northern officers and looted shops in town owned by northerners. Several dozen southerners were drowned trying to flee Torit.

On August 19, Lieutenant Renaldo Loleya arrived from Juba with the (somewhat exaggerated) news that the northern troops in Juba were indiscriminately killing southern soldiers and civilians. Renaldo assumed command of the mutineers. Northerners who took refuge at the police station were rounded up by the mutineers on August 20, and several were executed. In all, seventy-eight northerners were killed at Torit. Other garrisons of the Southern Corps in Equatoria soon joined in the mutiny, as did many police, civilians, and even some government officials. Only one-quarter of those later tried and executed were actually soldiers. Northerners were attacked, and their property was looted. In Bahr al-Ghazal and Upper Nile provinces, however, authorities were able to disarm and calm the soldiers before full-scale mutiny could occur.

When Prime Minister al-Azharī asked the mutineers to surrender and promised them fair treatment, they responded by asking that the northern troops be withdrawn from Juba and the British or United Nations brought in to investigate. Al-Azharī refused to remove his only loyal troops from the region, and in fact began to send more troops south. The governor-general of the Sudan, Sir Alexander Knox Helm, who was on leave when the mutiny occurred, returned to the country on August 25. He ordered the Southern Corps to surrender, promised them safe conduct, and added his assurance that a “full and fair investigation” would be conducted. Because he was in the process of evacuating the British from the country, he refused to consider sending in British soldiers as the mutineers had requested. On August 27, the mutineers agreed to surrender, but when northern troops arrived in Torit on August 30, they found the garrison deserted, except for Loleya and a few companions. The others had fled, fearing retribution from the northerners. All

told, only 461 southern soldiers surrendered, out of a total force of some 1,400. Nevertheless, on September 6 the government declared the disturbances to be over. The Southern Corps was disbanded and its place taken by northern forces.

In all, at least 261 northerners and 75 southerners were killed in the actual uprising, according to the commission of inquiry which followed. Women and children had not always been spared. It would seem likely that many more people died in later reprisals by northern troops, as there were reports of torture, mutilation, and summary execution by northern soldiers. Of those formally convicted for participating in the mutiny, 121 were executed, including Renaldo Loleya. It is alleged by southerners that several of these mutineers were put on trial posthumously, having already been summarily executed, and that the government was trying to cover its abuses of justice by announcing their trial and execution. Southerners also accused Sir Knox Helm, who left the country on December 15, of doing nothing to fulfill his promise of safe conduct for those mutineers who surrendered.

Impact of Event

Although more than one thousand of the Southern Corps remained at large, this did not interfere with the celebration of Sudan's independence on January 1, 1956. Over the next few years, there were scattered incidents in the south. In 1957, the army destroyed seven hundred huts in one district alone in reprisal against villagers who sheltered rebels. Southern members of parliament continued to seek a political solution to the southern problem through some sort of federation, but without success.

The situation grew worse with the overthrow, on November 17, 1958, of the elected government of the Sudan by Brigadier General Ibrahim Abboud. It was under Abboud's regime that the tense situation in the south turned into an outright civil war. Abboud's policies toward the south were little different from those of his predecessors—the basic assumption of northern leaders was that assimilation of the south into Arabic and Islamic culture would solve the problem—but he took the policies much further than had his predecessors. Abboud apparently sought to arrest many of the southern political leaders in 1960, but they were warned and chose to leave the country. Many educated southerners followed these leaders into exile. Abboud also sought to remove the influence of foreign Christian missionaries, who were regarded as the main source of the troubles. In 1960, the Sunday holiday was abolished, and a number of priests were arrested. In 1961, all religious gatherings outside churches were banned, and missionaries who left the country were prohibited

from reentering. In 1962, missionaries were required to apply for a license, and finally, in 1964, all foreign missionaries were expelled from the south (although not from the north). One effect of this action was that nearly all the schools in the south were closed.

In 1962, a group of prominent southern politicians in exile founded an organization, later known as the Sudan African National Union (SANU), devoted to complete independence for the southern Sudan. In the following year, an organized guerrilla movement, popularly known as *Anya-nya* (“snake venom”), was forged in the south from the various remnants of the Southern Corps and others who had joined them in the bush. As the military campaign against the government increased in strength, the government reacted more harshly, and there were reports of atrocities on both sides. It was the ordinary people, caught in the middle, who suffered the most.

Abboud was overthrown in 1964, and the Sudan returned to civilian rule. For a time, it looked as though a compromise could be reached with the southern leaders, many of whom returned from exile, on the basis of a federal system. By this time, however, the southerners themselves were split on whether to work toward federation or independence. Meanwhile, the violence escalated in the south until hundreds of thousands of southerners had fled to neighboring countries or to the north. Finally, in 1972, President Jafir Nimeiri, who had come to power in a military coup in 1969, was able to negotiate a cease-fire with the *Anya-nya* and the exiled southern leaders. The south was granted a certain amount of autonomy, and the guerrillas were given amnesty and absorbed into the Sudanese army. The uneasy peace lasted for only eleven years, and in 1983 another mutiny, this time in Upper Nile province, resulted in the resumption of the civil war. Again hundreds of thousands of people fled the country, and millions were threatened with starvation, condemned by their leaders’ inability to find a way out of the predicament.

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T. K. Welliver

Khrushchev Denounces Stalinist Regime

Category of event: Atrocities and war crimes; political freedom

Time: February 25, 1956

Locale: Moscow, Soviet Union

In a stunning four-hour speech to the Twentieth Congress of the Communist Party of the Soviet Union, Nikita Khrushchev exposed for the first time political repression under Joseph Stalin

Principal personages:

NIKITA S. KHRUSHCHEV (1894-1971), the first secretary of the Communist Party of the Soviet Union (1953-1964); the successor to Joseph Stalin and the initiator of the de-Stalinization campaign

JOSEPH STALIN (1879-1953), Khrushchev's predecessor as the leader of the Communist Party of the Soviet Union

LAURENTII BERIA (1899-1953), the head of the Soviet secret police and a key figure in the political repression under Stalin

Summary of Event

Joseph Stalin's victory over his political rivals and his accession to power as the leader of the Soviet Union in 1928 marked the beginning of a quarter-century of brutal suppression of the Soviet people's political and ideological freedoms. It signaled a reversal of rather moderate and more flexible policies espoused by the Communist Party of the Soviet Union in the early to mid-1920's, and the initiation of forced-draft industrialization and coercive agricultural collectivization. The result was the imposition of one of the most powerful and oppressive dictatorships in modern history. "Stalinism," as this political system came to be called, rested in part on mass terror and the cult of the personality of the man behind it. The most visible victims of Stalin's autocratic rule ranged from the Soviet Union's political elites to the better-off peasants or *kulaks*.

Stalin's narrow base of support came from a byzantine network of extra-legal secret police and sections of the government bureaucracy that were accorded special privileges. The tremendous centralization of administrative and coercive powers reflected Stalin's singleminded pursuit and consolida-

tion of power without regard to human cost. No one was fully immune from the dictator's abuse of power during the successive waves of purges that were carried out in the 1930's, not even high-level members of the Politburo (political bureau of the Communist Party), in which Soviet political power was concentrated.

The first sign of a pattern of political excesses came most clearly during the forced collectivization drive that began in late 1929. This rural transformation, which occurred at breakneck speed, led to special hardships for the *kulaks* whose property was confiscated, but it wreaked havoc on ordinary peasants as well. Nearly 60 percent of Soviet agriculture was collectivized in a little more than one year. Entire villages were emptied, and the rural economy suffered, with harvests falling precipitously. The shortfall in 1932 produced a famine that killed one million peasants.

If the government was willing to sacrifice sections of the peasantry for its economic goals, it went even further in the political sphere. Until 1934, the victims of the Soviet secret police were largely members of the bourgeoisie, royalists and political opponents of the Bolsheviks (as the ruling Soviet communists were originally called). Soon, however, the Communist Party itself felt the full brunt of terror. The slaughter of Party members began in earnest in 1934 following the assassination of Sergei Kirov, a member of the Politburo and Party boss in Leningrad. Although the circumstances surrounding his death remain unclear, it set off an unparalleled campaign of repression by the secret police against alleged antileadership elements within the Party.

A hallmark of the great purges was the series of show trials that reached their climax from 1936 to 1938. Arthur Koestler's novel *Darkness at Noon* (1940) offers an allegorical glimpse into the frightening fall of the Party leadership and intelligentsia. The first of the great public trials began in August, 1936; all sixteen defendants were executed, including two Party stalwarts, Grigori Zinoviev and Lev Kamenev, who had in fact been top candidates to succeed Vladimir Ilich Lenin, the founder of the Soviet state.

The purges cast an ever-widening net fanning out from Party officials to trade unionists, leading writers, scholars, scientists, and engineers, and drawing in relatives, friends, and associates, thereby threatening the whole spectrum of Soviet society. Several draconian laws were passed, paving the way for the terror that ensued. Among them was the decree of April, 1935, making children aged twelve years or over subject to criminal charges. Laws passed in 1934 and 1937 permitted persons charged with the most serious antistate crimes to be tried secretly, in absentia, and without counsel. The number of unnatural deaths under Stalin has never been conclusively calculated, but mil-

lions of innocent men, women, and children were arbitrarily arrested, executed, or imprisoned in labor camps.

Khrushchev's speech to the Twentieth Party Congress in 1956 was a turning point in Soviet political life. It represented the first formal acknowledgment of one of the bleakest chapters in the country's history and provided encouragement to the gradual liberalization that began occurring after Stalin's death on March 5, 1953. Even before the speech by Stalin's successor, steps had been taken to undo some of the dictator's damages. Between 1953 and 1956, Khrushchev rebuilt important organs of the Party and in the process rooted out a number of Stalin's lieutenants.

The first indication of post-Stalin change was the release in April of the Kremlin doctors who had been arrested under Stalin four months earlier for plotting to assassinate important Soviet leaders. The plot was officially denounced as a pure fabrication, thereby thwarting Stalin's last terror episode. Soon afterwards, Lavrentii Beria, the chief of the secret police, was arrested and, along with six other top police officials, executed as part of a dramatic drive to tame this institutional rogue elephant.



Nikita Khrushchev addressing a session of the Supreme Soviet in January, 1956.
(National Archives)

Many people were released from prisons, and others who had been attacked as “enemies of the people” were “rehabilitated” (readmitted to history or society in a favorable light), often posthumously. Of the twelve to thirteen million people believed to have been in labor camps during Stalin’s time, approximately sixteen thousand were released in the first three years after his death. Although relatively small in number, this group comprised influential people from the government and the Party, and their resumption of active political life hastened the changing of the attitudes of the elite.

From 1955, systematic reexamination was undertaken of all cases of persons previously convicted of political crimes. In anticipation of large-scale releases of prisoners, temporary judicial commissions were created and allowed to hold hearings at the camps themselves. Reliable estimates suggest that in 1956 and 1957, nearly eight million people were freed and another six million posthumously rehabilitated.

In other legal affairs, military courts that had previously had a wide jurisdiction in civil matters, especially in political crimes, were deprived of all authority over civilians except in the case of espionage. The law on state secrets was significantly relaxed and amended to include a more precise and less sweeping description of what constituted a state secret. Confessions alone were no longer acceptable as incriminating unless they were corroborated by independent evidence. The burden of proof, which under Stalin had fallen on the accused in political crimes, now shifted to the prosecutors.

In the wake of Stalin’s death, a very cautious policy of encouraging greater intellectual freedom was also initiated. Censorship was maintained but relaxed; criticism of abuses, shortages, and inefficiencies of the political economy was tolerated. Writers and artists began faulting the rigidity and “formalism” under Stalin. For example, one of the country’s most eminent composers, Dmitrii Shostakovich, called for greater freedom in music without suffering any consequences.

The everyday welfare of the Soviet people, which had been subordinated under Stalin to the dictates of rapid industrialization to compete with the West, was given higher priority by Khrushchev. For example, greater emphasis was placed on agricultural products and consumer goods over heavy industry. The new leader launched a highly publicized campaign to catch up with the United States in the per-capita production of meat, milk, and butter. The harsh criminal penalties to maintain labor discipline under Stalin were abandoned, and the workweek was reduced from forty-eight to forty-one hours. A minimum wage was instituted that greatly benefited the lower classes.

Although Khrushchev’s speech itself was delivered in secret and never pub-

lished in the Soviet Union, it was circulated in official meetings across the country, and its contents became widely known at home and abroad. Khrushchev attacked Stalin's despotic rule with detailed accounts of the dictator's personal responsibility for repression, self-glorification, and historical falsification. Stalin was portrayed as a morbidly paranoid man who exacted complete servility from his subordinates. The speech was studded with harrowing passages read from letters sent by victims languishing in prison camps.

Impact of Event

Khrushchev's speech was electrifying, offering hope that the gradual thaw following Stalin's death would turn into a full-blown "spring." At that first Party Congress since Stalin's death, Khrushchev vowed never to resume Stalin's repressive methods of rule.

In cultural and intellectual spheres, censorship of forbidden themes began to be erased. At times, Khrushchev personally intervened in support of publishing topics that had been taboo, including, for example, Aleksandr Solzhenitsyn's novella *Odin den Ivana Denisovicha*, 1962 (*One Day in the Life of Ivan Denisovich*, 1963), set in a prison labor camp. Solzhenitsyn was even nominated for the Lenin Prize, the Soviet Union's highest literary honor, for the novella. In the theater and in literature, interrogation of the perpetrators of crimes under Stalin was portrayed more and more openly. Soviet novelists of rural life also began questioning the myth of collectivization as a purely voluntary, spontaneous, and benign movement by chronicling the harsh methods employed to enforce collectivization in the late 1920's and early 1930's. Indeed, many of the social and political criticisms of Stalinism that surfaced in later dissident writings were anticipated in the official and unofficial publications of the Khrushchev period.

One important aspect of Khrushchev's democratization effort was a huge increase in political participation. For example, a government decree required greater and more immediate attention to citizen demands. Membership in the Communist Party increased nearly 50 percent between 1957 and 1964. Greater autonomy for such organizations as trade unions and the rejuvenation of citizen committees for local government were evident. In the new environment, more independent and scholarly research in the social sciences was encouraged for the first time in thirty years.

The effects of de-Stalinization under Khrushchev reached a peak in October, 1961, at the Twenty-second Party Congress, in which a more radical version of official anti-Stalinism was sanctioned. Most important, the attack on the former leader was conducted in public, with the Soviet media providing

daily coverage of speaker after speaker denouncing Stalin's excesses in detail for a full two weeks. In the impassioned atmosphere of the congress, numerous resolutions designed to chip away at the legacy of Stalin were passed, including ones to remove Stalin's body from the Lenin Mausoleum on Red Square and obliterate his name from thousands of buildings, monuments, and towns.

Khrushchev's campaign to reveal the truth about his predecessor and to begin to purge Soviet society of Stalinist remnants, however, always contained contradictions and had its share of powerful opponents. The democratization process was ultimately not allowed to blossom fully, partly because of Khrushchev's own tentativeness and partly because of a conservative reaction that weakened his position. For example, in the artistic sphere, Khrushchev at times sent out mixed signals. Although the government espoused freedom of expression in general, it frowned upon avant-garde experimentation and continued to expect artists to adhere to Socialist Realism.

In the religious realm, the new leader proved to be more hardline than his predecessor. The Jewish faith was circumscribed more, as was the Russian Orthodox Church. The Soviet Union's internal relaxation also produced unexpected movement in a number of East European countries toward liberalization, especially in Hungary and Poland, with unrest in the latter and a full-fledged uprising in the former. This development threatened Soviet control in these countries and in turn provided ammunition for conservatives who had been opposing Khrushchev's fast-paced reforms at home.

With the ouster of Khrushchev in 1964 by his opponents in the Politburo, a ten-year period of reformation in Soviet politics was ended and a lengthy era of conservatism was ushered in under his successor, Leonid Brezhnev. Khrushchev's reformist legacy survived, however, and Soviet president Mikhail Gorbachev's policy of *glasnost* (openness) in important ways harked back to it.

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Deepa Mary Ollapally

Soviets Crush Hungarian Uprising

Category of event: Political freedom; revolutions and rebellions

Time: October-November, 1956

Locale: Hungary

The Hungarian people demanded political freedom and the withdrawal of Soviet military forces from their country, but these demands were forcibly suppressed

Principal personages:

IMRE NAGY (1896-1958), the popular Hungarian national communist who led the Hungarian independence movement

MATYAS RAKOSI (1892-1971), the Stalinist leader of Hungary whose dismissal in 1956 paved the way to the uprising

JANOS KADAR (1912-1989), the leader of the Hungarian Communist Party who took power during the Soviet intervention and ruled Hungary until 1988

NIKITA S. KHRUSHCHEV (1894-1971), the first secretary of the Soviet Communist Party, who introduced de-Stalinization in the Soviet Union and Eastern Europe

ANASTAS MIKOYAN (1895-1978), a high-ranking Soviet Communist Party official

Summary of Event

Hungary, defeated in World War I, fought on the side of Nazi Germany during World War II hoping to regain lost territories. The conquest of Hungary by the Red Army of the Soviet Union in the winter of 1944-1945 marked the beginning of nearly five years during which Hungary was a single-party communist state led by Matyas Rakosi. Freedoms of speech, assembly, press, and religious expression were severely curtailed. A state security organ was created, accountable only to the ruling Council of Ministers. Over 300,000 informers reported to this security apparatus, which established files on more than ten percent of the population. Although a new constitution was declared in 1949 that allegedly protected individual rights, there was, in fact, no independent judiciary in Hungary, and scant attention was paid to due process of law. Instead, the Communist Party, under Rakosi, reigned supreme. Rakosi patterned his rule on that of Joseph Stalin of the Soviet Union.

Stalin's death in 1953 was followed by a period of collective leadership in the Soviet Union, from which Nikita Khrushchev ultimately emerged as the most powerful figure. The states of Eastern Europe were urged to follow the Soviet lead. In Hungary, Rakosi was forced to share power with Imre Nagy. Nagy explicitly criticized the abuses of individual rights by state authorities and sought to restore a measure of legality to the lives of Hungarians. By 1955, however, Nagy had been politically outmaneuvered by Rakosi and was expelled from the Communist Party. Nagy remained, however, an immensely popular figure in Hungary because of his advocacy of a more tolerant, national form of communism.

In February of 1956, Khrushchev startled the world with a harsh critique of Stalin's rule. He also promised more autonomy to the communist states of Eastern Europe as long as they remained committed to following the path of socialism. Khrushchev's words led to increasing demands for political and economic freedoms in Eastern Europe, particularly in Poland and Hungary. In March, Hungarian writers and other intellectuals created the Petofi Circle, a forum for debate and discussion that quickly became intensely critical of the government. Rakosi attempted to disband the Petofi Circle, planned to arrest Nagy and other dissident communists, and introduced repressive measures against the growing freedom of expression. On July 17, Anastas Mikoyan, a member of the Soviet Union's ruling party presidium, arrived in Budapest with word that Rakosi would have to step down as leader of Hungary's Communist Party in favor of Erno Gero. Additional appointees to the party leadership included Janos Kadar, who had been a victim of an earlier Rakosi purge.

Rakosi's departure and the other personnel changes were insufficient to stem the rising tide of demands for reforms in Hungary. Central to these was that Nagy should be returned to power. On October 13, Nagy's party membership was restored, but opposition groups and manifestos continued to proliferate. The opposition was inspired by the increasingly successful efforts of the communist leadership in Poland to win concessions from the Soviet Union. Among the most important of the Hungarian reform proposals was a list of demands drawn up on October 22 by students from the Technical University in Budapest. These included the immediate withdrawal of all Soviet troops from Hungarian territory; the reorganization of the Communist Party along democratic lines; the formation of a new government, to be led by Nagy at first, with free multiparty elections; extensive economic reforms; complete recognition of freedom of opinion, expression, press, and radio; and the removal of Stalin's statue from one of Budapest's main squares.



Soviet tank patrolling the streets of Budapest. (National Archives)

On the evening of October 23, a crowd of students attempted to gain access to Budapest's radio headquarters in order to broadcast these demands. They were fired on by members of the Hungarian security police. Demonstrations began occurring throughout Budapest. These multiplied and reached new levels of intensity as a result of an inflammatory speech by Gero accusing the demonstrators of being enemies of the working class. Responding to public pressure, the government then reorganized itself, naming Nagy as premier, but also requested assistance from Soviet military forces already stationed in Hungary. This initial Soviet intervention was limited and rather halfhearted, emboldening rather than discouraging the protestors. Meanwhile, Mikoyan returned to Hungary with Mikhail Suslov, another high-ranking Soviet official. Gero and other Hungarian party leaders were compelled to resign, and Kadar was appointed the new party chief.

Despite leadership changes in Budapest, events in the Hungarian provinces were developing a momentum of their own. Revolutionary councils of workers, students, and peasants were being formed and, although some of their specific goals varied widely, their common objectives included the withdrawal of Soviet troops and the creation of a pluralistic political order in Hungary. Nagy, his good intentions notwithstanding, found himself trapped

between the forces demanding radical change and the political reality of having to deal with the Soviet Union. Nagy's difficulties were further exacerbated by foreign radio broadcasts, particularly from Radio Free Europe, which harshly questioned his motives and encouraged opposition groups to press their demands.

Nagy continued to seek a way out of his dilemma and, on October 30, it appeared that he might succeed. Mikoyan and Suslov had returned to Budapest carrying a Soviet declaration from Moscow that called for negotiating the question of Soviet troops in Hungary along with other issues of mutual concern. On the same day, Nagy announced on Hungarian radio that a multiparty political system would be restored and that negotiations would begin on the withdrawal of Soviet military forces. Even this momentous development was insufficient to silence many in the opposition who demanded that Hungary withdraw from the Warsaw Pact and unequivocally declare its neutrality.

The apparent willingness of the Soviet Union to negotiate with Hungary on these issues masked a furious Kremlin debate over how to deal with a direct challenge to Soviet political hegemony in Eastern Europe. If Hungary were permitted to pursue a course of complete independence, what impact might this have on Czechoslovakia, East Germany, and other satellite states? By November 1, there were ominous hints that the Soviets intended to resolve the issue by force rather than by compromise. On that date, Nagy received reports that Soviet troops were entering Hungary, not withdrawing, and his efforts to clarify the situation with the Soviet ambassador to Hungary, Yuri Andropov, were unavailing. Nagy went on Hungarian radio to announce that Hungary was, in fact, intending to leave the Warsaw Pact and become a neutral state. Nagy also informed the secretary-general of the United Nations, Dag Hammarskjöld, of Hungary's intention. Simultaneously, Kadar, along with several other party leaders, mysteriously disappeared from the Hungarian capital.

By the morning of November 4, Soviet intentions became clear. The Red Army began a massive military intervention that was to result in approximately three thousand Hungarian deaths. Half of those killed were under thirty years of age and many were teenagers. The mystery surrounding Kadar's disappearance was solved when it was revealed, also on November 4, that he and several other party leaders had fled to the Soviet Union, from where they declared that Hungary was threatened with counterrevolution, requiring the formation of a new government. In the face of the Soviet intervention, Nagy was compelled to seek refuge in the Yugoslav Embassy. When he left the embassy, he was arrested. In 1958, Nagy was executed. The United States and the United Nations, caught up in the events of the simultaneously evolving

Suez crisis, vigorously protested the Soviet invasion but failed to intervene. Hungary's dramatic effort to achieve political self-determination had been crushed.

Impact of Event

The massive intervention of Soviet military forces in Hungary was condemned internationally as a blatant violation of Hungarian sovereignty and of the human rights of its citizens. Thousands throughout the world, including many in the United States, resigned their memberships in the Communist Party. The image of communism as a champion of human rights, already greatly damaged by Stalin's crimes, was irreparably destroyed.

In Hungary itself, the casualties caused by the military invasion were compounded by additional widespread repression. Over the following year, twenty thousand were arrested, two thousand were executed, and thousands were deported to the Soviet Union. Over 200,000 became refugees, most of these fleeing across the border to Austria. Workers' councils were abolished, and the recently acquired freedoms of press and intellectual expression were severely curtailed.



Hungarian premier Imre Nagy (center) and two other cabinet ministers taking refuge in the Yugoslav embassy while Soviet tanks are occupying Budapest. (National Archives)

Kadar faced a formidable challenge of reconstruction in Hungary. He was widely disliked and distrusted, and the country was in political and economic chaos. Surprisingly, however, Kadar was able to effect a policy of gradual reconciliation which was to heal some of the wounds inflicted in 1956. Although the Communist Party retained its monopolistic hold on political power, some reforms were initiated, notably the New Economic Mechanism (NEM) introduced in 1968. The NEM strengthened the role of market forces in the economy and created a less centrally controlled structure of prices. In other spheres of activity, such as culture and religion, the regime displayed increasingly tolerant attitudes. The result was that, during the decades of the 1970's and 1980's, the reputation of Hungary was that of the most liberal of the Soviet-bloc East European states.

Despite the fact that Hungary's human rights record was somewhat better than that of some of its neighbors, Romania for example, the legitimacy of the political system was still weak. By the mid-1980's, Kadar was losing his grip on power. He was finally removed as party leader in May, 1988. In a development of enormous significance, Nagy was at last given a public funeral on June 16, 1989. Nagy's re-burial as a national hero was attended by more than 100,000 citizens. The same year, Hungary began moving toward a multiparty system. In June, 1991, at least some of the ghosts of 1956 were laid to rest when, in the wake of the dissolution of the Warsaw Pact, the last Soviet troops left Hungary.

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Scott McElwain

United Nations Adopts Abolition of Forced Labor Convention

Category of event: International norms; prisoners' rights; workers' rights

Time: June 25, 1957

Locale: Geneva, Switzerland

The Abolition of Forced Labor Convention encouraged countries affiliated with the International Labor Organization (ILO) to outlaw forced labor as punishment for political dissent

Principal personages:

DAVID A. MORSE (1907-1990), the director-general of the International Labour Organisation

TRYGVE LIE (1896-1968), the first secretary-general of the United Nations (1946-1952)

DAG HAMMARSKJÖLD (1905-1961), the secretary-general of the United Nations (1953-1961)

PAAL BERG (1873-1968), a member of the first ILO ad hoc Committee on Forced Labor

SIR RAMASWAMI MUDALIAR (1887-1976), a member of the first ILO ad hoc Committee on Forced Labor

FELIX FULGENCIO PALAVICINI (1881-1952), a member of the first ILO ad hoc Committee on Forced Labor

ENRIQUE GARCÍA SAYÁN, a member of the first ILO ad hoc Committee on Forced Labor

PAUL RUGGER (1897-1969), a member of the second ILO ad hoc Committee on Forced Labor

CÉSAR CHARLONE (1896-?), a member of the second ILO ad hoc Committee on Forced Labor

T. P. B. GOONETILLEKE, a member of the second ILO ad hoc Committee on Forced Labor

Summary of Event

Since the eighteenth century, human rights advocates have denounced human labor bondage and called for its abolition. Although slavery has been

the most conspicuous form of bondage through the years, a new type of bondage known as forced labor has been widely practiced and widely condemned in the twentieth century. Slaves are considered chattel property, usually of individuals. Forced labor has been used as a punishment for the expression of political opinions that are not favored by existing authorities and for economic exploitation that benefits the state. Compulsory employment of indigenous peoples in colonial mines, so-called "correctional labor" for enemies of the people in revolutionary Russia, labor camps associated with Stalin's five-year plans in the 1930's, and the compulsory employment of conquered peoples of Europe to serve the Nazi war machine are examples of this type of bondage. Shortly after World War II, concerted efforts were made to outlaw forced labor throughout the world.

In November, 1947, the American Federation of Labor (AFL) proposed that the United Nations Economic and Social Council (ECOSOC) request that the International Labor Organization (ILO) conduct a thorough survey of forced labor in U.N. member states and recommend a program to end it as part of the effort to foster human rights and to improve employment conditions. The AFL request pointed to the progress made in suppressing slavery and the slave trade and to the actions of the Nuremberg Tribunal in holding prominent Nazis accountable for abuse inflicted on hundreds of thousands of Europeans during the war. Although progress had been made, the AFL also noted that there were a number of similar cases which were cause for concern. Emphasis was placed on the detention of millions of prisoners of war as forced laborers. In addition, some members of the United Nations operated corrective labor camps that amounted to a form of state slavery where people were punished, often without due process, for expressing political opinions. The AFL resolution was passed.

On February 14, 1949, the ECOSOC took up the AFL resolution amid considerable controversy. The United States charged that the Soviet Union was the world's chief practitioner of forced labor, benefiting from the work of an estimated eight to fourteen million prisoners. The United States introduced a draft resolution calling on the ILO to look into the matter and report its findings to the ECOSOC. Predictably, the Soviet representative, S. K. Tsarapkin, took issue with these assertions and with the AFL resolution. He accused both the AFL and the United States of slandering the Soviet Union by adopting the tactics of the Nazi master propagandist, Joseph Goebbels, who used the frequently repeated "big lie" to distract his audience from the truth. Tsarapkin argued that forced labor was the basis of the capitalist economy and pointed to the discriminatory nature of the AFL report, which made no mention of U.S.

penal labor, forced labor imposed on displaced persons, especially in Great Britain's occupation zone in Germany, or practices in Latin America, other capitalist countries, or colonies.

After rejecting a Soviet-sponsored draft resolution to establish an international commission to study worldwide working conditions, the ECOSOC invited the ILO to investigate the problem of forced labor and to determine its extent and instructed the secretary-general of the United Nations to cooperate closely with the ILO. In August, 1949, the United States presented a resolution to set up a commission of inquiry, but the majority of the ECOSOC decided that pursuing the investigation would be useless unless all governments, especially the major powers, were willing to cooperate. The Soviet Union and its allies made it very clear that they would not cooperate with this investigation, which they assumed was politically motivated and aimed primarily against them. After lengthy debate, the ECOSOC asked the secretary-general to ask member governments to agree to cooperate in an inquiry. By the end of 1949, thirty governments had issued statements pledging cooperation.

In 1950, the question of investigating forced labor was postponed once more. The Soviet Union was boycotting U.N. activities in protest of the denial of China's U.N. seat to the Chinese Communists after their ouster of the Chinese Nationalists from the mainland. The ECOSOC decided not to pursue the forced labor issue in the absence of the Soviet delegation. The ILO did begin discussions on establishing a commission of inquiry into the nature and extent of forced labor. A year later, on June 27, 1951, U.N. secretary-general Trygve Lie and ILO director-general David A. Morse jointly announced the formation of an ad hoc Committee on Forced Labor.

In October, 1951, the committee members began their work in Geneva. They announced their plans to formulate and distribute to all governments (not only United Nations and ILO members) a questionnaire asking about the use of punitive, educational, or corrective labor as well as other cases of compulsory work in each country. An April 1, 1952, deadline was set for the questionnaire's return. The committee announced its hopes to complete its work by the end of 1952 or early 1953.

On May 27, 1953, the committee presented its report to the ILO and the ECOSOC. Its investigation led it to the conclusion that systems of forced labor did exist in twenty-four countries or territories. Forced labor was used as a form of political coercion to "correct" political opinions and to promote the state's economic prosperity. This report was not discussed at the ECOSOC's summer, 1953, session. The United States called for its inclusion on the agenda for the fall session, arguing that the issue harmonized with the United

Nations' determination to promote social and economic progress, to achieve international cooperation in solving problems, and to further human rights. The committee's report discussed not only isolated examples but systemic government action which produced wholesale suppression of human rights. The Soviet Union was identified as the chief culprit, using forced labor as political coercion and to promote its national economy. Georgi F. Saksin, the Soviet ECOSOC delegate, denounced the committee's work as a refusal to consider real forced labor, as it was content to slander the Soviet Union through errors, mistranslations, omissions, and other grave mistakes. After further heated exchanges, the ECOSOC delegates voted in favor of the United States' proposal to have the committee's report presented to the Third (Social, Humanitarian, and Cultural) Committee.

The next step in the slow process came a year later, when the Third Committee approved a resolution condemning forced labor and calling for continued efforts to end it. The resolution also called on the U.N. General Assembly to endorse an ECOSOC condemnation of systems of forced labor used as political coercion or punishment for holding or expressing political views. This resolution passed on December 14, 1954. Consideration of the forced labor issue seemed substantially intertwined with Cold War politics, as the working definition of forced labor was given as Soviet practice. Prompted by the Third Committee's resolution, the ECOSOC and the General Assembly condemned systems of forced labor and urged governments to reexamine laws and administrative practices to find the means to end this threat to basic human rights. U.N. secretary-general Dag Hammarskjöld and the ILO director-general were asked to prepare a further report, to include any new information that had come to light since the 1953 report. The new report was to be completed by December, 1955, so that the director-general could present it to the ILO governing body and to the delegates to the 1956 and 1957 ILO Conference. In the meantime, the ECOSOC issued a condemnation of all forms of forced labor on the grounds that it contradicted the principles of the U.N. Charter and the Universal Declaration of Human Rights. The condemnation urged action to stop forced labor wherever it existed.

In June, 1956, delegates at the Thirty-ninth General Conference of the ILO heard the ad hoc committee's report. Delegates representing member governments, employers' organizations, and workers' organizations decided that there was sufficient cause to revise the 1930 Convention on Forced Labor. Subsequently, the ILO voted unanimously to draft a new convention to outlaw forced labor, concentration camps, and deportation of national minorities for political or other reasons. The new convention was scheduled for inclusion

on the 1957 conference agenda. On another closely related front, on September 4, 1956, the United Nations adopted a supplement to the 1926 antislavery convention to abolish serfdom, debt bondage, bride price, inheritance of widows, and abuses linked to the adoption of children.

Finally, on June 25, 1957, the Abolition of Forced Labor Convention was ready for a vote at the Fortieth General Conference in Geneva. The ILO adopted three new international conventions: forced labor, weekly rest in commerce and offices, and protection of indigenous populations. The forced labor convention was approved 240-0, with the Soviet Union, which had joined the ILO in 1954, abstaining. The terms of the Abolition of Forced Labor Convention called on ratifying states to suppress and to eschew future use of forced labor for political reasons, economic development, labor discipline, punishment for participation in strikes or other labor disputes, or as a means of discrimination. Since the ILO pursued this convention on behalf of the United Nations, the June 25, 1957, vote committed the United Nations to work to end forced labor. The convention took effect on January 17, 1959.

Impact of Event

The United Nations' moral power had been marshaled once more against those who would abuse their own populations. World "public opinion" has contributed to the increase in pressure on governments and agencies to end various forms of abuse. The United Nations, through its General Assembly and affiliated organizations, has done admirable work in assembling people from many lands and cultures ready to pass judgment on which actions are abusive. Theoretically, the Abolition of Forced Labor Convention was a landmark in human rights, but in practical terms the impact of the convention has been less clear.

In the late 1950's, the Soviet Union began to shut down its infamous "gulag" system. That action seems to be more domestically motivated than the result of world opinion. In 1956, Nikita Khrushchev delivered the famous "Secret Speech" to the Twentieth Party Congress. By denouncing some of the crimes of the Stalinist era, Khrushchev took a giant step toward a different Soviet society. Further steps were taken as prisoners were released and rehabilitated and as camps were closed. The Soviet Union has shown a capacity to brush off its critics' condemnations, but during the Khrushchev era there was a short period when some Soviet policies harmonized with the worldwide drive for human rights.

Given the energetic American promotion of the forced labor issue in the late 1940's and the 1950's, one might conclude that the United States would

be one of the first states to ratify the Abolition of Forced Labor Convention. For a variety of reasons, however, the United States consistently opposed most international human rights agreements. In 1963, President John F. Kennedy changed the decade-old policy against ratification of human rights conventions when he sent three conventions to the Senate for consideration. The three were the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (opened for signature on September 7, 1956), the Abolition of Forced Labor Convention (signed June 25, 1957), and the Convention on the Political Rights of Women (opened for signature on December 20, 1952). Four years elapsed before the Senate held the first hearing on any of the three conventions; on the recommendation of the American Bar Association, it ratified only the slavery convention.

Although more than one hundred states had ratified the Abolition of Forced Labor Convention by the early 1970's, the convention has not been the final word on forced labor or produced its complete abolition. One of the by-products of the 1948 Universal Declaration of Human Rights was a charter outlining states' obligations regarding human rights. In 1966, the U.N. General Assembly approved the final text for a Covenant on Civil and Political Rights which asserted, among other rights, the right to life, freedom from torture and cruel punishment, and freedom from slavery and forced or compulsory labor.

International agreements remain valid only so long as the parties restrain themselves. Several examples show that while forced labor became less prevalent, it did not completely vanish. Forced labor was a crucial feature of the Cambodian "killing fields." After unification in 1975, Vietnam confined some of its opponents in reeducation camps that featured compulsory work designed to instruct people in the errors of their political and social thinking. In the fall of 1991, U.S. secretary of state James Baker used language reminiscent of the 1950's disputes between the United States and the Soviet Union to characterize Chinese forced labor policies for punishment of political dissidents and for the economic benefit of the state.

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Larry Thornton

Duvalier Takes Power in Haiti

Category of event: Political freedom

Time: October 22, 1957

Locale: Haiti

In 1957, François (Papa Doc) Duvalier established his authoritarian regime in Haiti, building it on a pattern and legacy of violence, corruption, and underdevelopment

Principal personages:

FRANÇOIS DUVALIER (1907-1971), the medical doctor who established the most resilient and bloody dictatorship in Haitian history

DUMARSAIS ESTIMÉ (1900-1953), a political leader and former chief of state in Haiti who led a revival of the revolution of the black middle class

LOUIS DEJOIE (1896-1967), a chief political rival of Papa Doc Duvalier, involved in several attempts to overthrow him

CLEMENT BARBOT (?-1963), an ally of Duvalier in the early years who created the infamous Tonton-macoutes secret police organ CLEMENT

CLÉMENT JUELLE (1915-1959), a family friend turned political rival of Papa Doc Duvalier

DANIEL FIGNOLÉ (1913-?), the founder of the Worker-Farmers Movement Party (MOP) who later became a rival of Duvalier

TOUSSAINT LOUVERTURE (1743-1803), the black revolutionary hero of Haiti in the 1790's to whom Duvalier liked to compare himself

JEAN JACQUES DESSALINES (1758-1806), the revolutionary leader and first chief of state of Haiti after independence

Summary of Event

On October 22, 1957, François (Papa Doc) Duvalier was inaugurated as the president of Haiti. This story neither begins nor ends on this date. Duvalier inaugurated one of the most brutal authoritarian systems of the twentieth century, but the tendency toward dictatorship was already firmly rooted in the history and political culture of Haiti. The unique aspect of Duvalierism was that the system which evolved was so resilient and far-reaching in its impact on Haitian society.



François "Papa Doc" Duvalier. (Library of Congress)

The former French colony of Haiti was the first land in the Caribbean or Latin America to achieve political independence. Haiti emerged from a plantation-based slave society in 1804, led by revolutionaries Toussaint Louverture and Jean Jacques Dessalines. From the outset, Haiti was beset by problems created by its unique circumstances. To begin with, the revolution was one of national independence, but it also had definite racial overtones. Not only was there an emphasis on black culture but also differences between black and mulatto (mixed ancestry) society in Haiti became immediately apparent. Moreover, the traditional folk religion of Voodoo played a prominent role in Haitian politics from the time

of the independence movement until Papa Doc Duvalier's obvious manipulation of it in his own regime. Finally, Haiti was very poor because of semifeudal land distribution practices, illiteracy, and outright corruption among elites.

Such conditions were prevalent long before Duvalier's rise to power but were instrumental in his election and in the style and character of his regime. Duvalier espoused black nationalism, a reverence for Voodoo, and populist sympathies reminiscent of his revered predecessor Dumarsais Estimé. In truth, he fulfilled none of the promise his 1957 campaign embodied.

The years preceding the election of François Duvalier were marked by chronic political and economic instability. Haiti had been one of the richest colonies in the New World, largely based on sugar exportation. Independence had destroyed the plantation system and brought a pattern of redivision of the land among individual small holders. Each generation reduced the size of these lands among its heirs. Land-use practices and management deteriorated with the increasing parcelization of land holdings. In time, the countryside was left in poverty. Soil erosion, loss of profitability, and a host of other problems left the people in the countryside on subsistence farms or as sharecroppers, and living in poor and unsanitary conditions.

The problems of the countryside were evidence also of the increasing gulf

between the provinces and the cities, especially the capital, Port-au-Prince. The cities were the political centers. Because of the narrow base of the economy, there emerged few tracks to upward mobility. To be successful in Haitian society, one needed to be born of great wealth, educated in a profession, or lucky in a political career. In fact, a political career was a key to advancement and personal enrichment. Graft and corruption became endemic to Haitian political culture.

The poor conditions in the countryside and the gulf between it and city culture were exacerbated by class competition based on race. Mulatto elites competed bitterly with the black majority but were often excluded from the mainstream in terms of wealth and status. Moreover, as opportunity declined in the provinces, people migrated to the cities. Teeming slums developed, underscoring both class and racial divisions in Haitian cities and increasing the squalor and instability of the nation.

Populist appeals to the poor and black culture in Haiti were commonplace, but the result of plans to benefit them seemed always to enrich a narrow band of elites instead. Haiti had a series of in-and-out presidents from the time of Dessalines to the election of Duvalier. Of twenty-eight presidents since 1843, the average term in office was just over three years. The key factor in the term of a Haitian president was the support of the army. Haiti has been the victim of foreign intervention and was occupied by the United States Marines from 1915 to 1934. A president of Haiti was required to promise economic reforms, conquer multiple social and racial cleavages, gain the support of the United States but also stand up to it, be sensitive to Voodoo and folk culture, respect the Roman Catholic Church, and hold the support of a factionalized military machine. This enormous task was hampered by the fact that the major incentive to be president of Haiti was personal gain.

A chaotic political environment prevailed in Haiti in 1957. François Duvalier was a medical doctor known for his involvement in the treatment of yaws, a contagious tropical disease. He entered politics as a follower of Daniel Fignolé's party and was named director of public health under the presidency of Dumarsais Estimé. When Paul Eugene Magloire succeeded Estimé as president, Duvalier's star declined. For a time, he was forced into hiding, and is said to have read voraciously. His favorite book was *The Prince*, by Niccolò Machiavelli.

Magloire had been moderately successful and popular, but as time approached for him to step down for elections, he stubbornly resisted. It was necessary for a military junta to force Magloire out before the 1957 elections. Duvalier found himself running for president with the support of Estimé. His

three opponents were Fig nolé, Clément Jumelle, and Louis Dejoie. Although the others were better known, Duvalier received key support from a powerful faction of the military led by General Antonio Kebeau.

In an atmosphere of violence and internecine squabbling, Duvalier presented the image of a docile, dull doctor. He spoke of government honesty and a new deal for the rural masses, and he reminded the people of his humanitarian work in eradication of yaws. Duvalier was widely known as a follower of Voodoo. He claimed the support of the United States and promised to follow in the footsteps of Estimé. Even so, the truly decisive element was the support of a barely organized group of paramilitary thugs who later became the Tonton-macoutes.

In 1957, a premium was placed on the faction which could control the polls. Mobilizing the electors included intimidation, tampering, and an array of power plays among the many political factions. Each candidate had his mob supporters, but the Duvalierists went further, using provocative and disruptive acts of terror to undermine the other candidates. Clement Barbot arose as a leader in these endeavors, in which the overriding goal was to make sure that Duvalier could not be personally blamed. Duvalier played the role of befuddled but committed doctor while his thugs terrorized electors and opponents. François Duvalier achieved the presidency in October, 1957, but his hold on power appeared as tenuous as that of many of his predecessors.

Impact of Event

François Duvalier did not wait for his people to give him a title. He chose to be called "Papa Doc." This was the first of a series of unique characteristics of his leadership which gave Duvalierism its longevity in an unstable political world. Even before his inauguration, Duvalier survived several attempts to knock him out of power. He realized that to remain president he would need specialized support.

Duvalier was never an efficient manager nor particularly creative, but he assembled the institutional support necessary to destroy his enemies. In effect, he modernized his authoritarianism and became more than a petty dictator. Duvalier institutionalized a terror apparatus which neutralized political opposition and atomized the Haitian masses. Many observers have likened Duvalierism to a form of fascist totalitarianism.

Duvalier enhanced the strength of his palace guards and politicized elements of the army as protectors of his national security state. This project was facilitated by the Cold War environment. Although Duvalier had a stormy relationship with the United States, he was able to manipulate several U.S. admin-

istrations as an opponent of communism. In the Cold War worldview of American foreign policy, Duvalier's dictatorship was preferable to communist insurgency. Hence, the United States became an implicit accomplice in supporting his regime and helped legitimize domestic terror against the Haitian people.

Duvalier's greatest innovation was an auxiliary structure of secret police, or death squads, known as the Tonton-macoute. This organization was put together by Barbot after the 1957 election. The name epitomized Duvalier's emphasis on the dark side of Voodoo. Tonton-macoute literally means "Uncle Knapsack." Taken from Voodoo legend, Uncle Knapsack goes about at night stuffing naughty little boys into his pack and whisks them away. This was virtually the task of the Tonton-macoute: to make people disappear. The arbitrary nature of the terror made it more effective. Ironically, Barbot, leader of the Tonton-macoute, eventually lost his position and was himself killed in 1963 in an abortive attempt to assassinate Duvalier.

The Tonton-macoute generated an antipolitical culture. Anyone suspected of opposition was brutally repressed. For example, the bodies of murdered suspects were often put on public display. In one case, a family was made to walk down a street stripped naked as Tonton-macoutes shot the children from the arms of their mothers. Women and children were often hacked to death



with machetes in the presence of their husbands. Executions by firing squad were transmitted by radio and television, broadcast like football games. Even the friends of a son-in-law were executed, to impress the young man entering the Duvalier family. No one may ever know the extent of the carnage, but Haitian society was stigmatized by a pathological pattern of violence.

Duvalier institutionalized the politics of violence. Total violence becomes antipolitics and destroys the ability of people to think and act politically. The Duvalier regime became a classic *kleptocracy*, or rule of the “rip-off” artist, yet it utilized some of the most modern instruments of repression. These instruments were the key to the longevity of Duvalier’s system. In its wake was left a legacy of poverty, disease, and corruption which bars the path to healing the wounds which have persisted since Haitian independence.

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Anthony R. Brunello

Mao's Great Leap Forward Brings Chaos to China

Category of event: Civil rights; political freedom

Time: Spring, 1958

Locale: Henan Province, People's Republic of China

The Great Leap Forward was Mao Zedong's policy of forming communes to boost agriculture and to increase industrial production; natural disasters and mismanagement brought on famine and social dislocation

Principal personages:

MAO ZEDONG (1893-1976), the chief political leader and theorist of Chinese communism

PENG DEHUAI (1898-1974), the minister of defense who challenged Mao's economic policies

ZHOU ENLAI (1898-1976), the premier of China, in favor of material incentives to encourage peasant production

CHEN YUN (1905-1995), an economic planner who helped China's recovery from the economic fiasco of the Great Leap

LIU SHAOQI (1898-1969), the vice chair of the Chinese Communist Party, listed as Mao's probable successor in the early 1960's

Summary of Event

The People's Republic of China's First Five-Year Plan (1953-1957) was coming to a close by June, 1957. The Chinese representatives at the National People's Congress were jubilant upon hearing of an economic growth rate averaging 11 percent per year. China's top leaders, Mao Zedong, Zhou Enlai, Peng Dehuai, Liu Shaoqi, and Chen Yun, were worried, however, about a statistical imbalance: Industry had grown 18.7 percent while agriculture had a growth rate of 3.8 percent. What was most disheartening to the leaders was that grain production had increased only 1 percent over the year while the population had grown 2 percent. The Chinese people already had to endure rationing in certain food items and other essentials. Now they would have to receive smaller rations because of low production in agriculture and the further need for China to repay the loans from the Soviet Union with agricultural products.

In order for industry to sustain its growth rate and for agriculture to improve considerably during the Second Five-Year Plan, more would have to be extracted from the Chinese population, which was 80 percent peasantry. According to Premier Zhou Enlai and the brilliant economist Chen Yun, this could be accomplished only by offering the peasants more material incentives, with the chance of being able to buy more consumer goods. Such incentives would have to be accompanied by availability of modern agricultural machinery and chemical fertilizers.

Mao disagreed with such a model because it would merely reflect the Soviet Union's development plan. Ideologically, Mao had contempt for the Soviet model because he interpreted it as a step backward from socialism and lacking in revolutionary zeal. Mao's program was based on reorganizing the social structure of the peasantry and cultivating its altruistic qualities. In short, the Chinese peasant could be exhorted to greater production by good leadership in an environment which encouraged selflessness. If Mao could achieve this, he could take the place of Soviet leader Nikita Khrushchev as leader of the Third World.

From late 1957 to January 1958, 100 million peasants were mobilized to tackle gigantic projects such as building irrigation canals and dams, resulting in 7.8 million hectares of land being opened up for agriculture. This enormous task of moving millions of peasants to work on gigantic projects disrupted the normal routine of farming. There was a shortage of peasants, made up by encouraging women to work in the fields as replacements while men worked away from home. In order to increase peasant productivity, certain industries were relocated in rural areas so that peasants could be gainfully employed during the slack periods of the farming cycle. This mass mobilization took women away from their historical role of domestic work, so attempts were made to centralize children and meal preparations. To expedite the process, 2 million urban party cadres were encouraged to visit the countryside to learn from the peasants and to lead them with the slogan, "More, faster, better, cheaper."

This frenzy of cheerleading and propaganda resulted in the establishment of the people's communes in Henan Province by April, 1958. Private farms were abolished, and twenty-seven cooperatives with 9,369 households were absorbed into one large commune. By the summer of 1958, people's communes had sprouted throughout China. Party leadership attributed the good harvest to the "Great Leap" in agricultural technique and political reforms. By December, 1958, 99 percent of the peasant population, or 120 million households, formed twenty-six thousand communes.



Chinese poster celebrating the communist regime with the slogan, “Long live the victory of Chairman Mao’s Revolutionary Line.” (Library of Congress)

Morale was very high within the ranks of the Chinese Communist Party (CCP). Chairman Mao directed the creation of a new journal for the Party, called the *Red Flag*, which provided the vehicle for espousing the socialist reconstruction that was taking place and the theoretical framework for the Great Leap toward communism.

Some striking features of the Great Leap Forward were the massive entry of women into the workforce, the twenty million person increase in the number of clerical and industrial workers, and the need for about three million mess halls to feed 90 percent of the rural population because women had been liberated from home kitchens. Mao’s Great Leap was a scheme to transform people socially, to make them selfless and able to overcome all obstacles through sheer will. Mao believed that with correct leadership and encouragement, the Chinese could be directed toward economic transformation by “walking on two legs” to achieve both industrial and agricultural development.

With the establishment of communes, rural labor could be mobilized to work on more gigantic projects, especially irrigation, flood control, and land reclamation. Agricultural productivity could also be raised by employing more hands to plant, weed, and harvest. Light industry could then be established locally to produce consumer goods with local material and equipment. This

transformation and production would breed the altruistic person who would be both “red and expert”—the communist. “Redness” would be reflected in belief in Mao’s leadership, and “expertise” would come from practical application rather than dependence on the knowledge of the bureaucrats and intellectuals, who were being persecuted in the Antirightist Campaign of 1957-1958.

To reinforce the Great Leap belief that the Chinese people could achieve miraculous productivity the Chinese way, as opposed to the outmoded Soviet way, monumental showpieces were erected in Beijing, around Tiananmen Square. The People’s Hall was built in ten months by shifts of workers from all over China. The building has an area of 1,853,568 square feet. The foyer is paved with red marble and can hold ten thousand people. The walls are of green marble and are illuminated by twelve chandeliers weighing one ton each. The auditorium has ten thousand seats, the banquet hall can seat five thousand, and the kitchen has the facilities to serve ten thousand diners. At roughly the same time, a three-thousand-loom and 100,000-spindle textile factory was built. A railway station that could accommodate 200,000 passengers a day was also completed. The effect of all these gigantic projects was to give the impression that the Chinese people could accomplish anything if they were well led, well organized, and encouraged to practice altruism.

The commune system, which eliminated most private ownership except the house and a small plot for gardening, was supposed to provide the environment for the ending of private gain and the atmosphere for practicing altruism. It was meant eventually to produce in such great quantities that the communist dream of “from each according to his ability, to each according to his needs” could be accomplished. Thus, free from all personal wants and greed, the communist would work only for the good of all. Mao had this deep faith in “selflessness” because his personal experiences were of giving for the betterment of China. He believed that he had wanted nothing of his country and that all Chinese could be like him when they were shown the way. He saw the people’s commune as the foundation of altruism and communism.

In an unprecedented campaign, Mao urged the people to produce iron everywhere. With a great surplus of iron, he thought, China could industrialize rapidly and even catch up with Great Britain in fifteen years. Backyard furnaces sprung up everywhere: in villages, in back streets, and in front of offices. Peasants, workers, officials, doctors, and other professionals found time to smelt iron day and night. Outrageous production quotas were set in a wild frenzy of competition. To meet them, kitchen utensils, iron beds, and even farm tools were smelted.

Impact of Event

In one year—1958—more than one half billion peasants were shorn of private property and organized into a new social organization, the commune. Men and women were formed into production teams and brigades, and with military precision were exhorted to work in huge farms, dam sites, factories, and backyard iron-making furnaces. Slogans, street opera, and the media were used to urge people to work around the clock and to increase production 300 percent or more. To keep up this frenzy of production, food, child care, and even haircuts were provided free, as if to show the Soviet Union that China was leaping over it toward communism.

As slogans and songs blared, peasants were told to plow as deep as four feet and to plant three times more seedlings in the same area of land. When harvesting was completed, farmers were urged to join students, factory workers, teachers, and other professionals to produce iron and steel. Much of the iron and steel was of such low quality that it could not be used, yet pride kept production at a high level. Much of the farmland was also ruined by deep plowing and inappropriate irrigation. Many delicate machines and engines were ruined by overheating because many factories ran nonstop. Because communes were in competition, many commune officials inflated production statistics. This encouraged the setting of higher production quotas by the government, which furthered the falsification of statistics. All such setbacks were compounded by three consecutive years of bad weather. China produced only 150 million tons of grain in 1960. This equaled the grain production of 1952, but China had 100 million fewer mouths to feed in 1952. Consequently, even as close as fifty miles outside the capital, Beijing, there were signs of famine. The lack of food was remedied with harsh rationing. This would cause malnutrition and illnesses which eventually killed twenty million people.

As the initial euphoria of the frenetic pace of production faded because of overwork, machine breakdowns, or impossible quotas, the Chinese became disillusioned and cynical. As hunger became a reality, the people reverted to what the CCP labeled as “rightist tendencies.” The cure was to identify the criminals—the misguided and the lazy—and apply appropriate punishment. Millions were “sent down” to the countryside and to distant provinces. The more unfortunate were purged from the CCP, driven to suicide, or executed for state crimes.

The CCP faced an internal struggle to seek the appropriate ideology for development. Mao’s model would be put aside temporarily until its resurgence in the Cultural Revolution that began in 1966.

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Peng-Khuang Chong

Iraq Promotes Genocide of Kurds

Category of event: Atrocities and war crimes; indigenous peoples' rights; racial and ethnic rights

Time: 1960's

Locale: Iraq

The Kurds, one-fifth of Iraq's population, have struggled ceaselessly for their rights; successive Iraqi governments have responded with repression

Principal personages:

MULLA MUSTAFA AL-BARZANI (1904-1979), the Kurdish leader from 1943 to 1979

ABDUL KARIM KASSEM (1914-1963), the prime minister of Iraq, 1958-1963

ABDUL SALAM ARIF (1921-1966), the president of Iraq, 1963-1966

ABDUL RAHMAN ARIF (1918-), the president of Iraq, 1966-1968

AHMAD HASAN AL-BAKR (1914-1982), the prime minister of Iraq, 1963, and president of Iraq, 1968-1979

SADDAM HUSSEIN (1937-), the deputy to the president of Iraq, 1969-1979, and president of Iraq, 1979-

ABDUL RAHMAN AL-BAZZAZ (1912-), the prime minister of Iraq, 1965-1966

JALAL AL-TALABANI (1933-), a Kurdish leader

IBRAHIM AHMAD (1914-2000), a Kurdish leader

Summary of Event

The Kurdish experience in the 1960's in Iraq is a record of cruelty inflicted by national dictatorships and international abandonment. Claiming descent from the Medes, destroyers of Balshazzar's Babylon, Kurds fought repeatedly against aggressors in ancient and medieval eras. The Kurds found inspiration in recalling the deeds of their greatest hero, Saladin. In early modern times, the Kurds were caught between two juggernauts, the Ottoman and Persian Empires.

The Ottomans' defeat in World War I and the long Persian decline provided a golden opportunity for the creation of an independent Kurdistan. In 1920, the victorious Allies imposed on the Ottoman Empire the Treaty of Sèvres. This stated that in eastern Anatolia there would be established the

autonomous state of Kurdistan, which might become independent. The vast bulk of the Kurdish people, however, lay outside the proposed state and were relegated to France, Syria, Persia, and Armenia. In 1923, the Ottoman Empire's successor, the Republic of Turkey, renegotiated the Treaty of Sèvres in the Treaty of Lausanne. This omitted any mention of Kurdistan. Indeed, Turkey moved swiftly to eradicate any manifestation of Kurdish nationalism, baldly labeling Kurds as "Mountain Turks." In Persia, Reza Shah Pahlavi, who assumed power in 1923, also worked to destroy Kurdish nationalism.

Aspirations for freedom after World War I loomed large among the Kurds of northern Mesopotamia, once a part of the Ottoman Empire. The British, however, with the acquiescence of the League of Nations, placed all of Mesopotamia in the newly created Kingdom of Iraq. Thus the Kurds, one-fifth of Iraq's population, were placed under an Arab-dominated regime. A Kurd, General Bakr Sidqi, dictatorially ruled monarchical Iraq in 1936 and 1937, but he did not help his fellow Kurds. Several Kurdish rebellions occurred against the Iraqi monarchy. The last, beginning in 1943 and led by Mulla Mustafa al-Barzani, was crushed in 1945 by Great Britain's air force. Kurdish tribal differences had undermined al-Barzani.

In 1958, Brigadier General Abdul Karim Kassem overthrew the Iraqi monarchy and proclaimed the Republic of Iraq. At first the Kurds welcomed Kassem, because his constitution accorded equal weight to Kurds and Arabs, and Kassem permitted Mulla Mustafa al-Barzani and the hundreds who had followed him into exile to return. Soon, al-Barzani suspected Kassem of giving lip service to Kurdish demands for autonomy. In 1961, al-Barzani demanded Kurdish autonomy. Kassem then bombed Barzan village, whereupon al-Barzani, joined by the Kurdish Democratic Party, revolted. Kassem inflicted heavy casualties on al-Barzani's forces. Nevertheless, the heavily outnumbered Kurds fought on, badly sapping Kassem's strength and contributing to his overthrow in 1963.

In February, 1963, the Ba'thists, Arab nationalists, seized Iraq's government. The Kurds suffered even more than they had under Kassem. Nevertheless, the Kurds recovered by winter 1963, and the Ba'thists' inability to deal with the Kurds contributed to the Ba'thists' downfall in 1963.

Field Marshal Abdul Salam Arif then dominated the Iraqi government. In February, 1964, Arif and Mulla Mustafa al-Barzani agreed to a cease-fire, calling for recognition of Kurdish national rights in the Iraqi constitution, general amnesty, and a reinstatement of Kurds in the civil service and the military, but there was no mention of autonomy. This agreement, however, led to a deep split in the Kurdish movement. Jalal al-Talabani and Ibrahim Ahmad of the

Kurdish Democratic Party demanded a proclamation of Kurdish autonomy. Al-Barzani persuaded a congress of the Kurdish Democratic Party to expel al Talabani, Ahmad, and fourteen other members from that movement. Al-Barzani received the support of the Iranian Kurdish Democratic Party. Moreover, he received large shipments of arms from Iran's government. Al-Barzani controlled 13,500 square miles and one million inhabitants in Iraq. He also controlled the Turkish and Iranian borders.

The cease-fire soon broke down. By June, 1964, Arif and al-Barzani had serious difficulties. In October, these intensified when al-Barzani demanded autonomy for the Kurds and the transformation of his forces (*peshmargas*) into a regular frontier force. In January, 1965, Arif stated that there would be no further negotiations until the Kurdish army was dismantled, and he pronounced Kurdish autonomy nonnegotiable. In April, 1965, the Iraqi regime and al-Barzani's movement clashed. Iran backed al-Barzani, leading to fighting between Iraq and Iran.

Strife continued in the 1960's, notwithstanding Arif's accidental death in April, 1966. His elder brother, Major General Abdul Rahman Arif, succeeded him as president of Iraq and proved to be weak. In May, 1966, conditions strongly favored the Kurds. They won the fiercely fought Battle of Handrin, thereby preserving their actual autonomy. That battle and President Arif's delegation of power to Prime Minister Abdul Rahman al-Bazzaz, whom the Kurds trusted, produced the June 29 Declaration.

The June 29 Declaration was the most liberal recognition of Kurdish rights up to that time. The Iraqi government explicitly recognized the national rights of the Kurds; the accord admitted that the Iraqi homeland included two main nationalities, Arabs and Kurds. The rights of the Kurds were to be clarified in the permanent constitution upon its promulgation. Thus, for the first time an Iraqi government recognized the binational character of the Iraqi state. The declaration also promised the Kurds decentralization to give them freedom to deal with their own affairs; Kurdish provinces, districts, and subdistricts were to enjoy a recognized corporate personality; and free elections for administrative councils were to occur.

The 1966 declaration devoted special attention to the Kurdish language and culture. Kurdish received recognition as an official language and was to be the medium of instruction in schools in the Kurdish areas, together with Arabic. The University of Baghdad was to give special attention to the study of the Kurdish language, including its literature and ideological and historical traditions; a university was to be established in Iraqi Kurdistan when funds were available. The declaration promised the Kurds their own political and lit-

erary press in the Kurdish region, in Arabic, Kurdish, or both, according to the wishes of the people concerned.

The declaration proclaimed equality between Kurds and Arabs in all spheres in Iraq in grants, ministries, public departments, and the diplomatic and military services. Only Kurds were to hold posts in the Kurdish regions as long as the number required was available.

The declaration pledged the government to spend funds on the reconstruction of Kurdistan. Institutions and departments were to be created to develop and improve the Kurdish region. The government was to compensate all those who had suffered damages and would resettle Kurds who had been evacuated back to their own regions.

The declaration also contained secret clauses. One acknowledged the Kurdish demand for the creation of a new all-Kurdish province out of Mosul province. Another permitted public operation for the Kurdish Democratic Party. The final secret clause declared a step-by-step general amnesty.

The 1966 declaration brought peace to Iraqi Kurdistan. The military, however, thought that the declaration humiliated it. In July, 1966, it forced Prime Minister al-Bazzaz's resignation. His replacement would not implement the declaration and encouraged the Talabani-Ahmad group to attack al-Barzani's forces. President Arif attempted to appease al-Barzani, but the army and the Ba'th Party overthrew Arif in July, 1968.

Field Marshal Ahmad Hasan al-Bakr then took Iraq's presidency. His cousin, Saddam Hussein, became deputy to the president. The government tried to undermine al-Barzani by favoring the Talabani-Ahmad faction and by implementing certain sections of the 1966 declaration. In the fall of 1968, Iraq's army and al-Barzani's clashed. Iran gave massive aid to al-Barzani. In March, 1970, Saddam Hussein and al-Barzani agreed to terms: Kurdish autonomy, proportional representation of Kurds in a national legislature, appointment of a Kurdish vice president at the national level, expenditure of an equitable amount of oil revenue in the autonomous region, and recognition of Kurdish and Arabic as official languages in Kurdish territory. Al-Barzani agreed to integrate his forces into the Iraqi army, but the government was to withdraw support from the Talabani-Ahmad clique. The agreement was to take effect after the fourth anniversary of its signing. It failed in its goals, however, and ultimately Saddam Hussein would seek to smash the Kurds.

Impact of Event

The Kurds present a most interesting story in the history of human rights. Numbering almost twenty million persons in 1990, the Kurds were a Middle

Eastern people without independence. They were most numerous in Turkey, Iran, and Iraq. Smaller numbers existed in Syria and the Soviet Union, and the smallest Kurdish communities were in Afghanistan and Lebanon. The Kurds continued to be subject to abuse in practically every country they inhabited, particularly Turkey, Iran, and Iraq.

Iraq's treatment of the Kurds features violence joined to broken promises. This applies to one Iraqi regime after another. The Hashemite monarchy of 1921 to 1958, a creation and perpetual satellite of the British, repressed the Kurds, causing revolts. The Republic of Iraq easily outdistanced the monarchy in viciousness. The enormity of the governmental crimes is highlighted by the fact that both monarchy and republic were controlled by Sunni Muslims who committed atrocities on the Kurds.

Prime Minister Abdul Karim Kassem, founder of the Republic of Iraq, fought the Kurds from 1961 to 1963. By January, 1962, his air force had indiscriminately bombed five hundred Kurdish villages, killed fifty thousand people, and rendered eighty thousand homeless. Momentarily, Kassem attracted some Kurds whom he used against al-Barzani's rebellious Kurds: Kassem's quislings burned crops, slaughtered livestock, demolished houses, and looted. The number of Kurds going over to Kassem declined drastically, however, and al-Barzani's revolt survived.

Kassem's executor, the Ba'th Party, intensified the fight against the Kurds in 1963. Prime Minister al-Bakr's forces bombarded Kurdish villages with tanks and heavy artillery and from the air. In the Kurds' beloved city of Suleymanieh, the Iraqi army massacred 280 civilians and buried them in a mass grave. Al-Bakr's forces also bulldozed Kurdish villages under their control and began "arabization" of strategic areas. They made massive deportations, including most of the Kurdish population of 150,000 in Kirkuk. The Soviet Union and the United Arab Republic protested these atrocities, but the Iraqi government had support from Great Britain and the United States. Nevertheless, Kurdish resistance outlived the Ba'th's fall in November, 1963.

Between April, 1965, and his death a year later, President Abdul Salam Arif fought al-Barzani's Kurds. His methods duplicated those of his predecessors in the republican regime. Again, al-Barzani continued the Kurdish cause.

In April and May, 1966, President Abdul Rahman Arif sought to crush al-Barzani's Kurds. Again the Iraqi army waged total warfare against both the military and civilians. Al-Barzani's victory at the Battle of Handrin on May 11-12, 1966, however, forced Arif to end the war.

In the fall of 1968, President al-Bakr resumed the war against al-Barzani. Abetted by Saddam Hussein, his cousin and deputy, al-Bakr repeated the

harsh methods he had employed in his war of extermination in 1963. An example was the burning alive of sixty-seven women and children in a cave where they had sought refuge. Al-Barzani fought on and obtained favorable terms in the 1970 peace agreement.

Like its predecessors, the Iraqi government repudiated the peace. In 1974, al-Bakr and the increasingly powerful Saddam Hussein warred against al-Barzani's Kurds. The government would perpetrate even greater horrors. Saddam Hussein would continue these abominations in the 1980's and beyond.

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Erving E. Beauregard

Tamils Protest Discrimination in Sri Lanka

Category of event: Civil rights; indigenous peoples' rights; racial and ethnic rights

Time: February, 1961

Locale: Jaffna, Sri Lanka (then called Ceylon)

In an effort to stem the erosion of language rights for the minority Tamils, the Federal Party in 1961 organized a civil disobedience movement as a way of pressuring the government

Principal personages:

S. J. V. CHELVANAYAKAM (1898-1977), the founder of the Federal Party, a charismatic figure who fought for Tamil rights through parliamentary means

S. W. R. D. BANDARANAIKE (1899-1959), the founder of the Sri Lanka Freedom Party, a former prime minister of Sri Lanka

J. R. JAYAWARDENE (1906-1996), a former prime minister and first president of Sri Lanka

Summary of Event

When the multiethnic island of Sri Lanka gained independence from Great Britain in 1948, it was hoped that the Sinhalese majority and the Tamil minority would be able to coexist peacefully. Such hopes were, however, dashed. Sinhalese politicians soon revealed little hesitation to use communalism for political mobilization of their constituencies.

The polarization of the two communities worsened over time to the point that in the 1980's the country was engulfed in open warfare. Many events led to this disaster, with one of the key turning points coming in 1961, when it became clear to the main Tamil political party, the Federal Party, that more serious action had to be taken to stem the erosion of the rights of Sri Lanka's Tamil minority, which made up about 20 percent of the island's population. In order to understand the significance of the massive 1961 civil disobedience and its impact, it is essential to look at developments preceding it.

The most obvious differences between the Sinhalese and the Tamils were in terms of language and religion, with the former predominantly Sinhala-

speaking Buddhists and the latter largely Tamil-speaking Hindus. The Tamil population was concentrated in the northern and eastern provinces of the island. The Sinhalese and Tamil areas represented distinct cultural entities and for most purposes had all the characteristics of separate nations.

Although Tamil concerns came to encompass the entire spectrum of economics, politics, and culture, it was over the language issue that the first clash occurred. The question of language had come to the forefront soon after independence under the imperative of meeting demands to replace English, which was identified with the erstwhile colonial masters. This, however, raised the sensitive point of how to treat the two indigenous languages. All the important Sinhalese parties across the political spectrum had begun by advocating parity for Sinhala and Tamil, but this equality proved to be illusory.

The Sri Lanka Freedom Party (SLFP), formed in 1951 by S. W. R. D. Bandaranaike, was the first to appeal to Sinhala-Buddhist nationalism as a way to counter its main opposition, the United National Party (UNP), formed in 1946 and led by the anglicized elite. To that end, the SLFP in 1955 led the fray in advocating primacy for Sinhala as the sole official language in place of English. One factor lurking behind this move was the Sinhalese apprehension regarding the potential relationship between the fifty million Tamils in neighboring India and the Sri Lankan Tamils. From the viewpoint of the minority Tamils, however, it represented a dangerous and chauvinistic move at their expense. In reaction, the Tamil Federal Party (FP), which had been formed in 1949 by S. J. V. Chelvanayakam based on notions of the loose federation of Tamil areas with Sinhalese, now stated its resolve to defend the status of the Tamil language and culture—including the creation of an autonomous Tamil linguistic state if necessary.

The Federal Party's stand became more compelling as the SLFP won at the polls in 1956 and within twenty-four hours passed the "Sinhala only" legislation. This Official Languages Act did provide the Sinhalese masses with a voice, but in doing so it threatened to shut out that of the Tamils. The FP responded with a peaceful sit-in before parliament but was met with violence from Sinhalese mobs and a lack of government protection. In a conciliatory meeting after months of negotiations, the ruling SLFP leadership and the FP finally entered into what appeared to be a good-faith agreement designed to stave off rising ethnic tensions.

This agreement, the Bandaranaike-Chelvanayakam Pact, recognized the validity of major Tamil grievances and conceded the position of Tamil as the national language of administration in the north and the east. It also agreed in principle to devolve regional autonomy and end Sinhalese colonization of

Tamil areas. Had the pact been implemented, much of the later bloodshed between the Tamils and Sinhalese might have been avoided. As it was, the out-of-power UNP fanned communal flames and jeopardized progress. J. R. Jayawardene, a top UNP official who was to later become the country's leader, and a group of Buddhist monks staged a pilgrimage on behalf of a Sinhala-Buddhist polity, marking the beginning of outright chauvinistic political plays by the two key Sinhalese parties, with Tamils as the most convenient political targets.

Revocation of the pact in 1958 was viewed by Tamils as a terrible betrayal. The only recourse for the FP was seen as direct action, and at the party convention in May, 1958, plans for mass civil disobedience were discussed. Sinhalese extremists disrupted the convention, however, and what began as stoning of buses and trains carrying Tamil delegates ended in the random massacre of Tamils in many areas, especially in Colombo, the country's capital. Tamil businesses and properties were ransacked and set on fire. Worse, Tamils were singled out in buses and cars, in many instances by their inability to read Sinhala or recite a Buddhist hymn, and killed. This historically unparalleled violence led to the flight of nearly twelve thousand Tamil refugees from their homes in the south to safe havens in the north and east. The 1958 riots demonstrated graphically how fragile communal harmony had become.

The FP still held a final shred of hope that its demands could be met through regular parliamentary means, especially because at the time it held a potential swing role. In the March, 1960, elections, it briefly appeared that the FP's votes would be critical enough for the SLFP, which won only a plurality, to resurrect the provisions of the dormant pact. Potential Tamil influence was quickly undercut, however, when fresh elections were announced and the SLFP won a landslide victory. The turn of events was to prove ominous in terms of Tamil political clout; in general elections after 1965, the two largest Sinhalese parties managed to garner sufficient votes within the majority community to take away the Tamil minority's power as a true political force.

The new SLFP government failed to recognize Tamil as a regional language and decreed that Sinhala would be the language of administration even in Tamil areas. Legislation making Sinhala the language of the courts was also introduced despite Tamil protestations. At the same time, the government declared that the main teacher-training college would be reserved for Sinhalese teachers. An extreme but influential group of Buddhist monks even called for postponing public examinations for persons educated in English or Tamil for a period of ten years.

These moves constituted a blow not only to the cultural rights of Tamils but

also to their basic welfare. The language issue was a volatile one because of its impact on education and therefore on employment. The Tamils traditionally had concentrated on highly competitive professions such as teaching, engineering, law, and civil service. They chose this route because of lack of viable alternatives—the terrain of the north was arid and extremely unproductive, and capital for business purposes was in short supply in the Tamil community.

This was the general backdrop to the largest Tamil civil disobedience movement since independence, the *satyagraha*, launched in February, 1961. The immediate catalyst was the Official Languages Act's coming into full force in January, 1961. The FP had been preparing for such an eventuality since the abrogation of the Bandaranaike-Chelvanayakam pact. For example, volunteers had been recruited to teach nonviolent protest techniques, and classes had already started. The movement managed to draw in the other Tamil parties on the political scene as well.

The overwhelming majority of Tamil public servants stopped working in the "official" language in response to individual letters appealing for a boycott. Beginning in Jaffna, the principal city in the north, the civil disobedience campaign spread to every town in the two Tamil provinces. The movement expanded to embrace alternative public services, such as a postal system. Plans were also drawn up to distribute public lands and organize a police force.

This show of resistance failed to bring the central government to the negotiating table; rather, it responded with force. Tamil leaders were arrested, and the FP was banned. On April 18, the government declared a state of emergency. Members of army units that were rushed to Jaffna harassed and assaulted peaceful demonstrators and innocent bystanders. The FP leaders were released only in October. The emergency itself lasted 743 days, during which time the Tamils of Jaffna experienced army rule for the first time.

Impact of Event

The crackdown on the peaceful agitation and the two-year emergency led to no progress in negotiations and to a false lull in ethnic tensions. Anti-Tamil passions were rising dramatically among Sinhalese, giving the government less room to negotiate, even half-heartedly. For example, in 1966, when the UNP-dominated government attempted to implement limited concessions on the official languages matter, the attempt led to bloodshed. In that case, three thousand Sinhalese protesters led by Buddhist monks rallied outside parliament against even the smallest reforms being proposed. For the third time since independence, a state of emergency was declared, and the government's promises to the FP were swept aside.

The central government appeared to give up even the semblance of communal impartiality when it shepherded a new constitution through parliament in 1972. The new constitution made Sinhala the sole official language and conferred a special role on Buddhism, with the state obliged to protect and foster the religion. This explicit constitutional privilege for the majority religion served to highlight the potential vulnerability of the other three religions on the island—Hinduism, Christianity, and Islam. The government also introduced a “standardization” scheme in education whereby students studying in Sinhala required a lower academic standard for admission to college than did their counterparts being taught in Tamil.

In addition to these affronts, Tamils received an unexpectedly rude reminder of their vulnerability in January, 1974. The World Tamil Congress, an international conference on Tamil language and culture, was held in Jaffna, with scores of eminent writers, scholars, and artists in attendance. On the last day of the meeting, many of the participants mingled with the thousands of interested persons gathered on the esplanade outside the conference hall. With shocking impunity, the police charged the crowd with tear gas and batons, citing unauthorized public assembly. In the melee, nine people were killed.

This unprovoked attack on the cultural gathering outraged the Tamil community and proved to be a turning point in terms of political tactics. Thus far, despite the odds, the leading Tamil politicians had been trying to strike parliamentary deals with the SLFP and UNP, threatening at most civil disobedience when spurned. A new generation of disillusioned Tamil youths who had grown up in the increasingly communalized country and whose futures were at stake viewed the FP as ineffective. Arguing that a more revolutionary approach using guerrilla tactics was needed to pressure the Sinhalese government, they formed the Tamil New Tigers, the forerunners of the Liberation Tigers of Tamil Eelam, who fought for a separate state.

The government reacted with unprecedented repression, intensifying it over time to include harsh measures such as the Prevention of Terrorism Act (PTA) of 1979. The terms of the PTA included such provisions as incommunicado detention for up to eighteen months and admission of confessions obtained through torture. The International Commission of Jurists concluded that, in comparison with other countries, only the South African law against terrorism came close to Sri Lanka’s.

The cycle of violence between the Tamils and Sinhalese in many ways can be traced to the successive Sinhalese-led Sri Lankan governments’ inability or unwillingness to provide reasonable concessions to the Tamil minority within the parliamentary setting. In retrospect, the 1961 Tamil disobedience move-

ment was a signal event, in that it revealed the inevitable limitations of such measures in a country where communal passion and its manipulation had become a fact of the political system.

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Deepa Mary Ollapally
G. Anandalingam

Human Rights Violations

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MAGILL'S CHOICE

Human Rights Violations

Volume 2

1961-1979

edited by

Charles F. Bahmueller

Center for Civic Education

Salem Press, Inc.
Pasadena, California Hackensack, New Jersey

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Human Rights Violations

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Eichmann Is Tried for War Crimes

Category of event: Atrocities and war crimes; accused persons' rights

Time: April-August, 1961

Locale: Jerusalem, Israel

Adolf Eichmann, the man most responsible for executing six million Jews in concentration camps during World War II, was captured by Israeli agents in Argentina and tried in Israel

Principal personages:

ADOLF EICHMANN (1906-1962), the commander of the Reich Security Head Office, in charge of Nazi extermination camps during World War II

ISSER HAREL (1912-), the head of the Mossad, the Israeli Central Bureau of Intelligence and Security

ROBERT SERVATIUS (1896-?), Adolf Eichmann's attorney

GIDEON HAUSNER (1915-1990), the attorney general of Israel and prosecuting attorney at the trial of Adolf Eichmann

MOSHE LANDAU (1912-), the Israeli Supreme Court justice who presided at the trial of Adolf Eichmann

Summary of Event

Headlights blinded the slightly built, middle-aged man as he began walking the short distance from the bus stop to his rented house in a suburb of Buenos Aires. Suddenly three men grabbed him, forced him into a car, and sped away. The kidnapped man was Adolf Eichmann. As commander of the Reich Security Head Office, he was indirectly responsible for the deaths of several million Jews during World War II. He had been living in Argentina under the name of Ricardo Klement. His sons, however, still used the name Eichmann. His wife had remarried, but her second marriage was to her first husband under his assumed name.

For fifteen years Israeli agents had sought the whereabouts of this most notorious war criminal and were quite sure he was in Tucumán or in Buenos Aires. Early in 1960, when Eichmann's father died, the obituary listed Vera Eichmann as a daughter-in-law, not Vera Klement. The surveillance team watching the Klement house noticed Mrs. Klement's husband bringing her a bouquet of flowers on March 21, 1960, the twenty-fifth anniversary of her origi-

nal marriage to Adolf Eichmann. This confirmed what their photographs and other information already indicated. The decision was made to arrest Eichmann, without the knowledge of the Argentine government, and to take him to Israel to stand trial. The kidnapping was timed to coincide with an Israeli state visit to Argentina. While the Israeli government delegation was in Buenos Aires, the Israeli Mossad, or Central Bureau of Intelligence and Security, used the Israeli airplane to transport Adolf Eichmann to Israel.

The El Al plane landed in Israel on May 22, 1960. The news of its arrival electrified the world. For many months, the Eichmann trial would be prime-time news around the world. Eichmann was taken to the prison in Ramla under elaborate security precautions. He was allowed to choose his own legal counsel and selected Robert Servatius, an attorney from Cologne, Germany, who had experience in defending other war criminals at the Nuremberg Trials in 1945. Israel paid \$30,000 in legal expenses for the accused.

Eichmann gave a fluent and detailed statement that took 3,564 typewritten pages to transcribe. He demonstrated an incredible memory except regarding his actions in the Holocaust. The Israeli investigation of his statement took eight months to complete. Finally, on April 11, 1961, Adolf Eichmann's trial began at Beit HaAm, a large public auditorium in Jerusalem with six hundred foreign correspondents in attendance. The prisoner's dock was enclosed in bulletproof glass. The three judges, two of whom were born and educated in Germany, were all members of the Israeli Supreme Court. The presiding judge, Moshe Landau, read the indictment accusing Eichmann of causing the deaths of millions of Jews between 1939 and 1945. He was the person responsible for the extermination of Jews by the Nazis in their "final solution" to what they saw as "the Jewish problem."

Eichmann's defense attorney offered two preliminary objections: The judges should be disqualified because they had preconceived opinions about the case, and the court had no jurisdiction over Eichmann since he had been kidnapped from Argentina. Servatius further claimed that Israel's Nazi Law had no validity because it had been enacted after the historical events had occurred.

The court spent six days discussing the matter and citing legal precedents, especially from British and American court decisions. The court held that the judges should be fair, but they could not be expected to be neutral. As for Eichmann's kidnapping, the manner in which a defendant was brought within the jurisdiction of a national state had no bearing on the state's competence to try him in a court of law. Finally, the Nuremberg Trials were cited as precedent for the Eichmann trial. Those trials had also involved accusations of acts that had been declared crimes only after their occurrence.

The attorney general of the state of Israel, Gideon Hausner, was the chief prosecuting attorney. In recounting Eichmann's crimes, Hausner cited age-old condemnations of murder, antedating even the Ten Commandments. "Murder is murder," Hausner proclaimed. "And even if one shouts, *Der Führer befahl, wir befolgen*' ('The Führer has ordered, we obey'), even then, murder is murder, oppression is oppression and robbery is robbery." In his eight-hour introductory address, the attorney general dramatically accused Eichmann:

When I stand before you, O Judges of Israel, to lead the prosecution of Adolf Eichmann, I do not stand alone. With me here are six million accusers. But they cannot rise to their feet and point their finger at the man in the dock with the cry "*J'accuse*" on their lips. For they are now only ashes—ashes piled high on the hills of Auschwitz and the fields of Treblinka and strewn in the forests of Poland. Their graves are scattered throughout Europe. Their blood cries out, but their voice is stilled. Therefore will I be their spokesman. In their name will I unfold this terrible indictment.

From April until August, there followed an incredible parade of witnesses from all over Europe who recounted Eichmann's role in the crimes of the Nazis. After 114 sessions, the trial ended on August 14, 1961, and the court adjourned for four months. When it reconvened on December 11, Eichmann was found guilty on all fifteen counts and sentenced to death by hanging.

A Protestant clergyman was given the task of ministering to Eichmann's spiritual needs. The clergyman sought to persuade Eichmann to repent. Eichmann's reply was, "I am not prepared to discuss the Bible. I do not have the time to waste!" Nevertheless, with the noose literally around his neck just before execution, Adolf Eichmann said, "I have lived believing in God and I die believing in God." The clergyman later commented that Eichmann was "the hardest man I ever saw."



Adolf Eichmann listening to testimony during his trial in Jerusalem.
(Library of Congress)

On May 31, 1962, at midnight, Adolf Eichmann was hanged on the gallows. His body was later cremated. Early in the morning of June 1, a police launch carried his remains beyond the three-mile territorial limit and scattered his ashes into the Mediterranean Sea.

Impact of Event

The arrest, trial, and execution of Adolf Eichmann dramatically demonstrated that there are people in the world determined to bring to justice those responsible for horrible violations of basic human rights. Neither time nor national barriers prevented justice from being meted out to the commander of the Holocaust.

It is significant that world opinion was solidly behind what Israel sought to achieve. West Germany, as well as Britain and the United States, cooperated in the investigation and trial. West Germany had issued an arrest warrant for Eichmann in 1956, but there was no extradition treaty with Israel, and the West German government did not request Eichmann's extradition. Argentina's sovereignty had been violated by the Israelis, and Argentina, of course, protested. The matter was discussed in the United Nations, and Argentina eventually accepted Israel's apology.

Besides bringing an exceptionally notorious war criminal to justice, this trial also demonstrated that no matter how terrible the crime, the accused still possessed certain basic human rights that were inviolate. He did not possess the right to avoid public trial, but his personal safety and decent conditions of incarceration were paramount. Eichmann was not tortured or physically abused, and he was protected from those who would harm him. He had adequate living conditions and food, and the ability to communicate with friends and family. Not only was he given legal counsel of his own choosing, but the Israeli taxpayers paid his legal fees. The Jewish people, whose own human rights had been so viciously violated by Germany during the war, demonstrated that human rights are more significant than raw power. The meticulous care for fairness, judicial process, and systematic gathering of evidence in the trial in Israel contrasted sharply with the Gestapo methods familiar to Adolf Eichmann.

The German people knew all this. There was outrage in Germany when, on November 20, 1961, the *Stuttgarter Zeitung* reported a statement by Eichmann's defense attorney that "every German could have found himself in Eichmann's situation." They knew that this was not true. His crime was that of mass murder, not that of being a German or even a member of Hitler's military command.

Ironically, the Eichmann trial fostered a new understanding and a greater empathy between West Germany and Israel. West German loans, at favorable interest rates, were made to Israel. German investments in Israel increased considerably, and German arms shipments to Israel were made at a time of critical need in Israeli history. During the 1960's, West Germany was one of Israel's chief markets, and exports to West Germany rose sharply during the decade.

The intense worldwide publicity surrounding the trial of Eichmann educated a new generation on the atrocities of the Nazi regime. This was particularly true of the many young Germans who were horrified to learn details of the Holocaust. They had been kept in virtual ignorance of these details and felt a sense of betrayal for the silence surrounding these events. Twenty thousand German youths visited Israel between 1961 and 1967 to help in the work of building the young nation. The "final solution" to those Germans and Israelis was mutual respect and service.

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William H. Burnside

Amnesty International Is Founded

Category of event: Accused persons' rights; international norms; prisoners' rights

Time: May 28, 1961

Locale: London, England

Reading of the imprisonment of two Portuguese students who toasted freedom, Peter Benenson was inspired to found Amnesty International, the world's largest human rights organization

Principal personages:

PETER BENENSON (1921-), the wealthy English lawyer who founded Amnesty International

ERIC BAKER (1920-), a cofounder of the initial "Appeal for Amnesty 1961" and interim secretary-general after Benenson's forced resignation in 1967

SEÁN MACBRIDE (1904-1988), a chair of Amnesty International's executive committee and recipient of the Nobel Peace Prize

ANTÓNIO DE OLIVEIRA SALAZAR (1889-1970), the longtime military dictator of Portugal

Summary of Event

In the fall of 1960, Peter Benenson read a news item while on a London-bound train. There was nothing unusual about the item; in fact, it was a routine report of a human rights violation. Two Portuguese students had been sentenced to seven years' imprisonment by the military dictatorship of António Salazar for raising their glasses in a toast "to freedom" at a restaurant. Salazar had exercised power since 1932 in Portugal in a manner typical of dictatorships—repressing democracy and human rights. What was unusual was that Benenson, a wealthy and successful English lawyer, decided at that moment that ordinary citizens must find some effective way to raise their collective voices on behalf of these students, and the thousands of others like them who were imprisoned for the peaceful exercise of their human rights.

Benenson, who had already founded "Justice," an organization of British lawyers working on behalf of the Universal Declaration of Human Rights, immediately began discussing his idea with Eric Baker, a prominent British Quaker, and Louis Blom-Cooper, an internationally prominent lawyer.

Through Benenson's friendship with David Astor, editor of the liberal London Sunday newspaper *The Observer*, they were given free space for an "Appeal for Amnesty 1961" on May 28, 1961. The date, Trinity Sunday, was deliberately chosen by Benenson, a Roman Catholic (of Jewish ancestry). To open a newspaper any day of the week, Benenson wrote, is to read of someone imprisoned, tortured, or executed because "his opinions or religion are unacceptable to his government." The article, immediately reprinted in major newspapers around the world, identified eight "Forgotten Prisoners."

Among the eight prisoners was Dr. António Neto, an Angolan poet and one of few Angolan physicians, who later became the first president of Angola. Three religious leaders were also included: the Reverend Ashton Jones, an American imprisoned for his involvement in the Civil Rights movement; Archbishop Josef Beran of Prague, previously imprisoned by the Nazis; and Cardinal Mindszenty, primate of Hungary. The other political activists who peacefully criticized or organized opposition to their governments were Constantin Noica, a Romanian philosopher; Patrick Duncan, a white South African; Tony Abiaticlos, a Greek communist and trade unionist; and Antonio Amat, a Spanish lawyer.

If the "sickening sense of impotence" most readers feel "could be united into common action," Benenson concluded, "something effective could be done." He therefore proposed the creation of a "Threes Network." Each group of human rights activists would adopt three prisoners—one each from the West, the Communist bloc, and the Third World. Their strategy would be to write letters to the prisoners, comfort their families, and harass the governments which imprisoned them. This scheme later evolved into Amnesty's Prisoner of Conscience program. At Benenson's request, British artist Diana Redhouse designed a logo which would become the internationally recognized Amnesty symbol, a candle encircled by barbed wire. She created it as an illustration of the aphorism, "It is better to light one candle than to curse the darkness."

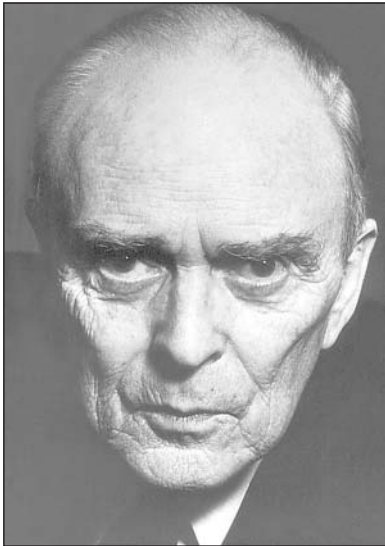
The response was tremendous. Within six months of the "Appeal for Amnesty 1961," Amnesty International emerged as a permanent organization coordinating the Adoption Groups for prisoners of conscience which sprang up throughout Western Europe. (Amnesty defines prisoners of conscience as those detained for their beliefs, color, sex, ethnic origin, language, or religion, who have neither used nor advocated violence.) In addition to demanding the immediate release of all prisoners of conscience, Amnesty's official mandate also included two other points: the prompt and fair trial of all political prisoners and the absolute prohibition of the use of torture or the death penalty.

Although Amnesty was on its way to becoming the 1977 recipient of the Nobel Peace Prize as the world's largest and best-known human rights organization, it nearly collapsed in its early years from internal conflict. A crisis was instigated in 1966 by Benenson, who had long considered it a serious problem that Amnesty was not based in a neutral country. Few in Amnesty shared this concern. Benenson was suspicious that British intelligence and Central Intelligence Agency money had compromised the organization. When a strongly critical Amnesty report on British activities in Aden (Yemen) was delayed, Benenson took it upon himself to release the report. He then asked longtime friend Seán MacBride, chair of Amnesty's executive committee, to authorize and oversee an investigation.

The inquiry, however, led to Benenson's ouster. Apparently without the knowledge of London headquarters, Benenson himself had taken money from the British government for the purpose, he later explained, of aiding the families of Prisoners of Conscience in Rhodesia (now Zimbabwe). This was regarded in MacBride's report as one of the many examples of Benenson's one-person rule, which was characterized by his reliance on personal connections,

haphazard organization, and sloppy record keeping. The result, according to MacBride (who earned both the Lenin Peace Prize and the Nobel Peace Prize), was a tendency of Benenson to act through "unilateral initiatives" which resulted in "erratic actions."

Benenson's resignation was accepted, and his position of president was abolished. Eric Baker, one of the organizers of the initial "Appeal for Amnesty 1961," acted as interim secretary-general for a year. Baker took the organization from the edge of self-destruction to a stable and professional organizational foundation. Martin Ennals followed up Baker's critical stabilization with twelve years of sustained growth and the crystallization of Amnesty's international reputation for credibility, impartial-



Seán MacBride, a chair of Amnesty International's executive committee and recipient of the Nobel Peace Prize. (© The Nobel Foundation)

ity, and accuracy. His tenure as secretary-general was highlighted by the organization's attainment of the Nobel Peace Prize in 1977.

The international organizational structure is based in Amnesty's London headquarters, which verifies all information and authorizes all campaigns. London headquarters collects and analyzes information from newspaper accounts, journal articles, governmental bulletins, reports from lawyers and human rights organizations, and prisoners themselves. Fact finding missions by leading experts are also used to investigate and gather evidence. Amnesty notes in every publication its responsibility for the accuracy of all information and states its willingness to correct any errors. Amnesty rigorously maintains ideological neutrality and does not accept money from governments. Perhaps its most well-known and widely used work is *Amnesty International Reports* (published annually), which reviews the human rights record of every country in the world. In it, Amnesty never ranks governments but reviews each country's record, discussing specific individuals about whom Amnesty has verified information.

Amnesty's growth has been remarkable. At the close of its first decade following the "Appeal for Amnesty 1961," Amnesty had generated one thousand Adoption Groups in 28 countries. By the time it received the Nobel Peace Prize in 1977, this had grown to more than 165,000 active members in more than one hundred countries. At its thirtieth birthday celebration on May 28, 1991, Amnesty claimed nearly 700,000 members in 150 countries and more than four thousand Adoption Groups in more than 60 countries. The research department of the international secretariat employed a staff of two hundred people, comprising some thirty nationalities. At that time, Amnesty remained largely based in the constitutional democracies of the West, however, with the United States providing nearly one-third of its membership.

Despite the welcome crumbling of the Berlin Wall and the end of the Cold War at the close of the 1980's, Amnesty noted that two out of three people in the world still lived in the nearly 130 countries of the world that imprisoned unjustly, tortured, or killed their own citizens. Therefore, the work begun in 1961 continued with a thirtieth birthday campaign on behalf of thirty prisoners of conscience whose fate Amnesty pledged to publicize until all were released.

Impact of Event

A new attention to human rights violations by the international community followed in the aftermath of the public exposure of the terrible atrocities committed during World War II, especially those committed in the name of

Nazism. The Nuremberg Trials, the Universal Declaration of Human Rights, and the numerous treaties which followed were all aimed at eroding the state sanctuary of “domestic jurisdiction.”

International law traditionally has upheld the inviolability of domestic jurisdiction—a state’s exclusive authority over its own people and territory. A state’s prerogatives regarding domestic jurisdiction clash with the ideal of a citizen’s universal human rights. Because states are recognized as sovereign, the most effective way to breach domestic jurisdiction is through treaty agreements by which the states bind themselves under international law to human rights standards. Enforcement remains problematic.

Because human rights have honorific status, states unfailingly posture as champions of human rights. For example, virtually all states endorse the Universal Declaration of Human Rights. Governments, however, often suppress human rights to stay in power. As Amnesty noted in its twenty-fifth anniversary celebration, this leaves a wide gap between commitment and reality. Because of this hypocrisy, nongovernmental human rights organizations such as Amnesty International have a crucial role to play.

As the most prominent independent, impartial international watchdog for human rights, Amnesty International can embarrass states by spotlighting flagrant violations. Public opinion can be brought to bear and thereby affect the conduct of sovereign states, which may well conclude that holding an individual prisoner is not worth the negative publicity being generated by Amnesty.

The power of states often leads to the conclusion that one person’s actions do not matter, but Amnesty International’s format provides an opportunity for individuals to make a difference. Amnesty International was organized by the inspiration of one man, Peter Benenson, on the premise that an organization can bring together numbers of such people to create an international citizens’ lobby on behalf of human rights. In such an organizational form, it is an effective participant in international politics.

Perhaps the most significant and poignant confirmation of Amnesty’s impact is that more than thirty-eight thousand individuals for whom Amnesty has worked from 1961 to 1991 have been released. A released Prisoner of Conscience from the Dominican Republic testified to Amnesty’s effectiveness this way:

When the first two hundred letters came, the guards gave me back my clothes. Then the next two hundred letters came, and the prison director came to see me. When the next pile of letters arrived, the director got in touch with his

superior. The letters kept coming and coming: three thousand of them. The President was informed. The letters still kept arriving, and the President called the prison and told them to let me go.

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Nancy N. Haanstad

Communists Raise the Berlin Wall

Category of event: Civil rights; political freedom; refugee rights

Time: August 13, 1961

Locale: Berlin, East Germany

The Berlin Wall, erected to halt the debilitating exodus of East Germans to West Germany and to assert definitively the permanence and legitimacy of the East German regime, in fact attested to the failure of that regime

Principal personages:

KONRAD ADENAUER (1876-1967), the leader of the Christian Democrats, chancellor of the Federal Republic of Germany (West Germany) from 1949 to 1963

WILLY BRANDT (1913-1992), the mayor of West Berlin from 1957 until 1966, when, with his Social Democratic Party, he entered into a national coalition government

JOHN F. KENNEDY (1917-1963), the president of the United States from 1961 to 1963

NIKITA S. KHRUSHCHEV (1894-1971), the first secretary of the Communist Party from 1953, actual leader of the Soviet Union from 1955 until his dismissal in 1964

WALTER ULBRICHT (1893-1973), the communist leader of the German Democratic Republic (East Germany) from 1949 to 1971

Summary of Event

Berlin became a focal point for East-West tensions after the breakdown of cooperation between the former World War II Allies. As the Western occupying powers, led by the United States, amalgamated their zones of occupation and began the process of organizing an indigenous government for West Germany, the Soviets responded with their blockade of West Berlin from June, 1948, until May, 1949. A strong response by the Americans and the British preserved the liberty of West Berlin, and the Federal Republic of Germany was proclaimed in the western portion of Germany. The Soviets responded by organizing the German Democratic Republic in the eastern sector, which was under their control. The regime was imposed upon the East German popula-

tion, whose distaste for the repressiveness and relative material deprivation that characterized it was borne out in desperate uprisings in East Berlin and other cities of East Germany in June, 1953.

Although the Soviets lifted the blockade of Berlin, they continued to exert pressure upon it during the Cold War crisis. The Soviets were concerned by the linkage of a rearmed West Germany to the North Atlantic Treaty Organization in 1955. In 1958, the Soviets applied pressure on Berlin in an effort to obtain a European security agreement that would recognize the status quo in Germany. On November 10, 1958, Soviet leader Nikita Khrushchev announced that the Soviet Union was reconsidering its position on the four-power control of Berlin and might hand over control of East Berlin to the East Germans. On November 27, he called for West Berlin to be transformed into a demilitarized free city and for the two German states to be united in a confederation. He threatened to turn over all Soviet rights to the East German regime if the Western powers had not worked out an agreement within six months.

West Berlin, linked to the West, was both an embarrassing symbol of freedom and prosperity and a breach through which the disaffected people of East Germany could escape to the West. By 1958, approximately 2.3 million East Germans, fifteen percent of the East German population, had fled to the West. The majority of these people were of working age, and their emigration constituted a serious drain on the talent and skill of the German Democratic Republic. Unless the hemorrhage could be stopped, the stability and even viability of the East German regime would be threatened. The Soviet Union was concerned not to lose its control of East Germany, which, in addition to having great military importance, was vital economically to the Soviet Union and to the Eastern Bloc. The economy of East Germany, with a level of technological quality superior to that of the rest of the Soviet bloc, had been structured to provide for the needs of the Soviet Union rather than its own people.

At Geneva meetings of the foreign ministers of the four occupying powers in May and July, 1959, the Soviets repeated their demands that the occupation of West Berlin be ended and the city transformed into a "free city." Rebuffed by the West, the Soviets allowed the East Germans to seize the initiative. This tactic was geared to reinforce the sovereignty of the German Democratic Republic and add a new source of pressure. The Soviet Union's principal concern was to gain definitive recognition of the division of Germany. When the East Germans and the Soviets began harassing communications with the city in August, Willy Brandt, the mayor of West Berlin, vigorously defended the rights of the city's inhabitants. In response to suggestions that West Berlin was untenable

ble as a Western enclave, he prophetically asserted that a free West Berlin was indispensable if hope for freedom was to be nurtured in Eastern Europe.

Following a momentary thaw in relations between the Soviet Union and the United States, capped by the Camp David meeting between Khrushchev and President Dwight D. Eisenhower, a Paris summit in May, 1960, fell apart after the Soviets shot down an American spy plane. Sensing Western irresolution on Berlin, Khrushchev tightened the screws on West Berlin to pressure the West and simultaneously to bolster his client regime. In August, the Soviet sector of the city was temporarily closed to West German citizens. On September 8, the East Germans insisted that West German visitors have visitor permits. On September 13, they announced that they would no longer recognize West German passports as legal documentation for West Berlin visitors. The trade agreement between the two parts of Germany was suspended by the East Germans on January 1, 1961.

An overbearing Khrushchev met the new American president, John F. Kennedy, in Vienna on June 3 and 4, 1961. He threatened to sign a separate peace treaty with East Germany and give it control of Berlin communications if a general peace and an independent status for West Berlin had not been effected within six months. On June 15, Walter Ulbricht, the East German leader, stated that West Berlin would have to stop accepting refugees from the East and cease being a source of propaganda beamed to the East. Kennedy responded in a July 25 "Report to the Nation" that he was determined to support West Berlin. Kennedy discouraged Khrushchev from additional pressure on West Berlin, but his report, by avoiding references to East Berlin, was interpreted as relinquishing any rights there to the Soviet Union. Konrad Adenauer, the chancellor of West Germany, was never overwhelmingly interested in East Berlin and also limited his concerns to maintaining the status of West Berlin.

Unable to pressure West Berlin, Khrushchev decided to take advantage of Western acquiescence to shore up his client state. Births exceeded deaths in East Germany by only eight thousand annually, and 250,000 East Germans were leaving each year. Many of the departing citizens were very difficult to replace. In the seven years before August, 1961, they included five thousand doctors, seventeen thousand teachers, and twenty thousand engineers and technicians. Nineteen thousand refugees crossed over to the West in June, 1961, and more than thirty thousand emigrated in July. In early August, the rush turned into a flood. By August 11, sixteen thousand East Germans had crossed to West Berlin. On August 12, twenty-four hundred crossed, more than had ever done so in a single day.



West Berliners looking across the wall at East Berlin in 1961. (National Archives)

Ulbricht had requested Khrushchev's permission to block off West Berlin in March. Khrushchev had hesitated then, but now he gave his permission. Just after midnight on the morning of August 13, the Berlin Wall, in the form of barbed wire, began to go up, sealing West Berlin off from East Berlin. At 1:00 A.M., the East German press agency announced that the border had been closed. Thirty Soviet and East German divisions stood ready to counter any armed intervention by the West. Brandt demanded immediate diplomatic pressure to protest this violation of the four-power agreements on Berlin, but, to his great disappointment, the response of the West was too slow and too weak to deter the construction of the barrier. Adenauer, who was engaged in an electoral contest against Brandt, was particularly remiss in his tardy and ineffectual reaction. The dispatch of fifteen hundred American reinforcements and the return of General Lucius Clay, the hero of the blockade, bolstered the morale of the West Berliners as did visits by U.S. vice president Lyndon Johnson and President Kennedy. The Berlin Wall, however, continued to grow, as did the death and misery it brought. The Basic Treaty between the Federal Republic and the German Democratic Republic, signed on December 21, 1972, and ratified in June, 1973, again granted West Germans the right to travel to

East Germany and enter East Berlin, but the Berlin Wall was not genuinely open to free access until November 9, 1989.

Impact of Event

Before the construction of the Berlin Wall, people could move fairly freely through both parts of Berlin. East Berliners could visit family and friends in the evening and on weekends in West Berlin. They had access to the Western press and entertainment. Nearly sixty thousand East Berliners daily took trains to work in factories and shops in West Berlin. The Berlin Wall put an end to this as well as to the permanent movement of East Germans to the West.

The Berlin Wall was eventually elaborated into an impenetrable barrier one hundred miles long, encircling all of West Berlin. Escape was relatively easy at first. Some jumped across barbed wire; others climbed out of second story windows of buildings which formed part of the new frontier. Eventually the windows were bricked over and a genuine wall was erected, fortified by 238 watchtowers and 132 gun emplacements. It was set off by an exposed "death strip" and guarded by twenty thousand East German police. On the Friedrichstrasse, Checkpoint Charlie, the only crossing point open to the Allied occupation forces, was permanently guarded on both sides by armored vehicles facing a fifty-yard slalom-like barrier designed to thwart motorized escape attempts.

The Berlin Wall was the brutal product of a regime willing to employ repression and deadly force against its own citizens. From 1961 until the Berlin Wall was opened on November 9, 1989, seventy-seven people were killed trying to escape through it. Another 114 people were killed trying to cross the increasingly deadly fortified border that divided East Germany from the remainder of West Germany. Observers in the West saw the failed escape attempts and witnessed the refugees being dragged back, sometimes wounded, to the East. One young victim, Peter Fechter, was shot by the East German police in August, 1962, and allowed to lie in view of horrified West Berliners as he bled to death. In 1974, Erich Honecker, Ulbricht's successor, in an effort to further intimidate the East German people, made his regime's practice explicit by issuing a shoot-to-kill order.

The Berlin Wall, in the short term, was perhaps a success of sorts. It stopped the flow of East Germans to the West, and it also played a role in the formation of Brandt's policy of *Ostpolitik*, which resulted in the recognition of East Germany by West Germany. Accepted as a legitimate entity, the German Democratic Republic became, along with the Federal Republic, a member of the United Nations in 1973. Brandt feared that, as a result of the Berlin Wall, the

two German states and their people would grow progressively estranged. He also believed that the prospect of German reunification in the near future was remote. When he became chancellor in 1969, he presided over an effort to bring the two Germanies together through small steps. He was greatly concerned with lessening the burden on families created by the separation of the Berlin Wall. The Basic Treaty of 1972, however, did not bring an end to the paranoia of the East German regime. In 1980, to discourage excessive contact between its people and Germans from the West, the East German regime increased the visa fee and the daily foreign exchange requirement for visitors to East Germany. This created a formidable impediment for elderly pensioners wishing to visit relatives in East Berlin.

In the long term, the Berlin Wall was a dismal failure. Psychologically, it further damaged the credibility of the East German regime, which was seen as having to wall in its own citizens. When Mikhail Gorbachev, who became president of the Soviet Union in 1985, lifted the threat of violence, the support of the East German regime disappeared. As East Germans in 1989 fled to West Germany through Hungary and Czechoslovakia, the demand for change in the German Democratic Republic became irrepressible. Honecker was forced from office and, on November 9, 1989, in a prelude to German reunification, the Berlin Wall was breached by the new East German government.

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Bernard A. Cook

Soviet Jews Resist Oppression

Category of event: Civil rights; racial and ethnic rights; religious freedom

Time: 1963-1970

Locale: Soviet Union

The Jewish population of the Soviet Union became more active in demanding that the Soviet state permit religious freedom, respect minority rights, and allow free emigration

Principal personages:

LEONID ILICH BREZHNEV (1906-1982), the successor to Nikita Khrushchev
HENRY "SCOOP" JACKSON (1912-1983), a U.S. senator with presidential ambitions

NIKITA S. KHRUSHCHEV (1894-1971), the premier and first secretary of the Communist Party of the Soviet Union

RICHARD M. NIXON (1913-1994), the president of the United States (1969-1974)

ANDREI SAKHAROV (1921-1989), a leading Soviet dissident and spokesperson for human rights

JOSEPH STALIN (1879-1953), the dictator of the Soviet Union from 1924 until 1953; a noted anti-Semite

Summary of Event

As the old Russian Empire expanded into Eastern Europe in the eighteenth and nineteenth centuries, increasing numbers of Jews fell under Russian control, with the total at one point reaching five million. Jews were subject to persecution by czarist authorities: They were confined by law to the Pale of Settlement, a strip of territory along Russia's western border; restricted from entering certain trades and professions; made subject to forcible religious conversion; forbidden to write or teach in Yiddish or Hebrew; and, on occasion, made the target of spontaneous or even government-sponsored pogroms (massacres and evictions). The intensity of persecution waxed and waned according to the degree of tolerance and enlightenment of the ruling czar or provincial governor. Despite decades of religious and cultural oppression aimed at their assimilation and "Russification," Jews maintained a

rich religious life and vibrant cultural independence, if only in the sanctuaries of their homes and the enforced segregation of their ghetto communities.

After the 1917 revolution and the fall of Czar Nicholas II, the new provisional government repealed most laws discriminating against Jews. The few remaining discriminatory regulations were abolished by the Bolsheviks after they took power in Russia in November, 1917. For a brief period, Jews were able legally to practice their religion in the renamed Soviet Union. After a short spring of emancipation, Jews fell victim to two major forces, one old and one new. First, anti-Semitism in the lands of the old Russian Empire had deep roots among the Orthodox population and with certain national groups. Despite the change in legal status, in everyday life Jews still encountered discrimination, persecution, and at times even lynchings and pogroms. Second, the Bolshevik ideologues in charge of the Soviet state harbored a deep animosity toward organized religion of any kind, and they soon embarked on a general campaign to suppress religious belief which swept up Jews along with Orthodox, Roman Catholics, Protestants, and others. Finally, the Jews presented a special problem to the Soviet authorities, as they formed not simply a religious community but a distinct national group without a specific national territory. During the 1920's an attempt was made to create a Jewish region (Birobidzhan) along the desolate Chinese-Soviet border, but fewer than one hundred thousand Jews chose to relocate.

With Joseph Stalin's ascent to full dictatorial power in 1928, Jews faced a whole new level of persecution and terror. Like millions of other Soviets during the 1930's, the years of Stalin's great purges, Jews were subject to persecution, imprisonment, and execution both as individuals and as Jews, for in addition to being paranoid and cruel, Stalin was a hardened anti-Semite. Soviet policy in general aimed at breaking down Jews' separate sense of religion and culture: Yiddish once again was banned; synagogues, schools, and Talmudic academies were closed; Jewish literary and artistic expression was attacked as anti-Soviet; and under the labor code Jews were forced to work on the Sabbath. The average Jew, for survival's sake, had to maintain an outward appearance of conformity with Stalinism.

Then came the Holocaust, in which Soviet and other Jews were singled out from the general population for "liquidation" by the Nazis. The Holocaust had a great effect on Soviet Jews, as it did on Jews everywhere, by impressing many with the reality that assimilation was no barrier to persecution. Germany's Jews had been among the most assimilated in Europe. The Holocaust gave rise to a new consciousness of Jewish identity, spurred by the fact that not even the Nazi

genocide led average Soviet citizens to question anti-Semitism, in part because their leaders suppressed information about the Holocaust.

The State of Israel came into existence in 1948. That had two lasting effects: It stimulated a fierce pride among Jews and raised hopes of escape from persecution by emigration to Israel. It also led to a new round of persecution, as Stalin denounced Zionism as a form of imperialism and accused Jews of being potential traitors. At the time of his death in 1953, Stalin was about to launch a large-scale purge of Jews as a way of distracting the public from his foreign and domestic policy failures.

Nikita Khrushchev took power and modified the excesses of Stalinism in the 1950's but failed to attack the sources of anti-Semitism in Soviet society. In 1961, he too began to blame Jews for the failures of the Soviet centrally planned economy. Between 1961 and 1964, official propaganda about "economic crimes" blamed Jews for impeding economic progress. In some areas, such as the Ukraine, Jews were arrested, tried, and often executed in greatly disproportionate numbers. Khrushchev's successor, Leonid Brezhnev, also was personally prejudiced against Jews, especially after Israel humiliated the Soviet Union's Arab allies in the 1967 Arab-Israeli war. That conflict created a surge of pride among Soviet Jews, who began to demand that their religious and ethnic rights be respected and that emigration to Israel be permitted. Efforts were made to revive fluency in Yiddish and Hebrew, to start up religious schools, and to reopen synagogues and Talmudic academies. Soviet leaders responded swiftly: Jewish activists and other dissidents were arrested; some were sent to labor camps and others to mental institutions on the ground that their religious belief was evidence of mental disorder. The activism of Soviet dissidents caught the attention of foreign observers and of Jewish communities in Israel and the United States. From 1967 on, Soviet persecution of Jews was subject to increasing criticism from foreign human rights groups, both Jewish and non-Jewish, and to growing pressure from the United States.

In the early 1970's pressure began to build in the United States to tie *détente* with the Soviet Union to the treatment of dissidents, and especially to free emigration for Jews. President Nixon and his national security advisor, Henry Kissinger, at first resisted linkage between human rights, emigration, and *détente*, although they pressured Brezhnev in private. Between 1972 and 1974, however, majority support developed in Congress for the Jackson-Vanik amendment to a trade bill, named for its sponsor Senator Henry "Scoop" Jackson, a man with presidential ambitions and hopes for strong support from the American Jewish community. The amendment linked free Jewish emigration and religious rights to expanded trade with Moscow. A critical moment came on

October 21, 1974, when Andrei Sakharov, a leading Soviet dissident and founder of the Moscow Human Rights Committee, threw his support behind the amendment in an open letter to Jackson and Kissinger. Congress soon passed the amendment, but it quickly backfired: The Soviets proclaimed outrage that their internal policy was being questioned and immediately cut off all Jewish emigration. With the complete collapse of *détente* the following year, Jewish religious rights and especially emigration became hostage to larger currents in Soviet-American relations and remained tied to other issues for the rest of the 1970's and most of the 1980's.

Impact of Event

The impact of rising demands from the Soviet Jewish community for greater respect for religious and minority rights had a profound effect on hundreds of thousands of lives. On the positive side, many Jews discovered or rediscovered a personal cultural and religious identity that had been unknown or forgotten under the influence of Soviet daily life and antireligious education. There was a renaissance of Yiddish and Hebrew literature, an increase in participation in religious ceremonies and observance, and a new sense of community both within the Soviet Union and with respect to the larger Jewish world, most notably in Israel and the United States. On the other hand, this revival provoked a fresh round of persecution which adversely affected thousands. Well-known Jewish dissidents such as Yuri Orlov and Anatol Scharansky were imprisoned for long periods of time but eventually were released and expelled, after the West applied pressure. Less well-known activists, or ordinary people who applied to emigrate to Israel, quickly found that they lost their jobs, their apartments, and often their freedom. In the worst cases, and there were many of these, Jews were sent to prison camps or to mental institutions, away from Western eyes. Even when a trickle of emigration was permitted, the wait for an exit visa could be as long as five to seven years, and then the request might be refused, with no reason given. That situation continued in spite of the fact that the Soviet Union in 1975 signed a comprehensive human rights agreement that was included in the Helsinki Accords on European peace and security.

On a larger plane, the conditions under which Soviet Jews lived were determined by both the Arab-Israeli dispute and also the Cold War, as Arabs lobbied Moscow to curtail emigration and the United States lobbied for an increase. Soviet leaders turned the emigration tap on and off according to the changing stakes of foreign policy, greatly disrupting individual lives and families. By the mid-1980's, however, Jews began to benefit from the enormous changes con-

vulsing Soviet society with the beginnings of *glasnost* and *perestroika* under Mikhail Gorbachev. As the Cold War drew to a close and a severe Soviet need for Western aid and trade became clear, the new Soviet leadership moved away from persecution and toward free Jewish emigration. After 1988, hundreds of thousands of Jews left the Soviet Union, so many that Israel had difficulty housing them. Housing problems placed new pressures on the occupied territories, thereby complicating the Arab-Israeli dispute. Within the Soviet Union there developed more official tolerance for religious belief and practice. By the early 1990's, however, an old pattern started to repeat itself, as the desire of Jews to emigrate was seen by some Soviets as evidence of disloyalty. Incidents of open anti-Semitism increased in number and talk was even heard from *Pamyat*—a reactionary nationalist group opposed to *glasnost* and *perestroika*—of a pogrom against the Jews of Moscow and Leningrad. Although government policy had entered a more liberal phase, Jews still faced the daily reality of deeply rooted anti-Semitism among large segments of the Soviet population.

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Cathal J. Nolan

Civil War Ravages Chad

Category of event: Atrocities and war crimes; revolutions and rebellions

Time: 1965-1980's

Locale: Chad

Intermittent civil war between rival factions in the poverty-stricken Saharan nation of Chad took an awful toll in human lives and suffering

Principal personages:

FRANÇOIS TOMBALBAYE (1918-1975), the first president of Chad (1960-1975)

FÉLIX MALLOUM (1932-), the successor to Tombalbaye, overthrown in 1979

HISSEN HABRÉ (1942-), a guerrilla leader who seized power in 1979, was replaced in 1979, and regained the presidency in 1982

GOUKOUNI OUEDDEI (1944-), a principal rival of Habré who ruled a provisional government (1979-1982)

Summary of Event

Civil war, political brutality, frequent *coups d'état*, a hostile physical environment, and endemic poverty have plagued Chad's four million inhabitants since shortly after independence from France in 1960. Like those of many other African nations, Chad's boundaries reflect interimperial rivalries (in this case, between France and Italy) rather than social cohesion, so national politics revolve around competition among the myriad social and ethnic groupings of the three arid, predominantly Arab districts of the north; the seminomadic people of the Sahelian central region; and the people of the relatively more arable, densely populated, ethnically diverse south. Backed by Libya, France, and other countries, rival movements have struggled for national power since 1965.

A large, desolate, landlocked territory, Chad was inhabited mainly by nomads and fugitive slaves when it became a colony separate from French Equatorial Africa in 1920. Because of its agricultural potential, the southern region had enjoyed most of the colonial development efforts, including cotton production and social services such as schools and utilities. The first president, François (later Ngarta) Tombalbaye, a member of the minuscule

French-educated southern elite, assumed leadership of Chad soon after it was declared a republic with its capital at N'Djamena (formerly Fort Lamy) on August 11, 1960.

Independence brought neither liberation nor peace. Virtually from the beginning, Muslim Chadians from the northern and central parts of the country resisted government efforts to settle nomads and force them to pay usurious rates on government "farm loans." Moreover, they demanded a greater say in the southern-dominated government. The regime responded by outlawing opposition parties in March, 1962, and organizing well-controlled elections. Riots against tax collectors and loan officers broke out in eastern and central Chad in November, 1965, marking the beginning of the civil war. These tax revolts were suppressed by the army, only to erupt again nearby. On June 22, 1966, two or three dissident groups met in neighboring western Sudan to form the *Front de Libération Nationale* (Fronilat). Within a year, the rebellion against imposed sedentarization and heavy taxation spread throughout the north. The army was directed to stop demonstrations and disband the opposition. At least 250 strikers and regime opponents were imprisoned for banditry, and some of them died, disappeared, or were tortured in jail. Amid spreading unrest and even mutiny in 1968, Tombalbaye called on France to support his anti-insurgency campaign. French paratroopers engaged directly in fighting against insurgents and their sympathizers from April, 1969, through mid-1971.

In response to Tombalbaye's strong-arm tactics, the rebellion spread not only throughout the central and northern districts but also to the Sara peoples of his native southern region, where his "authenticity" campaign, which required Sara youth to undergo traditional initiation rites, was resented by more educated Sarans. Pockets of resistance therefore appeared in the south. After Muammar al-Qaddafi's rise to leadership in neighboring Libya in 1969, Libyan aid to Fronilat increased, and the movement became more militantly anti-imperialist and pro-Islamic. Eventually, even Tombalbaye's own top military commanders, including General Félix Malloum, turned against the eccentric, ineffectual, and increasingly hated dictator. Several officers were arrested for plotting against the regime.

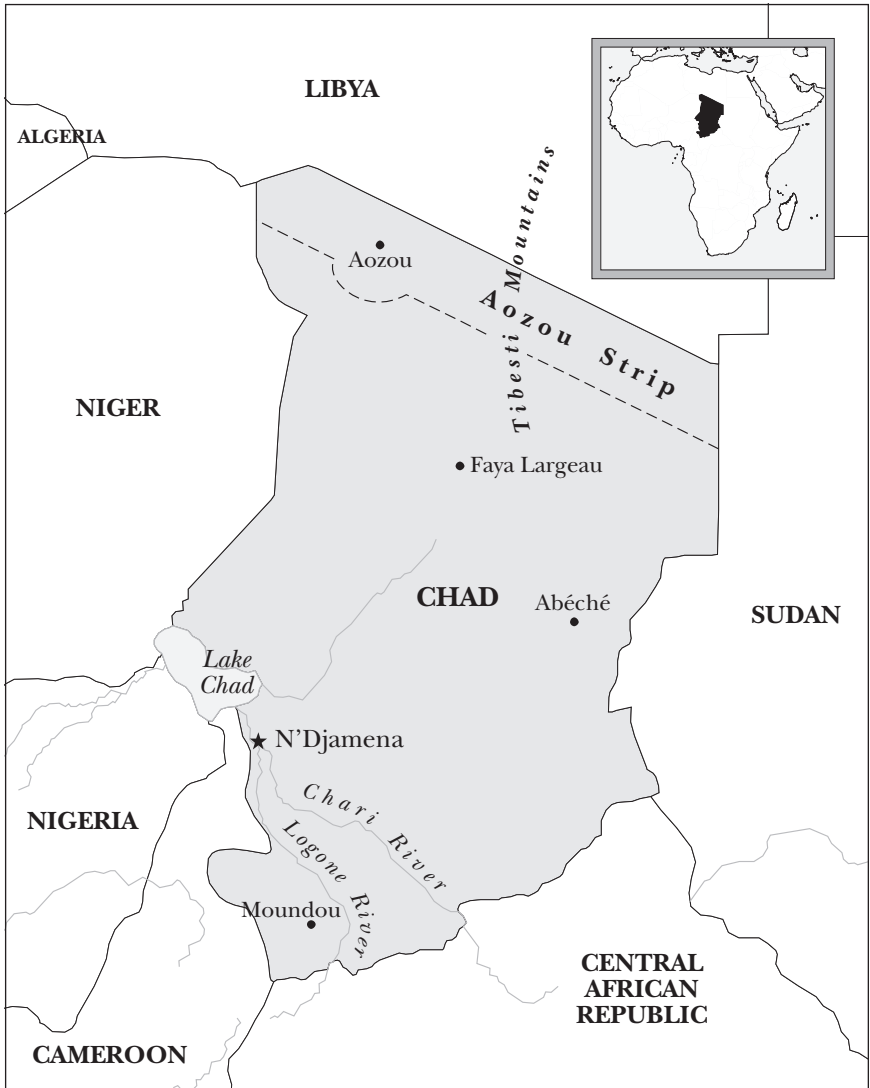
After a military coup in 1975 in which Tombalbaye was assassinated, the new president, Malloum, released about 175 political detainees from prison and promoted some reforms. The respite from chaos and repression was, however, short-lived. The rebels controlled rural areas of the central and northern regions and gained on N'Djamena. There was discord within Fronilat, an increasingly motley, diverse, and divided collection of warlord armies. A quarrel

between the front's two most prominent leaders, Hissen Habré and Goukouni Oueddei, partly over the treatment of a French archaeologist held hostage by the commandos and exacerbated by al-Qaddafi's efforts to control the movement, split Fronilat. While Oueddei became Libya's favorite client, Habré was brought into the Malloum government as prime minister.

The year 1979 saw countrywide anarchy and chaos, with intercommunal violence as well as military confrontations among the guerrilla groups and with the army. A strike by Muslim students in N'Djamena in February touched off a spate of incidents, some of them reported as massacres, between Muslims and non-Muslims. Within days of the student strike, Habré's forces took the capital from Malloum, who retired under French asylum. Lacking power and water, and prey to Habré's pillaging militia, civilians fled N'Djamena. Meanwhile, as rebel forces fought for control of the provinces, the Organization of African Unity (OAU) sponsored a series of talks leading to a short-lived cease-fire agreement that put Goukouni Oueddei at the head of a "transitional government" with Habré as defense minister. Habré's forces and those of other rebel commandos continued the armed struggle, capturing several towns and besieging the capital.

In 1980 and 1981, direct and indirect foreign intervention further complicated the imbroglio. Fighting broke out in March, 1980, and raged continuously for the rest of the year. After the remaining eleven hundred French forces were recalled to Paris, President Oueddei invited Libya to assist his government in defending the positions under its control against Habré's troops. Anxious also to consolidate Libya's claims to the long-disputed Aozou strip on the Libyan-Chadian border, al-Qaddafi willingly complied, dispatching tanks, helicopters, and mortars south across the desert. By December, they had effectively defeated Habré's forces militarily, and in January, 1981, al-Qaddafi declared Libyan unity with Chad. This prompted the formation of an OAU peacekeeping force and, more important, U.S. and French backing for Habré in the form of both arms and diplomacy. The Libyans withdrew in late summer, 1981, their positions ostensibly being handed over to OAU peacekeepers. Habré's forces gradually took control of the country, entering N'Djamena in June, 1982.

For the next four years, Chad was effectively divided between Libyan-backed, Oueddei-led factions that dominated the northern two-thirds of the country and the western-backed Habré government in the south. Sarans and other southerners resisted military occupation by Habré's army, and soon whole neighborhoods and villages were fleeing before the presidential guard's counterinsurgency campaign. After consolidating his positions, Oueddei be-



gan penetrating south in late 1983. This occasioned a new French intervention, including three thousand troops and fighter-bombers, to halt any Libyan advance, allowing Habré armies to reoccupy some fallen towns. Clashes continued, with Libyan and French support, until a falling out between Oueddei

and al-Qaddafi allowed Habré to gain the upper hand in 1986. He gradually conquered the north, and on September 12, 1988, an OAU cease-fire was accepted by all major forces in Chad. The twenty-three year Chadian civil war appeared to be ended, but the country's future was uncertain.

Impact of Event

Throughout the several phases of Chad's civil war, atrocities were committed by all sides. With the number of political, civilian, and combatant deaths numbering in the tens of thousands, staggering infant and child mortality, and the further disastrous effects of drought, famine, and desertification, Chad's rate of population growth was among Africa's lowest. Chadians on the whole were among the most deprived and terrorized people in the world.

The Tombalbaye and Habré regimes in particular, but also other leaders, resorted to execution of rivals and challengers, detention of activists and demonstrators, and heavy military and tax pressure on civilian communities. Dozens of "conspirators" were executed by martial law authorities between 1965 and 1990. Hundreds of students, professionals, civil servants, and peasants were detained at least briefly, and some languished indefinitely without formal charges being brought. The combined forces of climate, unsanitary conditions, and state security methods made disease and death common in detention. All the armies took hostages. For example, in 1983 the Habré and Oueddei forces each claimed to hold at least one thousand captives, an unknown number of whom died or disappeared.

As each region formed its own militias, the strongest men went off to fight, sometimes to die, leaving their families vulnerable to marauding rival armies and a farm economy hard-pressed to function without their labor. Brutal treatment of one clan was likely to provoke retribution, as in April, 1983, when forty villagers in the far south were massacred. Internecine conflict, particularly between Muslims and non-Muslims, helped perpetuate the vicious cycle of violence. Few families remained unscathed.

As in the Sudan, Ethiopia, and other war-ravaged Sahelian countries, more than two decades of widespread conflict also exacerbated an incipient environmental disaster by killing livestock and crops, pillaging grain stores, removing the strongest farmers, polluting or depleting water wells, driving people from their homes, destroying buildings and power stations, and diverting resources from desperately needed development projects. Weakened by the effects of war, the farm economy of central and northern Chad was decimated by the drought of the mid-1980's. Moreover, since the intermediate-rainfall zone in the south was planted mainly in cotton, there was a small domestic

food supply. In 1985, approximately one million people, one-fourth of the population, were weakened by famine and in danger of starvation. At least fifty thousand sought refuge in relief camps. With fewer than one hundred paved miles of road amid thousands of miles of desert, and with much less publicity of its plight than Ethiopia had, Chad was in no position to deliver food, medical supplies, and water to the hardest-hit central regions. Well-intentioned humanitarian relief efforts were nowhere near adequate, especially given that the government was bankrupt and continued to be more concerned with state security than with the quality of its citizens' lives.

Some African theorists have argued that in the African context "human rights" might have a different meaning than in the West. In Chad, the human rights conditions from 1965 until at least 1988 were horrible by any criteria. There was no question of freedom of speech, religious communities were at war with one another, martial law was applied by numerous factions, and property rights could not be guaranteed. Beyond these abuses were the terrible loss of and threat to the lives of Chadians, many of whom suffered physical danger and deprivation for years on end.

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Sheila Carapico

China's Cultural Revolution Starts Wave of Repression

Category of event: Civil rights; political freedom; revolutions and rebellions

Time: 1966-1976

Locale: People's Republic of China

Mao Zedong's ideology motivated millions of Chinese youths to revolt against the bureaucracy, which in turn helped Mao to regain political prominence at the cost of thousands of lives

Principal personages:

MAO ZEDONG (1893-1976), one of the founders of the Chinese Communist Party (CCP), instrumental in the overthrow of Chiang Kai-shek and the Nationalists (1949)

LIN BIAO (1908-1971), Mao's handpicked minister of defense and the de facto head of the People's Liberation Army, the key promoter of Maoist policies and propaganda

JIANG QING (1914-1991), Mao's third wife and a member of the Gang of Four

YAO WENYUAN (1930-), a member of the Gang of Four

WANG HONGWEN (1936-1992), a member of the Gang of Four

ZHANG CHUNQIAO (1917-1991), a member of the Gang of Four

DENG XIAOPING (1904-1997), the dominant figure in Chinese politics after Mao's death and the demise of the Gang of Four in 1976

Summary of Event

In 1966, in an effort to restore the revolutionary spirit to the Chinese people and to prevent China's departure from socialism, Mao Zedong motivated millions of Chinese youths to challenge authority and capitalist tendencies—"to make revolution." He called for the masses to challenge authority by removing reactionary elements from Chinese society. These vague objectives only invited abuse, and, as in Mao's Great Leap Forward debacle of 1958, the initial ideological euphoria soon gave way to the reality of mass chaos and societal disarray.

After the Great Leap failure, Mao had found himself on the outside of the political power structure. He would find a new power base not in the tradi-

tional political arena but in the ranks of the visionary youth—soon dubbed “Red Guards.” These militants, mostly young teens, violently disbarred many authority figures and ushered in a state of chaos, the first stage of the Great Proletarian Cultural Revolution, Mao’s direct attack on the very party he helped to found.

Most historical accounts identify the Wu Han case as the beginning of the Cultural Revolution, when in reality this case only set the stage. Although Wu’s play *The Dismissal of Hai Rui from Office* (1961) ostensibly depicted Ming politics, it clearly reflected the errors of the contemporary Chinese Communist Party (CCP) cabinet, and, by inference, of Mao himself. Wu’s character of the “average official” did not “dare to oppose anything even though he knew it was bad,” and his monarch was “self-opinionated and unreceptive to criticism.” Subsequently, Mao and his allies began a campaign against antisocialist literature and any antisocialist “poisonous weeds” found in the Chinese cultural garden. Mao had criticized the Ministry of Culture in Beijing for its fascination with ancient history and suggested that the ministry be renamed “the Ministry of Foreign Mummies,” “the Ministry of Talents and Beauties,” or “the Ministry of Emperors, Kings, Generals, and Ministers.” The Maoist People’s Liberation Army (PLA) vowed to help “destroy blind faith in Chinese and foreign classical literature.” Lin Biao, Mao’s rising star and military leader, asserted that “if the proletariat does not occupy the positions in literature and art, the bourgeoisie certainly will. This struggle is inevitable.”

The arts struggle interested Mao because it was a plausible pretext for revolution. Mao and his confidants soon signaled an attack on the “four old” elements within society—old customs, old habits, old culture, and old thinking. Unabashedly, Mao expected every communist Chinese to be a revolutionary. Those who were uneducated or inexperienced could be taught and shown the personal value of revolution. China’s youth, who had been called on to lead lives of restraint and obedience, readily absorbed lessons of violence. While combating his own political ostracism, Mao publicized legitimate weaknesses in the communist central committee and planned a radical avenue back to political potency. He would rise on the backs of millions of youths who would follow his visionary teachings, canonize his homilies, and attack authorities at every turn. Mao was fulfilling his public promise made in 1958, when the committee had seriously questioned the Great Leap Forward policies, then only a few months old. Mao had informed his obstinate colleagues that he could “go to the countryside to lead the peasants to overthrow the government.” He threatened, “If those of you in the Liberation Army won’t follow me, then I will go and find a Red Army, and organize another Liberation Army.” History sub-

stantiated the fears of the acquiescing CCP cabinet, for in 1927, a much younger Mao had predicted that “In a very short time . . . several hundred million peasants will rise like a mighty storm, like a hurricane, a force so swift and violent that no power, however great, will be able to hold it back.” Two decades had been a very short time for the world’s most durable civilization to wait, but Mao’s bold 1958 threat would be realized in just eight years.

Mao’s vague tirade against “reactionary” elements was permission enough for the Red Guards to wreak violence on nearly 10 percent of the Chinese population (bureaucrats, those with foreign connections, and unpopular professors were particularly targeted). Suicides (after Red Guard harassment), public humiliations (for example, the cutting of girls’ long hair, the forcing of public retractions, and the wearing of dunce caps), and murders became commonplace.

Following Mao’s pyrrhic victory via the Red Guards (1966-1968) came the second of the revolution’s three stages, dominated not by the Red Guards but rather by the PLA—the stabilizing force between the Red Guards and the Chinese workers. By August of 1968, Mao had organized the Worker-Peasant Mao Zedong Propaganda Teams to disband the Red Guards, which by then were plagued with factional fighting and anarchy. By 1969, Mao had halted the excesses of the revolutionaries by sending them all home or to the fields to work with the peasants. With the assistance of his wife, Jiang Qing, and her associates, Mao launched the Campaign to Purify Class Ranks (1967-1969). Liu Shaoqi and Deng Xiaoping had already been removed from the highest ranks of the CCP, paving the way for its restructuring.

After a period of intense calculated transition and the suspicious death of Lin Biao (1971), the final stage of the revolution ensued, led by Jiang Qing and her associates, collectively dubbed the “Gang of Four.” The Four became the dominant political force, having assumed investiture duties, and by 1974 they were also solidly in charge of economics. This oligarchy was short-lived, however, and the Gang of Four’s rule abruptly ended with the death of Mao in 1976. The Chinese masses blamed the four for manipulating the aging Mao into starting the misguided revolution and subsequently usurping the dying leader’s power. The trial and conviction of the Gang of Four brought an ugly end to an uglier era, but at least there was closure.

Although the secrecy of Chinese communism discredited any definitive explanation of the revolution’s causes, two factors loomed large: Mao’s radical revolutionary vision and his political aspirations. His revolution was based on ideological incentives, a scheme that would fail not only economically but also diplomatically. Perhaps worst of all, the Cultural Revolution would invoke

more humanitarian needs than it could solve. As it had in the 1958-1960 disaster, Mao's ideology paled in the face of pragmatic policies. Volunteerism supplanted planning. In the span of just eight years (1958-1966), Mao instituted such radical measures to protect and propagate his anticapitalist ideology that more than fifty million people would die because of his disregard for social, demographic, and economic realities. His guiding principle was that the quickest route to full communism was revolution. Mao sincerely believed that the Chinese Communist Party (CCP) should be preoccupied with creating a new kind of individual, one committed more to the country than to personal gain. China, Mao thought, needed to be totally self-sufficient, not like the capitalist countries, which would ultimately be swallowed up by communism when their colonial exploitation ceased to be profitable.

Besides the political and social chaos that ensued during "the ten bad years" (1966-1976), a generation of teens later referred to by their fellow Chinese as the "lost generation" would lose as many years of education. At least twenty thousand others lost their lives because of Mao's ill-conceived revolution. Mao's visionary ideology, underlying both the Great Proletarian Cultural Revolution and the Great Leap Forward, lacked any sense of realism.

Impact of Event

The political motivation for the revolution seemed straightforward. Mao and his wife most likely felt disregarded; real political power had obviously shifted to others. A study of the Cultural Revolution is, in large part, a study of Mao's rise in power and popularity and most certainly his fall from political prominence in the early 1960's. As a revolutionary with an ardent belief in involving the masses in revolution, Mao had the singular ability to motivate the Chinese to action. The legendary Long March of 1934 had made him a folk hero, a national symbol for constructive change—a legitimate avenue to reform. Only someone of Mao's stature could reemerge to national prominence after a mistake as grandiose and costly as the Great Leap Forward.

Slogans and scars would survive past the early 1960's, and it would take the Cultural Revolution to put Mao back at the political helm. Even then, the economic scars would persist for at least another generation. Between 1958 and 1965, famine and near-famine touched all of China. Demographic data confirmed that starvation and malnutrition claimed the lives of between twenty and thirty million Chinese between 1959 and 1962. Obviously, Mao's plan to revive the economy had failed. What at first appeared to be an acceptable retreat, a possible prelude to progress, became a glaring economic leap in the wrong direction. Mao was still chairman of the CCP in 1960 but could not pre-



Lin Biao, minister of defense and chief propagandist under Mao Zedong. (Library of Congress)

vent its senior members, led by Liu Shaoqi and Deng Xiaoping, from reversing most of his policies. While his political opponents took aggressive steps to alleviate the food shortage, Mao found himself relegated to the role of a revered ancestor; consultations with Mao were only polite gestures. Thus, the Cultural Revolution was a golden political opportunity, or so it seemed.

After Mao's death in 1976, the most common Chinese reassessment of their great statesman found him responsible for twenty years of misguided policies. Inherent within his system was "the fundamental policy to guide the peasants to accelerate socialist construction, complete the building of socialism ahead of time, and carry out the gradual transition to communism." These boasts were not only visionary but looked at the human condition through clouded ideological glasses. The conditions of life and basically all human rights of the peasants were being ignored. Deng Xiaoping was rehabilitated in 1977 and quickly invoked pragmatic policies. The "Four Modernizations" campaign was launched, emphasizing science and technology, industry, agriculture, and the military.

For Mao, the achievement of full communism justified the certain loss of some lives and the possible loss of millions. At the outset of the Cultural Revolution, the Soviets had long since effaced Joseph Stalin for such faulty logic (later, even the Lenin colossi disappeared). By 1958, Mao asserted that the interests and needs of the Chinese masses could be met only in the context of Maoist, not Marxist-Leninist, socialism. One of the main charges against the Gang of Four was their idealism. They cogently argued for a strict adherence to the communist principles of Marx, Lenin, and Stalin and a plan for world communism, yet they would risk any and all of the gains of the revolution. After the revolution, China was left without any strong belief system. While China looked to the West for modernization assistance, materialism, freedom, capitalism, individualism, and other Western values entered an already vacillating Chinese society.

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Jerry A. Pattengale

Greek Coup Leads to Military Dictatorship

Category of event: Civil rights; political freedom; revolutions and rebellions

Time: April 21, 1967

Locale: Athens, Greece

Colonel George Papadopoulos led a right-wing military coup against the government of Panayiotis Kanellopoulos and established a dictatorship that limited political and civil liberties

Principal personages:

GEORGE PAPADOPOULOS (1919-1999), the right-wing military leader of the coup

CONSTANTINE II (1940-), the king of Greece from 1964 to 1967, sympathetic to the conservatives

PANAYIOTIS KANELLOPOULOS (1902-1986), the prime minister of Greece at the time of the coup, a leader of the conservative National Radical Union

GEORGE PAPANDREOU (1888-1968), the leader of the left-of-center Center Union, the most popular party at the time of the coup

ANDREAS PAPANDREOU (1919-1996), the son of George, also led the Center Union and was popular at the time of the coup

Summary of Event

The history of Greece in the twentieth century is one of turmoil and political struggle. Divided by regionalism, ideology, and economic class, the country has endured war and revolution, occupation and dictatorship. During World War II, Germany, Italy, and Bulgaria conquered and divided the country among themselves. Guerrilla resisters, most of whom opposed both the king and the occupiers and many of whom were communists, believed that they had earned the right to rule the country. After the war, however, the Western-sponsored monarch, George II, returned to the throne. A long civil war, lasting from 1944 until 1949, ensued. The civil war became a struggle between communist forces, backed only half-heartedly by Moscow, and the monarchist supporters, backed whole-heartedly by Washington. Republican noncommunists made their peace with the king.

After King George II died in 1947, his brother King Paul reigned until 1964 and was succeeded by his ineffectual son, King Constantine. In the meantime, Greece, one of the poorest countries in Europe, underwent an economic and political revival with help from the United States and Western Europe. Constitutional government and popular institutions were restored and strengthened, although the United States Department of State preferred and favored the conservative parties to those of the left and center. Washington particularly distrusted George Papandreou, the leader of the popular Center Union, even though he had been one of the first republican leaders to announce support for the monarchy during the war.

In the 1960's, Greek politics once again became chaotic. The slow pace of modernization and gradually rising standard of living produced struggles between town and countryside, the capital and the provinces, and rich and poor. The left, which included labor unions, Marxists, anarchists, and intellectuals, challenged the conservative elements of Greek society—the monarchy, the right-wing politicians, and the church. The right, for its part, incessantly proclaimed the danger of communism, even though by then such danger had largely disappeared.

In 1963, the National Radical Union, a conservative party led by Panayiotis Kanellopoulos and Constantine Karamanlis and backed by Washington, surrendered power after eight years in office. George Papandreou's Center Union took over. Papandreou's son, Andreas, an American-educated economist and flamboyant politician, played a major role in the new government. In 1964, a new election returned George Papandreou with an even larger mandate.

The one policy upon which left and right agreed was the claim for irredenta and the insurance of national homogeneity. Greeks wanted the lands of southern Albania and the island of Cyprus incorporated into their territory. Furthermore, although Greece in the 1960's became more and more democratic in fact as well as in law, one area of significant oppression remained—the right to choose national identity. Greeks traditionally claimed that Albanian and Slavic speakers in the north whose forefathers had belonged to the Greek Orthodox confession were Albanophonic and Slavophonic Greeks, not Albanians or South Slavs. Using a carrot-and-stick policy, the authorities encouraged and pressured inhabitants in the north to "acknowledge" their Greek nationality and to adopt Greek ways, including the use of the Greek language.

The Cyprus question was of greatest concern to the Greeks. The island of Cyprus, while mostly Greek, nevertheless had a minority of 15 to 20 percent

Muslim Turks. Furthermore, although Turkey was the traditional enemy of Greece, both countries now belonged to the North Atlantic Treaty Organization (NATO). Greece also hoped to associate with the European Common Market, and for this reason the Greek governments, whether the National Radical Union or the Center Union was in control, did not push for the incorporation of Cyprus into Greece, but were content to leave it as a separate Greek state.

Not content with this solution, the left-wing military circle *Aspida* (the shield), with the encouragement of Andreas Papandreou, aided and supported those on the island who favored union with Greece. Right-wing military officers disliked George Papandreou's military policies, particularly those governing promotions and appointments within the armed forces. Their fear of *Aspida's* strength led to further conflicts. Papandreou tried to remove his minister of defense, who supported the right, and assume the post himself. Against custom, King Constantine intervened and prevented the change. In July, 1965, Papandreou protested by resigning. Constantine further confused issues by refusing to grant him a new mandate, even though the Center Union still retained its large majority in parliament.

This "July Crisis" led to a weakening of the Center Union, as renegade members broke with Papandreou in order to preserve their own positions. In the fall, the king appointed a prime minister from the ranks of the right, but he lasted only a few weeks. Indeed, in the period from July, 1965, to April, 1967, five prime ministers served in Greece, but none could muster sufficient force to govern effectively.

In the meantime, Center Union leadership fell to Andreas Papandreou, who began to assume power once held by his aging father. His youth and vigor as well as his nationalism made him a popular figure. Greeks viewed the American-educated Papandreou as a national version of the recently martyred and popular John F. Kennedy.

In the fall of 1966, a trial began of a group of *Aspida* officers charged with treason for their involvement with the Cypriot union movement. The government sought to try Andreas Papandreou as well, but he enjoyed parliamentary immunity. Guilty verdicts against the officers and rumors concerning the arrest of the popular Papandreou led to demonstrations and some outbreaks of violence. The king, desperately seeking a more stable government, consulted with all leading politicians at the end of March. After failing to come up with a solution, Prime Minister Panayiotis Kanellopoulos dissolved parliament and called for new elections in May. With parliament dissolved, the government could arrest Andreas Papandreou, but fear of violence as well as the possibility



Andreas Papandreou was educated in the United States and had an American wife.
(Library of Congress)

of intervention from the right led the elder Papandreou and Kanellopoulos to agree to extend parliamentary immunity during the campaign. The military right-wing acted anyway. They had already choreographed a move against the expected popular demonstration which would come with the arrest of Andreas Papandreou. To legitimize their coup, they claimed that Papandreou was involved in a communist conspiracy and that the existing politicians could not govern. On the morning of April 21, 1967, coup leaders—mostly colonels, not generals—drove their armored vehicles into Athens. There they arrested the leading politicians and pressured the king into acknowledging their deed.

Later in the day, Constantine issued a decree suspending the civil liberty provisions of the constitution. Colonel George Papadopoulos soon emerged from the background to become the chief leader of the coup and assumed the premiership.

Impact of Event

Despite some infractions against constitutional and democratic government in the years preceding the coup, the Greek monarchy could be classified as a government generally adhering to modern standards of jurisprudence and civil and political liberties. In contrast, the South American term *junta* soon caught on as descriptive of the coup and as carrying a connotation of contempt. Immediately following the coup, the colonels arrested leading politicians who opposed them, but over the next few months released the most prominent. The *junta* also arrested opposition military officers and forced those who refused to cooperate to resign. This enabled the colonels to move themselves and their friends into the higher ranks, one of the chief goals of the takeover. The *junta* also carried out a purge of the civil and educational establishments, forcing out opponents and replacing the higher ranks with retired military officers. They appointed commissioners in every college, university, and institute and assigned them the tasks of checking curricula and uncovering “subversive” individuals and ideas. The colonels introduced a new constitution that severely limited political and civil liberties. Even the church was purged. The new government dissolved trade unions, even those with right-wing leanings, and appropriated their assets. The new leaders also closed dozens of other organizations which they found distasteful. They forbade gatherings of more than five even in private homes.

The *junta* extended its regulations into the daily lives of the Greek people. They forbade long hair on men and short skirts on women. Church attendance became compulsory. Censors banned hundreds of books and the playing of the works of the leftist composer and poet Mikis Theodorakis, one of the country’s most prominent international figures. Newspapers found themselves under strict censorship as well, mitigated only by a limited freedom for foreign journalists, whose papers were still sold in Greece and who could be quoted to an extent by the Greek press. The government closed many newspapers and arrested journalists or hounded them into exile.

The colonels treated offenses against the martial law regime with draconian rigor. One well-known diplomat was imprisoned for having a group larger than five in his home. Many ordinary citizens as well as prominent opponents of the regime were detained without fair trial and subjected to torture

and abuse. Papadopoulos attempted to give his government a populist appearance, but despite some superficial acts, such as the forgiving of some peasant indebtedness, the masses of Greeks fared no better than they had in the past, and with regard to civil liberties were far worse off.

Active and passive resistance to the *junta* expanded both inside the country and abroad, but this opposition, even with foreign support, could not oust the colonels. The king tried to organize a counter coup at the end of 1967, but the colonels foiled it and drove him from the country. In the fall of 1973, some of the dictator's own associates removed him from power, although the *junta* remained intact. Eight months later, in July, 1974, the military leaders resigned and democratic government was restored. The main catalyst for the change in 1974 was the Cyprus issue, over which the Turks and Greeks were in open conflict. When Turkey invaded the island and the *junta* could not respond effectively, the government resigned within a few days. Ironically, that same issue, Cyprus, had played a major role in sparking the coup of 1967.

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Frederick B. Chary

Biafra's Secession Triggers Nigerian Civil War

Category of event: Accused persons' rights; indigenous peoples' rights; political freedom

Time: May 30, 1967-January 15, 1970

Locale: Eastern Region, Nigeria

The secession of Biafra and the Nigerian civil war posed a human rights dilemma for the Nigerian and other governments

Principal personages:

YAKUBU GOWON (1934-), the Nigerian head of state

CHUKWUEMEKA ODUMEGWU OJUKWU (1933-), leader of the secessionist Ibo Eastern Region

OLUSEGUN OBASANJO (1937-), a military leader who facilitated the surrender of Biafrans and later became Nigerian head of state

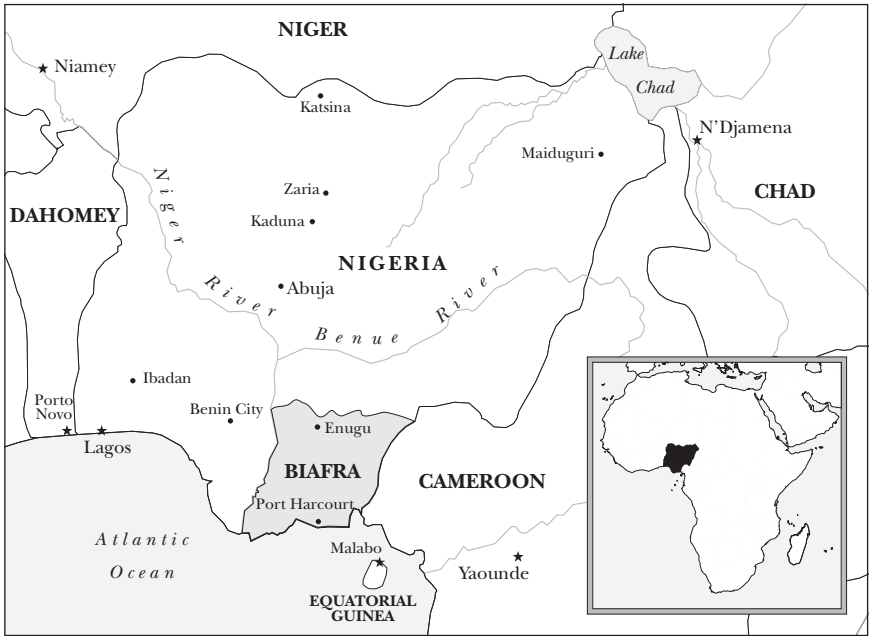
PHILIP EFFIONG, replaced Ojukwu in the final days of the Biafran fighting and ordered the cease-fire of the Biafran armed forces

Summary of Event

On May 30, 1967, the Eastern Region of Nigeria, populated by more than nine million Ibo ethnic Nigerians, declared itself the sovereign state of the Republic of Biafra. Lieutenant Colonel Chukwuemeka Odumegwu Ojukwu charged that continuous violations of Ibo human rights by other Nigerians, particularly the Hausa ethnic group in the Northern Region, dictated the need for a separate Ibo state. The federal government of Nigeria vowed to prevent the dismantling of the Nigerian state. A civil war ensued that lasted more than two years.

In 1960, when Nigeria gained its independence, its major ethnic and religious groups competed for political control of the new state. The dominant and populous Northern, Muslim Hausa and the Eastern, Christian Ibo formed an uneasy alliance that effectively excluded the Western Yoruba from power. The new government, however, was unable to rule without recurring challenges to its legitimacy.

Following widespread allegations that the 1963 census and the elections of



1964 and 1965 were corrupt, Nigerians experienced outbursts of political unrest. Some Western political leaders were imprisoned by the federal government, allegedly for initiating a Western secession movement. In January, 1966, young Ibo army officers revolted and murdered the minister of finance, the prime minister, and other ranking Northerners. The Ibo officers insisted that their revolt was an anticorruption, profederation coup attempt and not an ethnically based action to advance the power of Ibos. Most Northern Hausa rejected this claim, however, because no Ibos had been murdered during the coup attempt. Moreover, the murdered prime minister was viewed as one of the federal government's anticorruption stalwarts.

Lieutenant Colonel Yakubu Gowon, a Northern officer from a small Christian ethnic group, organized government troops to respond to the revolt. Major General J. T. U. Aguiyi Ironsi also responded, and a few days after the coup, Ironsi assumed political power as supreme commander and Nigeria's head of state. Ironsi attempted to replace Nigeria's federal system with a unitary national government. In protest, many Nigerians rioted and used the opportunity to attack Ibos, who were given no government police or military protection. Many Ibos were beaten and killed in three days of rioting. A few weeks later, in late July, 1966, Ironsi was overthrown and murdered by military

officers who, observers say, opposed altering the structures of the federal state of Nigeria. Gowon replaced Ironsi.

Gowon attempted to win support of Nigeria's disparate ethnic groups by reinstating the federal system while accommodating some of the demands of the West and the East. Gowon freed a popular political prisoner from the West, Chief Awolowo, and removed northern federal troops from the Eastern Region when Ibo Governor Ojukwu demanded their removal. Ojukwu, however, refused to recognize Gowon as Nigeria's executive authority, illustrating the Ibo's discontent with their lot in Nigerian politics.

On September 29, 1966, Nigerians once again attacked Ibos, slaughtering tens of thousands. The Ibo responded in the East by slaughtering Hausa and Fulani. It was estimated at this time that about one million Ibos fled Nigeria or returned to the Eastern Region for safety. Many of these Ibo were forced to live in refugee camps, and in the ensuing civil war many died from malnutrition and other health-related causes.

In March, 1967, Ibo Governor Ojukwu retained all taxes collected in the Eastern Region. Gowon warned Ojukwu not to attempt any secessionist effort. Western Region officials also began to talk of seceding, and Gowon tried to placate them by removing some federal troops from the West. Some observers have suggested that this effort to ease tensions was interpreted as a sign of weakness.

On May 27, 1967, Ojukwu and a number of Ibo chiefs declared the Eastern Region independent of Nigerian authority. In response, Gowon issued a decree to restructure the existing regions into twelve districts, including five in the East, which would allow non-Ibos in the East to exercise some political influence. On May 30, 1967, Ojukwu announced the secession of the East and declared that region the Republic of Biafra.

Gowon initiated an economic boycott of the East and began a military campaign against Ojukwu and his Biafran army. The French assisted Biafra militarily, and the civil war raged. Food in the East was in short supply. International Biafran relief committees formed and demanded the right to send food and health supplies to the isolated Ibo. Nigeria's federal government opposed relief efforts, arguing that the civil war would end more quickly if the economic boycott were allowed to continue without disruption, forcing the Ibo to surrender. Through the boycott, the federal government hoped to prevent arms, food, and medical supplies from reaching Biafra and to prevent petroleum from being exported by the Biafrans. This would prevent them from earning international foreign currency with which to purchase supplies.

Ojukwu and the Biafrans appealed to the international community for

help on the principle of self-determination, argued that the Christian Ibo were victims of religious persecution by Northern Muslim zealots, and charged that the Nigerian federal government was pursuing a policy of genocide against the Ibo through military and economic warfare. Biafrans argued that Nigeria's recent history demonstrated that there was no hope of peaceful co-existence among the contending ethnic and religious groups.

The Biafrans made available to leading Western media officials detailed, well-argued political position papers and photographs of starving Biafrans. Biafran officials claimed that five thousand Ibos a day were dying from malnutrition and that the federal government's air attacks were killing thousands of civilians. The Nigerian federal government obstructed efforts by international aid organizations, such as the International Red Cross, and newly initiated organizations of Western cultural artists seeking to help relieve the famine in Biafra. Reluctantly, Gowon finally agreed to permit a land corridor through which supplies could pass. The Biafrans, however, demanded air relief.

Despite pressures from Western governments for a negotiated settlement, the Nigerian federal government delayed negotiations of a ceasefire, hoping that Biafra would be forced to sue for peace, thus preventing a negotiated compromise that would undermine Nigeria's central government. The federal government also argued against any foreign assistance to Biafra on the grounds that under the rules of the Organization of African Unity (OAU), no foreign power could aid efforts to redraw the boundaries of an African state. Member countries of the OAU, however, were divided in their support of the federal government and the Biafrans. The federal government of Nigeria accused the leaders of the new Biafran state of creating a civil war and a great human tragedy to advance their own careers. Gowon repeatedly pledged to protect the physical security of Biafrans if they would relent in their secessionist efforts.

After two and a half years of fighting, with thousands of federal soldiers who had been killed, millions of Ibos who had suffered and died, and millions more Ibos who were displaced from their homes, the federal government inflicted a major military loss on the Ibo. In January, 1970, with food and ammunition low, the Biafrans were militarily defeated when Colonel Olusegun Obasanjo captured the important town of Owerri. Shortly thereafter, Ojukwu and his family fled to the Ivory Coast. On January 13, 1970, Lieutenant Colonel Philip Effiong, who replaced Ojukwu as the major Biafran authority, surrendered to the federal government. Biafran decision-making bodies were dissolved, and the Ibo waited anxiously for the next actions of the federal government.

Impact of Event

Immediately, the federal government found itself responsible for distributing the much-needed aid that international donors pledged to provide. Nigeria's government would not allow distribution of food and medicine by any international agency that had aided Biafra during the civil war. While the federal government handled thousands of tons of food a week, it could not meet the needs of the Biafrans immediately after the cease-fire.

The fears of massacres and retaliation against Ibos that had provided some of the motivation for support of Biafra never materialized. Gowon enforced a national policy of reconciliation, and observers marveled at the speed and ease with which Ibos were reabsorbed into government and private Nigerian life. Some Ibos who had served in low-level federal government positions and fled to the East seeking safety now returned to their former posts with the federal government. Many leaders of the secessionist movement, however, were not reabsorbed. The ability to reabsorb the Ibo as an ethnic group has been attributed by some observers to the economic boom Nigeria experienced from oil price increases in the early 1970's. These increases provided expanding revenues from which it was possible to distribute resources to Nigerians of many ethnic backgrounds. Although economic discrimination did not fuel Nigeria's ethnic strife in the 1970's, Nigeria's civil war had entrenched military rule; a return to democratic civilian government would elude Nigerians for years. The civil rights that accompany democratic civilian government also eluded Nigerians for years. Union strikes were banned, political movements that the government designated as appealing to secessionist impulses were outlawed, journalists worried about censorship, and academics were restrained from criticizing the government freely. When the oil boom collapsed in the mid-1980's, Nigerians faced economic dilemmas as well.

In the years following the Biafran secession, Nigerians have had to cope with many of the problems that plagued other late-industrializing states. There has not been, however, any repeat of the atrocities and ethnic conflict on the scale of the 1960's. By the 1990's, Nigeria was struggling with issues of democratization and development, not with extraordinary human rights violations motivated by ethnic rivalry.

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Eve N. Sandberg

Brezhnev Doctrine Bans Independent Behavior by Soviet Satellites

Category of event: Political freedom; revolutions and rebellions

Time: 1968-1989

Locale: Moscow, Soviet Union

Under the Brezhnev Doctrine, the Soviet Union exercised the right of direct intervention to restore order anywhere among its satellites that it deemed socialism to be threatened

Principal personages:

LEONID ILICH BREZHNEV (1906-1982), the general secretary of the Communist Party and the leader of the Soviet Union

MIKHAIL GORBACHEV (1931-), the president of the Soviet Union who renounced the Brezhnev Doctrine in 1989

NIKITA S. KHRUSHCHEV (1894-1971), the first secretary of the Communist Party and premier of the Soviet Union who formulated the policy of the Brezhnev Doctrine

ALEXANDER DUBČEK (1921-1992), the first secretary of the Czechoslovak Communist Party who oversaw the liberalization of the “Prague Spring” in 1968

IMRE NAGY (1896-1958), the Hungarian communist premier who led the revolt against the Soviet Union in 1956

TITO (1892-1980), the Yugoslav communist leader who helped to separate his country from the Soviet empire in 1948

Summary of Event

As a victorious Ally and in direct violation of the provisions of the Atlantic Charter (1941) against territorial aggrandizement at the expense of the enemy, after World War II the Soviet Union came to inherit an empire larger than the old Romanov, Hohenzollern, and Habsburg empires combined. This diverse, multinational new empire consisted of an expanded Soviet Union plus numerous satellite states surrounding its Eurasian frontiers, and it reflected the Soviet Union’s status as an emerging superpower in the vacuum left by the total defeat of the Axis by the Allied Powers. The founding of this communist empire through the victories and subsequent occupation by the

counterattacking Red Army after the Battle of Stalingrad (1942-1943) also marked a beginning of the post-World War II Cold War between the Soviet Union and its Western allies.

The Brezhnev Doctrine was a policy evolved by the Soviet Union for the maintenance of its empire against the right and forces of national self-determination. Under this coercive and punitive program, the Soviet Union assumed the right to intervene directly anywhere in its sphere—from East Germany, Hungary, and Czechoslovakia to Afghanistan—where it deemed “socialism” to be threatened. It was specifically enunciated by Leonid Brezhnev in his “Speech to the Fifth Congress of the Polish United Workers Party” in Warsaw on November 12, 1968, in connection with the Soviet-Warsaw Pact invasion of Czechoslovakia on August 20-21, 1968, to suppress the moves toward greater independence during the so-called Prague Spring. The policy’s foundations actually were laid in the late 1940’s.

With the split of Yugoslavia under Josip Broz Tito from the Soviet empire in 1948 and the success of the communists in China in 1949, new centers of communism in addition to Moscow began to arise in Belgrade, Beijing, and elsewhere, threatening Soviet hegemony. World communism was becoming polycentric and multinational with the appearance of Titoism, Maoism, and other forms. Nationalism began to express itself through communism as well as affecting the nature of communism.

Events in Eastern Europe mirrored these changes in the Soviet empire and communist ideology. In the early 1950’s, continued repression and deteriorating economic conditions led to worker unrest in Poland and East Germany, culminating in a Soviet military intervention to put down strikes in East Germany in 1953. This invasion to suppress German worker and national aspirations was the first application of the Soviet policy later to be dubbed the Brezhnev Doctrine. In 1956, Nikita Khrushchev similarly ordered the Soviet army to crush the Hungarian uprising under Imre Nagy. The Hungarian situation was seen as much more severe than the earlier ones in Poland and East Germany. After initially trying to reform communism in Hungary, the revolutionaries had quickly moved toward discarding it and adopting national independence. Consequently, the Soviet reaction also was much more severe, earning Khrushchev, the real author of the Brezhnev Doctrine, the nickname “the butcher of Budapest.”

Thereafter, East Germany and Hungary stood as clear examples to the peoples of the Soviet empire dreaming of national rights and freedoms. During the 1960’s and 1970’s, any moves toward the realization of these dreams had to be carried out carefully so as not to bring down the full force of Soviet power.



*Leonid Brezhnev laid out his doctrine in a speech in Warsaw on November 12, 1968.
(Library of Congress)*

Over the next two decades, for example, Romania slowly moved toward greater independence, Hungary gradually established a more Western national economy, and Albania broke away from the Soviet empire under Chinese sponsorship. As part of this process, liberalization came to Czecho-

slovakia under Alexander Dubček in 1968. Brezhnev and the Soviet leadership watched these events closely and periodically issued warnings to the Czech leadership. Once again, when the situation deteriorated too far for the Soviet Union, it declared socialism in danger in Czechoslovakia and interfered, with the Brezhnev Doctrine as its justification.

The invasion of Czechoslovakia demonstrated the Soviet Union's commitment to maintaining its hegemony, and internationally this event had significant negative ramifications for the Soviet Union. For example, the process of Soviet-American détente was set back at least five years, the Soviet-Yugoslav rapprochement was halted, and the Soviet Union generally lost prestige abroad. Despite these consequences, the policy was not abandoned, and late in 1979 the Soviet Union intervened again, this time in Afghanistan to prop up and finally to replace a faltering communist regime. This intervention precipitated prolonged Western-supported resistance and a civil war which became the Soviet Union's Vietnam.

The Brezhnev Doctrine not only put pressure on the various satellites to remain loyal and to conform to the Soviet ideology but also was used to intimidate the subject nationalities of the Soviet Union. The message was clear: If the Soviet leadership was willing to use whatever force was necessary in East Berlin, Budapest, Prague, or Kabul, it certainly would not hesitate to do so in Vilnius, Kiev, Yerevan, or Tashkent to stifle any national aspirations or disorders. The Soviet "socialist peace" was maintained until 1985 and the coming of Mikhail Gorbachev.

Enforcement of the Brezhnev Doctrine, especially in the case of the costly war in Afghanistan, contributed greatly to the decline of the Soviet economy. Gorbachev inherited this economy, which was on the verge of collapse. Like the Russian empire before it, the Soviet Union was not only economically bankrupt but ideologically bankrupt as well. Gorbachev's eventual response was sweeping reform, and the more democratic era of *glasnost* (openness) and *perestroika* (restructuring) was initiated. With this liberalization of the Soviet system came the demise of the Brezhnev Doctrine.

From the time of the founding of the opposition Solidarity trade union at the Lenin Shipyard in Gdansk in 1980, Poland was in danger of running afoul of the Brezhnev Doctrine. The Soviet Union did not respond as in the past, in part because of the sorry state of the Soviet economy and the war in Afghanistan and in part because of the instability of top leadership after the death of Brezhnev. Under Gorbachev, the Soviet Union withdrew from Afghanistan in 1989, and with Poland and Yugoslavia leading the way, Eastern Europe also began to liberalize.

In the waning weeks of 1989, Gorbachev indicated on several occasions, such as during an official visit to Finland, that the Soviet Union would no longer intervene in the internal affairs of its satellites and, thereby, that the Brezhnev Doctrine was dead. Thereafter, Poland and the other Central and Eastern European satellites quickly asserted their national independence from the disintegrating Soviet empire. Following their lead, other republics and peoples in the Soviet Union began to assert their national rights and identities.

The Brezhnev Doctrine, as it became known in the West, was never proclaimed publicly as such by the Soviet Union, which even denied that such a policy existed. From its real inception under Khrushchev through its practice and justification by Brezhnev to its passing under Gorbachev, it was a major foundation for the centralized control exercised from Moscow throughout the Soviet domains.

Impact of Event

For four decades, the Brezhnev Doctrine helped to restrict severely the human rights of the Eurasian peoples under Soviet domination. For example, in forcing the adherence of Hungarian, Polish, or Lithuanian Catholics, Jews, Volga Germans, and Crimean Tatars to the Soviet state and its Stalinist ideology, the Soviet Union deprived these peoples of rights of national self-determination; they tried to destroy their national cultures, aspirations, and identities and replace them with artificial and alien Soviet substitutes. The Brezhnev Doctrine was nothing more than a brutal policy of Stalinist imperialism and totalitarian control.

In these years, Soviet power rested largely on the use of force, force which the Soviet Union readily exercised to control its satellites and to bully its own citizens into submission. Partially under the auspices of the Brezhnev Doctrine, the Soviet Union tried in vain to substitute material progress and hollow superpower prestige for national and individual freedoms. It succeeded only in stifling real leadership and productivity, initiative, and creativity.

While somewhat dampened perhaps, the fires of nationalism were not so easily extinguished. In 1989, once the oppression of communism began to lift through Gorbachev's reforms and abandonment of the Brezhnev Doctrine, the blossoms of national rights quickly began to bloom again. One by one, Soviet satellites moved toward national self-determination and took on its challenges. Civil war persisted in Afghanistan, but without foreign involvement, indicating that the country would find its own solutions to its problems. Germany was reunited, and Poland, Czechoslovakia, and Hungary moved rapidly toward democracy. Romania, Bulgaria, and Mongolia moved more

slowly, but all took steps toward independent and more democratic futures.

The abandonment of the Brezhnev Doctrine was part of a general Soviet pullback internationally. Consequently, settlements to problems became more readily achievable in areas of former Soviet involvement from the Middle East, where the curtailment of Soviet aid to Syria, Libya, and the Palestine Liberation Organization brought a regional peace agreement closer, to southern Africa, where Soviet moderation brought an end to the Angolan civil war and a greater willingness of the African National Congress to cooperate with reform efforts in the Republic of South Africa, and to Central America, where the new Soviet stance helped force the Sandinista government to grant free elections and left Cuba effectively isolated. Even in tiny Albania, the Soviet moves contributed to the breakdown of Stalinist isolationism and to democratic changes.

On the other hand, in the Soviet Union itself, the resultant resurgence of nationalism, inspired in part by events and changes in Central and Eastern Europe, brought major problems. It also speeded the drastic political and economic restructuring by fostering democratization and the transition to a free market system as well as the national realignment of the Soviet Union. The Brezhnev Doctrine was a major impediment to human rights and progress in the Soviet empire and ultimately was symptomatic of its political, economic, social, and ideological weaknesses. Its renunciation contributed substantially to a dynamic for momentous change in the Soviet Union and elsewhere by ending the Cold War and encouraging international cooperation.

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Dennis Rienhartz

Proclamation of Teheran Sets Human Rights Goals

Category of event: International norms

Time: May 13, 1968

Locale: Teheran, Iran

The International Conference on Human Rights adopted the Proclamation of Teheran, setting priorities for the future human rights work of the United Nations

Principal personages:

PRINCESS ASHRAF PAHLAVI (1919-), the elected president of the conference, wife of the ruling shah of Iran

MARC SCHREIBER (1915-), the director of the United Nations' Division of Human Rights; executive secretary of the conference

U THANT (1909-1974), the secretary-general of the United Nations who presented the opening address to the conference

C. K. DAPHTARY (1893-?), the representative of India and chair of the drafting committee

Summary of Event

In December, 1963, the United Nations General Assembly proclaimed 1968 as the International Year for Human Rights. In connection with this celebration, the International Conference on Human Rights met in Teheran, Iran, from April 22 through May 13, 1968. The meeting was seen as an occasion for detached stocktaking and long-term planning, as Secretary-General U Thant put it in his address to the conference, in an environment of recently renewed international human rights activity.

The adoption of the Universal Declaration of Human Rights in December, 1948, was followed by more than a decade of little progress in U.N. human rights activity. Like most other issues in international relations, human rights became subordinated to Cold War rivalry. Each bloc focused its attention on violations in the other and raised issues of human rights primarily as a matter of ideological struggle. In such an environment, even the further development of international human rights norms became problematic. For example, drafting of the international human rights covenant, which attempted to

give binding legal force to the rights proclaimed in the Universal Declaration, was largely complete by 1953. Nevertheless, the covenant was tabled because of insuperable ideological rivalry over the status of economic and social rights.

By the mid-1960's, however, the political context began to change. A large part of the explanation lies in the one area of human rights in which the United Nations had been active, that of self-determination and decolonization. In 1945, when the United Nations was founded, most of Africa and Asia were Western colonial possessions. That situation began to change with the independence of Indonesia and India in 1947. The process of decolonization took off dramatically, with the active support of the United Nations, in the late 1950's and early 1960's. By 1970, more than 99 percent of the world's people lived in independent states.

The Afro-Asian bloc became the largest voting bloc in the United Nations during the 1960's. These countries, which had suffered under colonial rule, had a special interest in reviving the issue of human rights. They also found a sympathetic hearing from at least some Western European and Latin American countries. There was thus a renewed flurry of activity, beginning in 1960, when the General Assembly adopted resolution 1514, the Declaration on the Granting of Independence to Colonial Countries and Peoples. In 1961, the Nonaligned Movement (NAM) first met on a formal basis, in an attempt to organize the political power of what became known as the Third World.

The political subordination of colonialism was usually associated with pervasive discrimination against indigenous people of color. Therefore, it is not surprising that racial discrimination was another high-priority item for the new states of Africa and Asia. In 1963, the General Assembly adopted a Declaration on the Elimination of All Forms of Racial Discrimination, and in 1965 it completed work on the International Convention on the Elimination of All Forms of Racial Discrimination.

The momentum generated by these new initiatives on self-determination and racial discrimination spread into the general human rights work of the United Nations. In 1966, the International Human Rights Covenants were finally completed. The Teheran Conference reflected this reinvigoration of international human rights activity.

The Teheran Conference was the largest intergovernmental human rights conference ever held. Eighty-four states participated, along with representatives or observers from fifty-seven nongovernmental organizations, seven other U.N. bodies and specialized agencies, and four regional organizations. In addition to the Proclamation of Teheran, a statement of human rights priorities for the international community, the conference adopted twenty-six

substantive resolutions on a great variety of human rights issues.

The operative paragraphs of the Proclamation of Teheran begin by stressing the importance of states fulfilling their human rights obligations as laid out in the Universal Declaration of Human Rights. The goal of human rights activity should be “the achievement by each individual of the maximum freedom and dignity.” In pursuit of this goal, freedoms of expression, information, conscience, and religion, as well as the right to participate in political, economic, cultural, and social life, are proclaimed to be particularly important.

The proclamation also gives specific attention to apartheid and racial discrimination; self-determination; international cooperation to avoid aggression and war; the widening gap between rich and poor countries; the special importance of economic, social, and cultural rights and economic and social development; illiteracy; women’s rights; the rights of families and children; the rights and contributions of youth; scientific and technical developments; and disarmament. It concludes by urging “all peoples and governments to dedicate themselves to the principles enshrined in the Universal Declaration of Human Rights and to redouble their efforts to provide for all human beings a life consonant with freedom and dignity and conducive to physical, mental, social and spiritual welfare.”

The fact that the Proclamation of Teheran covers so much ground in just a few pages suggests its extreme generality. For the most part, each topic receives only a short paragraph that reiterates general and often-expressed principles and aspirations. There is little that is innovative, but the special priorities of the conference and the proclamation do reflect changes in the makeup of the international community in the twenty years after the Universal Declaration of Human Rights.

Much the same is true of the resolutions of the conference, most of which are short and very general. In addition to the topics covered in the proclamation, the conference adopted resolutions on human rights in Israeli-occupied territory, Nazism and racial intolerance, opponents of racist regimes, nondiscrimination in employment, model rules of procedure for human rights bodies, cooperation with the United Nations High Commission for Refugees, rights of detainees, family planning, legal aid, human rights education, an International Year for Action to Combat Racism and Racial Discrimination, publicity for the Universal Declaration of Human Rights, and sporting boycotts of South Africa.

Article 4 of the proclamation noted that considerable progress had been made in the elaboration of international human rights standards but that much remained to be done in the area of implementing these rights. Likewise,

Secretary-General U Thant, in his opening address to the conference, noted that it “must find new means of carrying out the continuing struggle for the recognition and enjoyment of human rights.” In this endeavor, however, the International Conference on Human Rights achieved little or nothing. It made no suggestions for new international institutions or procedures to implement internationally recognized human rights. In fact, the conference did not even vote on, let alone adopt, draft resolutions by Haiti and the Ivory Coast suggesting the creation of an international human rights court.

Impact of Event

The lack of both substantive and procedural innovation in the products of the International Conference on Human Rights might suggest that it was of ephemeral importance. Nevertheless, it (along with the completion of the International Human Rights Covenants in the fall of 1966) marks an important turning point in international action on behalf of human rights.

By the mid-1960's, there was a growing recognition that if the United Nations was to continue to contribute significantly in the field of human rights, it would have to move into new areas of activity. Through 1966, the principal human rights work of the United Nations was focused on creating international norms, supplemented by efforts to publicize and promote these norms. The United Nations simply did not have the power to require states to implement internationally recognized human rights.

If there was to be major progress in international action on behalf of human rights after 1966, it would have to come primarily in the area of implementing, or monitoring the implementation of, these standards. In the late 1960's, the United Nations did launch a number of new initiatives that attempted to monitor national human rights performance. In 1967, the Commission on Human Rights was given the authority to discuss human rights violations in particular countries. In 1968, a special committee of investigation was created to consider human rights in the territories occupied by Israel after its war with its Arab neighbors in 1967. In the same year, the Security Council imposed a mandatory blockade on the white minority regime in South Rhodesia. The 1965 racial discrimination convention, which was the first international human rights procedure that required states to submit mandatory periodic reports on implementation, came into force in 1969. In 1970, Economic and Social Council Resolution 1503 authorized the Commission on Human Rights to conduct confidential investigations of communications (complaints) that suggested “a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms.”

None of these new initiatives appears to have been directly influenced by the International Conference on Human Rights. They do, however, reflect the human rights concerns of the new Third World majority in the United Nations. As the place at which these concerns were first given international prominence, the Teheran Conference almost certainly had some indirect influence.

The other major objective of the conference was to emphasize economic, social, and cultural rights and the linkage between human rights and economic and social development. This was an attempt to redress a serious imbalance in past U.N. work. Efforts to redress the imbalance began in the early 1960's. They were given a significant boost by the International Conference on Human Rights and the Proclamation of Teheran. Paragraph 13 of the proclamation states: "The achievement of lasting progress in the implementation of human rights is dependent upon sound and effective national and international policies of economic and social development." Critics have contended that in the 1970's, the U.N. majority, rather than establish a balance between civil and political rights and economic, social, and cultural rights, in fact attempted to subordinate civil and political rights to the pursuit of economic development and struggles for a new international economic order. Whatever the validity of such claims, it is clear that the Teheran Conference was a significant event in the rising prominence of economic, social, and cultural rights in international human rights discussions. This was probably the most important contribution of the International Conference on Human Rights. Issues of race and colonialism had already been placed at the center of international human rights agendas prior to the conference. After, and partly as a result of, the International Conference on Human Rights, economic, social, and cultural rights also had prominent places on the U.N. human rights agenda.

The International Conference on Human Rights was an important event in the genesis of the human rights policies and priorities of the United Nations in the 1970's. It effectively marked the close of the period of norm creation and Western domination of the human rights work of the United Nations and the opening of a new phase that would be politically dominated by the Third World, with the support of the Soviet bloc. Much of the human rights work of the United Nations in the 1970's reflected the priorities of the Proclamation of Teheran and the political processes that shaped it.

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Jack Donnelly

Soviets Invade Czechoslovakia

Category of event: Political freedom; revolutions and rebellions

Time: August 21, 1968

Locale: Czechoslovakia

Soviet and Warsaw Pact forces entered Czechoslovakia to suppress the independence movement popularly known as the “Prague Spring”

Principal personages:

ALEXANDER DUBČEK (1921-1992), the first secretary of the Czechoslovakian Communist Party and the architect of the Prague Spring reforms

LEONID ILICH BREZHNEV (1906-1982), the general secretary of the Soviet Communist Party and leader of the Soviet Union from 1964 to 1982

ANTONIN NOVOTNY (1904-1975), the president of Czechoslovakia from 1957 to 1968

LUDVIK SVOBODA (1895-1979), the president of Czechoslovakia from 1968 to 1975, whose popularity was tied to his support for the Prague Spring reforms

Summary of Event

In 1963, Czechoslovakia began to emerge from the severe political and cultural repression imposed by the Czechoslovakian Communist Party in the early 1950's. The moderation of restrictions corresponded with an economic upswing that created an atmosphere of confidence and optimism in the government of Antonin Novotny, who was also chair of the Czechoslovakian Communist Party. Novotny believed the time had come to appease Czechoslovakian intellectuals, who had complained for years about government censorship. A more permissive policy was introduced that allowed cultural exchanges with the West and the publication of essays that questioned the Soviet Union's domination of Czechoslovakia. In 1967, Novotny, under pressure from Soviet leader Leonid Brezhnev, reestablished censorship. By that time, however, Czechoslovakia had gained international recognition for its writers, film making, and theater. In response to renewed censorship, the Czechoslovakian Writer's Union, on June 27, 1967, issued a vigorous protest.

The position taken by the writer's union in 1967 came at a time when some

leaders within the Czechoslovakian Communist Party were disillusioned with President Novotny's economic policies and his unwillingness to show greater independence from Moscow. Opposition to Novotny was acute in Slovakia, where the president's policies were viewed as heavily favoring the Czech majority. Although the Slovak Communist Party had remained loyal to the government in Prague, in 1967 the leader of the Slovak Party, Alexander Dubček, openly criticized Novotny for failing to address the country's economic and political problems effectively.

Dubček's assault on Novotny seemed to galvanize those who were dissatisfied with the president's performance. Novotny received little help from Brezhnev, who resented the fact that the Czech president had remained loyal to the previous Soviet leader, Nikita Khrushchev. In the autumn of 1967, it was apparent that Novotny was finished. There was surprise, however, when the Czechoslovakian Communist Party announced in January, 1968, that Dubček would succeed Novotny as first secretary of the Party. Dubček was not well known outside the Slovakian bureaucracy; moreover, he was a notoriously poor speaker with a benign personality. There is some reason to think, as William Shawcross noted in his 1970 biography of Dubček, that Brezhnev may have intervened on his behalf.

Early in 1968, Dubček began to discuss a "new model" for socialist Czechoslovakia, one that would bring communists and noncommunists together. The Communist Party would retain its leading role, but it would permit the full range of freedoms associated with a democratic society. Aided by dissident Party members who agreed with him, Dubček incorporated his ideas into what became known as the "Action Program." The Action Program was published on April 9, 1968, and quickly gained the attention of Soviet authorities in Moscow. The program called for personal freedoms, significant political reform, a new constitution for the Slovak peoples, and economic liberalization.

Over the next three months, Dubček's reforms came under increasingly heavy attack from Moscow. The Soviet press criticized Dubček for trying to undermine the unity of the Warsaw Pact countries. The Czechs had become, according to Moscow, apologists for the bourgeois system. In Czechoslovakia itself, there was widespread support for Dubček's Action Program.

Three times between May and August, Dubček and other Czechoslovakian Communist Party leaders were called to meetings with Soviet officials, including Brezhnev. At each of these gatherings, the most important of which was held at Bratislava on July 30, Dubček insisted that he had no intention of destroying communist unity. He remained convinced that communism and political freedom were completely compatible. That, he contended, was what

Karl Marx and Friedrich Engels had believed. Brezhnev, however, made it clear that he had no interest in allowing the Prague Spring to set an example for other Eastern European communist regimes.

When the Bratislava conference ended, a tepid statement, the Bratislava Declaration, was released in which both sides agreed to carry on mutually advantageous relations. In early August, a succession of Eastern European leaders visited Prague to warn of possible Soviet intervention. Dubček and recently selected Czechoslovakian president Ludvik Svoboda seemed unconvinced that Brezhnev would unleash Soviet power against the popular reforms.

The warnings of Soviet intervention became fact on the night of August 20. Soviet planes and equipment began to arrive at Prague's Ruzzone airport. At dawn, tanks rolled toward the center of the capital. By the next night, some three hundred thousand troops from East Germany, Poland, Hungary, Bulgaria, and the Soviet Union had crossed the Czechoslovakian border. There was no significant armed opposition. Dubček asked the residents of Prague to go to their workplaces as usual. At first, the citizens of Prague tried to convince the invading soldiers to turn back, and, when that tactic failed, they turned to passive resistance. They refused to provide troops with food and water, they removed street signs and house numbers, they published clandestine newspapers, and they displayed huge pictures of Dubček and President Svoboda.

The events of August stunned the Western world. There were expressions of support for Czechoslovakia from many countries, including the United States, but no help was forthcoming. The United States, at the time heavily involved in Southeast Asia, condemned the Soviet intervention while saying that it intended to abide by the terms of the Yalta agreement. The Yalta accord, signed at the conclusion of World War II, had, in effect, given Moscow dominion over Eastern Europe.

Shortly after the intervention began, Dubček and several other Czech officials were arrested and taken to Moscow. Several days later, President Svoboda also was summoned to the Soviet capital. Svoboda and Dubček realized that they would have to compromise in order to preserve even a small amount of the independence Czechoslovakia had claimed. They returned to Prague subdued and talking of a needed accommodation with the Soviet Union. There were some who felt betrayed by Dubček and Svoboda, but the reality was that the Czech leaders had no choice. By early September, the situation in Czechoslovakia was much as it had been prior to the publication of the Action Program, and the occupying forces had begun to withdraw. Dubček continued to hope that some portion of the April reforms could be preserved, but, in fact, the Prague Spring had come to an end.

Impact of Event

The Soviet intervention caught world leaders by surprise, especially in the West. The Cold War, which had appeared to be winding down in the mid-1960's, was not quite finished after all. Soviet leaders were not ready to relinquish Moscow's stranglehold over Eastern Europe. Western officials, who had been encouraged by the Nuclear Test Ban Treaty of 1963 and by the seeming insouciance of Leonid Brezhnev, were now required once again to condemn the actions of the Soviet Union. It was clearly a setback for those in the West who had hoped for continuing progress toward détente.

For those in Eastern Europe who sought greater independence from Moscow and greater political freedom, the intervention was even more crushing. National communist leaders understood that the Kremlin would not allow them to chart their own course. Some of them, particularly Romanian president Nicolae Ceausescu, openly upbraided the Soviet leadership, but all had received Moscow's clear message.

In Czechoslovakia, the disappointment was acute. Within a year of the intervention, Soviet officials had forced local Communist Party leaders to reimpose restrictions on political and cultural freedom. Dubček was gradually removed from a position of power in the Party until, in June, 1970, he was expelled from the Party. Those most negatively affected by the Soviet action were the artists, writers, and intellectuals who had enjoyed a brief period when they could express their ideas as they wished. The end of the Prague Spring meant the stifling of what had been a major cultural renaissance in the mid-1960's. Still, Czechoslovakia's intellectual community did not surrender easily. In January, 1969, Jan Palach, a university philosophy student, inspired a violent demonstration by burning himself to death as a protest against censorship. Many writers, particularly Václav Havel, maintained a stream of protests. Dubček, while under surveillance, continued to offer his opposition. Lesser-known intellectuals who lacked international support were dismissed from their academic and cultural posts or sent to prison.

Although the Prague Spring had been repressed, the ideas that inspired it lived on. When Soviet president Mikhail Gorbachev introduced his policies of *glasnost* (openness) and *perestroika* (restructuring) in 1985, the spirit of the Prague Spring was revived throughout Eastern Europe. In Czechoslovakia, all the reforms promised in the Action Program were restored. Dubček returned to political prominence in 1989 and was chosen to lead the Czechoslovakian parliament. In December, 1989, the parliament selected Václav Havel to be president of the country. After more than twenty years, Czech reformers had eased the effects, if not the memory, of the Soviet invasion in August, 1968.

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Ronald K. Huch

Statute of Limitations Is Ruled Not Applicable to War Crimes

Category of event: Atrocities and war crimes; international norms

Time: November 26, 1968

Locale: United Nations, New York City

The United Nations General Assembly ratified the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity

Principal personages:

U THANT (1909-1974), the secretary-general of the United Nations (1962-1971)

LUDWIG ERHARD (1897-1977), the West German chancellor from 1963 to 1966

KURT WALDHEIM (1918-), the Austrian diplomat who served as secretary-general of the United Nations (1971-1981)

Summary of Event

War crimes tribunals have been used throughout history to compel states to follow existing laws of warfare. The war crimes tribunals in Nuremberg and Tokyo and the 1949 Geneva Conventions were examples of international efforts to expand the scope of international law after World War II. The tremendous suffering of both combatants and civilians during the war clearly aroused international interest in protecting human rights. Statements of the Allied leaders at Yalta and Potsdam clearly indicated that the Allied Powers intended to pursue individuals responsible for war crimes and crimes against humanity. In its preamble, the United Nations Charter stated that the protection of fundamental human rights and justice were fundamental goals of the organization. The barbarous actions of Germany in its persecution of European Jews were an indication that rules of state and individual conduct in war had to be strengthened.

Unable to establish an international criminal court of justice after the war, the United Nations gave states jurisdiction to prosecute in municipal courts individuals charged with war crimes. The 1949 Geneva Convention for the



U Thant (left), secretary-general of the United Nations at the time the General Assembly ratified the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity. (Library of Congress)

Protection of Civilian Persons in Time of War required each signatory to search for persons alleged to have committed, or to have ordered to be committed, war crimes, and to bring such persons, regardless of their nationality, before its own courts. The origins of the 1968 U.N. convention can be found in the efforts of the Polish delegation to the U.N. Commission on Human Rights. The Polish delegation introduced resolutions that drew attention to the debate in the Federal Republic of Germany (West Germany) over the applicability of statutes of limitations for persons accused of war crimes.

In 1965, the West German Bundestag passed a resolution that excluded the period from May, 1945, to December, 1949, from statute-of-limitations protections for all persons accused of serious crimes. The 1965 resolution extended the period in which persons accused of crimes could be prosecuted by the German government. The Polish delegation expressed concern that under German law, all legal proceedings against accused war criminals would be stopped in December, 1969. This was troubling to many states in 1965 because it was estimated that although sixty-one hundred individuals had been convicted in West German courts for Nazi war crimes since 1945, as many as

eighteen thousand individuals suspected of war crimes remained at large.

To many member states of the United Nations, the application of statute-of-limitations protection to accused war criminals appeared to contradict the intent of the 1946 genocide convention. The General Assembly declared in a 1946 resolution that genocide is always a crime under international law. The efforts of the Polish delegation led the Commission on Human Rights to ask U.N. secretary-general U Thant to begin examining laws that would hinder the prosecution of accused war criminals. The report of the secretary-general and the efforts of the Economic and Social Council culminated in a draft proposal of the convention on the nonapplicability of statutory limitations to war crimes and crimes against humanity in 1968.

The convention adopted the definition of war crimes established during the military tribunal at Nuremberg in 1946 and affirmed in the Geneva Conventions of 1949. The Nuremberg Principles adopted by the General Assembly stated that “any person who commits an act which constitutes a crime under international law is responsible therefor and liable to punishment.” Article 6 of the Charter of the International Military Tribunal at Nuremberg had previously defined war crimes as violations of the laws or customs of war. Such violations included murder, ill treatment, or deportation to slave labor of civilian populations in occupied territory; murder or ill treatment of prisoners of war; killing of hostages; plunder of public or private property; wanton destruction of cities, towns, or villages; or devastation not justified by military necessity.

Although some United Nations members expressed reservations about incorporating the Nuremberg Principles into the 1968 convention, attempts to alter the definition of war crimes were strongly opposed by many members of the General Assembly. Article 1 of the convention also included the United Nations definitions of crimes against humanity defined in the Nuremberg Charter. The United Nations had accepted these definitions in the 1946 genocide convention. The only addition to the category of crimes against humanity was the addition of the United Nations resolution condemning apartheid, the policy of racial discrimination by the government of South Africa.

While there was general agreement that statutory limitations clauses existing in municipal law should not shield individuals from prosecution, a number of states strongly objected to provisions of the U.N. draft proposal. The four-year debate in the United Nations over the wording of the convention symbolized the tremendous differences in opinion a number of states had concerning the eleven articles of the convention. One of the most fundamental issues surrounding the convention was whether the exemption of statutory

limitations to war criminals already existed in international law.

The United Kingdom and the United States took the position that the nonapplicability of statutes of limitations for war criminals already existed in international law. The Soviet Union and its allies rejected this position and lobbied to strike any language from the convention that would have established that existing international law had addressed this issue. As the debate over the convention continued, many in the West began to characterize the convention as an attempt by Eastern European states and the Soviet Union to embarrass the Federal Republic of Germany by insinuating that it had not vigorously pursued individuals linked to atrocities during World War II.

The Convention on Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity was adopted by the General Assembly in 1968 with more opposing votes than any previous human rights convention: fifty-eight states approved its adoption, seven opposed, and thirty-six abstained. Israel, Czechoslovakia, Poland, and the Soviet Union were some of the states that supported the convention. The United States, the United Kingdom, and South Africa voted against the convention. Argentina, Bolivia, Brazil, Uruguay, and Venezuela were among the states that abstained from voting.

Impact of Event

The 1968 convention was important in the history of international law because, for the first time, an international convention clearly stated that crimes against humanity by individuals had no statute of limitations. The 1968 convention's treatment of the issue of retroactivity has been criticized because it failed to address the rights of individuals accused of war crimes and crimes against humanity. The United States opposed the convention because of concerns about what it saw as political rather than legal objectives in not clearly addressing how the convention would address existing laws of various states.

The convention's effect on international human rights is difficult to assess because of the nature of the offenses that the convention addresses. While it is a fundamental tenet of criminal law that a defendant is entitled to full protection under the laws of the state, critics of the convention have questioned whether individuals accused of crimes during war were provided the same rights as persons accused of other types of crime. The convention's main provisions required all states party to the convention to eliminate all legal statutes that provide statutory limitations protection to individuals accused of war crimes, crimes against humanity during peacetime, or acts related to the policy of apartheid.

Many have also expressed disappointment with international efforts to

bring to justice individuals responsible for crimes against humanity. The provisions of the genocide convention have been used only two times in the postwar period. The inability to define genocide clearly has led to obstacles when national courts have attempted to punish individuals accused of international crimes. An example of this difficulty was the trial and execution of Marcias Nguema, the former leader of Equatorial Guinea. After murdering a number of individuals, he was overthrown and found guilty of genocide in 1979. A later report by the International Commission of Jurists found that although mass murder was clearly proven, Marcias was wrongly convicted of genocide because there was no compelling evidence to prove intentional destruction of racial, ethnic, or religious groups.

The absence of an international tribunal to prosecute war criminals after World War II made it possible for many to avoid prosecution by finding sanctuary in other countries. The number of individuals who actually have been put on trial for crimes against humanity did not significantly change after the adoption of the 1968 convention. The various resolutions adopted by the United Nations and the attention given to the apprehension and punishment of war criminals found in the 1968 convention has not been matched by U.N. actions to seek out individuals responsible for war crimes. Information about many of the individuals accused of Nazi war crimes has come from private citizens interested in bringing the accused to justice. The most prominent of these citizens was Simon Wiesenthal, who was instrumental in Israel's apprehension, trial, and execution of one of the principal planners of the persecution of European Jews, Adolf Eichmann. Kurt Waldheim, the secretary-general of the United Nations from 1971 through 1981, has himself been accused of Nazi collaboration during World War II. Many of the states that objected to the language of the original resolution have refused to become signatories to the 1968 convention. Because universal acceptance of the convention has not occurred, the effect of this convention on national and international law since 1968 has been limited.

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Lawrence Clark III

Brazil Begins Era of Intense Repression

Category of event: Civil rights; political freedom

Time: December 13, 1968

Locale: Brasilia, Brazil

The suspension of the congress and the promulgation of Institutional Act Number Five signaled the tightening of control over Brazilian citizens by the military government

Principal personages:

ARTUR DA COSTA E SILVA (1902-1969), the president of Brazil from 1967 to 1969

EMÍLIO GARRASTAZÚ MÉDICI (1905-1985), the head of the Brazilian intelligence service under Costa e Silva and president of Brazil from 1969 to 1974

HUMBERTO DE ALENCAR CASTELO BRANCO (1900-1967), the first military president of Brazil following the 1964 coup

ANTONIO DELFIM NETO (1928-), the minister of finance under Costa e Silva and Médici

Summary of Event

Industrial growth in Brazil, already significant in the 1930's and accelerating after World War II, changed the nature of politics in that country. As urban workers became an important voting group, politicians courted their support. The nationalist, populist tone of such politicians became troubling after the Cuban revolution of 1959. The Brazilian military, steeped in anticommunist ideology, watched warily as João Goulart, president of Brazil from 1961 to 1964, appeared to lean ever more dangerously toward the left.

The Brazilian economy suffered under Goulart's administration. Foreign businesses, fearing nationalization, either invested more cautiously or pulled out completely. Inflation soared, and prices nearly doubled in 1963. Workers organized strikes to protest the erosion of their purchasing power. Peasants in the rural areas of the northeast clamored for land reform. Even the lower ranks of the military talked about forming unions to promote their interests.

Political ferment among the lower classes came to an abrupt end on April 1, 1964, when the military deposed João Goulart. The president fled into exile

in Uruguay and was replaced by General Humberto de Alencar Castelo Branco. During Castelo Branco's administration, a new constitution was written, political parties were abolished and replaced by a government party and an opposition party, and attempts were made to stabilize the economy in order to attract investment and resume growth. Many of the stabilization policies, while bringing inflation under control, also eroded workers' salaries. At the same time, however, they gave middle- and upper-class Brazilians hope that the uncertainty of progress during the Goulart years was gone. As investments increased, better jobs were indeed created for those with higher levels of education. Meanwhile, the military silenced opposition to its regime, by force when necessary.

When Castelo Branco passed the presidency to General Artur da Costa e Silva in 1967, Brazilians believed that the new president would ease the country back to democracy. Costa e Silva appeared less rigid than his predecessor, giving many Brazilians confidence to voice their opposition to military dictatorship. As vocal opposition grew, a "hard-line" faction within the military became convinced that the country was not yet ready to see the resumption of direct citizen participation in government. Those who argued that the military should take a stronger hold on power pointed to the violence of student demonstrations and the emergence of an urban guerrilla movement in 1968 as evidence that chaos would replace repression. Many believed economic growth would come only in a context of law and order.

By early 1968, more and more Brazilians were protesting visibly against the military government. Workers went on strike for higher pay. Students sponsored large protest rallies in Brazil's major cities, sometimes with tragic results. On March 28, 1968, police fired into a group of protesters, killing a young secondary school student. The outpouring of support for the students, manifested in the huge turnout for the dead student's funeral and memorial mass, strengthened the resolve of those hard-liners who believed that such demonstrations should not be allowed.

At the same time, discontent surfaced in the national congress as well. One congressman in particular, Márcio Moreira Alves, made several speeches urging Brazilians to show that they did not support the violence and repression. He even suggested in jest that Brazilian women keep sexual favors from military men until police brutality ended. This enraged many in the military, who called for the suspension of Moreira Alves's congressional immunity so that he could be expelled from the congress and tried for crimes against the regime. On December 12, 1968, a congress in which the majority of the members belonged to the official government party voted to refuse to suspend their

colleague's immunity. At that point, the president realized that he needed to act.

On the evening of December 13, 1968, Institutional Act Number Five was passed. The congress was dissolved indefinitely, strict censorship was instituted, and *habeas corpus* was suspended. Instead of returning the country to democracy, the Costa e Silva administration had succumbed to the pressure of the hard-liners. The military was determined to maintain its control of the country as long as necessary to destroy what it perceived as the destabilizing opposition.

Dissent, albeit illegal and pushed underground, grew during the first months of 1969. Clandestine political parties of the left, including the Brazilian communist party, trained guerrillas for urban and rural warfare against the regime. The army and the police diligently sought out these groups, imprisoning and torturing members of those they uncovered. The forces of the right and of the left polarized. Guerrillas robbed banks to fund their training programs while death squads eliminated leftist suspects.

On August 28, 1969, President Costa e Silva suffered a debilitating stroke that left him partially paralyzed. It quickly became apparent that he was not capable of conducting the affairs related to his office. In the debate over how to proceed with the presidential succession, the hard-liners prevailed. The constitutional succession procedure by which the civilian vice president, Pedro Aleixo, would become chief executive was not acceptable to the hard-line faction because Aleixo had opposed the severe curtailing of civil and political rights in late 1968. Instead, the hard-liners selected a new military president to replace the ailing general. This man, Emílio Garrastazú Médici, had been chief of the intelligence service under Costa e Silva and commander of the Third Army in the south of Brazil. Convinced that it was his military duty to keep the country from falling into chaos, Médici accepted the appointment.

In the days following Costa e Silva's stroke, but before Médici assumed office, one of the guerrilla factions carried out a startling action as a means of getting attention and as a source of pressure for the release of political prisoners. On September 4, 1969, guerrillas kidnapped Charles Burke Elbrick, United States ambassador to Brazil. Their demands for radio time and for the release of prisoners were met, and Ambassador Elbrick was released on September 7. In the following months, guerrillas would kidnap other important foreign officials. The government usually gave in to most of their demands.

The Médici government combined intense repression with a determination to accelerate the economic growth begun under Costa e Silva. Antonio

Delfim Neto, minister of finance in the Costa e Silva administration, was kept on by General Médici. He presided over a period of remarkable economic growth that was dubbed the “Brazilian Economic Miracle.” Between 1968 and 1973, Brazil’s gross national product (GNP) grew at an annual rate of around 10 percent. The miracle came at great cost to the Brazilian poor. Real wages dropped precipitously, while the ban on protests and strikes meant that demonstrating discontent could be very dangerous. While the majority of the workers suffered, managers did rather well. Many in the middle and upper classes strongly supported the military policy. Brazil, during the miracle years, became the eighth industrial power in the Western world.

The economic boom, however, proved ephemeral. With the increase in oil prices after 1973, the bill for Brazilian industry grew astonishingly. Highly reliant on oil imports, the military administrations sought alternative fuel sources at the same time that they increased exploration for oil off their large coast and in the interior of the country. As inflation climbed once again, the large blue-collar workforce felt the pinch. By the late 1970’s, protests and strikes had resurfaced. This time, however, the military met popular criticism with a promise to open up the political system. Saddled with a huge foreign debt that had skyrocketed during the 1970’s, Brazilians faced a difficult economic future. The military was blamed for the financial mess. By 1985, protests culminated in demands for the free election of a civilian president. That year, however, a congress controlled by the government party once again selected Brazil’s president. This time, popular opinion was so strongly against the regime that the congress selected the opposition party’s candidate. Only in 1989 would Brazilian citizens finally elect their president.

Impact of Event

The dissolution of the congress in December, 1968, marked the inauguration of the worst period of repression during the military regime that spanned the period from 1964 to 1985. Strict censorship of the media was enforced, and criticism of the government became grounds for arrest. The fear that “subversive” elements would take advantage of an open political system in order to promote Marxist revolution caused the generals to become overly suspicious of their fellow citizens. Those believed to sympathize with the left were arrested and sometimes tortured. Prisoners were often held without being charged. Universities were purged, and many professors lost their jobs. Fear spread among those who had earlier believed that they could pressure the government to demonstrate concern for the Brazilian poor.

The intensification of guerrilla activity following Costa e Silva’s stroke was

met by increasingly harsh repression. Many Brazilian students and intellectuals fled into exile rather than risk imprisonment. When guerrillas arranged the release of political prisoners in exchange for their kidnap victims, those prisoners had to agree to perpetual exile from Brazil. Exiled Brazilians, while abroad, published information about the excesses of the military regime, but within Brazil, silence continued to be enforced.

The state coupled its censorship concerning human rights abuses with a program designed to increase the patriotism of Brazilian citizens. Students at all levels, from primary school through the university, were required to take a civics course every semester they attended classes. These courses, taught by individuals who had been certified by the state, denounced the dangers of communism in the region and were meant to inspire support for the regime. During the early 1970's, in their struggle against "subversion" in the hemisphere, Brazilians provided logistical and financial support to highly repressive military coups in Bolivia, Uruguay, Chile, and Argentina. A massive public relations campaign was also mounted, to convince Brazilians that their country was on the way to international greatness. Grandiose projects such as the construction of the trans-Amazon highway signaled Brazil's entry into the developed world at the same time that they often destroyed important elements of Brazil's past, in this case a delicate environmental balance as well as a fragile and rapidly declining Indian population.

The developmental thrust of finance minister Delfim Neto meant continued need for low working-class salaries. Real wages dropped. Strikes were banned, so that discontented workers had no recourse for venting their frustrations and pressuring for salary hikes. Despite impressive economic performance, some members of the Brazilian elite also grumbled. Their complaint was against the state's use of violence against their sons and daughters who participated in protest movements.

Widespread opposition to the military dictatorship surfaced only after the economic miracle soured. Repression, some believed, might be the necessary price to pay for long-term national benefits. A break in the economic boom, however, removed this justification for violence, and the military began to be called to task even by its supporters. The oil shocks of 1973 and 1979 would mark a new era of widespread discontent with the military and would eventually lead Brazil back to a tenuous rule of law.

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Joan E. Meznar

National Guardsmen Kill Four Students at Kent State

Category of event: Atrocities and war crimes; peace movements and organizations; political freedom

Time: May 4, 1970

Locale: Kent State University, Kent, Ohio

Ohio National Guards called in to restore order following antiwar protests of the campus of Kent State unexpectedly opened fire on students, killing four and wounding nine others

Principal personages:

RICHARD M. NIXON (1913-1994), the president of the United States (1969-1974)

JAMES A. RHODES (1909-2001), the governor of Ohio who ordered the Ohio National Guard to the Kent State campus

ROBERT I. WHITE (1908-1990), the president of Kent State University at the time of the shootings

SYLVESTER DEL CORSO, the adjutant general of the Ohio National Guard

ROBERT CANTERBURY, the senior officer in command of the Ohio National Guard at Kent State in May, 1970

JOHN MITCHELL (1913-1988), the attorney general of the United States at the beginning of the Nixon administration

Summary of Event

The shooting at Kent State University left in its wake a complex controversy which may never be fully resolved, even though some of the facts are simple and relatively undisputed. On May 4, after dispersing a peaceful rally on the commons of the Kent State campus, the Ohio National Guard unexpectedly opened fired on students. Four were killed and nine others were wounded, some seriously.

No one was convicted of any crime associated with the incident, and no satisfactory explanation was ever given as to why the Guard opened fire. Many theories have been put forward, all of which have some bearing on the appropriateness of the Guard's actions. Like the Kennedy assassination, the incident

was photographed and filmed from several angles and was also recorded on audio tape. The accumulated evidence refutes some theories, but fundamental questions remain unanswered.

Growing opposition to the war had resulted in massive demonstrations nationwide in 1969. The government eventually responded to public pressure, and the war appeared to be winding down. Public opinion on the United States' involvement in the war in Vietnam was still divided in early 1970, and public resentment of the protest movement, which was strongest on college campuses, was high. Shortly before the Kent State shootings, President Nixon had made public statements which were highly critical of those who opposed his Vietnam policy.

On Thursday, April 30, President Nixon announced that U.S. forces had invaded Cambodian territory to search out and destroy enemy bases. The announcement triggered huge demonstrations on college campuses across the country the following day. At Kent State, campus unrest coincided with the first warm night of the season (Friday, May 1) and the arrival of an out-of-town motorcycle gang. Rioting occurred in the streets downtown, and some property was damaged. On Saturday, the protests continued, and the University's Reserve Officer Training Corps (ROTC) building was burned down. This incident precipitated the calling of the Ohio National Guard to Kent.

A peaceful demonstration the following day (Sunday, May 3) was dispersed by the Guard, who used tear gas against the students. Several students were beaten and some were bayoneted by Guards, although no fatalities resulted. The confrontation on Monday began with the dispersal of the students on the commons and ended forty minutes later with a thirteen-second sustained volley in which at least sixty-seven rounds were fired.

Officials claimed at the time that the retreating Guards had fired in self-defense while being attacked by hundreds of students who had charged to within three or four yards of the Guard's position. Eyewitness accounts and analyses of films and photographs showed that this was not the case. The nearest shooting victim was sixty feet from the Guards who did most of the shooting. A photograph taken just an instant after the Guard opened fire clearly shows the victim standing with his middle finger upraised in an obscene gesture, for which he was shot twice (according to the Guard who shot him) and seriously wounded. The majority of the dead and wounded students were standing one hundred or more yards away. At least one of the fatally wounded students had not participated in the demonstration, and one was an ROTC student.

According to many observers and participants, the focus of the students'



President Richard Nixon's April 30, 1970, announcement that U.S. forces had invaded Cambodia triggered antiwar demonstrations on college campuses across the country the very next day. (White House Historical Society)

anger at the Monday rally was actually the presence of the Guard itself, not the Cambodian invasion that had initially triggered the demonstrations. The students were outraged over the use of tear gas, the beatings, and the bayoneting that had taken place the previous evening. Furthermore, students believed that their noon rally was legal and that the Guard was violating their constitutional rights to freedom of speech and freedom of assembly. Brigadier General Robert Canterbury, the senior officer in charge of the Guards, believed that the assembly was illegal and that he had the authority to disperse it. Governor

James Rhodes, however, did not actually sign the martial law decree banning assemblies until May 5, and he then declared it retroactive to April 30. A federal court later ruled that the demonstration was illegal.

Because of the highly charged emotional atmosphere on campus, Guards were subjected to extreme verbal abuse by students after dispersing the rally on the commons. Military experts testified later that tactical orders issued during the confrontation had placed the Guards in an unnecessarily vulnerable position. Some rocks were thrown at them, and some of the tear gas canisters they fired into the crowd were thrown back. Moreover, they had just come from riot duty in Cleveland, where they had been shot at while trying to contain violence during a truckers' strike. They had neither eaten properly nor had much sleep during the several days preceding the incident.

A Justice Department study, parts of which were disclosed by the *Akron Beacon Journal*, found that the shootings were unnecessary and urged the filing of criminal charges against the Guards. The President's Commission on Campus Unrest (the Scranton Commission) also concluded that the shootings were "unnecessary, unwarranted, and inexcusable."

Despite the fact that two federal investigations found the Ohio National Guard to be at fault, public opinion in Ohio ran strongly against any form of punishment for soldiers who had participated in the shootings. A special state grand jury convened by Governor Rhodes exonerated the Guards but indicted twenty-five other individuals, most of whom were students, for various offenses before the shootings. The judge in that proceeding had refused to admit testimony given earlier by Sylvester Del Corso, adjutant general of the Ohio National Guard, in the Justice Department investigation. In that testimony, in response to questions, General Del Corso stated no less than sixteen times that the Guard had no reason to use lethal force.

Substantial evidence indicates that the Nixon administration attempted to obstruct investigation of the case and prosecution of the Guards, apparently for political reasons. It was later disclosed that the Nixon administration had authorized a covert policy of taking illegal measures against antiwar and civil rights groups. In 1971, Attorney General John Mitchell officially closed the case. The Watergate scandal of 1973 weakened Nixon's control of the Justice Department, and Elliot Richardson, who succeeded John Mitchell as Attorney General, reopened the Kent State case. The reopening of the case in 1973 was at least partially prompted by a 1971 report by Peter Davies, in which Davies alleged that several Guards had decided in advance of the shooting to "punish" the students. Photographs lend plausibility to the Davies theory, but none of the Guards was ever questioned on the point.

In March of 1974, a federal grand jury indicted eight Guards on charges that they violated Section 242 of the United States Code, depriving the rights of the students to due process by summarily executing them. In November, a federal judge dismissed the charges, saying that prosecutors had failed to prove their case beyond a reasonable doubt. After a three-month-long civil trial in 1975, a jury decided not to award damages to victims and survivors, but that decision was set aside in 1977. The victims settled out of court shortly after the beginning of the second civil trial in 1979. The out-of-court settlement included a statement of regret signed by the defendants. Some of the victims regarded the statement as an apology, but the defendants and their lawyers disagreed.

Impact of Event

A Gallup poll published in *Newsweek* a few weeks after the incident at Kent State showed that fifty-eight percent of the American public thought that the shootings were justifiable and that the Guard was not at fault. This may reflect the success of early efforts by officials to manage the news and to portray the demonstrators as a violent mob. The Scranton Commission, which interviewed many Kent State students as part of its investigation, reported that many parents had supported the shootings, even to the point of hypothetically condoning the shooting of their own children if the children had participated in the demonstrations.

In a public statement made the day before the shootings, Governor Rhodes had characterized the protesters as “the worst type of people that we harbor in America. . . . I think that we’re up against the strongest, well-trained, militant revolutionary group that has ever been assembled in America. . . . We are going to eradicate the problem, we’re not going to treat the symptoms.”

The governor’s statement, in retrospect, seems out of line in reference to the comparatively staid student body of Kent State. Even though Kent State had been a fairly conservative campus, however, its students were substantially radicalized by the shootings, as demonstrated by their subsequent public statements and writings.

The search for a “larger meaning” to the tragedy has proved inconclusive for most of those who were involved. Some believe that it marked the beginning of the end for the war in Southeast Asia. In this view, the event marked a climax of repressive tendencies in the government and so appalled the public that it generated a strong momentum for change. To others, this view not only is erroneous but also represents a kind of romantic idealism. For the idealists, the gunfire brought an end to the belief that one could stand up to one’s gov-

ernment in dissent and ultimately prevail against injustice. In support of this interpretation, they cite the virtual end to campus protest that followed. Still others claim that the decline of campus protests is more properly associated with the end of the draft in 1973. This perspective sees student protest as a matter of self-interest that became unnecessary when the Selective Service stopped conscripting students.

At the very least, the shootings marked a rare historical case in which American soldiers killed American civilians engaged in protest of government policy. The shootings also touched off an unprecedented student strike, which shut down more than two hundred colleges and universities nationwide and disrupted classes in hundreds more. Although the strike was also partially in response to shootings at Jackson State University, in which two students were killed on May 12, the Jackson State incident never resulted in the same degree of controversy and litigation. Many observers have since pointed out that the Jackson State students were African American and the victims at Kent State were white. Thus, the Kent State incident indirectly may have shed light into another dark corner of American life.

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L. B. Shriver

Canada Invokes War Measures Act Against Quebec Separatists

Category of event: Civil rights; political freedom; racial and ethnic rights

Time: October 16, 1970

Locale: Quebec, Canada

Canada, a nation with a nonviolent political tradition and democratic freedoms, confronted separatist terrorism by suspending civil liberties in its French-speaking province

Principal personages:

PIERRE ELLIOTT TRUDEAU (1919-2000), the prime minister of Canada, a French-Canadian liberal-federalist opposed to separatism

ROBERT BOURASSA (1933-1996), the premier of Quebec

JÉRÔME CHOQUETTE (1928-), the minister of justice in Quebec's provincial government

PIERRE LAPORTE (1921-1970), the minister of labor in Quebec's government, a terrorist kidnap victim

JAMES CROSS (1921-), a British trade commissioner in Montreal, kidnapped by terrorists

JEAN DRAPEAU (1916-1999), the mayor of Montreal

Summary of Event

Political violence and upheavals are very rare in Canadian history. In spite of the country's divisive tensions, generated by regionalism and by cultural and ethnic diversity, Canada has avoided the dramatic, bloody resolutions of conflict experienced by its neighbor, the United States. As a result, many Canadians have proudly referred to their country as "the peaceable kingdom." Canada's tradition of liberty, democratic stability, and tranquillity in the face of regional and cultural diversity was severely tested in October, 1970. Contributing factors to the October crisis were a rebellious trend associated with this historical period and the long-standing grievances of Canada's French-speaking community. Francophones, about 25 percent of Canada's population and largely concentrated in Quebec province, had always waged an uphill struggle against assimilation into the dominant Anglophone culture.

In spite of some gains by Quebec's French-Canadians in the 1960's, Anglophones, mainly based in Montreal and composing barely 20 percent of the province's population, still exercised disproportionate political and economic power. The phrase "white niggers of America" was employed by a Francophone radical in his famous autobiographical description of the oppression and social injustice felt by himself and many of his compatriots as second-class citizens in their own land.

Some Francophone nationalists abandoned the province's major political parties to form movements advocating much greater autonomy or independence for Quebec. In 1968, two of these groups organized the *Parti québécois* (PQ) under René Lévesque. The PQ soon became a major vehicle for achieving separatist-nationalist goals through the legal capture of political power. Small numbers of frustrated radicals chose the more extreme course of revolutionary terrorism.

In February, 1963, the *Front de libération du Québec* (FLQ) was founded. Inspired by Third World liberation struggles, the FLQ's long-term goals were socialist revolution and an independent Quebec. Canada's FLQ operated mainly in Montreal and probably never had more than a few dozen militants or about ten active terrorists at any given time. Ad hoc cells appeared and appropriated the name FLQ when militants came up with ideas for operations. There was little or no communication between them. From 1963 to 1970, FLQ groups conducted about thirty-three armed robberies and ninety bomb attacks against military installations and various symbols of Anglo imperialism. These actions caused seven deaths and forty-nine injuries. By 1970, more than twenty FLQ members were imprisoned on criminal, not political, charges. The FLQ's smallness and extremely diffuse nature made it a difficult target for police to eradicate; its constant reappearance following capture and elimination of entire cells gave the appearance of a much larger and well-organized hydra-headed conspiracy.

The period from 1968 to 1970 was one of growing unrest and violence in Montreal. An upswing in FLQ terrorism, several traumatic labor strikes, and some unruly demonstrations by political radicals had nervous Montreal city officials and provincial leaders feeling threatened and prone to exaggerate all rumors and signs of revolutionary activity.

On the morning of October 5, 1970, the FLQ moved beyond its previous tactics when it kidnapped British Trade Commissioner James Cross from his Montreal residence. The kidnappers demanded the release of twenty-three political prisoners and their safe passage to Algeria or Cuba. The October crisis was under way.

Quebec's government, under Liberal Premier Robert Bourassa, worked closely throughout the crisis with the federal government, headed by Pierre Trudeau. Militant Quebec nationalists and separatists had not welcomed the ascendancy of Trudeau, a French-Canadian native of Quebec, to the post of prime minister in 1968. This intellectual, urbane politician was a dedicated liberal-federalist who viewed Quebec separatism as a reactionary, inward-looking course. From the start, Trudeau adamantly opposed any concession to terrorist blackmail.

Feeling strong pressure from Ottawa, Quebec's justice minister, Jérôme Choquette, basically rejected all FLQ demands on October 10. In exchange for Cross's release, Choquette offered only parole for five prisoners who were eligible and safe passage abroad for the kidnappers. Fifteen minutes after this statement was broadcast, a new FLQ group, acting independently, snatched Quebec Labor Minister Pierre Laporte from his suburban Montreal home.

The kidnapping of the second most important figure in Quebec's government personalized the crisis, creating fear and panic among many of his colleagues. Bourassa momentarily wavered on the issue of a prisoner-hostage exchange but held firm. Trudeau remained uncompromising throughout. He declared that a "parallel power" would never be allowed to dictate to Canada's elected government and denounced "weak-kneed bleeding hearts" afraid to take measures to defend freedom.

As the crisis reached a climax, there were pro-FLQ mass demonstrations in Montreal and some statements of sympathy for the FLQ's political manifesto. Ottawa officials believed that the situation in Quebec was becoming chaotic and that some definitive assertion of federal power was crucial. Mayor Jean Drapeau and other Montreal city officials warned Ottawa about a threatening, organized revolutionary conspiracy. According to these sources, a state of "apprehended insurrection" existed in Quebec, requiring extraordinary police powers and assistance from the national government. On October 14, Premier Bourassa requested that the Canadian armed forces be sent into Quebec.

On October 15, the federal government dispatched troops to Montreal and a few other localities to protect public buildings and prominent individuals. Trudeau had already deployed the army in Ottawa. Bourassa offered the kidnappers the same limited terms as had Choquette and demanded a reply by 4:00 P.M. on October 16. As soon as this deadline passed, the federal government invoked the War Measures Act, a relic of World War I which had last been used in World War II. The act gave the cabinet power to enact regulations allowing arrest, detention, censorship, and deportation in conditions of war, invasion, and insurrection. Under this authority, the cabinet introduced mea-

asures which banned the FLQ, retroactively making membership or evidence of association with that organization an offense. The Royal Canadian Mounted Police (RCMP) received extraordinary powers which overrode legal safeguards, permitting the search of premises without a warrant and arbitrary arrest on mere suspicion. The right of *habeas corpus* was suspended, allowing suspects to be held incommunicado without charges, legal counsel, or bail for up to twenty-one days. Two days after this act was proclaimed, Laporte's corpse was found in a car trunk.

Civil liberties were suspended in Quebec until April 30, 1971. Police raids hit every part of Quebec with more than forty-six hundred house searches involving confiscation of property, especially reading material. Around five hundred citizens were jailed. Armed with such broad, open-ended authority, police committed excesses. A federal cabinet minister's home was searched by mistake. No distinction was made between dissent and sedition on the RCMP's list of suspects. Many prominent persons were arrested solely on the basis of known or suspected political sympathies. More than 460 of those arrested were released, acquitted, or simply never prosecuted. Eighteen were convicted; sixteen of ordinary criminal charges (mostly for being linked somehow to Laporte's kidnapping or murder) and only two for an offense under the emergency provisions.

The act applied throughout Canada, and some arrests occurred outside Quebec. Freedom of expression was curtailed in British Columbia's schools. For individual Canadians, this was a tense period.

Impact of Event

The results and wisdom of the Trudeau government's actions are controversial subjects. Laporte's murder silenced vocal support for the FLQ in Quebec. Canadians, including Quebecers, immediately rallied behind Trudeau, who enjoyed hero status for his firmness and decisiveness in combating terrorist outrages. When the police closed in on Cross's five captors in early December, the kidnappers released him in exchange for a flight to Cuba. Within a few years, all but one had returned and received short prison terms. At the end of December, police found the hideout of Laporte's abductors, who got more severe sentences. Thereafter, FLQ activity tapered off and eventually disappeared. Canada returned to its normal status as one of the world's most tolerant and free societies.

On the negative side were the abuses of innocent persons' civil rights, the government's questionable political judgment in invoking unneeded and arguably excessive powers based on faulty intelligence, and its efforts to ma-

nipulate public opinion with misleading or exaggerated rumors. Police uncovered no evidence of an apprehended insurrection. Trudeau, whose early career was devoted to defending political dissidents, saw his reputation as a civil libertarian devastated.

The lives, employment, and families of innocent individuals were traumatically disrupted. No apology was ever made, and the public never held its leaders accountable. Angered by the Quebec situation, the majority applauded when their government took forceful action and turned a blind eye to the fact that no apprehended insurrection existed. In 1971, however, Quebec's ombudsman investigated complaints and awarded compensation in 104 cases involving police brutality, damage to property or reputation, and unjust conditions of confinement.

In Quebec, the crisis dealt a short-term setback to the separatist *Parti québécois*, which lost members. The PQ, however, gained over the longer term. The elimination of separatist terrorism in Quebec politics made the PQ a more respectable alternative. Furthermore, the fact that English-Canadians so zealously cheered the use of the War Measures Act against a French-Canadian movement, unpopular and tiny though it was, drove many intellectuals into the separatist fold. The PQ's support rose, and from 1976 to 1985, a PQ government under René Lévesque held power. In a 1980 referendum, Quebecers rejected the choice of negotiating a new relationship with the rest of Canada by a 60 percent to 40 percent margin. Nevertheless, by 1990, the separatist option had revived because of a dispute between Quebec and other provinces concerning Quebec's status in Canada's new constitutional setup.

A positive side effect of the 1970 events may be the political lessons which thoughtful Canadians have pondered and debated. Among the most important issues is the scope of powers a democratic government needs to defend its society and the proper use of this authority. The controversial War Measures Act remained in the government's arsenal. Still, the experience of 1970 likely influenced Trudeau's decision to place restrictions on its use by future governments in the Charter of Rights associated with his 1982 constitution. Lessons learned from the October crisis are important to the preservation of Canada's free society and are instructive to other democracies.

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David A. Crain

Calley Is Court-Martialed for My Lai Massacre

Category of event: Accused persons' rights; atrocities and war crimes

Time: November 17, 1970-March 29, 1971

Locale: Fort Benning, Georgia

William Calley was convicted of murdering twenty-two Vietnamese and was the only person convicted of any crime in the aftermath of the My Lai massacre

Principal personages:

WILLIAM L. CALLEY (1943-), a second lieutenant in command of a platoon of Company C at My Lai

FRANK A. BARKER (1928-1968), the commander of the unit that conducted the operation at My Lai

STEVEN K. BROOKS (1942?-1968), a second lieutenant in command of a platoon of Company C at My Lai

ERNEST MEDINA (1936-), a captain in command of Company C of Task Force Barker; immediate superior of lieutenants Calley and Brooks

WILLIAM R. PEERS (1914-), conducted the official Army inquiry of the My Lai incident

HUGH THOMPSON (1947?-), a combat helicopter pilot involved in the assault on My Lai

SAMUEL W. KOSTER (1919-), the commander of the Americal Division

Summary of Event

The My Lai massacre occurred during the first hours of a March 16, 1968, operation carried out by a battalion-sized unit, code-named Task Force Barker, of the Americal Division of the U.S. Army. This unit, comprising three infantry companies (A, B, and C) supported by artillery, helicopters, and coastal patrol craft, was intended to sweep between two hundred and four hundred Viet Cong from a group of hamlets in the Son My subdistrict of Quang Ngai Province in South Vietnam.

Following the surprise Tet offensive launched by the Viet Cong on January 31, American commanders sought to reestablish control and to destroy known Viet Cong units. The Americal Division, including Task Force Barker, had

been searching around Quang Ngai in February and March but encountered few Viet Cong.

On March 15, Lieutenant Colonel Frank A. Barker announced a three-day sweep against the Viet Cong 48th Local Forces battalion operating in and around a large, coastal fishing village. This was the third such operation against this village since February. Barker planned to move his three infantry companies into place by helicopter about 8:00 A.M., following a short artillery barrage. Helicopters were to engage fleeing or fighting Viet Cong. Offshore, small Navy patrol craft blocked any escape through the eastern seaward end of the noose.

Company C landed at 7:30 A.M., just west of another hamlet, My Lai. Lieutenant William L. Calley's platoon of twenty-five men moved first through the hamlet's south section; Lieutenant Stephen Brooks's platoon went through the north. Lieutenant Larry LaCroix's platoon remained in reserve near the landing zone.

The men of Company C expected to encounter two armed Viet Cong companies. Captain Ernest Medina, commander of Company C, had instructed his officers to burn the houses and destroy the livestock, crops, and foodstuffs in My Lai. Several men from Company C later testified that Captain Medina, who stayed at the landing zone, had specifically instructed them to kill civilians found in the hamlets. Medina denied such statements.

Calley's platoon slaughtered two large groups of villagers sometime between 7:50 A.M. and 9:15 A.M. In one instance, more than twenty people were gunned down on a pathway; in another, around 150 were systematically slaughtered with machine gun and small arms fire in a ditch about one hundred meters east of the hamlet. Soldiers later testified that Calley ordered them to kill their civilian captives. Men from all three platoons of Company C committed murder, rape, and other atrocities that morning.

About 8:30 A.M. Brooks's platoon turned northward on Medina's command to recover the bodies of two Viet Cong killed by a helicopter gunship. Brooks's platoon then entered Binh Tay, a hamlet a few hundred meters away, where they raped and murdered villagers before rejoining Company C around 10:00 A.M.

While this killing was going on, Warrant Officer Hugh Thompsom, an experienced combat helicopter pilot, was flying close overhead in an armed observation craft. At various times from 8:00 A.M. to 10:00 A.M., Thompsom attempted to aid wounded South Vietnamese civilians he saw in the fields around My Lai, saw Medina kill a wounded Vietnamese woman in a field, and landed his craft near the ditch where so many defenseless people were shot.

He urged members of Company C to stop the killing, but killings resumed after he left. Around 10:00 A.M. he landed again to protect a group of women and children who were being herded toward a bunker by men of Company C. Thompson called in one of his gunships to evacuate some of the wounded civilians and then landed his own small helicopter to save one slightly wounded child from the heaps of bodies. In addition to his combat radio transmissions, Thompson made reports upon his return to base to his commander about the slaughter.

The truth of these events was covered up within the Americal Division for a year, until a letter from a Vietnam veteran, Ronald Ridenhour, to Secretary of Defense Melvin Laird in late March, 1969, claimed "something very black indeed" had occurred at My Lai. Laird ordered an investigation. In September, 1969, William Calley was charged with murdering more than one hundred civilians at My Lai. The full dimensions of the massacre became public knowledge in mid-November, 1969, when newspapers carried Seymour Hersh's interviews with men from Company C, the *CBS Evening News* broadcast other interviews, and photographs of the massacred victims were printed in *Life* magazine.

Lieutenant General William R. Peers was assigned responsibility for conducting the official investigation of the incident. He learned that Hugh Thompson's angry, but accurate, accusations of a civilian massacre, as well as reports by South Vietnamese officials of more than five hundred civilian deaths, were never properly investigated. Peers's report of March, 1970, contained detailed findings about what happened at My Lai and a recommendation that thirty individuals be held for possible charges.

The Army preferred charges against a total of twenty-five men: twelve for war crimes and thirteen for other military offenses. Four of the five men eventually tried on war crime charges were members of Company C. The fifth was Captain Eugene Kotouc, the staff intelligence officer of Task Force Barker. He was acquitted of torturing a prisoner. There was no evidence of any misdeeds by men from Company A, but Company B had been involved in killings of civilians at the hamlet of My Khe. Captain Earl Michles, in command of Company B, was killed in the same helicopter crash that killed Lieutenant Colonel Barker in June, 1968, so both of those men were beyond the reach of the law. Charges against Lieutenant Willingham of Company B were dismissed in 1970, in spite of evidence of between thirty-eight and ninety civilian deaths caused by his men in My Khe on the morning of March 16.

Charges were brought in 1970 against thirteen officers in the Americal Division for various military offenses that were less than war crimes and did not

involve murder or attempted murder. Charges were dismissed against several of the officers, and several had their cases resolved in other manners. Only four men were tried for the war crimes of murdering civilians, all were members of Company C: Captain Medina, the company commander; Lieutenant Calley, in command of one of the company's platoons; Staff Sergeant David Mitchell, a squad leader in Calley's platoon; and Staff Sergeant Charles E. Hutto, a squad leader from Brooks's platoon. Lieutenant Brooks was killed in combat after the incident and so was not charged.

Initially, seven enlisted men from Company C had been charged by the Army with crimes including murder, rape, and assault. Charges against five were dropped and two men were tried. The first court-martial resulting from My Lai was that of David Mitchell, a career soldier; it began in October, 1970, at Fort Hood, Texas. Mitchell was acquitted of all charges. While Calley's trial was still in session, Charles Hutto was tried at Fort McPherson, Georgia, and found innocent. Medina's trial took place at Fort McPherson in August and September, 1971, after Calley's March, 1971, conviction. Medina was found not guilty of murder and assault.

Calley's trial was the most prominent of all the courts-martial. He had been identified from the start as ordering the shooting of women and children and was tried under article 118 of the Uniform Code of Military Justice for premeditated murder of more than one hundred Vietnamese. The trial at Fort Benning, Georgia, lasted about four months. On March 29, 1971, Calley was found guilty of three counts of murder by a panel of six officers. He was sentenced "to be confined at hard labor for the rest of [his] natural life; to be dismissed from the service; to forfeit all pay and allowances." Two days later, President Richard M. Nixon ordered Calley released from the stockade and returned to his quarters to serve his sentence. In August, 1971, the Army reduced Calley's sentence to twenty years, and in April, 1974, further reduced it to ten years. In the Army, prisoners become eligible for parole after one-third of their sentence is served. With Calley's punishment reduced to ten years, he became eligible in the fall of 1974 and parole was granted in November.

Impact of Event

The reactions both to the My Lai massacre and to Lieutenant Calley's conviction cover a tremendous range. Most Americans and many people around the world expressed horror and distress at the massacre itself; yet a great many considered Lieutenant Calley to be a scapegoat. To some, it was not Lieutenant Calley or the others who were tried in courts-martial, but the United States that was on trial for its Vietnam war.

The outcome of the courts-martial reveals that no one—not the Army, the president, Congress, or the American public—relished punishing American fighting men for their conduct in Vietnam. The Army backed away from a joint trial of the accused and did not carry through the stern spirit of justice that pervades the official Peers Report.

American official and popular statements from the time typically express outrage toward the massacre itself but suggest that it would be best to reserve judgment about Calley's or others' guilt. Some veterans and Army members believed that Calley was being punished for one of the inevitable tragedies of war. Still others believed Calley had done only what the army had trained him to do: kill communists. Many believed, in contrast, that since the United States was fighting to protect Vietnam from communism, the Army should be saving, or at least protecting, Vietnamese civilians.

Immediately following Calley's conviction for murder, the White House and Congress received a strong wave of popular sympathy for him. It was believed that Calley's conviction condemned, by implication, all Americans who had fought in Vietnam. Others believed that what occurred at My Lai were war crimes and that Calley, and others, should have been punished by death in the same way that German and Japanese war criminals were following World War II.

Beneath these opposing emotional calls for Calley's release or execution, the My Lai massacre and the subsequent courts-martial had a profound impact on the United States and the Army. Knowledge of the massacre came twenty-one months after the Tet Offensive, but it was additional confirmation that hopes for an American victory in Vietnam were unfounded. If U.S. troops were slaughtering the South Vietnamese, how could the people ever be won over to the side of the United States?

People also wondered if My Lai was only the first of many such massacres that would come to light. In fact, evidence of thousands of unnecessary and unwarranted deaths of South Vietnamese civilians caused by U.S. and other allied units have been documented, but nothing quite so horrible as that at My Lai.

Simply because of the questions raised about possible American atrocities in Vietnam, the whole discussion of the war itself took on a new color. The massacre gave proof to those antiwar protestors who called the war immoral and unjust. The atrocity marked an end, or at least a profound shock, to trust in American goodness and nobility of purpose.

In the 1970's, evidence of various hidden schemes and deadly plans by the U.S. government came to light, many of them completely unconnected

with My Lai. The My Lai massacre remains a key incident that loosed the tide of self-doubt and questioning about the United States' purpose and moral stature that marked much of national life in the 1970's and 1980's. One of the most profound and lasting impacts of the My Lai massacre and the Calley court-martial was the coldness and distaste Vietnam veterans encountered after 1969 upon return to the United States. Many Americans treated all veterans as if they had joined with Company C to abuse and murder Vietnamese women and children. For those remaining in the military service, the vision of a unit running amok killing civilians in Vietnam's guerrilla war was one of several powerful forces that led to major reforms in Army military doctrine and the abandonment of the draft in favor of an all-volunteer armed services.

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David D. Buck

FBI and CIA Interference in Civil Rights Movement Is Revealed

Category of event: Civil rights; peace movements and organizations

Time: 1971-1974

Locale: United States

Overstepping their traditional boundaries of investigation, the FBI and CIA attempted to disrupt and discredit various civil rights and peace movements in the 1960's

Principal personages:

J. EDGAR HOOVER (1895-1972), the director of the United States Federal Bureau of Investigation from 1924 to 1972

RICHARD HELMS (1913-), the director of the United States Central Intelligence Agency from 1965 to 1973

LYNDON B. JOHNSON (1908-1973), the thirty-sixth president of the United States (1963-1969)

RICHARD M. NIXON (1913-1994), the thirty-seventh president of the United States (1969-1974)

GERALD R. FORD (1913-), the thirty-eighth president of the United States (1974-1977)

RONALD REAGAN (1911-), the fortieth president of the United States (1981-1989)

Summary of Event

For many years, the United States Federal Bureau of Investigation (FBI) enjoyed a sterling reputation under the leadership of its longtime director, J. Edgar Hoover. In the later years of Hoover's administration, however, questions about overzealousness and abuse began to arise. Similar questions were raised about the United States Central Intelligence Agency (CIA) which always had been more controversial. Most of the CIA controversy focused on its foreign operations, for it was forbidden a domestic intelligence role. In the early 1970's, however, evidence emerged of illegal or improper domestic activity by both agencies, a significant part of that activity targeted against civil rights and anti-Vietnam War groups and individuals.

In 1971, a group calling itself the Commission to Investigate the FBI revealed a number of FBI documents which suggested that the agency had conducted intrusive, if not illegal, campaigns against a number of antiwar and leftist organizations. In October of the same year, the Committee for Public Justice and the Woodrow Wilson School at Princeton University sponsored a conference, "Investigating the FBI," which focused media attention on alleged FBI abuses in investigating civil rights and antiwar activities. Little evidence for these abuses could be produced, as the bureau closely guarded what it considered to be privileged information. After the death in 1972 of the FBI's powerful director, J. Edgar Hoover, and with the Watergate scandal in 1973 and 1974, public pressure mounted for further investigation. Finally, suits filed in December, 1973, and March, 1974, under the Freedom of Information Act resulted in publication of a number of FBI Counter Intelligence Program (COINTELPRO) files. The information in these files, coupled with documentation implicating the CIA in domestic intelligence abuses, prompted congressional investigation into the activities of both agencies. Although many FBI and CIA files had been destroyed or altered, the investigations revealed that both organizations had carried out a number of programs intended to undermine, discredit, or destroy civil rights and antiwar movements in the 1960's.

In 1964, following a number of race-related incidents, President Lyndon B. Johnson ordered the FBI to investigate the causes of racial unrest. In April, 1965, the bureau began investigating student antiwar groups for communist influence. When neither of these investigations found illegal or communist activity, Hoover intensified the programs. By 1968, the FBI had established two counterintelligence programs to gather data on black and student movements. COINTELPRO-Black Nationalist-Hate Groups extended to all forty-one FBI field offices authority for collecting information on civil rights groups. COINTELPRO-New Left attempted to undermine the activities of alleged campus radicals, with authority again given to all FBI field offices. Tactics included extensive wiretapping; planting listening devices in homes, hotel rooms, and meeting places of various organizations; infiltrating groups; and fabricating documents to create hostility within and among the organizations.

Specific evidence derived from the FBI's COINTELPRO files reveals that the bureau found certain individuals to be of particular interest. Martin Luther King, Jr., civil rights leader and recipient of the Nobel Peace Prize, was under intense FBI scrutiny from 1961 until his death in 1968. In 1964, shortly before King was to receive the Nobel Prize, the FBI sent him a tape of damaging information it had collected regarding his private life and threatened to make the data public if he did not commit suicide.



As the director of the FBI from 1924 to 1972, J. Edgar Hoover built a power base that even presidents could not challenge. (Library of Congress)

Leaders of the Black Panther Party (BPP) and the Student Nonviolent Coordinating Committee (SNCC) were also targets of FBI activity. When the two groups proposed a merger in 1968, the FBI engineered a rift between the groups. The rift contributed to decisions of high-ranking members of both groups, Stokely Carmichael of the SNCC and Eldridge Cleaver of the BPP, to go underground. The FBI accomplished this and other similar operations by fabricating stories and circulating them among members of targeted organizations. For example, the bureau leaked information that Carmichael was a CIA informant. It also telephoned his mother claiming that members of the BPP

had threatened to kill Carmichael because of his alleged CIA affiliation. Carmichael left for Africa the next day.

FBI infiltrators at times encouraged illegal activities among groups which they had joined in order to create public disapproval of the organizations. These agents were known as provocateurs. One of the best-known provocateurs, Thomas Tongyai, traveled throughout western New York encouraging students to participate in violent activities such as bombing buildings and killing police.

The FBI's disruptive capabilities were enhanced by using local police and other federal agencies to collect data. For example, from 1968 through 1974, the FBI obtained confidential tax information from the Internal Revenue Service on 120 militant black and antiwar leaders. The CIA also became an important source of documentation and information for the FBI.

Although the CIA has no authority to gather information regarding domestic matters, that agency began collecting information on American citizens at the request of President Johnson. The agency's Special Operations Group, later known as CHAOS, was begun in August, 1967, to determine the role of foreign influence in the American peace movement. President Richard Nixon increased the demands on the CIA in 1970 by requiring that it become involved in evaluating and coordinating intelligence gathered on dissident groups. Some of the groups targeted for infiltration by the CIA included the SNCC, the Women's Strike for Peace, the Washington Peace Center, and the Congress of Racial Equality.

CIA Director Richard Helms was aware of the implications of the agency's operating outside its jurisdiction. In a cover memo to a 1968 report on student revolutionary activities around the world, including the United States, Helms noted that "This is an area not within the charter of this Agency. Should anyone learn of its existence it would prove most embarrassing for all concerned." The report concluded that student unrest was a product of domestic alienation, not of foreign manipulation, but the CIA continued to gather data on American citizens. By the early 1970's, the CIA had accumulated open files on more than 64,000 citizens and a computerized index of more than 300,000 individuals and organizations.

Impact of Event

Following the revelation of FBI and CIA abuses, there was a public outcry for curbs on both organizations. In 1975, President Gerald Ford ordered the creation of a special commission to establish the extent of CIA activities and to

report findings and recommendations. The commission found that the CIA had indeed conducted improper investigations. Further, the commission recommended that the scope of CIA procedures be limited to foreign intelligence.

Also in 1975, a federal court awarded \$12 million in damages to persons who had been arrested in Washington, D.C., while participating in antiwar demonstrations in May, 1971. The arrests were believed to have been a result of police coercion in which the FBI collaborated with local and national officials.

Since both the FBI and the CIA often deal with what is considered to be "sensitive" information, there has been a large amount of controversy over what the public has a right to know and what should be withheld to protect national security. In 1974, Congress amended the Freedom of Information Act (FOIA) to allow *in camera* review of documents by federal district courts in order to determine whether publication of information would pose a security risk. Although this amendment to the FOIA resulted in the declassification of many COINTELPRO documents, in many instances text was deleted. The effect of the FOIA was further modified by President Ronald Reagan's Executive Order 12356 of April, 1983. The order allowed intelligence agencies more discretionary authority over documentation and appeared to make it more difficult for the courts to review files.

Revelations of CIA abuses led to increased congressional oversight of intelligence activities, but supporters of the CIA argued that the restraints dangerously weakened the agency. The requirements were modified in 1980 to reduce to two the number of congressional committees that had to be notified of intelligence operations. Other provisions, however, increased the likelihood of information reaching Congress. For example, legislation enacted in 1978 required a judicial warrant for most intelligence agency electronic surveillance conducted in the United States.

Participants in FBI and CIA abuses during the COINTELPRO era generally went unpunished. Richard Helms, former director of the CIA, was fined only \$2,000. In 1980, the only two FBI personnel tried and found guilty of COINTELPRO abuses were pardoned by President Reagan. In 1981, the FBI settled a \$100 million suit for abuses committed against former members of the Weathermen, a radical student group.

Changes have been made in leadership, administrative rules, and legislation, yet recurrences of abuses are not unlikely because of the natural tensions between individual civil liberties on one hand and the demands of national security and civil order on the other.

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Laurie Voice
Robert E. Biles

Amin Regime Terrorizes Uganda

Category of event: Atrocities and war crimes; civil rights; political freedom

Time: January, 1971

Locale: Uganda

The military coup that brought Idi Amin to power in Uganda led to the creation of one of the bloodiest regimes in African history

Principal personages:

IDI AMIN (1925-), the man who ruled Uganda from 1971 to 1979

MILTON OBOTE (1924-), the man who was overthrown by Idi Amin in 1971

MUTESA II (1924-1969), the king of Buganda, whose conflict with the Obote regime in the 1960's led to the emergence of the military as a decisive political force in the country

Summary of Event

Like many Third World states, Uganda, a former British colony in East Africa, was an arbitrary creation of British economic, strategic, and political interests and late nineteenth century intra-European conflicts and compromises. It incorporated dozens of different linguistic and cultural groups that had previously lived separately, although some of them maintained various types of commercial as well as belligerent relationships. The indigenous political and social institutions included centralized monarchies in the southern part of the country, of which Buganda was the most important, when the area that became Uganda was declared a British protectorate (1894). Uganda also had small-scale, clan-based social and political systems. In some parts of the territory, a nomadic, pastoral style of life was predominant.

By the 1950's, elite groups that had emerged in various parts of the country were demanding the right to self-determination in the form of independent statehood. The anti-imperialist movement, however, was not unified. In Buganda and, to a lesser extent, in other kingdoms, there were strong autonomist and even secessionist sentiments arising from a desire to maintain special cultural institutions and distinct identities. Throughout the colony, the emerging African elites were divided by religious rivalry, especially that between the

Roman Catholics, who were underrepresented in bureaucratic and politico-administrative positions, and the dominant Protestant Anglicans, who were overrepresented. The minority Muslims were also underrepresented but were somewhat peripheral to the rivalry within the Christian community.

On October 9, 1962, the British government granted political independence to the new state of Uganda. The government that acceded to power was a coalition dominated by the Uganda People's Congress (UPC), which was composed of elites from various parts of the country who shared a number of common aspirations and beliefs. They were mostly members of the Protestant Anglican Church, many of them secular in outlook and seeking to eliminate the socioeconomic inequalities that had emerged over the years of colonial rule among their home districts and the more prosperous southern kingdoms, especially Buganda.

The UPC's coalition partner was the all-Buganda *Kabaka Yekka* (the king above all) movement, whose primary goal was the preservation of the monarchy and the political autonomy of Buganda. The only common element between this movement and the UPC was the Anglican religious identity of the leaders and most of the followers of the two organizations. The opposition Democratic Party essentially represented the aggrieved Roman Catholics.

Uganda started independent statehood under what was in essence a parliamentary democratic system of government. There was a directly elected parliament, a cabinet headed by a prime minister responsible to parliament and, after 1963, a ceremonial president elected by parliament. The first president was Edward Mutesa II, who was also the *Kabaka* (king) of Buganda. The administrative system provided for a large degree of autonomy for the four kingdom areas and a more centralized system for most of the country. The judiciary was independent, and the military and police forces were initially nonpartisan and not directly involved in politics.

Within four years, rivalries and tensions within the ruling coalition had led the country to the brink of civil war. In early 1966, Milton Obote, the prime minister, ordered the arrest of five of his ministers on charges of plotting against him. He subsequently accused Mutesa II of participating in the alleged conspiracy and deposed him from the office of president. Obote later assumed the post. In May, he ordered the Ugandan army, then commanded by Idi Amin, to attack the palace of the *Kabaka*.

The events of 1966 had several significant consequences that were to lay the foundation for the Amin regime. First, the military was used to intervene in the political process for the first time, thus brushing aside established constitutional procedures. Second, a large number of people lost their lives in the

course of indiscriminate attacks by soldiers on unarmed civilians who were identified with the ethnic group of the *Kabaka*. This established a precedent for selective military repression of civilians, which was to be one of the more sanguinary aspects of the Amin regime. Third, from this time onward, maintaining the loyalty of the army was to be the most important determinant of the exercise of political power by Ugandan leaders.

Between 1966 and 1971, Milton Obote tried to create a one-party regime. He centralized administrative and political power in his hands and forced all opposition underground or into exile through imprisonment or denial of positions of influence in the state. In the process, the military, especially army commander Idi Amin, became more prominent on the Ugandan political scene. At the same time, personal and ethnic conflict between Idi Amin and Obote developed, culminating in efforts by Obote to remove Amin from control of the army in 1970. Amin successfully resisted and in January, 1971, pushed his resistance to the point of a *coup d'état* while Obote was out of the country.

The Amin regime arose from a bloody revolt in which a number of the senior officers were either killed or forced to flee the country. During the first year, there were a number of purges of soldiers suspected of loyalty to the deposed regime. The most significant criterion used was ethnic identity. Thus, from the beginning, the Amin regime had genocidal tendencies.

In 1972, following an abortive invasion mounted by Obote loyalists from across the border in Tanzania, killings of opponents or suspected opponents of the regime spilled over into the civilian sector. People who had been senior officials of the UPC or belonged to the same ethnic group as Obote and his former military supporters became victims of brutal torture and murder. In the same year, Amin ordered the mass expulsion of citizens as well as resident aliens of Indian, Pakistani, or Bangladeshi origin. Many of them had been born in the country, and some families had lived there for several generations. Their property was taken from them without compensation and given to Amin's supporters and other Ugandans.

Impact of Event

During Amin's eight-year rule, thousands of Ugandans were killed for suspected opposition to the regime or because soldiers and members of other armed elements of the regime sought to dispossess them. Among the more prominent victims was the country's chief justice, Benedicto Kiwanuka, who was dragged from his chambers and never seen again, dead or alive. Other victims included numerous journalists, university professors, physicians, play-

wrights, military officers, police officers, senior civil servants, and members or former members of the regime who had fallen out of favor.

Millions of Ugandans suffered a drastic decline in their economic and social conditions. The economy rapidly deteriorated as a result of the disruption caused by the expulsion of the Asians, who had dominated commerce, and the climate of terror that discouraged investment and normal economic activities. Medical and educational services were hit hard as personnel fled the country to save their lives. Thousands of refugees fled to neighboring countries and beyond, some going as far as Europe and North America.

In late 1978, Amin sent units of his army across the border into Tanzania on the pretext that he was repelling an invasion. They killed and kidnapped civilians and looted property, thus spreading the violence and pain beyond the country's borders. The Tanzanian government decided to use this opportunity to rid Uganda and the region of the bloody tyrant. Beginning in December, 1978, the Tanzanian army, assisted by armed Ugandan exiles, steadily drove Amin's army out of Tanzania. They continued the pursuit until April, 1979, when Idi Amin and his regime were expelled from Uganda.

The impact of the eight-year rule of Idi Amin went beyond Uganda. The East African region and the African continent as a whole were affected. Apart from the thousands of lives lost or ruined, the Amin regime highlighted the enormity of the task facing countries like Uganda in creating stable, prosperous democratic states. At the regional level, Amin's often-belligerent attitude toward neighboring states led to the end of an attempt to create an East African Common Market linking Uganda, Kenya, and Tanzania.

At the continental level, the Amin regime became an embarrassment for African leaders, whose campaign against the apartheid regime in South Africa was robbed of some of its moral force by the excesses of one of their colleagues.

After the downfall of the Amin regime, Ugandans attempted to re-create civilian political institutions through multiparty elections in 1980 and a broad-based regime based on grass-roots direct participatory organizations. Obote was returned to the presidency in the 1980 elections. The lessons of the Amin regime will undoubtedly continue to influence Ugandans as they look for solutions to their intricate political, economic, and social problems.

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Edward Kannyo

Prisoners Riot Against Conditions in Attica

Category of event: International norms; prisoners' rights

Time: September 9-13, 1971

Locale: Attica, New York

A prison riot at the Attica State Correctional Facility attracted worldwide attention because of its political and racial implications and led to radical prison reforms in the United States

Principal personages:

RUSSELL G. OSWALD (1908-1991), the commissioner of the New York State Department of Correctional Services

NELSON A. ROCKEFELLER (1908-1979), the governor of New York at the time of the Attica riot

HERMAN SCHWARTZ (1931-), a law professor active in prisoners' rights litigation; tried to mediate the dispute

ARTHUR O. EVE (1933-), A black assemblyman from Buffalo, New York; member of the observer committee

THOMAS GREY WICKER (1926-), a journalist for *The New York Times* who was one of the observers and who wrote in favor of prison reform

Summary of Event

On September 9, 1971, a petty scuffle between two inmates at the Attica State Correctional Facility near Buffalo, New York, triggered the bloodiest prison riot in American history. Eventually, 1,281 inmates took forty-three hostages, who were either guards or civilian prison employees. During the initial outbreak, a guard named William Quinn was knocked unconscious and eventually died of head wounds. All the rioters were potentially liable to prosecution for murder under New York state law. This motivated their demand for blanket amnesty, which was the one demand authorities were unwilling to grant.

Trouble had been brewing for a long time. With the influx of African Americans and Hispanics into New York City following World War II, the composition of New York prison populations had gradually changed from

predominantly white to predominantly nonwhite. There was no corresponding change, however, in the ethnic composition of the correctional officers, who tended to be strongly prejudiced against nonwhites and particularly against blacks. The verbal and physical abuse of inmates was one of the main factors causing unrest. Other grievances included the poor quality of prison food and the facts that inmates were paid far below minimum wage for their labor in prison shops, that their communication with the outside was severely restricted, and that their attempts to appeal their sentences in the courts were punished. These and other complaints eventually were formulated in a document presented to the prison authorities and to the outside world via the news media.

The medium of television brought vivid pictures of the four-day riot into living rooms across the United States. For the first time, citizens could see for themselves what prisons and inmates as well as guards and state police really looked like; it was quite different from the picture that had been created in the popular imagination by Hollywood prison films.

Leaders of the riot took advantage of the media coverage to present a political message to the world. The essence of their thesis, which was derived largely from the Black Muslims and the Black Panthers, was that they were actually victims of society because they were poor, uneducated, and victims of discrimination.

Mainly because of the leadership by members of the Black Muslims, the riot was extremely well organized. Various committees were appointed to preserve order, distribute food, erect shelters, and dig latrines for sanitation. The center of all the rioters' activities was the section of the prison known as "D yard." There the leaders set up tables at which they issued orders and conducted negotiations with prison officials and outside observers. The authorities agreed to provide food and water in order to protect the lives of the hostages, who were generally well treated but confined to a small area entirely surrounded by inmates.

Commissioner Russell Oswald came to the negotiating table and was presented with a list of demands. One of the initial demands was for the presence of a group of outside observers, who would presumably see to it that the state lived up to any promises it made. Many of the guards and state police were disgusted with Oswald for even conferring with the inmates. Their instinct was to storm D yard with guns and tear gas and to save the hostages by the sheer weight and speed of their assault. They believed that any concessions to the prisoners would only make their jobs harder in the future.

Oswald was a progressive administrator who sincerely wanted to reform

New York State's prisons along the lines the inmates were demanding. He was handicapped, however, by the traditional attitude of the corrections officers and by a chronic unwillingness on the part of state legislators to provide the funds needed for improving facilities and hiring personnel. Many legislators, law enforcement officials, and members of the general public were strongly opposed to what they considered "coddling" of prison inmates; they believed that if prisons were unpleasant places, then people would obey the law in order to stay out of them.

Eventually, the group of observers worked out a set of "Twenty-eight Points" that Oswald was willing to accept. These points were important both because they represented the spectrum of inmate grievances at the time the riot started and because they heralded the kinds of reforms that were actually implemented after it ended. Some of the points were obvious and reasonable: The inmates wanted better food, better recreational facilities, better medical and dental treatment, and better educational and rehabilitation services. Other points were considered quite radical for the time. They called for an end to censorship of reading material, unrestricted communication with the outside world, a permanent ombudsman service to arbitrate grievances, and the application of the New York state minimum wage law to all work done by inmates, who had been paid as little as twenty-five cents an hour in prison shops. Many of the proposals were aimed at improving the quality of prison life, which was unbearably grim and tedious.

The twenty-eight proposals that were acceptable to Commissioner Oswald and to the thirty-three observers were not sufficient to satisfy the leaders of the riot. The majority of the prisoners probably would have accepted the proposals, released the hostages, and gone back to the cells under the guarantee of complete administrative amnesty; however, the leaders believed strongly that they would be the targets of legal action after the prison was restored to order.

The only person who they believed could grant them legal amnesty for all actions occurring during the riot, including the death of Quinn, was New York Governor Nelson Rockefeller. The governor believed that the riot had worldwide political implications and could lead to more prison riots and even to revolution if not handled effectively. He was a strong contender for the presidency of the United States (and later served as vice president of the United States from late 1974 through 1976, under President Gerald R. Ford). Rockefeller believed that being soft on the rioters would undermine the morale of all law-enforcement officials and alienate many conservative voters. He flatly refused to grant blanket amnesty, and the inmate leaders tore up the Twenty-eight Points. After that, a violent finale was inevitable.

State police and Attica corrections officers stormed D yard with tear gas, shotguns, deer rifles, and pistols. Twenty-nine prisoners were killed as well as ten hostages. It was later determined that all the hostages were killed by “friendly fire,” although inmates had severely wounded a number of their captives with crudely fashioned knives. Three hostages, eighty-five inmates, and one state trooper were wounded. The officers took revenge for their dead in an orgy of reprisals. Forty-five percent of the inmates in D yard suffered bruises, abrasions, lacerations, and broken bones. Eventually, three leaders were charged with thirty-four counts of kidnapping, and a total of 1,289 charges of criminal activity were brought against sixty-two inmates. In 1975, however, a general amnesty was declared, mainly because of the scandal surrounding the actions of the guards and police and subsequent attempts to cover up incriminating evidence against them. Seven inmates who had plea-bargained for reduced charges were pardoned by Governor Hugh Carey. John Hill, who had been convicted of killing William Quinn, had his sentence commuted and was paroled in March of 1979.

Impact of Event

In *A Prison and a Prisoner* (1978), a study of Green Haven Correctional Facility, another upstate New York prison, author Susan Sheehan wrote that there had been more changes at New York State’s maximum security prisons in the 1970’s than in the preceding thirty years. Most of them were made in 1972, a few months after the Attica riot. Among the many changes instituted after the riot were improvements in living conditions. The prison’s interiors were painted a neutral beige, replacing the glaring institutional green. Prisoners were allowed to select colors for their cells. Pay telephones were installed for inmates’ use. Officials allowed longer visiting hours with provisions for conjugal visits. The food was improved in quality, and less pork was served in response to the protests of the Black Muslim inmates, whose religion forbade them to eat pork. More academic programs were offered that led to high school and college degrees. Vocational training in such fields as photography, plumbing, and engine repair was also made available. In the prison’s “honor block,” model prisoners were allowed to cook their own food and move about unescorted. A new gymnasium, weekly movies, and some live entertainment were added as well. Many more black and Puerto Rican guards were hired as a result of a statewide effort at recruitment. Prisoners were required to spend much less time in their cells, and an effective inmate grievance procedure was installed to head off future riots.

Because the Attica riot of 1971 received such heavy media coverage, it

inspired similar improvements in prisons all across the United States. This did not mean, however, that prisons became pleasant places to live. One of the things that Attica proved was that the classic notion of prisons as places of so called "rehabilitation" was not only futile but hypocritical as long as society did nothing to change the conditions that produced criminals. Attica forced penologists to drop the pretense that prisons were places intended for rehabilitation and to admit that they were places of confinement and punishment, although prisoners were entitled to decent living conditions and to access to educational opportunities if they wished to make use of them. The major emphasis in criminal jurisprudence focused on finding alternatives to incarceration such as community service, halfway houses, public works projects, and restitution to victims through wage garnishments. The tendency across the United States became to sentence only the most dangerous criminals to maximum security prisons, meaning that prisons became more hostile and dangerous environments in spite of the improvements made after Attica. No doubt there will always be a need to incarcerate violent or remorseless individuals; however, the daily newspapers are full of evidence of judges' efforts to treat nonviolent offenders like rational human beings, because locking people in cages produces the opposite of rehabilitation.

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Bill Delaney

Nations Agree to Rules on Biological Weapons

Category of event: Atrocities and war crimes; international norms

Time: April 10, 1972

Locale: Washington, D.C.; London, England; and Moscow, Union of Soviet Socialist Republics

The 1972 Biological Weapons Convention prohibited the production, possession, and use of biological weapons

Principal personages:

RICHARD M. NIXON (1913-1994), the thirty-seventh president of the United States, ordered unilateral destruction of biological weapons

LEONID ILICH BREZHNEV (1906-1982), the leader of the Soviet Union from 1964 to 1982

GEORGE W. MERCK (1894-1957), the American president of Merck & Co., influential in the development of American research on biological weapons during World War II

Summary of Event

In the twentieth century, the use of chemical and bacteriological agents in warfare was unusual. The scale of destruction that resulted from these types of agents hardly compares to the loss of life inflicted in armed conflict by conventional weapons. The first large-scale use of these types of agents in warfare occurred in World War I. In 1915, German troops changed the nature of the conflict when they released chlorine gas against Allied forces in France. The Allies quickly retaliated. The human cost of this type of warfare in World War I totaled approximately one million casualties, 10 percent of which were fatal. These experiences led to the 1925 Geneva Protocol, which prohibited the use of poisonous gases and biological agents in warfare. This convention, concluded between the United States, Britain, France, Italy, and Japan, was an attempt to strengthen the 1899 Hague Gas Declaration that had prohibited the use of "projectiles the sole object of which is the diffusion of asphyxiating or deleterious gases." By the mid-1980's, this convention had 108 signatories, including all members of the United Nations Security Council.

It is important to understand the basic differences between chemical weapons and biological weapons. Chemical weapons are chemical compounds, smoke, and other materials which are designed to produce confusion, incapacitation, or death. Most chemical weapons fall into the categories of choking agents, blood agents, blistering agents, or incapacitating agents. Many experts would also include the use of nonlethal agents on populations and the use of herbicides to destroy forests or agriculture as examples of chemical warfare.

Biological warfare, often referred to as bacteriological or germ warfare, is the dissemination of pathogenic microorganisms in an attempt to incapacitate or kill military or civilian populations, animals, or plants. The primary difference from chemical weapons is that biological compounds kill humans by fostering diseases among entire populations. Biological weapons utilize pathogenic microorganisms that enter the body and produce illness through the ability of the microorganisms to replicate inside the body of the person exposed to these agents. Microorganisms that can be utilized in these weapons are bacteria, viruses, and parthenogenetic microscopic fungi.

Epidemics are possible with these types of weapons because the individuals that come into direct contact with contagious microorganisms are capable of transmitting these diseases to unaffected populations. Disease can also be spread through food contamination and insect bites. Examples of bacteriological agents that can produce incapacitation are viruses that can induce influenza and diphtheria. Potentially lethal agents that can be used in biological warfare are microorganisms that cause cholera, typhoid, and smallpox. Occupying a middle ground between chemical and biological agents are toxins, microorganisms produced originally by living organisms or manufactured synthetically that are not capable of multiplying inside infected individuals.

Efforts to control the production and possession of these types of weapons were not specifically addressed in the 1925 Geneva Protocol. Although the first use of asphyxiating or poisonous compounds was banned, poison gas was used by Italian forces in 1936 against Ethiopian forces who did not possess chemical capabilities. There is also evidence that gas was used by Japan in the late 1930's against the Chinese.

The fact that poison gas was not used extensively in World War II appears to have been the result of fear on both sides that chemical warfare would escalate, as it had in World War I. Both sides seemed to be reluctant to be the first to violate the Geneva Protocol in attacking states with chemical warfare capabilities. By the 1940's, advances in chemical weapons and tactics had also made the potential costs of this type of warfare enormous. Fearing German advances in biological warfare, in 1942 the United States began research into the pro-

duction of weapons that utilized anthrax, botulism, and other biological agents. Although few biological weapons were produced by the United States, and later evidence established that Germany had done little to establish a biological arsenal, Allied forces inoculated approximately one hundred thousand soldiers against botulism toxins to convince the Axis Powers that biological retaliation was possible.

Research on and production of chemical and biological weapons by the Soviet Union and the United States escalated soon after the end of the war. Citing the failure of the United States to ratify the 1925 Protocol, the Soviet Union falsely charged the United States with the use of biological weapons in Korea. In response to Soviet research and development, the United States increased its expenditures on chemical and biological weapons nearly twenty fold between the early 1950's and 1969. There are also indications that by the mid-1950's, official U.S. policy on the use of chemical and biological agents had been modified to decouple the United States from any treaties that prohibited first use.

In the 1960's, there was increased international support for stronger controls on the development and possession of chemical and biological weapons. A 1966 resolution of the United Nations General Assembly called for continued observance of the 1925 Protocol and urged the acceptance of its principles by all states. The use of defoliants in Vietnam by the United States began to focus worldwide attention on the environmental risks involved with development and testing of chemical and biological weapons. In response to congressional criticism, President Richard Nixon directed National Security Adviser Henry Kissinger to review chemical and biological policy. A 1969 National Security Council report recommended dividing the issues of chemical and biological weapons as well as maintaining the renunciation of the first use of chemical and biological agents as a separate issue. Nixon announced in November, 1969, that the United States would unilaterally destroy its biological weapons, would confine biological research to strictly defensive purposes, and would submit the 1925 Geneva Protocol to the Senate for ratification.

The U.S. support for controls on biological weapons closely resembled an existing resolution in the United Nations that dealt with the prohibition of the possession of biological weapons. In 1970, the head of the U.S. Arms Control and Disarmament Agency, Gerald Smith, stated that the best hope for an international convention on biological weapons was contained in the British resolution to the U.N. Conference of the Committee on Disarmament that dealt with the prohibition of the production and possession of biological weapons, with chemical agents treated separately. By 1971, the Soviet Union and its allies

reversed their previous position and agreed to treat the issue of biological arms separately from that of chemical weapons. The separation of the two issues drew criticism from a number of states in the General Assembly which favored a comprehensive convention that would address both chemical and biological weapons.

The actions of the Soviet Union greatly facilitated flexibility in the negotiations on the possession and use of biological weapons. Although the 1972 treaty was intended to be a first step in an overall agreement that would limit the possession of chemical weapons, some toxic agents previously defined as chemical weapons were included in the 1972 agreement. The Convention on the Prohibition, Development, Production and Stockpiling of Bacteriological and Toxic Weapons of 1972 declared that the forty-six signatory states would refrain from developing or stockpiling "microbial or other biological agents, or toxins whatever their origin or method of production." The convention was historic because it was the first modern treaty to prohibit the possession and use of an entire class of weapons.

Impact of Event

Because biological weapons have not been used extensively in warfare, it is difficult to estimate precisely how the 1972 convention has influenced human rights. Critics have frequently referred to the lack of verification procedures as a major weakness in the 1972 convention. By the mid-1970's, Western observers identified sites inside the Soviet Union as facilities capable of producing biological weapons. In 1979, Western intelligence sources pointed to an anthrax epidemic in the Soviet city of Sverdlovsk as evidence of military research and possible production of offensive biological weapons. The Soviets did not deny that the anthrax outbreak occurred but attributed it to the consumption of contaminated meat. Although many in the West used the epidemic at Sverdlovsk as proof of Soviet noncompliance with the 1972 convention, the evidence was far from conclusive.

Additional Western criticism of the Soviet Union was related to the controversy over "yellow rain." In 1981, U.S. defense officials announced that Western intelligence sources had identified traces of biological material related to the trichothecene toxin in Southeast Asia. American officials charged the Soviet Union and its allies with the use of bacteriological weapons in Laos, Cambodia (Kampuchea), and Afghanistan. Although there was considerable debate about these charges, many leading scientists in the West concluded that these reports of yellow rain were not examples of biological warfare but rather naturally occurring environmental changes related to bee droppings.

In 1984, the United States proposed building a \$1.4 million laboratory to conduct secret research on “substantial volumes of toxic biological aerosol agents.” Citing continuing Soviet research into biological agents in the 1980’s, the United States expanded its research on biological warfare. Congressional critics of the Reagan administration’s funding of biological research introduced legislation that suggested continued U.S. compliance with the 1972 convention.

It should be understood that the 1972 protocol did not prohibit research on or the possession of biological agents for protective or peaceful purposes. The problem with research of this kind is that similar processes are employed to develop offensive biological weapons and defensive vaccines. Research into these agents also makes it possible for governments to develop bacteriological weapons quickly in periods of international crisis.

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Lawrence Clark III

Burundi Commits Genocide of Hutu Majority

Category of event: Atrocities and war crimes; racial and ethnic rights

Time: May-August, 1972

Locale: Burundi

The atrocities begun by the government of Burundi against its own citizens, the Hutu majority, were implicitly condoned by African statesmen and ignored by the outside world

Principal personages:

THOMAS PATRICK MELADY (1927-), the United States ambassador to Burundi from November, 1969, to June, 1972

MICHEL MICOMBERO (1940-), the president of Burundi

JULIUS NYERERE (1922-1999), the president of Tanzania

Summary of Event

The historical background to the Hutu people (also known as Bahutu) is important. Burundi achieved independence from Belgium in 1962. It had a population estimated at about 3.5 million in the 1970's and a land area of slightly more than ten thousand square miles.

The original inhabitants of the area of modern-day Burundi were probably the Twa (Batwa), a subgroup of the Twide pygmies. The Hutus compose nearly 85 percent of the population in Burundi. Another group, the Tutsis (also called Watutsi) arrived in the area later but dominated both the Twa and the Hutus. They composed about 14 percent of the population of Burundi.

The Tutsis dominated the Hutus for more than four hundred years. They came as invaders and quickly established themselves as the ruling class. The Tutsis were pastoralists (nomads with cattle as their chief commodity and status symbol) and warriors; in time they shaped and controlled a feudal society with the Hutus at the bottom. The two groups share a common language, Kirundi. Educated members of the two groups, including literate peasants, speak French. The Tutsis regarded themselves as an elite minority, constantly on guard against real and imaginary plots by the Hutu majority. The Tutsis established a rigidly stratified society to retain their prestige and privileges.

Germany was the first European colonial power in the Burundi area. The

Germans established indirect rule over the central African territory by permitting the Tutsi aristocracy to retain its dominance over the feudal structure. Hutus, consequently, remained at the bottom. Tutsis relished Germany colonialism and saw themselves as equals to the Germans; they revered the Germans for abetting their rule over the Hutus while being unconscious of the subjugated people's plight.

The Allied victory in World War I led to Belgian military rule in Burundi in 1916, known then as Ruanda-Urundi. The area was of little economic value to the Belgians. They had hoped to trade Ruanda-Urundi for a piece of northern Angola to add to their southern colony of the Congo. This did not happen. The territory became a Belgian Mandate under the League of Nations. The switch in European "ownership" of the territory had no salutary effect for the situation of the Hutus. Belgium copied the German practice of working through the Tutsi minority in governing the region. There was little or no economic incentive for the Belgians to settle in the area or to make any substantial investments in a subsistence economy that lacked even a rudimentary infrastructure. The economy was household based, and villages were isolated from each other. Burundi did not offer Belgium a market for manufactures, and the region had almost nothing worth extracting for local use or for transport to Europe or America.

After World War II, Ruanda-Urundi was changed from a League of Nations Mandate to a trust territory under the United Nations. This change had real importance, as the U.N. trust criteria required Belgium to prepare the population for self-rule. This meant majority rule. The new requirement threatened the Tutsi minority and gave the Hutus hope of doing through representative government what they had been unable to accomplish through armed conflict over the centuries.

Tutsi-Hutu relations were uncertain when limited self-government was granted by Belgium in 1961. The Belgian Foreign Office was hopeful that the monarchy would be a stabilizing institution in Burundi. In July, 1962, Belgium recognized Burundi as an independent monarchy. It was assumed by Belgium and by U.N. officials that the monarchy had considerable support among both the Tutsis and Hutus. Hutus generally had been neglected by their European colonizers in the educational system and in government service. A feudal society had, apparently, bred a docile and politically muted people.

A major setback for ethnic harmony and representative government in Burundi was generated by events outside the country, in neighboring Rwanda. Hutus and Tutsis accounted for similar proportions of the population of Rwanda as they did in Burundi. Selective genocide was launched in Rwanda by the Hutu elite against the Tutsi minority. Between 1962 and 1963, Hutus mur-

dered twenty thousand Tutsis. It took a few weeks before news of the Rwanda genocide reached Burundi and the rest of the outside world. The Rwanda government never admitted the genocide of the Tutsi minority, claiming that only 870 people were killed.

An atmosphere of trepidation was created among the Tutsis in Burundi by the slaughter of their brothers in Rwanda. Whatever sanguine expectations were held by leaders of both tribes for a pluralistic and harmonious society were shattered by the Hutu killings in Rwanda. Hutus, nevertheless, were making some political gains in Burundi. Hutus held twenty-three of the thirty-three seats in the National Assembly. Hutu presence in government and in other institutions, such as the army, was symbolic rather than a genuine effort to reflect demographic reality. This fact was not wasted on educated Hutus, who were increasingly aware of their political potency.

Growing political awareness among Hutus and enthusiasm to command Burundi society led to an attempted *coup d'état* in October, 1965. Tutsi revenge was quick. Attacks on Hutu leaders and people continued for more than a year. Eighty-six high-ranking Hutu officials were executed in late 1965; in all, between twenty-five hundred and five thousand Hutus were killed during this dress rehearsal for a more horrendous genocide of the Hutu people by Tutsis.

On April 29, 1972, Hutu rebels, allied with Zairian exiles, attacked southern Burundi in an attempt to establish a Hutu-dominated republic. They struck at Tutsi soldiers and civilians in an attempt to overthrow the minority government. There had been ongoing antagonism between the two groups since Hutu plotters were foiled in a 1969 attempted coup. The 1972 attempted coup was better organized and was carried out at many points throughout the country, including the capital, Bujumbura. In the first week of fighting, between two and three thousand were killed on each side. Government sources erroneously claimed that Hutus killed more than fifty thousand Tutsis. This government account maintained that the aim of the Hutu rebels was to exterminate the Tutsi race.

By mid-May, Tutsi soldiers had completed their military operations against the rebels. The threat to civil peace was over, but the killings of Hutus by the Tutsi authorities continued. Soldiers and paramilitary, as well as ordinary citizens, killed about three thousand Hutus in the first week of the fighting. At least two thousand Hutu government workers were arrested and later executed by Tutsi soldiers. Two dozen Hutu army officers were executed by orders of the Burundi government. Tutsi violence was generated by fear of losing political power and the possibility of a massacre of their people or expulsion from Burundi. President Michel Micombero encouraged this sentiment.

By mid-May, President Micombero had sanctioned a policy of selective genocide of educated Hutus. On May 10, U.S. ambassador Thomas Patrick Melady informed his country's Department of State that the period of civil strife appeared to be over and that what the government was now doing approached an official government policy of selective genocide of elite Hutus. The Belgian government agreed with Ambassador Melady's assessment. It declared on May 19 that the army was engaging in a "veritable genocide" and demanded that the killings stop.

Ambassador Melady was the first to appeal personally to President Micombero to stop the killings. President Micombero told Ambassador Melady that he had evidence detailing Hutus' intentions to kill "every mother and child of the Tutsi race." He declined to produce the evidence. Ambassador Melady's main consideration, expressed to President Micombero, was simply to stop the killing. Africa, Ambassador Melady observed, would lose its moral standing in the Third World; the genocide would also undermine black Africa's condemnation of apartheid in South Africa.

The failure of the international community, including the Organization of African Unity (OAU) and the United Nations, to denounce the atrocities in Burundi gave a green light to other African governments wishing to use a "final solution" to historical intertribal rivalries. Ambassador Melady proposed to the U.S. State Department a three-pronged approach to stopping the genocide in Burundi. The United States should work first through direct contacts with African leaders, then through appeals to the OAU, and last through the United Nations. Melady believed that if the United States rushed into the Burundi situation it would face resentment for decades to come. The State Department acceded to Ambassador Melady's policy recommendation.

Impact of Event

Genocide was almost a constant in the evolution of nation-states in Africa following the collapse of European colonialism. African states, more ethnically heterogeneous than Western European nation-states, exhibited a paranoia about their independence and national security, and African leaders saw malevolent plots by the West against their independence. This misapprehension of world affairs handicapped African governments in confronting dangerous and complicated social, economic, and political problems within Africa. As a matter of fact, the United States and Europe by the 1970's had generally agreed to refrain from intervening in the internal affairs of African states.

The OAU, founded in May, 1963, was considered by policymakers within and outside Africa as the legitimate forum for African states to settle African

problems, although its charter outlawed military intervention into the internal affairs of other African states. The United States and European nations had on many occasions reaffirmed their determination to support the OAU members in controlling their own affairs. In the Burundi crisis, the OAU was inept. A fact-finding team dispatched by the OAU practically endorsed genocide of the Hutus by the Burundi government.

International efforts, especially those of the United States government, to get the OAU to mediate an end to the slaughter of Hutus in Burundi was a failure. During the critical months of June and July, when most of the killings took place, OAU leaders assured the outside world that Africans would stop the genocide in Burundi, if indeed it were occurring. The position of the OAU merely lengthened the genocide and did nothing to deter future bloodbaths. President Micombero was pleased with the OAU endorsement of his government's policies: The OAU pledged full support for the Burundi government.

The United Nations sent a fact-finding mission to Burundi on June 22. On July 4, U.N. secretary-general Kurt Waldheim announced the findings of the team. Waldheim called for humanitarian aid to Burundi refugees and noted estimates of the dead that ranged from eighty thousand to two hundred thousand. The United Nations failed to devise any swift measures to stop the killing.



U.N. secretary-general Kurt Waldheim. (Library of Congress)

Numerous factors contributed to the eventual end of the genocide. Publicity by the United Nations of the atrocities probably played a role. The Tutsis in power also became convinced that the Hutus had been taught their lesson, and that they no longer posed a threat to the power structure. Julius Nyerere, the president of Tanzania, invited President Micombero to Tanzania on August 6 and urged him to end the genocide. By then, the killing had slowed but not stopped.

Nyerere also took a more direct approach to an outbreak of atrocities in Burundi in May and June of the following year, 1973. He demanded that the OAU "concern itself actively" in the civil strife in Burundi. The OAU, Nyerere insisted, must mediate in Burundi to prevent another bloodbath. President Nyerere's strong stance might have prevented another episode of genocide by the Tutsis against the Hutus in 1973.

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Claude Hargrove

United States Supreme Court Abolishes Death Penalty

Category of event: International norms; prisoners' rights

Time: June 29, 1972

Locale: United States Supreme Court, Washington, D.C.

In Furman v. Georgia, the Supreme Court decided that the death penalty as applied in 1972 constituted cruel and unusual punishment in violation of the United States Constitution

Principal personages:

WILLIAM HENRY FURMAN, the condemned man whose name was used to identify the case *Furman v. Georgia*

ANTHONY AMSTERDAM (1935-), the attorney who argued on behalf of Furman before the Supreme Court

ARTHUR J. GOLDBERG (1908-1990), the Supreme Court justice whose 1963 dissenting opinion gave impetus to the movement to abolish the death penalty

HUGO ADAM BEDAU (1926-), a philosopher, historian, and opponent of the death penalty who provided scholarly information to the attorneys who represented Furman before the Supreme Court

Summary of Event

Since biblical times and the injunction of “an eye for an eye,” capital punishment has been an accepted practice. In the United States, there have been periods during which there have been efforts to abolish capital punishment balanced by periods during which the trend was to sanction its use. From the end of the eighteenth century until the U.S. Civil War, abolitionists worked to reduce the number of crimes punishable by death. With the Civil War came a period of acceptance of capital punishment. There was another movement in the early twentieth century to abolish the death penalty. This movement ended with the beginning of World War I. After 1920, however, there was a gradual decline in any interest in or use of the death penalty. In 1930, 155 persons were executed. In 1960, the death penalty was used only 56 times.

Around this time, in 1959, the American Law Institute (ALI), an organization of legal scholars that was little known to the public but widely respected among lawyers, recommended that if the death penalty were to be retained, there should be changes in the statutes allowing its use. The ALI recommended that when there was the possibility of the death penalty, the defendant should have a bifurcated trial: one trial to establish innocence or guilt and another trial to determine the penalty if guilty. The reason for this was to allow the defendant a chance to testify at the penalty phase while still retaining a constitutional right not to speak during the first trial. In addition, the ALI suggested that the death penalty could not be imposed unless the jury found that aggravating circumstances were present and mitigating circumstances were absent. The reason for this recommendation was to provide some guidelines for jurors when they imposed the death penalty.

In 1963, in a case involving a rapist sentenced to death, Supreme Court justice Arthur Goldberg disagreed with the majority of justices, who confirmed the rapist's sentence. Goldberg stated that it was the Supreme Court's task to determine whether or not the death penalty was constitutional. Lawyers in the Legal Defense Fund (LDF), a branch of the National Association for the Advancement of Colored People (NAACP), were encouraged by this statement. Fresh from battles to enforce desegregation, LDF lawyers saw that the death penalty, particularly as it was applied to black men convicted of raping white women, was an area in which they next wanted to become involved. By 1967, the LDF had decided to undertake the representation of all inmates on death row. It brought several class action suits on behalf of these inmates. From that date until after the *Furman* decision in 1972, there was a moratorium on any executions. In the cases which they brought, attorneys for the LDF were determined that eventually the Supreme Court would have to answer the question that Goldberg had asked: Was the death penalty constitutional?

One commentator has said, regarding these cases, that the LDF lost every battle except the first and the last. The first battle came in *Witherspoon v. Illinois* in 1968. At issue in this case was whether or not a potential juror who expressed misgivings about the death penalty could be dismissed automatically from jury duty in a capital case. This was the common practice at the time. The Supreme Court ruled that such a practice was improper. A number of death row inmates were thus entitled to new trials.

This case was the only success for several years. Anthony Amsterdam, a professor at Pennsylvania Law School at the beginning of this period and later a professor at Stanford Law School, was the key strategist for the LDF in bringing and arguing the cases. Several times before *Furman*, Amsterdam argued in the

Supreme Court that juries should have standards, such as aggravating or mitigating circumstances, before them when imposing the death penalty, just as the ALI had recommended. Amsterdam also argued for a bifurcated jury, again as the ALI had suggested. The Supreme Court rejected both arguments in 1971 in *McGautha v. California*. The LDF's only remaining theory with which to challenge the death penalty after this was to declare that it was cruel and unusual punishment, prohibited by the Eighth Amendment to the Constitution. On June 28, 1971, the Supreme Court announced that it would answer this challenge to the death penalty in the case of *Furman v. Georgia*.

Furman v. Georgia consisted of four cases involving four African-American defendants, all of whom had been sentenced to death. Two of the defendants were murderers, and two were rapists. All of the victims were white. The man who gave his name to the case, William Henry Furman, had entered his victim's home to commit burglary. When his victim discovered him, Furman tried to run away. In the process, Furman's gun accidentally discharged. A bullet hit and killed the victim. Although Furman was found competent to stand trial, it was discovered after the shooting that he was mentally subnormal and subject to psychotic episodes. Nevertheless, he was convicted and sentenced to death. The fate of more than six hundred prisoners on death row depended upon the way the Supreme Court would decide his case.

Several times in the twentieth century, the Court had decided that a punishment meted out to a convicted criminal was cruel and unusual. In the most important case, *Trop v. Dulles*, in 1958, the Court decided that loss of citizenship for a defendant who had deserted the armed forces during war was cruel and unusual punishment. The Court stated that the Eighth Amendment prohibiting cruel and unusual punishment takes its meaning "from evolving standards of decency that mark the progress of a maturing society." Implicit in this statement was the sense that the meaning of cruel and unusual punishment could change over time. The justices in *Furman* were to decide if the "standards of decency" in 1972 had evolved to the point that capital punishment must be abolished.

Anthony Amsterdam argued on behalf of Furman before the Supreme Court in January, 1971. Before the Supreme Court delivered its opinion in June, 1972, the California Supreme Court decided in another case which Amsterdam had argued that the death penalty in California was unconstitutional. Tension mounted concerning what the United States Supreme Court would decide in *Furman*.

On June 29, 1972, the Supreme Court announced its decision. A five-to-four majority of the justices found that as it was currently applied, the death

penalty constituted cruel and unusual punishment in violation of the Constitution. Each of the nine justices wrote a separate opinion. Two of the justices in the majority, Justice William Brennan and Justice Thurgood Marshall, declared that the death penalty was unconstitutional under any circumstance. Justices William Douglas, Potter Stewart, and Byron White stated that the death penalty was cruel and unusual punishment because it was arbitrary and capricious in the way it was currently imposed. Some of the dissenters, although personally opposed to the death penalty, stated that it was not up to the Court but to state legislatures to decide the question. Thus, by the narrowest of margins, the Supreme Court in 1972 answered the question that Justice Goldberg had urged it to answer in 1963, whether the death penalty was constitutional. In deciding that it was not, the Supreme Court allowed more than six hundred prisoners to leave death row.

Impact of Event

Although America briefly joined the rest of the Western world when it abolished capital punishment in *Furman v. Georgia* in 1972, there were indications in the decision itself that under certain circumstances the death penalty might be constitutional. One immediate reaction to the decision was that states started rewriting their death penalty statutes. Two years after *Furman*, twenty-eight states had new statutes. By 1976, thirty-five states had rewritten their death penalty laws. By that time, there were 450 inmates on death row.

In 1976, the Supreme Court agreed to hear the case of *Gregg v. Georgia* in order to decide whether one of these new statutes was constitutional. The defendant had been convicted of murder and sentenced to death under a new statute. This statute required a bifurcated jury, with separate trials to determine guilt and punishment. It also required that the jury find aggravating circumstances to condemn and consider mitigating circumstances to reprieve, and that there be an automatic appeal of any death sentence imposed, to the highest court in the state. The Supreme Court found that this statute was constitutional. Capital punishment was thus reinstated. In 1977, Gary Gilmore became the first man to be executed since the moratorium on executions which the LDF had created in 1967.

Since that time, there have been continuing challenges to various aspects of the death penalty. In 1977, the Supreme Court decided that the death penalty was a disproportionate punishment for the crime of rape. In 1987, the Court decided that studies showing that blacks received the death penalty more frequently than whites did not necessarily mean that any racial bias was involved, so the death penalty was not unconstitutional on grounds of discrim-

ination. In 1989, the Court upheld the imposition of the death penalty for a convicted murderer who was mildly to moderately retarded as well as deciding that the death penalty could be imposed on those who were minors at the time of their crime. In June, 1991, the Court decided that victim impact statements are permissible at the sentencing of the defendant. The euphoria that accompanied the *Furman* decision had long since abated. There were about thirty-seven hundred inmates on death row in 2002, with no indications that the Supreme Court was moving toward ruling against the death penalty.

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Jennifer Eastman

Marcos Declares Martial Law in the Philippines

Category of event: Atrocities and war crimes; political freedom

Time: September, 1972

Locale: Philippines

Ferdinand Marcos's declaration of martial law imposed an authoritarian rule on the Philippines that primarily benefited the Marcos family, the military, and the financial elite

Principal personages:

FERDINAND MARCOS (1917-1989), the president of the Philippines from 1965 until 1986, when he sought asylum in Hawaii

IMELDA MARCOS (1929-), the wife of Ferdinand Marcos, notorious for her ostentatious wealth

JAIME SIN (1928-), a church leader who moved from moderation to outspoken criticism of Marcos and martial law

FABIAN VER (1920-1998), an alleged half-brother of Ferdinand Marcos, head of the secret police, and army chief of staff

JUAN PONCE ENRILE (1924-), a lawyer who held many high-ranking positions under Marcos, considered to be the architect of martial law

JOSE DIOKNO (1922-1987), a senator and prominent human rights lawyer who founded the Free Legal Assistance Group, providing services to human rights victims

Summary of Event

On September 21, 1972, President Ferdinand Marcos signed Proclamation No. 1081, placing the Philippines under martial law. The president justified his decision with his concern that the country was in peril from communist and Islamic insurgencies. Through a series of general orders, he gave himself the power to govern the nation and direct all operations. These powers included limitations on the judiciary, restrictions on the press, and special personal constitutional authority to create new governmental institutions. He declared that he would develop a "New Society" under a new style of government, "constitutional authoritarianism."

Ferdinand Marcos had been elected to a four-year term as president in 1965 and won an unprecedented second-term election in 1969. According to the constitution of the Philippines, the president can serve only two terms. The imposition of martial law nullified this limitation. Circumventing the constitution and the National Congress, Marcos utilized Citizens' Assemblies (*Barangays*) to ratify martial law. Marcos gave himself the right to legislate by personal decree. He issued more than nine hundred major decrees during his presidency.

The first consequence of martial law was political repression. Within days after Marcos's proclamation, thousands of his critics were arbitrarily arrested for being subversives and were held without trial. They included several senators, three members of congress, two governors, four delegates to the Philippine Constitutional Convention, three newspaper publishers, and several journalists. Marcos arbitrarily dismissed four hundred government employees and demanded resignations from thousands more. To repress all public criticism, Marcos closed all but one of Manila's fifteen daily newspapers, six of the city's seven television stations, and nine of the major radio stations.

Under Marcos, the autonomy of the judicial branch was destroyed. He had ultimate power over the justice system because he could remove any judge or judicial official by fiat. He packed the Supreme Court by expanding it and adding his own judges. Civil courts were superseded by military courts. Decisions of these tribunals became final only upon Marcos's approval. A report of an Amnesty International mission in 1975 concluded that the judiciary of the Philippines had become totally ineffective in preventing violations of human rights. Amnesty International saw the rule of law under martial law as authoritarian, unchecked by constitutional guarantees or limitations.

Prisoners of the military were subject to torture and harassment. They often were not charged with any crime and were held without trial. Under the command of General Fabian Ver, the military and police employed torture methods against critics and so-called subversives. These methods included "salvaging," or kidnapping and murder; electric shock treatment; "telephone," a euphemism for breaking the eardrums; "hamletting," the forced evacuation of villagers to special camps; and sexual attacks.

The abuses of individuals included women, students, and even social workers. In 1977, Vilma Riopay, a twenty-one-year-old female catechist, was taken into custody and severely tortured. As a result of her beatings she became an invalid. Thousands of brutalized and mutilated bodies have been found. A student leader who had criticized Marcos, Edgar Jopson, was captured in 1974. He escaped from prison in 1979. Four years later, he was again captured. Later, his battered corpse was turned over to his father. The government suppressed

a popular demonstration of sympathy and support for the young man. A leader of a slum-based Manila organization, Trinidad Herrera, was arrested for challenging government relocation efforts. She was tortured, but because of pressures from the World Bank, she was released from jail.

Strict press controls robbed the press of its function as an independent agent for information and analysis. Official censorship and punitive licensing procedures created a press that lacked credibility. Relatives and friends of the Marcos family established their own television and radio stations and their own newspapers. They used these institutions to attack their opponents and to promote loyalty to the government. No criticism was allowed of the president and Mrs. Marcos, the regime, or the military. The secrecy allowed for deception, especially concerning the Marcos family's corruption, official embezzlement, and the crimes of the police and armed forces.

The two pillars justifying martial law were the needs to suppress insurgencies and to promote economic reform. To counter the communist and Muslim uprisings, military forces expanded in number from less than 50,000 to 225,000. The military budget increased from \$129 million in 1973 to \$676 mil-



Philippine president Ferdinand Marcos during a state visit to the United States. (Library of Congress)

lion in 1977. This amount accounted for 20 percent of the national budget. In addition, U.S. military aid more than doubled, from \$80 million in 1972 to \$166 million in 1976.

Marcos's economic policies were designed to increase foreign investment and tourism. To create stability, Marcos outlawed strikes in "vital industries" and curtailed the activities of labor unions. To promote tourism, Mrs. Marcos rebuilt large parts of Manila. This effort required the removal of urban slum dwellers. The police and military were used to dump the so-called squatters in empty fields miles from water, job opportunities, and adequate housing. In May, 1976, two thousand demonstrators in front of the Manila Cathedral were arrested for opposing the first lady's urban renewal projects.

The only major institution that effectively criticized martial law was the church. Just a month after the announcement of martial law, Father Edward Gerlock, a Maryknoll priest active in social action programs, was arrested on charges of subversion. His order mobilized to defend him and criticized martial law as being incompatible with the social justice program outlined by Pope Paul VI and the Asian Bishops Conference of 1970. The torture of Father Primitivo Hagtad and the arrest, torture, and interrogation of the Reverend Toribio of the United Methodist Church in early 1974 resulted in a united Protestant and Roman Catholic attack on martial law. The government, however, continued to arrest and torture church leaders and laity. By 1975, there was vigorous church opposition to Marcos's rule. Cardinal Jaime Sin mobilized the Catholic Church in criticizing Marcos's policies.

The maintenance of martial law required a large international propaganda machine and a well-supplied secret police abroad. The Office of Media Affairs hired American public relations companies and conservative academicians to defend Marcos against his international critics. In addition to the open acts of propaganda, many Filipino critics charge that Fabian Ver's secret police engaged in acts of intimidation and even murder. The mysterious disappearances in 1977 of Primitivo Mijares, a former Marcos aide who testified before the U.S. Congress regarding the corrupt practices of the Marcos regime, and the murders of two outspoken Filipino-American labor activists in Seattle are examples of Marcos's network of terror outside the Philippines.

In 1981, Marcos lifted martial law and, despite charges of election fraud and corrupt practices, was reelected president. He did not reform any of the repressive institutions that had developed since 1972. The assassination of Marcos's chief rival, Benigno Aquino, in 1983 led to political destabilization and ultimately resulted in the popular uprising that forced Marcos, his family, and his major supporters to find asylum in Honolulu in 1986.

Impact of Event

The irony of the martial law proclamation was that initially many Filipinos seemed to welcome the new order. At first, Marcos's authoritarian rule brought some order to Manila. Strict military and police rule greatly curtailed the activities of criminal elements in Manila. Murder and robbery rates dropped. The city was beautified and garbage was collected. Many Filipinos considered the national legislature weak and disorderly, the media filled with sensationalism, and the insurgencies a threat to social order. Thus, closing of the legislature and restricting press freedom were not causes for great concern.

Within a few years, however, the public came to believe that Marcos's New Society was really a new plutocracy that was destroying the Philippines financially and creating a large, impoverished lower class. Foreign debt rose from \$2.5 billion in 1970 to \$10 billion in 1980. By 1985, the debt was \$30 billion. The proportion of the urban population living below the poverty line rose from 24 percent in 1974 to 40 percent in 1980.

The establishment of martial law led to widespread abuses of human rights. Every sector of the society was affected by the militarization of the Philippines. The suspension of *habeas corpus* gave security forces power to arrest and hold anybody without any legal challenge. For example, health workers in rural areas had been accused by the military of aiding and abetting the insurgents. Without any recourse to legal due process, doctors and nurses were arrested, tortured, and killed. According to a 1985 report by the International Commission of Jurists, for example, one doctor was shot while working in his clinic by a military man in civilian clothes. The intimidation of medical personnel aggravated the already significant "brain drain" of health workers from the Philippines to foreign countries. This emigration greatly reduced domestic availability of health care, especially for the poor.

Despite the government's widespread abuse of human rights, it still won support from the Nixon and Reagan administrations. When Vice President George Bush attended Marcos's inauguration in June, 1981, he offered a toast to President Marcos that became a symbol for what some saw as America's disrespect of human rights issues: "We love your adherence to democratic principles and to democratic processes." The U.S. government's close relationship to Marcos produced a strong antforeign and nationalistic backlash in the Philippines. Filipino leaders and mass organizations called for the termination of American military bases, and terrorist attacks were made against American forces.

The major consequence of martial law was its self-destruction. Except for a small but militarily and economically powerful group of followers, Marcos lost

all popularity with the Filipino people. Lawyers throughout the Philippines, under the leadership of Senator Jose Diokno, actively represented victims of Marcos's rule. Marcos overwhelmingly lost the 1986 presidential election to Corazon Aquino, wife of the assassinated Benigno Aquino, and was forced to flee the Philippines in ignominy.

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Richard C. Kagan

Arab Terrorists Murder Israelis at Munich Olympics

Category of event: Atrocities and war crimes; religious freedom; refugee rights

Time: September 5-6, 1972

Locale: Olympic Village, Munich, West Germany

In a massacre of eleven Israeli athletes at the 1972 Olympic Games, Palestinian terrorists committed murder in the name of nationalism

Principal personages:

YASIR ARAFAT (1929-), the leader of al-Fatah guerrillas who later became the chair of the PLO

GOLDA MEIR (1898-1978), a founder of the state of Israel and its prime minister

HANS-DIETRICH GENSCHER (1927-), the chief negotiator for the West German government during the crisis

AVERY BRUNDAGE (1887-1975), the president of the International Olympic Committee during the 1972 games

Summary of Event

As soon as the state of Israel was created by the United Nations in 1948, Palestinian guerrilla organizations sought to destroy it. In 1949, the Egyptians were the first to use Palestinian guerrillas against Israel. By 1956, attacks inside Israel were also directed from Palestinian enclaves in Jordan, Syria, and Lebanon. After Israel's overwhelming victory in the Six-Day War of 1967, the Arab states were reluctant to allow the Palestinians the use of their territory to stage attacks on Israel. As a result, the Palestinians lost the ability to wage war and therefore shifted their activities to daring international acts of terrorism. Financed by Arab oil money and with the help of the Communist bloc, the Palestinians shocked the world with dramatic political assassinations and extortions. Terrorists hijacked passenger aircraft and offered hostages in exchange for freedom for their fellow fighters imprisoned in Israel and Europe. The hijackings were also used to attract world attention to the cause of obtaining a Palestinian homeland. The sequence of events that took place on September 5 and 6, 1972, was another such attempt.

In the darkness of predawn hours on September 5, eight Palestinian *fedayeen* (fighters for the faith) entered the Israeli residence at the Olympic Village, taking nine Israeli athletes hostage and killing two others. By the time the drama ended some twenty hours later, a German police official, five Palestinian terrorists, and eleven Israeli athletes were dead.

The body of Israeli wrestling coach Moshe Weinberg was dragged outside onto the steps leading to the Israeli compound. Wrestler Joseph Romano lay dead inside. The nine Israeli hostages were bound hand and foot in groups of three. In exchange for the Israelis, the Palestinians demanded the release of two hundred Arab prisoners in Israel, of the two leaders of a notorious German leftist terrorist gang, and of Kozo Okamoto, a Japanese terrorist who had taken part in the massacre of twenty-six people at Israel's Lod airport only four months earlier.

Billed as the "Games of Joy," the Twentieth Olympiad was a festival in which twelve thousand athletes participated. More world records were set in Munich than in any previous Olympic Games. This was the Olympics of Mark Spitz, the Jewish-American swimmer who won seven gold medals for the United States. The most spectacular Olympics yet, with unprecedented worldwide media coverage, the Munich Olympiad was the ideal stage for the eight *fedayeen*, who simply climbed over a six-foot fence and entered the village.

The perpetrators belonged to the most extreme Palestinian terrorist group, Black September. Although al-Fatah, the dominant Palestinian guerrilla organization, and its leader, Yasir Arafat, denied any collusion with Black September, there is evidence to the contrary. Al-Fatah wanted its connection to Black September to remain secret, so that its image in Europe and America would not be tarnished. Arafat, fully aware that al-Fatah had been infiltrated by Israeli intelligence, concealed the connection, allowing only the nine Central Committee members to deal with Black September matters.

Black September was created at the end of 1970 by a handful of survivors of the "ten terrible September days" of fighting against the forces of King Hussein of Jordan in a futile attempt to turn that country into a Palestinian homeland. Exiled in Lebanon, they committed themselves to total war against the Jews of the world and to the elimination of King Hussein. Black September was not a splinter terrorist group but rather a state of mind. The name "Black September" also implied inter-Arab hatred. Arafat himself was said to have chosen it.

Palestinian animosity toward the Arab states stemmed from the first Arab-Israeli war in 1948-1949. The Arab states, overconfident and with their own territorial designs on Palestine, were defeated by Israel, leaving some 650,000

Palestinian refugees in Arab territory. Instead of absorbing the Palestinians, the Arab states abandoned them in refugee camps and shanty towns.

One thing all the Arabs, including the Palestinians, agreed upon was that the existence of the state of Israel was the main problem. They perceived the creation of Israel as an invasion and another humiliation imposed upon them by Western powers and sanctioned by the American-controlled United Nations. Moreover, Arabs believed that they were being forced to pay the price for Europe's collective guilt over the Holocaust, in which nearly six million Jews were killed.

The Jewish minority in Palestine had lived alongside the Arabs for centuries, enduring various degrees of persecution. The emergence of Zionism, the Jewish quest to return to their biblical homeland in Palestine and to re-create Israel, changed that equation. The British, who administered Palestine after World War I, tried to limit Jewish immigration to appease the Arabs. The Jews, however, could not be stopped from escaping persecution in Europe during the 1930's and 1940's. After World War II, in their desperation to resettle some half million survivors of the Nazi death machine, the Zionist leaders chose to see Palestine as a land without people for a people without a land.

The Arab world, wanting to keep Palestine for itself, responded violently to the creation of Israel. Terrorist groups such as Black September were only part of that reaction, and the Munich massacre was only one of a series of terrorist acts committed in the battle for Palestine.

Negotiations with the Black September terrorists in the Olympic Village continued into mid-afternoon on September 6, and were covered on worldwide television. Athletes were seen tirelessly training, and the village hot spots remained full. Most Arab countries applauded their courageous brothers. Communist bloc countries remained silent. East Germany's residences, adjacent to the Israeli compound, refused to evacuate and blamed the whole affair on Israel.

Israeli prime minister Golda Meir refused to capitulate to the Palestinians, leaving the matter to be resolved by the West German authorities. Israel once again affirmed its conviction that giving in to terrorism leads to more terrorism. The *fedayeen*, suspicious of German claims that the Israeli parliament was still debating, pressed negotiators for an aircraft to fly them and their hostages to Cairo. Afraid of losing their nerve and stamina, the terrorists decided to retreat to friendlier grounds.

Hans-Dietrich Genscher, who later became the foreign minister of unified Germany, took over the negotiations. He offered the terrorists unlimited sums of money in exchange for the Israelis. When that failed, he offered himself



Golda Meir, prime minister of Israel at the time of the Munich massacre. (Library of Congress)

and other West German officials as hostages instead of the athletes but was again rebuffed. Realizing that time was running out, Chancellor Willy Brandt telephoned the Egyptians, but neither Anwar Sadat nor his foreign minister were available in Cairo.

The International Olympic Committee (IOC), the governing body of the Olympiad, was faced with the prospect of stopping the games. Avery Brundage, the controversial president of the IOC, was bent on continuing the games and made decisions on his own, without the consent of the Executive Board. In 1936, as president of the U.S. Olympic Committee, Brundage had

drawn criticism for speaking favorably about Nazi Germany. Brundage was dismissed as a man who did not understand democracy.

The virulent anti-Semitism of the Nazis was very much a part of Black September's mentality. Yasir Arafat and some of the leaders of Black September were related to Haj Amin al-Husayni, the preeminent Palestinian leader during the 1930's who had thrown in his lot with Hitler. A bitter anti-Zionist, Husayni spent World War II in Germany working as a Nazi propagandist for the Middle East and as a guerrilla organizer in the Balkans. Husayni became a philosophical tutor to Black September and al-Fatah. Later al-Fatah was to merge with the Palestine Liberation Organization (PLO), with Arafat in charge. The young men sent to Munich for the mission in the Olympic Village were not wild-eyed, gun-toting madmen, but were educated, highly trained, and disciplined. They spoke various languages and could easily get along inconspicuously in Europe. In fact, Issa and Tony, the two leaders, were employees of the Olympic Village.

The terrorists set their final deadline for 9 P.M. on September 5. While a crowd watched and television cameras zoomed, the eight *fedayeen* and nine Israelis walked out close together, with the athletes at gunpoint. The group was driven by bus to two helicopters, which flew them to an airbase outside Munich where a fueled 707 waited. Five sharpshooters were also waiting at the airport. After the terrorists inspected the jetliner, it became evident to the Germans that the *fedayeen* sensed a trap. With the lives of the two German helicopter pilots also in jeopardy, the snipers opened fire. During the firefight, one of the terrorists tossed a grenade into a helicopter, incinerating five athletes. The other four Israelis were machine-gunned while sitting, tied up, in the second helicopter.

Impact of Event

A silent and troubled audience of eighty thousand filled the Olympic Stadium for a hastily arranged memorial service the following morning. For the first time in Olympic history, the podium was draped in black and the flags of 122 nations flew at half-staff. The representatives of the Arab countries were absent. The delegations from the Soviet Union, East Germany, Poland, and Yugoslavia also did not attend. The surviving Israeli athletes were on the stand next to eleven empty chairs honoring their dead teammates.

Only days later, on the eve of the Hebrew New Year, Israel retaliated with air strikes inside Syria and Lebanon, inflicting sixty-six deaths and wounding dozens, according to Arab sources. In what was the heaviest fighting since the 1967 war, Israeli ground troops broke through the Lebanese border to battle the

guerrillas. The harsh Israeli response threatened the fragile peace in the Middle East as Syria quickly mobilized and deployed its forces at the frontier.

Although the Munich massacre was not the first Black September attack on Israel, it marked a turning point in the way Israel would react to the challenge of combating terrorism. To prevent attacks, all Israeli embassies became fortresses. Walls were reinforced with concrete capable of withstanding an all-out terrorist attack. The latest security systems were installed, and state of the art screening devices were implemented. The embassies were stocked with large amounts of weapons and ammunition. Israeli diplomats carried pistols, and most foreign governments assisted with additional protection and intelligence.

Three top Israeli security officials were fired. Prime Minister Golda Meir called in Major General Aharon Yariv to launch an antiterrorist war to wipe out Black September, al-Fatah, and their accomplices, whom the Israelis considered to be one and the same. Assassination squads were sent to hunt down and kill Black September operatives in Europe and elsewhere.

The terrorists succeeded in forcing the world to take note of their plight. In the Arab view, the operation was a supreme success despite the deaths of the five *fedayeen*. Moreover, Arafat could revolve in diplomatic circles pretending to have no knowledge of, or connections to, Black September.

Libya requested the bodies of the five dead commandos, and the funeral there attracted tens of thousands of mourners. All Arab ambassadors assigned to Tripoli were present. The three surviving *fedayeen* were set free the following month, when the hijackers of Lufthansa 727 demanded their release. Black September threatened to blow up Lufthansa jetliners until the commandos were let go, and the West Germans gave in.

Immediately after the Munich slayings, the problem of terrorism was placed on the agenda of the General Assembly of the United Nations. The United States called for an international pact against terrorism. Another resolution proposed the condemnation of terrorism followed by an international conference. Believing that the resolutions were directed against them, the Arab states supported a third resolution to defeat the other two, blaming the West for causing terrorism.

The Olympic Games were canceled once during World War I and twice during World War II. In 1980, the United States boycotted the Moscow Games, protesting the invasion of Afghanistan. In 1984, the Soviet Union boycotted the Los Angeles Games in kind. In 1972, in Munich, the polarization caused by the Arab-Israeli conflict and East-West rivalry resulted in the paralysis that allowed the tragedy to occur. Willi Daume, president of the organizing commit-

tee for the Games, summed up the general feeling at the memorial service for the Israelis: "Even in the world of crime, there are still some taboos, a final limit of dehumanization beyond which one dares not go. This limit was crossed by those guilty of the attack on the Olympic Village."

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Geoffrey Bar-Lev

Vietnam Releases U.S. Prisoners of War

Category of event: Atrocities and war crimes; peace movements and organizations; prisoners' rights

Time: 1973

Locale: Vietnam and the United States

The release of United States prisoners of war by Vietnam and the simultaneous withdrawal of U.S. military forces from Indochina signaled the end of U.S. military involvement in a war that had become increasingly unpopular

Principal personages:

RICHARD M. NIXON (1913-1994), the president of the United States from 1969 until 1974

HENRY A. KISSINGER (1923-), the national security adviser to President Nixon who acted as chief U.S. negotiator during the Paris peace talks

LE DUC THO (1911-1990), a North Vietnamese politburo member who acted as chief negotiator for Vietnam during the Paris talks

MELVIN LAIRD (1922-), the secretary of defense under President Nixon who urged that the United States "go public" on prisoners of war

NGUYEN VAN THIEU (1923-2001), the president of South Vietnam from 1967 until 1975, when South Vietnam was taken over by North Vietnam

MARTIN LUTHER KING, JR. (1929-1968), a prominent U.S. civil rights leader who linked the Civil Rights movement with the antiwar movement

JANE FONDA (1937-), a U.S. actor who was prominent in the peace movement and traveled to Hanoi in 1972

Summary of Event

The opinions of the United States government and the peace movement about the prisoner of war (POW) issue mirrored different approaches to understanding the Vietnam War. The government viewed publicizing the incarceration of POWs as one way to arouse indignation of U.S. citizens toward Hanoi. The peace movement attempted to deflect attention from the problems of POWs in North Vietnam by stressing the U.S. responsibility for torture of prisoners held in South Vietnam. While the U.S. government sought a military solution in Vietnam and mechanisms to contain dissent at home, the peace

movement criticized U.S. domestic and foreign policies in social, political, and cultural terms.

The peace movement in the United States was influenced heavily by the Civil Rights movement of the early 1960's. Especially influential was the Student Nonviolent Coordinating Committee (SNCC), which worked to oppose racial segregation in the southern states. Students of all races who had been active in the Civil Rights movement through freedom rides, boycotts, and voter-registration projects learned to demonstrate their discontent and to integrate nonexclusive organization and nonviolent protest.

Students for a Democratic Society (SDS) became one of the largest organizations associated with the peace movement during the late 1960's. In 1962, leaders of SDS drafted the Port Huron statement, which called for non-exclusion of socialist and communist groups and for participatory, grass-roots democracy. The rejection of "red-baiting" and promotion of democratic decision making and nonexclusion by SDS became hallmarks of the peace movement and were used to define a "New Left," which rejected dogma and the fragmentation of the "Old Left." The prominence of SDS dramatically increased as a result of its decision to protest the U.S. intervention in Vietnam by sponsoring the first national demonstration against the war in Washington, D.C., and by organizing teach-ins, at which people would learn about Vietnam and U.S. policy. By June, 1969, however, SDS had become factionalized to the point that it dissolved.

Despite popular perceptions, the peace movement had a broader base than student organizations. Groups of African Americans protested U.S. involvement in Vietnam as well. Since the combat soldiers who were sent to Vietnam were disproportionately black, and since many blacks were upset at the federal government for not protecting their rights while it was using rhetoric that the United States was defending the rights of Vietnamese, many blacks (especially the youths involved with the SNCC) were strongly involved in the antiwar movement. Martin Luther King, Jr., became an active leader in the peace movement in 1967, stressing that the importance of his emphasis on promoting nonviolence in the Civil Rights movement paled when compared to the level of violence the United States was using in Vietnam.

Prominent Hollywood personalities also became involved with activities in support of the peace movement. In 1970 and 1971, Jane Fonda and other entertainers toured under the name "Free the Army Antiwar Troupe" in areas around U.S. military bases in order to encourage military personnel to protest U.S. policies. When Fonda visited Hanoi in 1972, she made numerous antiwar radio broadcasts to U.S. troops. Although Fonda had seen POWs, upon re-

turning to the U.S. she did not defend them. In reaction to her trip and reports, leaders in Colorado and Maryland tried to ban Fonda from entering their states.

An intellectual wing, embodied in the Community of Concerned Asian Scholars (CCAS), became a large factor in the peace movement. Consisting of academics and graduate students who had been trained in various aspects of Asian studies, the CCAS broke from the larger academic community (particularly the Association for Asian Studies), which refused to take an official stand on the war. Seeing complicity in silence, CCAS members were determined to take responsibility for the results of their research. Once organized, the CCAS became a source for vital information on Vietnam for a movement (and a society) that had little understanding of the country or its people. Through books, lectures, periodicals, and conferences, the CCAS served as a counter to the governmental disinformation about Vietnam and U.S. policy.

Utilizing many different tactics, the peace movement was able to exert considerable influence on public opinion. Large marches became a major way in which the movement was able to show its strength and gain media attention. On April 24, 1971, one million protesters crowded Washington, D.C., in the largest demonstration in U.S. history. Parts of the movement also used direct action, especially targeting the draft. Youths burned their draft cards at the risk of imprisonment, and priests destroyed draft boards' records in symbolic protest. The use of teach-ins to spread information about Vietnam spread to college campuses across the United States. On October 15, 1969, millions of people participated in a day of moratorium by not working.

The governmental response to the peace movement was multifaceted. Most visibly, the U.S. government, especially under President Richard Nixon, countered demonstrators with strong rhetoric, painting the demonstrators as unpatriotic radicals. This rhetoric sprang from the attitude that protesters were students who were self-indulgent and morally rudderless, allowing officials to discredit their actions. In addition to this criticism, the government instituted harsh policies against the peace movement. More than three thousand draft resisters were imprisoned for burning draft cards or tampering with draft records. Further, the Nixon administration established domestic espionage and infiltration programs, using both the Federal Bureau of Investigation (FBI) and the Central Intelligence Agency (CIA). The FBI and CIA systematically spied on and attempted to subvert activist organizations by planting agents. The information gathered or created was then used to blacklist antiwar activists and, in some instances, was used to bring charges against organizations, diverting their resources from opposing the war. A major target

was the Committee of Concerned Asian Scholars. Evidence suggests that the agencies used provocateurs to participate in illegal activities, thereby entrapping activists.

Part of the Nixon administration's response to defuse public opinion was to open public negotiations and to implement "Vietnamization," which called for an increased reliance on Vietnamese troops and a reduction in the number of U.S. troops deployed in Vietnam. The chief proponent of Vietnamization, Melvin Laird, also recommended that the administration make the prisoners of war a public issue, breaking the silence on the issue that had prevailed during the Lyndon Johnson administration. The United States intended to use the POW issue "to bring world opinion to bear on the North Vietnamese" by charging that the Vietnamese had maltreated and tortured prisoners. In accordance with this goal, in 1969 and 1970 the United States brought up the issue with the International Red Cross and the United Nations. Finally, some prisoners who were released early were used to broadcast charges of maltreatment by their captors. Making the POWs a public issue in tandem with negotiations also allowed the administration to dismiss immediate withdrawal plans as unrealistic, since they did not resolve the issue of the POWs.

Critics of the administration's policy charged that the rhetoric used against the Vietnamese merely increased the value of the prisoners as hostages. Another charge of the peace movement was that the Nixon administration manipulated the issue of the prisoners to expand the war and to continue to keep U.S. forces in Vietnam.

Both sides in the war violated international standards for treatment of prisoners. The recounting of torture by U.S. prisoners, the early parading of prisoners as "war criminals" in Hanoi, and the lack of information given about the prisoners by the government of North Vietnam all were clear violations of international conventions. In South Vietnam, however, treatment was as harsh if not harsher. It was revealed that prisoners were kept in "tiger cages" on Con Son island. Guerrillas who were captured were classified as political dissidents, not prisoners of war (and thus were not protected by international conventions). Aside from the evidence of torture of prisoners, there was strong evidence showing that U.S. forces often killed prisoners in the battlefield in order to raise body-count figures.

On January 27, 1973, the Paris Agreement on Ending the War and Restoring Peace in Vietnam and a protocol on prisoners of war were signed by the United States, the Democratic Republic of Vietnam (North Vietnam), the Provisional Revolutionary Government of South Vietnam (National Liberation Front), and the Republic of Vietnam (South Vietnam). When the POWs were

returned to the United States, the treatment they received was less than honorable. They were not allowed to speak freely for a period after their return, and when they were allowed to speak it was in controlled press conferences. Some prisoners who had made statements against the war while captives were charged with aiding the enemy. These charges were dismissed after one of the accused shot himself to death. Since there no longer existed any clear issue around which the peace movement could organize, the diverse groups had no reason to continue to work together and returned to separate domestic concerns.

Impact of Event

The peace movement in the Vietnam era changed the way people in the United States thought about government and politics. Foremost among these changes was that a large segment of the population grew to distrust the federal government, especially the presidency. A direct result of this sentiment was the War Powers Act of 1973, which was intended to curb the power of the president to commit U.S. troops abroad.

For the first time since the founding of a bipartisan consensus on foreign policy after World War II, the public grew to challenge the assumptions that underlay U.S. policy. The congressional consensus broke down, resulting in the U.S. decision not to send troops to Angola. The change in perspective about the public's right to debate foreign policy also led to a larger segment active in challenging presidential and State Department decisions.

The methods of the peace movement in the Vietnam era permeated society to such an extent that the ideals of nonviolent resistance and grass-roots organizing became mainstays of social movements. Not only did progressive organizations continue to use these protest tactics, but conservative organizations, notably antiabortion groups, also adopted similar strategies in pursuit of their goals.

Scholars who were blacklisted for their antiwar activities in the Vietnam era continued to feel the war's impact, as some still were unable to get jobs within the field of Asian studies. In large part, these scholars' input on governmental decisions was limited, as was their access to research and grant money. Their prolific output of information during the war changed the context of academic debate, however, and helped to encourage a strain of activist scholar.

The division in society did not end with the war but continued to manifest itself in various ways in the United States. Conflict continued over the issue of whether there were any living prisoners of war or soldiers missing in action (MIA) remaining in Indochina. In large part, however, the numbers of MIA

included a significant number of people known to have been killed in action. Still, some organizations such as the National League of Families of American Prisoners and Missing In Southeast Asia continued to demand a full accounting of every MIA. Strongly related to the issue of MIAs was the dispute over whether and when the United States should normalize relations with Vietnam. Those who believed that U.S. prisoners were still being held in Vietnam and who accused Vietnam of not cooperating on the POW and MIA issues often used this to dismiss the possibility of normalization, expressing continued hostility toward the country of Vietnam.

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Richard C. Kagan

Military Rule Comes to Democratic Uruguay

Category of event: Political freedom; revolutions and rebellions

Time: June 27, 1973

Locale: Uruguay

The long-standing democratic political system in Uruguay evolved into one of Latin America's more brutal military dictatorships

Principal personages:

JOSÉ BATLLE Y ORDÓÑEZ (1856-1929), the father of modern Uruguay, whose innovative reforms ultimately led to chaos and dictatorship

JUAN MARÍA BORDABERRY (1928-), the president of Uruguay who presided over the demise of Uruguayan democracy

RAUL SENDIC (1927-), a law student who organized the Tupamaro urban guerrilla movement

JORGE PACHECO ARECO (1920-), the president of Uruguay who set in motion the precipitous decline of Uruguayan democracy

JULIO MARÍA SANGUINETTI (1936-), the first president of Uruguay after control of the government was returned formally to civilian rule

Summary of Event

In 1945, 1950, 1955, and 1960, a panel of Latin American experts was asked to rate the twenty Latin American republics in order of their democratic attainment. On all four occasions, Uruguay ranked as the most democratic. The criteria included a number of factors, such as freedom of the press and an independent judiciary, that are germane to human rights. Had a similar poll been conducted during the 1970's, the outcome would have been very different. A 180-degree turn had changed Uruguay from one of Latin America's most democratic countries to a cruel military dictatorship.

Three decades of democracy in Uruguay eroded over the course of one decade. The seeds in which one of Latin America's more brutal military regimes germinated had been sown decades earlier. The catalyst was an urban guerrilla group known as the Tupamaros. (Formally named the National Liberation Movement, the group acquired a label derived from the name of the last Inca



chieftain, Tupac Amarú.) Disenchanted socialists who had given up on the peaceful path to reform, they declared that progress had been subverted to the interests of the few, and they embraced the life of the urban guerrilla. The demise of democracy in Uruguay was acquiesced to, even encouraged, through the processes of the Uruguayan democratic system.

José Batlle y Ordóñez, the “father of modern Uruguay,” was a leader of the Colorado political party who served as president of Uruguay from 1903 to 1907 and again from 1911 to 1915. A forceful, innovative leader, he transformed the nature of the Uruguayan political, economic, and social systems. His reforms led to increased democracy and social betterment—improved education, more public social welfare programs—and they enhanced governmental participation in the economy. Ultimately, however, these changes, which earlier had created the “Switzerland of South America,” contributed to a collection of destabilizing conditions—a factionalized political system, a welfare state that exceeded the financial capabilities of the government, inefficient industry, and runaway inflation. The resulting dissatisfaction was reflected in an increase in left-wing radicalism.

In September, 1970, after more than one hundred Tupamaros had escaped from a penitentiary, President Jorge Pacheco Areco took the next step in dealing with armed violence in Montevideo. He lifted control of the antiguerrilla campaign out of the hands of the police to make it the responsibility of the armed forces. This move was followed by a period of relative tranquility, but the explanation did not lie in the escalation by the government. Rather, it was attributable to the fact that the Tupamaros had made a political decision to suspend violent activities during the upcoming political campaign in the hope that this would improve the chances of the left-wing coalition that was contesting the election. A questionable election count led to the selection of Colorado candidate Juan María Bordaberry as the president who would have the dubious honor of presiding over the snuffing out of democracy in Uruguay.

President Bordaberry, with the willing cooperation of the military, continued the tough policies of his predecessor. By early 1973, the military had moved out of an ostensible support position to become a part of a new National Security Council structure that, jointly with the elected president, exercised executive power in Uruguay. In June of 1973, the combined president-military closed the parliament and formally instituted dictatorial rule. By that time, the Tupamaros had been defeated; they no longer were a threat. The military, however, had become politicized to the point that it continued and augmented its role in running the country. It had decided to extirpate not only the Tupamaros—the symbol of a failing economic, political, and social system—but also the system itself.

There was no single or simple explanation for the transformation of one of Latin America’s most apolitical and least visible military institutions into an activist ruling party. A deteriorating economy; a middle class at risk to inflation, strikes, and chaos; and an ineffectual political system that long had demon-

strated a lack of will to resolve Uruguay's problems all were evident. On the other hand, there were also motivations within the military leadership to embrace the political forum. Among the motivations suggested were that the military traditionally had been recruited from among the most conservative elements within Uruguay, that the experience of being brought into contact with the complaints that gave rise to Tupamaro rebellion was a traumatic one (even though ideologically the Tupamaros and the military were at opposite poles), and that Uruguay's military leadership had absorbed the so-called national security doctrine associated with the governing military in bordering Brazil. That doctrine, simply stated, saw the world as polarized between Christian free enterprise and Marxist socialism, with the military serving as the ultimate arbiter of the right choice.

Not atypically, Uruguay's military regime never was purely military. Several military-civilian structures were established through which the functions of government were carried out. Major decision-making power was, however, held jointly by the heads of the separate services. Less typical was the fact that no single military figure ever rose to a position of dominance; there was no Gamal Abdel Nasser, as in Egypt, nor an Augusto Pinochet, as in Chile. Internal security, the police function, was carried out by the military and the civilian police, with the military in control.

The human rights and political freedoms records of military rulers in Uruguay were abysmal. Torture, disappearances, and murders were used, as well as imprisonment for political reasons. People in general were categorized in terms of their political reliability. Those at the low end of the scale were denied jobs and passports. Military courts were used for trials of civilians. Publications offensive to the military regime were banned from school libraries. Public meetings and festivities, even family reunions, had to be conducted with the knowledge and approval of the security authorities. Labor unions were banned. Censorship was instituted for all types of news and cultural publications and events. The military government took on the trappings of a tyrannical system.

The end result of all of this was a regime of fear. Probably fewer than three hundred persons actually were killed, and the modes of torture used—electric shock, beatings, simulated executions—could be called conventional. The internal security apparatus grew, however, and it became more pervasive and more draconian. People came to feel that a seemingly arbitrary hand of authority hung over their heads. Many cowered, and many fled.

Lip service had been given from the beginning to the redemocratization of Uruguay. The regime's performance, however, did not lend credence to a real

dedication to re-creating democracy in Uruguay. As the military encountered growing problems in ruling the country—difficulty in gaining political compliance from the politicians, who resisted military proposals for a new order, an initially apparently successful but soon failing economic policy, and an outright rejection by the electorate of a proposed new constitution that would have ensured a continued political position for the military—the time ripened for the military to bow out, even if not gracefully. In the eleventh year of the military regime, elections were held that resulted in the selection of a long-time Colorado politician, Julio María Sanguinetti, as president, to take office on March 1, 1985. The leading opposition candidate had been jailed and excluded from the plebiscite.

Impact of Event

In a region in which Uruguay, Chile, and Costa Rica were the traditional democratic states, the failure of democracy in Uruguay was a blow to the image of democratic government in Latin America. The blow was compounded by the fact that, on September 11 of the same year (1973), President Salvador Allende of Chile was murdered during the course of a successful military coup that instituted a brutal military regime. To add to the tragedy, the military governments of Argentina, Chile, and Uruguay developed records of brutal human rights violations that became major political concerns in all three countries and were not forgotten in the international community. These remained as dark stains on the escutcheons of the three most ethnically and racially European of all Latin American countries. This was Latin America's holocaust.

Most of Latin America long had strived for democratic sobriety but often had fallen by the wayside. It was, nevertheless, progressing. The long-term military dictatorship of Alfredo Stroessner in Paraguay was only a pale image of cruel nineteenth and twentieth century dictatorships in Argentina, Venezuela, and Mexico. Countries such as Colombia and Venezuela appeared on the road to a permanency of democratic government. Over the first seventy years of the twentieth century, there had been a cyclical alternation of periods of predominant civilian and military rule in Latin America. Even military governments paid lip service to democracy and of ten were moderate in their violations of human rights. Then elements of "Nasserism" infiltrated the zone; long-term military governments with major political and economic agendas blossomed in countries such as Brazil and Peru. The proclamation of the military as defenders of the constitution was being replaced by a psychology that gave precedence to the military institution as the best setting for government—

the corrector of the weaknesses and evils of civilian government. Scholars observing Brazil and Peru have attributed this effect to teachings in the higher-level military schools. The Uruguayan military seemed to have taken the journeyman's route; they learned on the job that their destiny was to rule. The fragile fabric of Latin American democracy was rent by events in Chile and Uruguay, the bastions of democracy in South America.

Alternatively, another lesson may have been learned. The military that governed soon discovered that military professionalism was no match for problems that seemed endemic to Latin American society. Even something as astounding as the Brazilian boom of the 1960's and 1970's soon yielded to economic difficulties that did not respond to further public ministrations. Military governments learned what empirical studies have proved to scholars, that the records of military regimes essentially were no better than those of civilian regimes.

The question remained, however, whether Latin America finally was committed to democratic systems. Even longstanding democratic polities, like that in Uruguay, could fail. In the 1980's, the Ronald Reagan administration in the United States declared that democracy was here to stay in Latin America, that the course of history had been broken. On the other hand, scholars of the area were more pessimistic. More than thirty years of democracy in Uruguay and Chile were not sufficient to sustain democracy there. Why place faith in the future?

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Thomas I. Dickson

Chilean Military Overthrows Allende

Category of event: Atrocities and war crimes; revolutions and rebellions

Time: September 11, 1973

Locale: Santiago, Chile

The Chilean armed forces overthrew the leftist Popular Unity government, headed by a democratically elected Marxist president, Salvador Allende, who died during the violent coup

Principal personages:

SALVADOR ALLENDE (1908-1973), the legally elected Marxist president of Chile (1970-1973) and head of the Popular Unity coalition of leftist parties
AUGUSTO PINOCHET (1915-), the commander of the Chilean army and a leader of the coup; became head of the armed forces and dictator of Chile (1973-1989)

CARLOS PRATS (1915-1974), the army commander in chief and interior minister under Allende (1972-1973)

EDUARDO FREI (1911-1982), the Christian Democratic president of Chile (1964-1970)

ORLANDO LETELIER (1932-1976), the Allende foreign minister assassinated by the Pinochet regime in Washington, D.C.

JORGE ALESSANDRI (1896-1986), the Conservative president of Chile (1958-1964) and candidate in the 1970 election

Summary of Event

The Chilean presidential election of 1970 plunged the country into a political crisis which culminated three years later in a brutal military coup and imposition of a ruthless dictatorship which lasted until 1989. In the election of 1970, Salvador Allende Gossens, the Marxist leader of the Socialist-Communist Popular United (UP) coalition, won a plurality, but not a majority, of the popular vote. He had lost closely contested presidential elections in 1958 and 1964. According to the constitution, in cases when no candidate received a majority of votes, the Chilean Congress decided the victor. It adhered to the country's political tradition by confirming Allende as president.

Allende entered office to rule over a polarized nation. Jorge Alessandri, the

Conservative candidate, had received almost 35 percent of the vote, compared with Allende's 36 percent, and the opposition dominated the national congress. Although ineligible for reelection, outgoing Christian Democratic (CD) president Eduardo Frei retained wide support, and the CD candidate, Radomiro Tomic, had won 28 percent of the vote. Thus, the electorate was roughly split into thirds, with both the UP and CD calling for radical change in Chile. The situation called for conciliation, a traditional Chilean political virtue. This time, the politicians rejected compromise. More revolutionary in rhetoric than in action, Allende tried to use the political process rather than brute force to establish socialism. He planned to redistribute land to peasants who owned no property, nationalize foreign companies and Chile's financial system, replace the congress with a popular assembly, and convert the educational system to socialist schools. In foreign affairs, he steered a procommunist course, visiting Moscow, sending his foreign minister to China, and hosting a month-long visit by Fidel Castro.

At the level of the individual Chilean citizen, Allende's presidency provoked feelings of high hope and intense animosity. Both industrial and agricultural laborers believed that Allende would rapidly break the power of the traditional Chilean economic elite, and they were impatient with the president's insistence upon legal niceties. Throughout Chile, and especially in the poverty-stricken south, peasants began to occupy farmlands, refusing to wait for legal title. Such seizures increased when it became obvious that the government would not use its security forces against the peasants. Workers also took over textile factories, largely owned by Middle Eastern immigrants. In the arid north, miners reveled over the nationalization of the copper mines. To both the workers and the new socialist managers, nationalization seemed to be an end in itself. State ownership meant social justice in the mines or on the farms. Workers initially benefited from higher wages imposed by the government. Output, however, began to slip because workers lacked incentives to increase production. At the El Teniente copper mine, for example, absenteeism on Mondays soon climbed to more than 30 percent of the work force.

Allende's support remained strong among such laborers, but his appeal within the middle class soon dissipated. Landholders who managed to retain their property faced higher government-mandated labor costs on one hand and price controls on the foodstuffs they produced on the other. With profits declining, many cut food production, some with the intent of undermining Allende. When the government financed its expenditures by printing huge quantities of currency, inflation soared, and prices outstripped the initial increases in salaries and wages. Middle-class homemakers took to the streets of

Santiago, banging pots and pans to protest shortages of basic commodities, but were ridiculed by working-class Allende supporters who had known scarcity for years.

As opposition to Allende's programs and government multiplied from within and outside the country, violence and chaos engulfed the populace. The extreme left accused Allende of moderation and reformism. By 1973, it was resorting to terrorism, illegal seizures of land and businesses, and illicit strikes. It also began to organize militias as a counterweight to the armed forces. The Chilean right, opponents of Allende's Marxist vision for the nation, criticized the government through the media and organized thugs into Fatherland and Liberty gangs to attack and kill targets on the left. Much of the political center waited to see if the president could deliver his promised changes. By 1973, however, the economy was in shambles, with government spending up by one-third from the previous year, inflation running in triple digits, real wages down to one-quarter of what they had been in 1970, and shortages of food and consumer items provoking popular demonstrations against the government.

In the United States, the Nixon administration watched apprehensively what it perceived as the latest Soviet challenge in the Cold War, worrying over the ramifications should Allende succeed in turning Chile into a communist state. The American Central Intelligence Agency had financially supported Allende's opponents in the 1970 election, tried to bribe Chilean Congress members to prevent Allende from becoming president, and encouraged the Chilean military to overthrow the regime, all without success and with considerable damage to the image of the United States. When Allende nationalized American copper interests and other economic holdings, the United States retaliated by delaying or stopping loans, although international agencies and European governments still made financing available. Some American companies with interests in Chile, such as International Telephone and Telegraph, actively tried to subvert the Allende government.

Chile devolved into turmoil, with the citizenry's civil and human rights under siege from left and right extremists. Allende could not implement his program because his opponents controlled the congress. Strikes from the left and the right crippled the economy. Most serious was a nationwide truckers' strike in October, 1972, which gained wide support. Congressional opponents impeached four of Allende's ministers. Frei announced open Christian Democratic opposition to Allende's policies. To quell the mounting insurrection, Allende appointed as minister of the interior General Carlos Prats, who helped guarantee honest congressional elections in March, 1973. Allende

hoped to win a majority, which would enable him to push ahead, and his opponents aimed to garner a two-thirds majority, which would enable them to impeach the president. Allende's Popular Unity coalition slightly increased its congressional representation in the election but failed to achieve the desired majority.

Meanwhile, empty store shelves and the fear that the government might confiscate their properties and businesses turned the middle class against Allende. The threat of expropriation implicit in Allende's Marxism left Chileans insecure in their property rights and devastated the economy. Convinced that there was no peaceful road to socialism—that it could only be established by force—the Movement of the Revolutionary Left (MIR) stepped up its campaign of violence. In June, 1973, elements of a tank regiment attacked the presidential palace but failed to overthrow the government.

Trying to ensure order on August 9, 1973, Allende named to his cabinet the commanders of all three branches of the armed forces plus the head of the national police. Amid widespread strikes, again including the truckers, and new waves of violence and terrorism by the right and the left, the opposition in Congress called on the traditionally nonpolitical military to intervene to guarantee civil order. Military wives demonstrated against General Prats, whom they perceived as too sympathetic to Popular Unity aims. Prats and the other military members of the cabinet resigned.

This opened the way for conservative elements in the military to move against Allende. A four-man *junta*, dominated by army commander General Augusto Pinochet Ugarte, gave Allende an ultimatum to resign. The president refused, and the coup began on September 11. Rather than taking refuge with the leftist militia, Allende went to La Moneda, the presidential palace. Allende died during a bomber and tank attack, allegedly from a self-inflicted gunshot wound. He had previously threatened to commit suicide rather than submit to a coup d'état.

Impact of Event

Overthrow of the Allende government did not solve the Chilean crisis. Pinochet and the armed forces imposed a political calm on the nation through a brutal dictatorship worse than anything the nation had experienced. Vowing to eliminate the Marxist threat to Chile, the military arrested thousands of Allende supporters and suspected subversives, many of whom were murdered. One of the *junta's* first acts was to broadcast a list of sixty-eight prominent Socialist and communist leaders who were ordered to turn themselves in at the Defense Ministry. Hundreds of party members were arrested.

More than one thousand people died when armed industrial workers tried to resist the coup. Security forces turned the Santiago soccer stadium into a temporary prison and execution chamber, and makeshift detention centers sprang up around the country. Of those not immediately executed, many leading pro-Allende politicians were incarcerated in a frigid concentration camp on Dawson Island, near the Antarctic.

Some prisoners received summary trials, but many were simply murdered. Security forces took famed guitarist and folksinger Victor Jara to the Santiago stadium, broke both of his hands, and later killed him, dumping his corpse at a morgue for his wife to identify. A few prisoners were taken aloft in helicopters and dropped to their deaths. Many were killed while allegedly attempting to escape their captors.

As many as five thousand people were murdered, tortured, or “disappeared” at the hands of the *junta*. These included communists, politicians opposed to the dictatorship, and especially union leaders. Countless others suffered lesser violations of their rights, with the dictatorship jailing suspects without trial, outlawing Marxist political parties, censoring the news media, forcing into exile thousands who feared for their lives, and looting suspects’ homes. Even critics of the regime living outside the country were at risk. Among those killed in 1974 were General Prats and his wife, who were in exile in Argentina. In Washington, D.C., on September 21, 1976, a Pinochet hit-squad blew up the car of Orlando Letelier, foreign minister under Allende. Letelier and an American associate died.

In 1980, the Pinochet regime imposed a new constitution on the nation. It included a weak Congress, with many of the legislators to be chosen undemocratically by the regime. The constitution also gave the military a veto over most congressional decisions and permitted the government to suspend individual civil rights to deal with threats to national security. A clandestine offshoot of the Chilean Communist Party, the Manuel Rodríguez Patriotic Front, began a campaign of urban terrorism which the Pinochet government used to justify its claims of a totalitarian threat. To protect itself, the dictatorship declared an amnesty on all atrocities and abuses of civil rights committed prior to 1978.

Pressure against the regime mounted, with sporadic outbursts of terrorism coming from the extreme left. On September 7, 1986, guerrillas attacked Pinochet’s motorcade, killing four bodyguards, although the general escaped unscathed. Under terms of the 1980 constitution, the regime agreed to hold a plebiscite in 1989, with the people approving or rejecting a presidential candidate proposed by the government. In the referendum, 54 percent voted

against Pinochet. He was then constitutionally obliged to hold an open election for a successor in 1989. That election was won by Christian Democrat Patricio Aylwin, but Pinochet continued as commander of the army, with the power to prevent any thorough retribution against the military.

Pinochet remained the head of army until 1998, when he was appointed senator for life. However, during that same year, he was detained in England, where he went for medical treatment, when the Spanish government sought to have him extradited to Spain for trial on charges of human rights abuses. This incident triggered an international tug of war to bring Pinochet to trial in Spain, Chile, and Argentina, but efforts to hold him accountable for his past actions effectively ended after Chile's highest court rule him mentally incompetent to stand trial.

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Kendall W. Brown

United Nations Votes to Punish South Africa for Apartheid

Category of event: Civil rights; international norms; racial and ethnic rights

Time: November 30, 1973

Locale: United Nations, New York City

The International Convention on the Suppression and Punishment of the Crime of Apartheid was adopted by the United Nations in 1973

Principal personages:

FREDERIK WILLEM DE KLERK (1936-), the president of South Africa

JULIUS NYERERE (1922-1999), the former president of Tanzania

KENNETH D. KAUNDA (1924-), the former president of Zambia

SALIM AHMED SALIM (1942-), the former chair of the United Nations General Assembly Decolonization Committee

Summary of Event

The apartheid system in South Africa evolved over time as the African and European populations fought for control over this area. From 1910 to 1939, a racial order evolved that kept the African majority outside the central decision-making institutions in society. The year 1948 marked the ascension of the National Party to power in South Africa and the introduction of the formal apartheid policy.

The apartheid system rested on two laws passed in 1950. One is the Population Registration Act, which categorized every individual living in South Africa as belonging to one of four racial groups: whites (14 percent, about three-fifths of whom were Afrikaners); blacks (73 percent); Coloureds (10 percent); and Indians (3 percent). The other was the Group Areas Act, which required each racial group to live in a segregated area. Whites were separated from non-white townships by distances of more than five miles.

Black resistance to apartheid took different forms after the end of World War II. Black Africans in South Africa adopted the Gandhian method of nonviolence as a strategy of change throughout the 1950's. The African National Congress (ANC) spearheaded the defiance campaign protesting against the repressive apartheid laws. During a demonstration on March 21, 1961, in front

of a police station in Sharpeville, police killed sixty-nine unarmed protesters. This event sparked widespread protest throughout South Africa against the killings. The government banned the African National Congress and the Pan Africanist Congress (PAC) from any political activity inside South Africa. At this juncture, the ANC, under Nelson Mandela's leadership, launched a guerrilla campaign and gave up on the nonviolent approach to changing South Africa. Nelson Mandela was arrested in 1962, along with leaders of several other organizations, on the charge of treason. He was sentenced to life in prison.

From 1946 to 1960, the Western nations controlled the United Nations General Assembly and the Security Council. They supported South Africa's claim that the racial situation and the apartheid policies were a domestic affair. The West, in general, was defensive with reference to racial and colonial issues. The Sharpeville massacre was a critical event that changed the world's perception of Pretoria's apartheid policies from being considered a domestic issue to violating various United Nations human rights conventions and threatening international peace.

Even prior to that, attitudes were shifting. On April 1, 1960, the Security Council passed Resolution 134, condemning apartheid. The change in the tone and thrust of the United Nations at this juncture was the result of the admission of eighteen newly independent African states in 1960. The new membership altered the balance of voting power within the United Nations General Assembly and gave a new saliency to the Afro-Asian movement's demands to end colonialism, racism, and apartheid. Starting in 1963, the Organization of African Unity began to press the United Nations to take a bolder stand against apartheid and move toward isolating South Africa from the international community. Such efforts resulted in the United Nations vote for the suppression and punishment of the crime of apartheid on November 30, 1973.

In the late 1960's, black people began to respond to their oppression through the Black Consciousness movement. This movement was influenced by Stephen Biko, Barney Pityana, and Harry Nengwekulu. The obvious philosophical contributions of black consciousness derived from contemporary African Americans (Malcolm X, Stokely Carmichael, and Bobby Seale) and the writing of Frantz Fanon were pivotal to the development of this new political generation. This movement sought to address and change the Afrikaner definition of nonwhites in South Africa. This ideology challenged the Afrikaner attempt to divide the nonwhite population along racial, linguistic, and ethnic lines. Following the tradition of the Haitian revolution, the Black Consciousness movement redefined all nonwhites as black.

In June, 1976, student uprisings began in Soweto against requiring the Afrikaans language in secondary schools. Student protest spread to other townships around the country. Stephen Biko was arrested in May, 1977, and died in police custody, provoking widespread protest throughout the country and from the international community. The government responded by banning all Black Consciousness organizations from political activity.

The government crackdown on the Black Consciousness movement created a political vacuum which was filled by a labor movement, the United Democratic Front, and the ANC in the late 1970's. As a result of a number of wildcat strikes and pressure from the business community, the government moved to recognize trade unions. The government's attempts to co-opt the black trade unions and get them to focus on shop-related issues met with little success. Activists began to demand the release of Nelson Mandela.

The United Democratic Front evolved in the mid-1980's into a potent political force which included a multiethnic and multiracial coalition. The Reverend Desmond Tutu and the Reverend Allan Boasek became major players in this organization and in exporting the antiapartheid struggle beyond the borders of South Africa. The government responded to challenges by imposing a state of emergency in thirty-six areas, most of them black townships. In August, 1985, international banks refused to extend credit to Pretoria, causing serious economic dislocation. The government repealed the pass laws, which had restricted the freedom of black South Africans to travel within the country, and lifted the state of emergency as a response to domestic and international critics. In June, 1986, a new state of emergency was declared nationwide. Antiapartheid forces were successful in getting the United States and the European Economic Community to impose economic sanctions on the apartheid regime.



Desmond Tutu's outspoken leadership in South Africa's antiapartheid movement received international acknowledgment in 1984, when he was awarded a Nobel Peace Prize. (© The Nobel Foundation)

Between 1986 and 1989, the economic sanctions began to take their toll on the South African economy. In August, 1989, South African president Frederik de Klerk replaced President Pieter Botha, who had suffered a stroke. The business community and many other sectors of the white population began to articulate the need for the government to enter negotiations with the ANC to resolve the political and economic crises. The new president outlined several conditions under which negotiations with the ANC could begin.

The demise of communism in Eastern Europe and the retreat of Soviet support for Third World radicalism provided the de Klerk government with an advantageous bargaining position vis-à-vis the ANC. The Soviets and Cubans had agreed to depart from the region and cease supporting the ANC through Angola as part of the political settlement leading to black majority rule in Namibia. The ANC agreed to close its bases in Angola as part of the settlement.

Nelson Mandela was released on February 11, 1990, after serving twenty-seven years in prison. The ANC and representatives of the de Klerk government entered into negotiations to bring an end to apartheid and to work out an arrangement for black empowerment. In 1991, South Africa repealed a number of apartheid laws but avoided releasing political prisoners and enacting policies allowing black participation in the political process. Some elements of the de Klerk government were engaged in covert support of Chief Buthelezi's Inkatha movement, which countered the ANC, in an attempt to keep Nelson Mandela from consolidating his position and getting a political foothold among black South Africans. Buthelezi, in return, expected to participate in the negotiations.

In July, 1991, U.S. president George Bush removed U.S. sanctions against South Africa, stating that Pretoria was making satisfactory progress toward eliminating apartheid. After more than three centuries of growing political, economic, and social domination by a minority of white European settlers, South Africa finally adopted a system of nonracial democracy in 1994, and Nelson Mandela was elected president of the country.

Impact of Event

The 1973 United Nations International Convention on the Suppression and Punishment of the Crime of Apartheid globalized the struggle against apartheid policies in South Africa. In 1976, the U.N. General Assembly welcomed the coming into force of this international convention and proclaimed June 16 as the International Day of Solidarity with the Struggling People of South Africa. The action by the General Assembly in 1973 placed this international institution at the forefront in the global battle against apartheid. After

the 1973 convention, the United Nations emerged as the most dynamic international institution mobilizing world opinion against South Africa's continued violation of the 1948 United Nations Universal Declaration of Human Rights through apartheid laws and regulations. The 1973 convention played a decisive role in making the attainment of human rights in South Africa a United Nations issue as well as one concerning the global community.

The African National Congress, the Pan-Africanist Congress, and other South African antiapartheid movements were able to mobilize support on a global scale in their efforts to end apartheid as a direct result of the General Assembly action. Opponents of apartheid initially encountered a number of bottlenecks in their efforts to deploy sanctions and arms embargoes through the United Nations General Assembly and Security Council during the late 1960's and early 1970's. The mid-1970's, however, witnessed the growth and escalation of a broad, multiracial coalition in the United States and to some extent in Western Europe. This coalition was successful in mobilizing opposition to continued U.S. corporate investment in South Africa. It was also successful in getting local and state municipalities and in some cases university pension funds, to divest themselves of relationships with companies doing business in South Africa.

In the mid-1980's, this coalition was able to build bipartisan and multiracial support for a veto-proof sanction bill in the U.S. Congress. This same group employed direct action strategies against the South African diplomatic corps in the United States. Its success in generating economic sanctions contributed to a decline in South Africa's fortunes as banks and multinational corporations began to divest. Western economic support for the apartheid regime was dealt a mortal blow by the ability of the ANC and other South African antiapartheid liberation movements to build a broad-based coalition within the United States, the Commonwealth, and to some extent the European Economic Community.

The African Group pressed its case against apartheid in a variety of international institutions, ranging from the Nonaligned Movement to the Group of 77. The African Group joined forces with other Third World nations and launched a concerted campaign to isolate Pretoria from the international community and press it to abandon its racist policies. This effort bore fruit in the International Labor Organization and the United Nations Educational, Scientific and Cultural Organization. These actors could also count on support from the Soviet Bloc. The African Group was also successful in mobilizing support in the Arab League, the Organization of Petroleum Exporting Countries, and the Afro-Asian Peoples Solidarity Organization. The Special

Committee Against Apartheid and the U.N. Centre Against Apartheid also emerged as important diplomatic instruments in the battle against apartheid. Through such efforts, the apartheid issue was kept before the international community, thereby creating an environment conducive to the eradication of this gross violation of human rights.

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Darryl C. Thomas

Medical Group Exposes Torture in Greece and Chile

Category of event: Atrocities and war crimes; health and medical rights

Time: 1974

Locale: Denmark, Greece, Chile

A team of Danish medical experts helped to substantiate allegations of the widespread use of torture by military dictatorships in Greece and Chile

Principal personages:

SALVADOR ALLENDE (1908-1973), the first elected Marxist leader in the Western Hemisphere, who died during a U.S.-sponsored coup in September, 1973

CONSTANTINE II (1940-), the king of Greece, deposed in 1973

RICHARD M. NIXON (1913-1994), the thirty-seventh president of the United States (1969-1974)

GEORGE PAPADOPOULOS (1919-1999), the leader of the 1967 coup in Greece who became the *junta's* prime minister from 1967 to 1973

AUGUSTO PINOCHET (1915-), the general in the Chilean army who led the overthrow of the democratically elected government of Allende in 1973

Summary of Event

Although separated by thousands of miles and located in different hemispheres, the nations of Chile and Greece shared many common features in 1974. Both nations were ruled by brutal military regimes that had come to power by forcibly overthrowing constitutionally elected governments. Both nations' military governments were supported by U.S. president Richard M. Nixon as bulwarks against communism. In addition, citizens in both countries were systematically subject to torture if they dared to voice any criticism of the military government or express any thought deemed "subversive."

On the morning of April 21, 1967, the people of Greece awoke to discover that their elected government had been overthrown by a swift military coup led by Colonel George Papadopoulos. Using the excuse that a communist conspiracy to seize power was about to unfold, the new military dictatorship quickly attacked not only the communists but all individuals who opposed

their rule. Even King Constantine II, a confirmed anticommunist, was forced to flee Greece after falling out with the military *junta* under Papadopoulos. Resting on only a narrow base of support, the military quickly turned to fierce repression as the means to prolong its rule. In the more than seven years that the regime ruled Greece, torture was honed to a fine art.

In much the same manner, on September 11, 1973, the constitutionally elected Chilean government of Salvador Allende was ousted in a swift and violent military coup led by General Augusto Pinochet. Claiming that Socialist president Allende's Marxist program was a prelude to a communist revolution, the coup ended a longstanding tradition of democratic government and nonintervention by the Chilean armed forces in political affairs. In the aftermath of the coup, thousands were killed and as many as forty thousand Chileans were arrested. Political parties, the Congress, trade unions, and any other organizations that opposed Pinochet were soon outlawed. To maintain his regime in the face of massive resistance, Pinochet's government turned to torture as an accepted procedure during the interrogation of political prisoners.

Since neither the Greek nor the Chilean military government was subject to any type of democratic checks while both enjoyed the backing of President Nixon and the United States, it was extremely difficult to bring pressure on them to respect human rights. Utilizing twentieth century technology, the dictatorship in Greece developed torture into a sadistic art form euphemistically termed "scientific techniques of interrogation." Rather than feeling embarrassment over such methods, the Greek regime let its methods become public knowledge, understanding that this alerted all potential members of the resistance to the fate that awaited them should they be arrested.

In many cases, individuals who merely mildly criticized the government were arrested, tortured, and released as a warning to others. Even assisting the families of political prisoners and deportees had to be done secretly, since so much as a financial donation to the wrong hungry family was a crime. The suppression of open opponents of the military was not surprising, but the fact that such minor infractions of the new order as owning a book written by Karl Marx or saying that Plato was a homosexual could land one in jail was a testament to the rigidity of the regime. Once in custody, political prisoners were subject to unspeakable cruelties designed to break their spirit and force them to implicate others.

In these circumstances, the job of attempting to make the Greek *junta* recognize human rights was extremely difficult. International pressure was dismissed as communist-orchestrated, and human rights violations were por-

trayed as exaggerations. When political prisoners with obvious injuries were produced by impartial investigations, the official response was inevitably the same, that the injuries had been suffered during the course of arrest when the accused resisted lawful authorities. Every documented case of torture that could not be factually disproved or blamed on the victim's own resistance was dismissed as a rare exception.

In Chile, the Pinochet government had been established in an atmosphere of bitter social and political conflict that had resulted in an almost complete disregard for the rights of political prisoners. Not only was torture widespread, but confessions obtained by these methods were considered admissible evidence in trials held by military tribunals. Torture was more than merely an individual option for members of the armed forces dealing with supporters of the ousted Allende government. Among the most noted torturers were the intelligence services, which were responsible to Pinochet and the ruling *junta* alone.

Within days of the coup that brought the military to power, torture seemed to have become an official policy, a fact indicated by the uniformity of torture incidents reported by released political prisoners. Further, the International Red Cross noted a large number of military detention camps to which they were denied access in the first months after Allende's overthrow.

At first, Chilean military officials denied that torture was taking place. Later, they claimed it occurred only in isolated incidents involving individual soldiers mainly at the time of arrest. Although local excesses on individual or local initiative did take place, it seems clear that there was a consistent policy of torture that was approved at the highest levels of the military command structure. As evidence of torture reached the outside world, the Chilean government sought to minimize these reports by arguing that the accusations were politically motivated.

Thus, in both Greece and Chile, a systematic program of torture was carried out by the military governments in power with little regard for outside condemnation. This made the task of helping the thousands of political prisoners in these nations extremely difficult. Amnesty International intervened in both situations with impartial commissions composed of internationally respected jurists and others. Given the cynicism of both military regimes when it came to human rights, this approach had less impact than desired.

To outside condemnations of human rights violations and denunciations of widespread torture, the response of both military dictatorships was strikingly similar. Both the Papadopoulos-controlled press in Greece and its counterpart in Pinochet's Chile vigorously disputed the facts in every case in which

political prisoners were said to be tortured. The two standard objections to charges of torture were that the accusers were politically motivated or that they had no medical expertise to determine whether injuries observed were the results of accidents or deliberate mistreatment.

It was at this point, in the spring of 1974, that a Danish medical group was organized that helped to increase the pressure on both regimes. The composition of the team answered both the major objections that had been raised to past investigations. The Danish medical group was composed of a number of highly respected medical personnel, which made it impossible for either the Greek *junta* or Pinochet's dictatorship to argue credibly that the inspectors did not know the difference between a fall and a beating. In addition, the impartiality and moral integrity of the individuals made charges of political bias difficult to sell.

Impact of Event

As part of long international campaigns to expose the torture policies of both the Greek and Chilean governments, the Danish medical group played a vital role. After public hearings in the parliament building in Copenhagen, world public opinion shifted to a more widespread awareness that what was happening in Greece and Chile was not a few minor infractions of human rights. Rather, it was revealed that systematic torture was being utilized as a matter of governmental policy in both dictatorships.

The impact of these findings was most clearly felt in Greece. The military government in Athens, although unconcerned about human rights, was sensitive to its increasing isolation from the rest of Europe. This was particularly a problem for the Greek dictatorship, as ongoing tensions with neighboring Turkey made European acceptance a practical matter of concern.

In addition, the Danish medical findings struck a chord with the increasingly discontented Greek population. The large number of Danish tourists who traditionally vacationed in Greece increased the findings' importance. Tourists stayed away in significant numbers or voiced their objections to the Greek government privately during their visits. The fact that King Constantine's wife was a Danish princess made it difficult for the Greek *junta* to paint outspoken Danes as "tools of Moscow." Thus, the Danish medical group contributed to the process that ended the military dictatorship in Greece in the summer of 1974 and eliminated torture as an accepted method of behavior there.

In Chile, the results were not so immediately dramatic. All the same, the Danish investigations played a vital part in isolating the Pinochet regime from

Europe. Because the late president Salvador Allende had been a leader of the Socialist Party who governed with the support of the Chilean communists, many conservative Europeans had at first greeted reports of torture with skepticism.

Many international campaigns were organized by European communist parties to gain freedom for political prisoners in Chile. Although these efforts played a vital part in raising awareness among the general public, the participation of the left strengthened conservative suspicions. These doubts were eroded greatly when the evidence compiled by the Danish medical group began to bolster the findings of politically neutral Amnesty International.

Although torture was not ended in Chile, a certain restraint appeared to have developed as a result of the exposé. The military dictatorship in Chile realized the damage these revelations were doing to the government's image and attempted to limit the use of torture to specific cases.

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William A. Pelz

Soviet Union Expels Solzhenitsyn

Category of event: Civil rights; political freedom

Time: February 13, 1974

Locale: Moscow, Soviet Union

In 1974, the Soviet government charged Russian writer and critic Aleksandr Solzhenitsyn with treason and sent him into exile

Principal personages:

ALEKSANDR SOLZHENITSYN (1918-), a Nobel Prize-winning author
NIKITA S. KHRUSHCHEV (1894-1971), a Soviet leader who approved publication of Solzhenitsyn's *One Day in the Life of Ivan Denisovich*
ALEKSANDR TVARDOVSKII (1910-1971), a liberal editor who published Solzhenitsyn's writings and supported him in the face of official criticism
LEONID ILICH BREZHNEV (1906-1982), the general secretary of the Communist Party whose repressive cultural policies forced Solzhenitsyn into exile in 1974

Summary of Event

Aleksandr Solzhenitsyn, one of Russia's and the world's greatest writers, is the author of plays, poetry, and essays. He is best known for his novels, particularly *Vkrughe pervom* (1968; *The First Circle*, 1968) and *Rakovy korpus* (1968; *Cancer Ward*, 1968), the novella *Odin den Ivana Denisovicha*, (1962; *One Day in the Life of Ivan Denisovich*, 1963), the historical novel *Av gust chetyrnadtsatogo* (1971; *August 1914*, 1972), and the monumental three-volume literary investigation *Arhipelag gulag* (1973-1975; *The Gulag Archipelago*, 1974-1978). The underlying theme of Solzhenitsyn's writings is humanity's struggle for truth and decency against the forces of oppression and corruption.

Although he is a critic of the materialism and license of contemporary Western society, the dominant struggle of his life was against the hollowness and brutality of the Soviet regime. By virtue of his writings and the life he lived, Solzhenitsyn became one of the great moral prophets of the twentieth century. In October, 1970, he was awarded the Nobel Prize in Literature with the citation "For the ethical force with which he has pursued the indispensable traditions of Russian literature."

Solzhenitsyn's struggle with the Soviet state began during World War II, when, as a battery commander fighting the Germans, he wrote some oblique remarks critical of Stalin in a private letter to a friend. For this, Solzhenitsyn was arrested, charged with engaging in "anti-Soviet propaganda," and sentenced to eight years of imprisonment in corrective labor camps. After his release, he was again sentenced (in absentia) to perpetual exile. The harsh experience of prison life provided Solzhenitsyn with material for some of his most important later writings.

Another source for material was his life in exile in a remote, primitive village in Southern Kazakhstan. While there, he was struck with cancer (for a second time), miraculously surviving with the aid of hormone and X-ray treatments. The novel *Cancer Ward* recorded some of his experiences in the Tashkent hospital.

Stalin's death in 1953 marked the beginning of a change in the Soviet Union's political life. As Nikita Khrushchev, Stalin's successor, consolidated his power, he initiated a process of de-Stalinization which involved ending some of the worst features of Stalin's terror. In 1956, Solzhenitsyn was released from exile, and in the following year he successfully petitioned the Soviet Supreme Court to overturn his original conviction. One feature of Khrushchev's de-Stalinization was a cultural "thaw," which permitted Soviet writers to tread upon subjects that previously had been forbidden. During this period, Solzhenitsyn wrote *One Day in the Life of Ivan Denisovich*, a gripping account of life in Stalin's labor camps. He submitted the manuscript to *Novy Mir*, one of the country's most respected literary magazines whose editor, Aleksandr Tvardovskii, was an active proponent of using literature to examine honestly the problems of Soviet society. Tvardovskii persuaded Khrushchev to permit publication of Solzhenitsyn's novella. The book was a sensation in the Soviet Union and abroad and made Solzhenitsyn an instant celebrity. He was even invited to join the Writer's Union, the official organ for accepted Soviet writers.

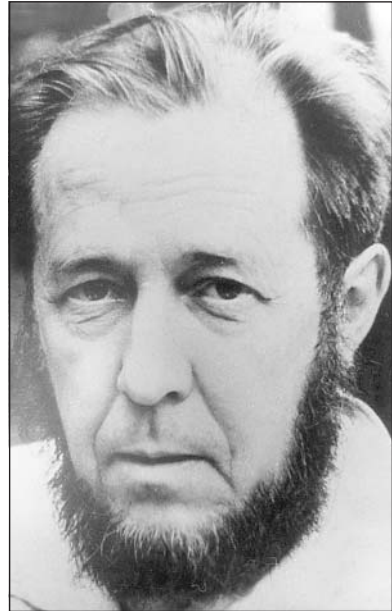
Solzhenitsyn's literary success brought mixed results. On one hand, he became the hero and spokesman for those critics of Soviet life who sought to use the literary weapon to enlarge the realm of free thought and speech. On the other hand, he was opposed by many of the conservative elements who did not support Khrushchev's policy of de-Stalinization. Even during the Khrushchev years, Solzhenitsyn became the object of public attacks in the press.

The coup in 1964 that replaced Nikita Khrushchev with Leonid Brezhnev led to an abandonment of the de-Stalinization campaign and a renewal of political and cultural repression. The repression intensified in September, 1965, when the writers Yuli Daniel and Andrei Sinyavsky, whose satirical attacks on

the Soviet establishment and Socialist Realism had been published abroad, were arrested for anti-Soviet slander. In that atmosphere, Solzhenitsyn himself became more outspoken and uncompromising in his criticism. In 1965, KGB surveillance and harassment of the writer began. On September 11, the KGB devastated Solzhenitsyn by raiding his apartment and confiscating his personal archive, an action that provoked momentary thoughts of suicide in the writer. Solzhenitsyn's antagonisms toward the regime deepened as he sought without success to publish several of his major works, including *The First Circle* and *Cancer Ward*. In May, 1967, he made an unprecedented public condemnation of censorship in the Soviet Union with an open letter to the Fourth Congress of Soviet Writers. In 250 copies sent to key delegates, Solzhenitsyn decried the fact that "Our writers are not supposed to have the right . . . to express their cautionary judgments about the moral life of man and society . . ." Notwithstanding the public support of eighty writers, the Congress bowed to Communist Party authorities and ignored the challenge to censorship.

Meanwhile, though his novels could not be published legally, many were read in the Soviet Union as *samizdat*, a form of publication by means of typed reproductions circulated to an underground readership. Both *The First Circle* and *Cancer Ward* were eventually published in the West (without Solzhenitsyn's authorization) from such *samizdat* editions. Worldwide distribution of these writings added to the author's already distinguished reputation as a writer and social critic. Indeed, his global reputation became so great that the Brezhnev regime was constrained from taking harsh measures—such as imprisonment—to stop him. The government could and did see that he was vilified in the government-controlled press, and it forced Solzhenitsyn's expulsion from the Writer's Union in November, 1969.

Further support from the West came in 1970, with the Nobel Prize in Literature. Moscow treated the award



Aleksandr Solzhenitsyn. (© The Nobel Foundation)

as a deliberate provocation by the West. Those in the Soviet Union who dared to send congratulatory telegrams to the Russian writer were summoned by KGB and Communist Party officials for warnings. Solzhenitsyn seriously considered going to Oslo to accept the award but ultimately decided not to for fear that he would not be permitted to return. That year, the historical novel *August 1914* was completed. It was offered to seven Soviet publishers, all of whom rejected it. With all avenues for publication blocked at home, Solzhenitsyn decided to authorize, for the first time, publication of his writings abroad. *August 1914* was published in Paris in June, 1971. It immediately became a best-seller in several countries.

Pressure against Solzhenitsyn intensified during 1973. He was barred from living in Moscow, and threats were made against his life. A rumor that the KGB planned for him to be “accidentally” killed in an automobile accident induced Solzhenitsyn to give up driving altogether. Unquestionably the most devastating blow was the KGB seizure of a copy of his *The Gulag Archipelago*. The authorities obtained the manuscript by tortuously interrogating Solzhenitsyn’s close associate, Elizabeth Voronyanska, for five days, forcing her to reveal the manuscript’s location. Upon her return home, Voronyanska hanged herself. Solzhenitsyn defiantly authorized the publication of the first two parts of *The Gulag Archipelago*, which went on sale in Paris in December, 1973.

From that point, war between the writer and the Soviet state was virtually total. Twice he was summoned to the state prosecutor’s office, and twice he refused the summonses. Finally, on February 12, 1974, seven KGB officers arrested Solzhenitsyn in his apartment. He was taken to the infamous Lefortovo prison, stripped of his clothing, searched, and informed that he was charged with treason, a crime punishable by death. The next day, Solzhenitsyn was told that he had been deprived of his citizenship and ordered deported. Without being informed of his destination, he was put on an Aeroflot plane. Several hours later, he arrived in Frankfurt, Germany. Thus began the great author’s exile.

Impact of Event

Solzhenitsyn was exiled because he was too respected abroad to be imprisoned, but one way or another the Soviet regime was determined that Solzhenitsyn’s subversive voice at home would be silenced. Although he was only one of many domestic critics, his campaign had been particularly insistent, uncompromising, and eloquent. The more Solzhenitsyn was threatened, the greater was his defiance. As a convict, he had refused an assignment at a privileged research institute and willingly accepted the life of an ordinary prisoner; when denied publication, he read chapters of his prohibited works in

public; he ignored official summonses from the police. It became evident that he meant it when he told his persecutors in the Writers Union, "No one can bar the road to truth, and to advance its cause I am prepared to accept even death."

The truth he propagated undermined the regime. He debunked the myriad falsehoods that had become the foundation of Soviet communism. Most devastating was his critique of Lenin, who symbolized Soviet legitimacy. It was not only Stalin and the "personality cult" that created "distortions" in socialism. Solzhenitsyn traced the long evolution of terror, the labor camps, the frame-up trials, the mass shootings, and the secret disappearances back to the period of Vladimir Ilich Lenin. By comparison, Solzhenitsyn showed that czarist autocracy was benign, even humane. Decades before anyone even suggested that the roots of Stalinism were in Lenin, Solzhenitsyn had debunked the myth of a humane Lenin.

Exile did not silence Solzhenitsyn's voice, though it broadened the range of his critique. Solzhenitsyn chose Zurich as his initial place of residence, possibly to gather materials for his historical volume *Lenin v Tsyurikhe* (1975; *Lenin in Zurich*, 1976). Life in Switzerland, however, dissatisfied him, in part because of the difficulty of living a fully private life. In the summer of 1976, he moved to the United States, settling on a fifty-acre tract in Cavendish, Vermont. Although Solzhenitsyn fought tenaciously for his privacy, he became involved in some of the political currents of his adopted country. He traveled, spoke in public on occasion, was lionized by his admirers, and was scathingly criticized by some members of the press who disagreed with his ideas. Solzhenitsyn was a critic of détente, which was in vogue in the mid-1970's. No détente was possible, he said, with a country that continually perpetuated "acts of cruelty and brutality" against its own citizens and neighboring peoples. A notable event was the commencement address which he gave at Harvard University on June 8, 1978. In it, he attacked the Western world, which he charged had lost its "civic courage." He condemned the press for misguiding public opinion, popular culture for its television stupor and intolerable music, and the West as a whole for its loss of religious faith. As a result of these and other observations, Solzhenitsyn was a controversial figure during his stay in the United States.

Throughout his exile, the one enduring theme behind all of his jeremiads was the oppression and aggression of the Soviet regime and the fundamental dishonesty of Marxism-Leninism. In the end, history justified his crusade. Solzhenitsyn lived to see the collapse of communism he had predicted. He had the satisfaction of having the charges of treason against him dropped, of seeing his works published in his native country, and of being invited to return home. In May, 1994, he returned to Russia to live.

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Joseph L. Noguee

Khmer Rouge Take Over Cambodia

Category of event: Atrocities and war crimes; political freedom; revolutions and rebellions

Time: April 17, 1975

Locale: Phnom Penh, Cambodia

The 1975 takeover of Cambodia by the Khmer Rouge led to one of the bloodiest periods of genocide in modern history

Principal personages:

POL POT (1928-1998), leader of the Khmer Rouge

NORODOM SIHANOUK (1922-), the elected leader of Cambodia, deposed in a coup by Lon Nol

LON NOL (1913-1985), a Cambodian general who, with the support of the United States, deposed Norodom Sihanouk in a 1970 coup

RICHARD M. NIXON (1913-1994), the thirty-seventh president of the United States (1969-1974)

HENRY A. KISSINGER (1923-), the U.S. secretary of state during the Nixon administration

Summary of Event

In the late 1960's and early 1970's, the United States was still embroiled in a long war, supporting the South Vietnamese government against communist Vietnamese forces (the Viet Cong and the North Vietnamese army). For much of this time, the North Vietnamese and Viet Cong forces used border areas of Cambodia as sanctuaries from American ground and air forces.

North Vietnamese use of Cambodian border areas began to create substantial political difficulties for Cambodia's government, headed by Prince Norodom Sihanouk. The president of the United States, Richard Nixon, and U.S. secretary of state Henry Kissinger applied increasing pressure on Sihanouk to deny use of the border areas to the Vietnamese. This pressure was brought to a higher level when President Nixon and Secretary of State Kissinger instituted a secret bombing campaign in 1969 and 1970.

A turning point for Cambodia came in 1970, when American ground forces crossed the border in an attempt to destroy North Vietnamese army

units in their Cambodian strongholds. Cambodians, long at odds with the Vietnamese, were at first in favor of the invasion. The United States did not succeed in destroying the Vietnamese, however, and as a result Cambodia found itself in an even more precarious position.

There were several consequences of the American invasion. North Vietnamese forces, which had previously ignored Cambodian government troops, began attacking on sight. When combined with the long-standing ethnic tensions between the Cambodians and the Vietnamese, the situation became intolerable.

On March 11, 1970, with Norodom Sihanouk out of the country, a series of civil disturbances began in Phnom Penh. They started as ethnically oriented riots against the Vietnamese but soon escalated into a full military coup, led by General Lon Nol, to remove Sihanouk from power. The coup succeeded.

The United States supported the new Lon Nol regime with weapons, ammunition, and air power. Air strikes, often disastrously inaccurate, were directed by the American embassy. So extensive was the American support for the new regime that many Cambodians believed that the United States had taken over rule of their country.



Made king of Cambodia by the French government in 1941, when he was only nineteen, Norodom Sihanouk was overthrown by the Khmer Rouge in 1970. However, he reestablished himself as king during the 1990s. (National Archives)

The new regime became increasingly unpopular. Prince Norodom Sihanouk had been regarded as a god-king by the peasantry of his country. Consequently, his removal from power guaranteed a certain level of unpopularity for the new government. Sihanouk, whose government had been fought by small bands of Khmer Rouge, a communist guerrilla force, since the late 1960's, announced soon after the coup that he was supporting the Khmer Rouge. The power and size of the group began to grow. The Khmer Rouge previously had been limited to a few thousand fighters isolated in remote parts

of the country. They soon became an army of tens of thousands who were able to win victories against the American-supported government of Lon Nol.

Throughout the early 1970's, the Khmer Rouge, despite devastating American air attacks on behalf of the Lon Nol regime, consistently pushed the Cambodian government's forces back. It was during this period that many of the infamous policies of the Khmer Rouge were formulated. Khmer Rouge harshness developed from having withstood the withering American bombing during this period. The policy of civilian evacuation, later to shock the world, was developed during the early 1970's as a device for controlling villages that they had captured.

The end of the war and the victory of the Khmer Rouge came early in 1975. By early April, Khmer Rouge forces were on the outskirts of Phnom Penh. On April 12, 1975, the last Americans evacuated their embassy. The Khmer Rouge entered Phnom Penh on April 17, 1975.

Almost immediately on completing the conquest of Cambodia, the Khmer Rouge, led by Pol Pot, began to implement, on a far more sweeping scale, their practice of uprooting the populace of cities and towns. This time, however, the intent of the movement of the population was not just to pacify and to control the countryside. What the Khmer Rouge intended was to remove the entire population from the cities, move it to the countryside, and create a new social order based on agriculture and free of outside, imperialist influences.

In implementing this policy of evacuating the populace from the cities, huge numbers of people were moved from the capital. Phnom Penh, which before the war had a population of 600,000, had grown to 2.5 million people by the end of the war. Almost all were taken to the countryside. This exodus included the infirm, the sick, and the elderly. Many thousands died as a result of this forced movement.

In addition to forcing people to leave the cities, the Khmer Rouge began a systematic campaign of eliminating Western influences. This campaign included killing those Cambodians who were educated, individuals associated with the government and army of the Lon Nol regime, and anyone who had Western associations. Uncounted thousands died in this vengeance of the Khmer Rouge.

In moving the population to the countryside, the Khmer Rouge rapidly began to implement their version of a new social order. This concept of society was military in format and was based on continual struggle. All citizens were to give complete allegiance to an abstract concept called *Angka*, which has been interpreted as "organization" or, alternatively, as "the people's will."

People were executed for the smallest infractions of the rules set down by

the Khmer Rouge. Children were separated from their parents and were encouraged to inform upon them for the sake of *Angka*. Marriages were arranged by the Khmer Rouge, also in the name of *Angka*.

In the countryside, the people who had been uprooted were given small plots of land, typically seven acres in size. On these plots of land, the transportees were encouraged to grow crops such as maize, cassava, and yams. Rice paddies, the source of the heart of the Cambodian diet, and the tractors necessary to work them on a large-scale basis were kept under the strict control of the Khmer Rouge.

The workday for those who had been transported was long. Typically, the Khmer Rouge forced people into the fields at 5:00 A.M. Once in the fields, people worked until 11:00 A.M. The Khmer Rouge then permitted a break for lunch until 2:00 P.M. Workers finally finished the day's labors at 5:00 P.M.

The lengthy workday was quite strenuous—even for those physically able to do the labor. Many were not, and consequently, many died. Even those who were able to stand the rigorous labor found conditions difficult. Food, because of Khmer Rouge policies of isolation and self-sufficiency, was in short supply. This lack of food and a corresponding lack of medicine contributed to the death of many more people.

Cambodians of all ages, both genders, and varied backgrounds came to fear and hate the soldiers of the Khmer Rouge. Many observers stated that they feared the younger soldiers more than the older ones, because the younger Khmer Rouge were more thoroughly indoctrinated than their older counterparts. Therefore, there was a much higher probability of execution when younger soldiers enforced the rules.

The time of terror finally came to an end in early 1979 when, after a period of border skirmishes, Vietnam invaded and rapidly conquered Cambodia. After quickly driving the forces of Pol Pot from power, the Vietnamese installed a puppet government. It was only then that the world began to get an inkling of the true extent of the horrors of the Khmer Rouge regime.

Impact of Event

The greatest impact of the Cambodian takeover was the huge number of people who died as a result of Khmer Rouge neglect and vengeance. Most estimates state that approximately one million people died in Cambodia as a result of the Khmer Rouge terror. Some believe that 1.6 to 1.8 million people were victims of the followers of Pol Pot.

The consequences of this event remain difficult to gauge. The world has again discovered that it has a profound ability to ignore dreadful events as they

occur. The circumstances of the Cambodian genocide do not convey a message of hope about the world's ability to forestall such disasters in the future.

Many ironies have resulted from the Khmer Rouge dominance in Cambodia. First, the Khmer Rouge are still among several groups contending for power in Cambodia. A number of these groups organized to fight the puppet government installed by Vietnam. This alliance has put democratic forces, backed by the United States, on the same side as the Khmer Rouge. Furthermore, Norodom Sihanouk, former leader of Cambodia, found himself aligned with the Khmer Rouge. Sihanouk, after his January, 1979, liberation by the Vietnamese, denounced the Khmer Rouge in a memorable press conference.

The personal basis is perhaps a better indicator of the extent of the tragedy in Cambodia. Entire families were exterminated by the Khmer Rouge because one member was employed by Westerners. Physicians had to conceal their profession for the fear that, once discovered, they would be killed for being educated. Another indicator of the personal tragedy's extent came from the fact that for some Cambodians there was more than one relocation. The Khmer Rouge, during the first evacuation, moved people to the countryside in random patterns. Consequently, some were transported to areas that could not support them. Khmer Rouge officials discovered the problem and rectified their mistakes by ordering second transports of some refugees. Many Cambodians were in weakened condition because of short rations and the first forced movement. To avoid the horrors of a second transportation, some committed suicide.

The horrible personal and societal consequences of Khmer Rouge victory were manifested by waves of Cambodian refugees who struggled across Thailand's border. Tens of thousands languished in Thai refugee camps. The Cambodian refugee problem proved difficult to solve. Thailand found it a strain to take care of large numbers of refugees, and refugee Cambodians were reluctant to return to homes that were in a war zone. Therefore, finding a solution to the refugee problem was predicated on ending the war. Unfortunately, ending the war proved difficult because of the groups contending for power. Peacemakers found it impossible to reconcile the Khmer Rouge, the advocates of democracy, and the supporters of the Vietnamese-backed government. Therefore, it appears that years after the American invasion of Cambodia, peace and security in Cambodia remain the captive of the regional politics of Southeast Asia.

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Lyndon C. Marshall

Tokyo Declaration Forbids Medical Abuses and Torture

Category of event: Health and medical rights; international norms

Time: October 10, 1975

Locale: Tokyo, Japan

A global organization of physicians developed and passed a declaration stating that doctors should not “countenance, condone or participate” in torture or cruel, inhuman, or degrading punishment

Principal personages:

P. A. FARRELLY (1928-), an Irish physician who called the WMA’s attention to physicians’ participation in torture

DEREK PAUL STEVENSON (1911-), the secretary of the British Medical Association and member of the WMA’s council

ANDRÉ WYNEN, a Belgian physician, WMA council member, and later WMA secretary-general

Summary of Event

Physicians possess special abilities to heal the sick and wounded; they may also compound their patients’ suffering. Some physicians have been perpetrators of torture; others have played roles that enabled the military or police to carry out torture. A physician, for example, could advise the torturer on methods which will leave few conclusive marks of torture. A physician may also heal the victim, for that person’s benefit or instead so that he or she can endure more torture. Other practices include the prescription of drugs to facilitate use of sensory-deprivation techniques and filing of fraudulent medical reports. None of this is new: In the Holy Roman empire of 1532, the *Constitutio Criminalis Carolina* referred to “medical complicity” in torture.

The Declaration of Tokyo was passed by the World Medical Association (WMA) on October 10, 1975, the last day of its five-day conference. The declaration contains a preamble and six guidelines. The preamble states that practice of medicine is a privilege, and that “utmost respect for human life is to be maintained even under threat.” It also defines torture: “the deliberate, systematic or wanton infliction of physical or mental suffering,”

The guidelines first declare that “the doctor shall not countenance, condone or participate in the practice of torture or other forms of cruel, inhuman or degrading procedures” regardless of the victim’s alleged offense, beliefs, or motives. This applies equally during international or civil wars. The next two guidelines help define when a doctor might be accountable for another’s actions. A doctor is not to “provide any premises, instruments, substances or knowledge” to facilitate torture or maltreatment, nor shall he or she be present during any procedure in which torture or maltreatment is used or threatened. A fourth guideline proclaims that the doctor must have complete clinical independence—the doctor is to alleviate distress, a higher purpose than service of personal, collective, or political motives. The fifth provision specifically mentions forcible feeding. It stemmed from British treatment of Irish Republican hunger strikers. When patients refuse nourishment, medical personnel should not provide it. Before deciding that a prisoner lacks the capacity to make an informed refusal, a doctor should seek confirmation from another physician. In the sixth and final provision, the WMA promises to support and encourage doctors who refuse to condone torture and inhuman punishment.

The Declaration of Tokyo addressed recurrent abuses by physicians, occurring in recent decades in Chile, Uruguay, Syria, Colombia, Spain, South Africa, the Soviet Union, Great Britain, Iraq, and elsewhere. Many torture victims were examined at the Rehabilitation and Research Centre for Torture Victims in Copenhagen. In one report, 4 percent of torture victims examined described nontherapeutic administration of drugs by doctors, and 5 percent said that a doctor was present during their torture. Some doctors gave advice as to whether the torture should continue.

The World Medical Association was planned at an informal meeting of physicians held in London in July of 1945. Its first general assembly met in Geneva, Switzerland, two years later. It included delegations from all continents, but the membership varied over time. At the 1975 assembly, the United States was not represented, but Canada and Great Britain were. Each continent sent at least one delegation.

The Declaration of Tokyo built on earlier WMA resolutions. The Declaration of Geneva, adopted by the 2d General Assembly (1948), declared: “I will not use my medical knowledge contrary to the laws of humanity.” The International Code of Medical Ethics, adopted in 1949 at the 3d General Assembly in London, added such directives as: “A physician shall act only in the patient’s interest when providing medical care which might have the effect of weakening the physical and mental condition of the patient.” Similar language is included in the WMA’s Regulations in Time of Armed Conflict, adopted in 1956

(later edited and amended) by the 10th Assembly, held in Havana; these regulations also strictly forbid human experimentation on prisoners and populations under occupation.

Allegations of British abuses in Northern Ireland placed the torture issue on the WMA agenda. Such abuses accounted for the specific mention of forcible feeding. These issues had been raised by P. A. Farrelly and Derek Stevenson at the 1974 Congress. They and other members of the Irish and British associations collaborated in the Tokyo Declaration's composition. Those associations drafted a working paper, as did the French Medical Confederation and WMA council chair André Wynen.

When the council met in Paris in March of 1975, it revised the declaration and placed it on the agenda of October's World Medical Assembly. The British Medical Association had wanted specific mention of regimes that equated opposition with mental disorder, thereby justifying "treatment" in a hospital or prison. The French working paper urged that physicians maintain an attitude of "active neutrality." The declaration hints at both concerns, but neither was expressly included.

The WMA's concern coincided with actions against torture in other forums. One spur was the United Nations General Assembly session in the fall of 1974. A resolution as phrased initially would have directed the World Health Organization (WHO) to draft ethical guidelines for physicians concerning torture and interrogation. The WMA lobbied successfully for language that would allow it to assume a major role in drafting such guidelines.

The U.N. General Assembly addressed the practices of torture by unanimously adopting the Declaration on Torture on December 9, 1975. Amnesty International called it "the most important human rights document since the . . . Universal Declaration of Human Rights," adopted in 1948. Amnesty International's Campaign Against Torture publicized the issue through publications and conferences. The International Council on Nurses issued a policy statement in August, 1975, clarifying nurses' obligation to take action should they be made aware of ill-treatment of detainees.

The Tokyo Declaration was approved by the 350 delegates in attendance. One who did not attend was the secretary-general, Sir William Refshauge. The Japanese government would not issue entry visas to delegates from South Africa, and Sir William was committed to a conference which included all national sections of the WMA, regardless of politics. South Africa's apartheid policies, and the proper role of professional associations such as the WMA, would continue to be debated as physicians sought to give meaning to the Declaration of Tokyo.

Impact of Event

The WMA proclaims that “its voice is authoritative, being the considered opinion of many medical experts from every region of the world.” The Declaration of Tokyo is accorded great authority by professional associations; the reputation of the WMA, however, has been called into question.

Physicians’ associations and publications praised the declaration. *The Medical Journal of Australia* called it a “courageous and responsible statement”; and indicated that “by it WMA has enhanced its own stature as the one existing world voice for a profession which has much to give to the world, but which is to some extent under siege.” The American Medical Association (AMA) journal provided a brief description in January of 1976; when it rejoined the WMA in 1977 and began to play an active role, the AMA publicized and praised the declaration. The declaration had a ripple effect, with additional groups noticing, publicizing, and endorsing it over the years. In 1987, *Surgical Neurology* declared that, as an international journal, it should take a strong position against torture. It suggested that the most important function of the declaration (which it published in full) was “to serve as a reminder to governments and to the world community that physicians are staunchly opposed to the cruel treatment of human beings.”

Member associations of the WMA and individual physicians found occasion to invoke the declaration in refusing to associate themselves with abusive practices. Once the Pinochet regime allowed doctors to form a medical association with some autonomy, the Chilean Medical Association strongly condemned the physicians who were accessories to torture. The Uruguayan Medical Association cited the Declaration of Tokyo as well as United Nations documents in censuring two physicians, one of whom was an association member.

The Declaration of Tokyo was followed by related action of other professional organizations. The World Psychiatric Association, for example, unanimously adopted the Declaration of Hawaii (1977) condemning the political use of psychiatry. There were also echoes in the human rights community. Amnesty International stated in its annual report in 1976 that the WMA’s action demonstrated that “There is no doubt that NGOs [nongovernmental organizations] can play and are playing an invaluable role in promoting international law and guidelines to prevent torture.”

One group of critics implied that the declaration goes too far. Raj Jandoo, a forensic scientist, complained that the principles were too abstract; they fail “to appreciate the extreme situations that some doctors must endure in countries where repressive measures exist.” Such criticisms were partially responsi-

ble for United Nations members' conclusion that the Tokyo Declaration was not enough, and that the United Nations should adopt a supplementary set of ethical principles.

In December of 1982, the United Nations General Assembly acted. Its principles were based on the WMA's declaration but also incorporated the concerns of Amnesty International and other groups. The U.N. principles applied to all health personnel, whereas the Tokyo Declaration applied only to physicians. WMA leaders voiced concern about language that might absolve a military or police doctor who was present during torture. A 1978 draft of the United Nations principles would have instructed physicians "obliged by force to contravene certain aspects of these principles" to "reduce to the minimum the harmful effects" of their maltreatment.

Although it would be dubious speculation to attribute physicians' increasing consciousness about human rights to the WMA declaration, it is certain that this consciousness led in some cases to the exposure of torture. For example, police surgeons in Northern Ireland provided documentation of ostensibly "self-inflicted" injuries that revealed a pattern of abuse. New physician groups investigate and report on human rights conditions, among them Physicians for Human Rights (a U.S. group) and the French *Medecin sans Frontieres* (Doctors Without Borders).

The WMA has continued to address human rights issues. In response to the first execution by intravenous injection, carried out in Oklahoma, Secretary-General André Wynen issued a press release declaring that "no physician should be required to be an active participant" and that "acting as an executioner is not the practice of medicine." The thirty-fourth World Medical Assembly held in Lisbon, Portugal, in 1981 passed a Resolution on Physician Participation in Capital Punishment endorsing the press release and adding stronger language, that "it is unethical for physicians to participate in capital punishment." Certification of death, however, could be performed ethically.

There are certainly limits to the WMA's influence. Many physicians are unaware of its existence, preferring to participate in national medical associations if at all. The association candidly acknowledges what it calls "a lamentable lack of awareness among the profession itself about the nature of the WMA's work." The 1990's brought hopes for change within the WMA and elsewhere. Soviet and East European physicians welcomed opportunities to participate in such international organizations. The WMA hoped to induce its former sections to return, hoping that a return to its former size might provide greater financial stability and added impact for its declarations, among them the Declaration of Tokyo.

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Arthur Blaser

United Nations Issues Declaration Against Torture

Category of event: Health and medical rights; international norms; prisoners' rights

Time: December 9, 1975

Locale: United Nations, New York City

The United Nations' declaration against torture and other cruel, inhuman, or degrading treatment of accused persons led to a number of conventions on human rights

Principal personages:

ELEANOR ROOSEVELT (1884-1962), the chair and the moving spirit of the Human Rights Commission of the United Nations that promulgated the 1948 Universal Declaration of Human Rights

ANDREI SAKHAROV (1921-1989), a Russian theoretical physicist and human rights activist, recipient of the 1975 Nobel Peace Prize

NELSON MANDELA (1918-), a black South African political leader who was sentenced to life imprisonment in 1964 for his political activities against apartheid

Summary of Event

Prior to World War II, nations rarely were willing to allow foreign interference regarding public officials' treatment of their own citizens. This attitude changed quickly after the war. The revised attitude, a new international outlook, was connected with the horrors committed by the Axis Powers.

The idea of human rights as having a global or universal application goes back many centuries. The concept of human rights sprouted from a philosophy that speculated about the purpose of government and the worth of the individual person. Human rights were predicated on the belief that the human being existed for the good of himself and that government was established to protect certain innate or natural rights of the individual. Theology, especially in the West, gave credibility to the church's argument of the infinite significance of human beings as creations by and for God. The central objective of human rights was to assign a set of rules to clarify the relationship between gov-

ernment and the individual. Most explanations of this relationship held that individuals had specific obligations to government or the state, and government, in turn, had an equal, if not more compelling, duty to defend the inalienable rights of the individual.

History shows two major periods in which human rights made important headway in the West and eventually engulfed at least the imagination of non-Western states and intellectuals. The initial wave had its emergence in the seventeenth century and its finale in the late eighteenth century. English, French, and American thinkers such as John Locke, Voltaire, and James Madison claimed that human beings were imbued with fundamental rights that came from God or from Nature and that such rights were to be respected by government and could be invoked by the people as justification for revolution against a harsh government. The Lockean concept is seen most profoundly in the American Declaration of Independence (1776) and in the French Declaration of the Rights of Man and the Citizen (1789). Natural rights as basic civil rights were incorporated into the constitutions of a considerable number of countries.

The second eruption of human rights concern and agitation occurred in the 1930's. It grew out of revulsion against genocide and massive violations of the rights of accused persons by totalitarian regimes. The concept of human rights was strengthened by the defeat of totalitarian countries by the United States and its allies. The inhuman treatment of millions of people by the Nazis prompted the founders of the United Nations at the Conference of San Francisco in 1945 to place priority on the formulation of a declaration on fundamental human rights. The charter of the new United Nations required the enactment of appropriate declarations and conventions to safeguard human rights. It was unclear how diverse nations, democracies and communist nations alike, could agree on an international bill of rights.

In 1946, President Harry S. Truman appointed Eleanor Roosevelt, the widow of president Franklin D. Roosevelt, to lead the United States' delegation to the United Nations Commission on Human Rights. She became chair of the commission and guided its proceedings through unstable political waters. Roosevelt understood that the two superpowers viewed human rights differently; her job would be to blend the differences into an acceptable international bill of rights. The United States wanted a bill stressing political freedom, free speech, and freedom from cruel and unusual punishment, while the Soviets and their allies wanted to underscore economic freedoms such as the right to a decent standard of living, adequate housing, and affordable food.

The drafting and adoption process of the Commission on Human Rights took two years. On the night of December 10, 1948, in Paris, the Universal Declaration of Human Rights was approved by the General Assembly. The Universal Declaration was only a recommendation and did not bind nations to its lofty principles. The communists' economic freedoms were prominently set in the declaration: "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care." The declaration also offered protection from arbitrary arrest, detention, or exile, but "arbitrary" was not defined. This was only a beginning; the Universal Declaration, if it were to have genuine meaning, needed to be backed up with international treaties and enforcement agencies.

It took more than twenty years to reach that end. In 1966, the General Assembly accepted draft texts of two treaties as the definitive basis for an International Bill of Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights. Another decade passed before the two covenants entered into force in 1976. More than eighty nations have become signatories of those treaties.

In addition to these two treaties, known as the International Bill of Rights, several other international norms were established by the United Nations. One grouping has the status of recommendation, instructing nations what is right to do in respect to the treatment of their citizens. The second grouping is that of binding treaties.

Conventions or treaties are legally binding and thus require a large amount of time to draft and enact by the U.N. General Assembly. A declaration simply announces a principle or norm of what the international community considers to be appropriate behavior within certain contexts. Nevertheless, the declarations are essential in understanding the conventions, which require nations to observe and enforce the edicts of the United Nations. Accession to conventions by states is not always clear and their enforcement is unsure. Some conventions grew quickly and logically from declarations, such as the convention against genocide. Others were more laborious. The declaration against torture falls into that category.

The Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was a major triumph for the United Nations, as it struck at the internal norms of the nation-state. It demanded that public officials renounce and thoroughly reject what many people believe to be an innate instinct of the human species—to inflict pain on those persons who violate taboos and norms of the soci-



André Sakharov, whose protests against Soviet human rights abuses helped bring him a Nobel Peace Prize in 1975. (© The Nobel Foundation)

ety. The declaration exactingly defines torture, for example, as “intentionally inflicted by or at the instigation of a public official on a person for such purposes as obtaining from him or a third person information or confession.” Torture, the declaration states, is an offense to human dignity; not even a public emergency can be used by public officials to justify torture. States must take

requisite measures to prevent torture, and torture in all states is to be regarded as an offense against their criminal laws. Alleged victims of torture are given the right to impartial examination, and victims of torture will have redress at law. Any information gained from torture may not be used as evidence against any person.

The twelve articles of the declaration on torture contain reasonable guidelines for governments to monitor their own public officials. The U.N. convention on torture, following in 1984, gave grit to the convictions declared in the 1975 declaration.

Impact of Event

Ironically, in the same year as the U.N. General Assembly's declaration against torture, Andrei Sakharov, the father of the Soviet hydrogen bomb, received the Nobel Peace Prize for his advocacy of human rights and subsequent exile to Gorky. Sakharov had come to realize the monstrosity of his invention and had worked with deep conviction and passion for peace and protection of political critics of the Soviet government. He called compatriots to demand political equality and the right of the Soviet people to make choices. Nelson R. Mandela, a black political activist in South Africa, was sentenced, at the Rivonia trial in 1964, to life imprisonment for antigovernment activities. Mandela described himself as an African patriot who was working for the establishment of a nonracial democracy. There was little notice of Mandela's original imprisonment. Later events outside South Africa, specifically in New York City at the United Nations, focused a spotlight on the plights of Nelson Mandela and other prisoners of conscience during the course of the next twenty-five years.

The U.N. Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment led to various other declarations on human rights and to a number of treaties. The impact of these pronouncements and treaties is immeasurable. They established a global norm for proper treatment of accused persons and actually led to the liberation of certain political prisoners. Both Sakharov and Mandela benefited from the international condemnation of cruel, inhuman, and degrading treatment of dissidents. Sakharov and Mandela were not only set at liberty by the governments of their respective countries, the Soviet Union and the Republic of South Africa, but also permitted to assume well-defined and prominent roles in the political institutions that they had previously attempted to reform.

Persistent pressure, through the declarations and treaties on human rights

promulgated by the United Nations and its member states, had a surprising impact on communist countries concerning the way their governments treated accused persons and in democratizing their political processes. The most pivotal effect was on the Soviet Union itself, an effect shown by Mikhail Gorbachev's declaration of his policy of *glasnost* in 1985. With the dissolution of the Soviet Union into a loose grouping of independent states in 1991-1992, a third period of human rights seemed to be starting.

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Claude Hargrove

Argentina Conducts “Dirty War” Against Leftists

Category of event: Atrocities and war crimes; political freedom

Time: 1976-1979

Locale: Argentina

For three years, the Argentine military government fought a “dirty war” against left-wing terrorism, sweeping those suspected of “subversion” off the streets and out of their homes

Principal personages:

JUAN PERÓN (1895-1974), the populist president of Argentina from 1946 to 1955 and again from 1973 until his death in 1974

JACOBO TIMERMAN (1923-1999), a prominent Jewish publisher of an Argentine newspaper which criticized the military regime

RAÚL ALFONSÍN (1926-), the president of Argentina from 1983 to 1989, appointed the Commission on the Disappeared (CONDEP)

Summary of Event

From 1976 to 1979, the Argentine military government conducted a relentless campaign against left-wing guerrillas. The military believed that the only way to defeat communism was to wage a “dirty war” which severed the insurgents from the population and excised them from the nation. Military death squads roamed the streets, picking up suspects and whisking them off to secret military installations where they were often beaten, tortured, and disposed of without a word, let alone a trial. No written records of the whereabouts of the *desaparecidos* (“the disappeared”) were kept by the military *junta*, adding uncertainty to a culture of fear which gripped the nation.

The roots of the “dirty war” can be traced to the dominant figure of twentieth century Argentina, Juan Domingo Perón. The populist Perón carried the favor of the nation’s working classes during his first nine-year stint as president (1946-1955). His ideology was ambiguous enough to appeal to different social classes. As long as the state-directed economy performed well, Perón was able to hold his seemingly contradictory coalition together, but when the nation’s economy soured during his second term, the increasingly dictatorial Perón

created scapegoats out of the Roman Catholic Church and the military. The strategy backfired, and he was ousted by a military coup in 1955.

Although Perón was forced to leave Argentina, his movement, *Peronismo*, was never really defeated. From exile in General Francisco Franco's Spain, Perón plotted his return. Successive military regimes employed various strategies to destroy his movement, such as purging sympathizers from the bureaucracy and outlawing his Justicialist party or permitting Peronist participation in national elections only to annul the results of the elections when the Peronists proved too successful. A new generation of Peronist youth challenged the establishment.

On occasion, the military responded by turning the government over to civilian politicians, and at times it staged coups and resorted to repression to quell unrest. Urban guerrillas opposed the seemingly endless succession of ineffectual regimes, targeting prominent politicians and influential businesspeople for kidnappings and ransom. Neither the military nor the civilian governments that governed during the unstable period between 1955 and 1973 proved capable of managing the Argentine economy, let alone the social peace.

Perón believed that if his movement were to succeed, he had to mobilize the masses. He ambiguously gave his support from exile to both the young revolutionaries of the far left and the labor unions that remembered his populist regime fondly. There was a revolutionary left, led by elements both within the Peronist movement (for example, *Los Montoneros*) and outside it (most notably, *El Ejército Revolucionario Popular*, or ERP). Although these groups did not share a common ideology, they were committed to traumatizing the nation by committing violent acts against those they had identified as oppressors: the military and the police, along with their collaborators, capitalist entrepreneurs.

The military leadership, steeped in the anticommunist ideology of the Cold War, saw these insurgents as a threat to national security. The guerrillas had helped create an atmosphere in which it was possible for the military leadership to insist that nothing short of a policy of extermination was sufficient to rid society of left-wing violence. The military responded by organizing and permitting the formation of right-wing death squads to retaliate against guerrilla groups. By 1973, the country was on the verge of anarchy. In a last-gasp measure, the military government permitted Juan Perón, now aging and infirm, to return from exile and participate in the upcoming elections.

Perón received an impressive 62 percent of the vote, a reflection of the electorate's desire for a fresh approach to Argentina's problems. Upon his return,



After eighteen years in exile, former Argentine president Juan Perón returned to power in 1973 but died the following year. (Library of Congress)

Perón made it clear that he would not tolerate left-wing insurgency. He cracked down on the Marxist ERP and his own movement's *Montoneros*. His conservative approach delighted the military and its constituency, but it alienated many members of the Peronist youth, who had looked upon the Argen-

tine president as a leader committed to meaningful reform. In July, 1974, Perón died, leaving the presidency in the hands of his third wife, Isabelita, a former cabaret dancer. Argentina slipped into chaos as the economy careened out of control. Inflation reached 700 percent by early 1976. Señora Perón's spiritual adviser organized death squads, most notably the Argentine Anti-Communist Alliance (AAA), against *Montoneros*, Jews, and suspected leftists. The guerrillas continued their deliberately provocative attacks, with an estimated ten thousand Argentines actively involved with the insurgents. From bank robberies and ransomings, the guerrillas had built a formidable war chest of approximately \$150 million. During the last month of Señora Perón's rule, *La Opinión*, a Buenos Aires daily newspaper, estimated that there was a political killing every five hours and a bomb attack every three. The question became when the military would take power, not if.

Argentina's best-predicted coup took place in March, 1976. The military *junta* gave itself sweeping powers. Congress was dismissed, the Supreme Court was replaced with military appointees, and the *junta* took command of the universities. Although the Argentine *junta* borrowed the tactic of "disappearances" from the Brazilian military, which had used it ruthlessly during the 1960's, the Argentine generals refined the practice. By not placing suspects under official arrest, they left no legal trail. *Los desaparecidos* were victims in a deliberate tactic designed to terrorize the country.

Suspects were taken from their homes and offices to detention centers, and their homes were ransacked and looted. Most of the disappeared lived the rest of their lives in the detention centers, blindfolded, forbidden to talk to one another, hungry, and living in filth. The military employed electric shocks, rape, near-drownings, and constant beatings, not only to discover information, for very few had knowledge of left-wing activities, but also to break the prisoners psychologically and spiritually. Most of those who somehow survived the torture were killed. When disposal of the bodies presented a problem, the military simply buried the dead in mass unmarked graves or loaded the prisoners into military planes, flew them over the Atlantic, and then threw them out. Some were drugged or killed beforehand, but others were alive and conscious when they left the plane.

The generals also implemented a war against certain ideas. The military sought to create an "appropriate" culture based on the fight against communism, simple patriotic values, the family, and Christianity. The persecution of journalists, the use of terror to silence educators, artists, and writers, and the widespread blacklisting of individuals all resembled Nazi Germany. At the University of Buenos Aires alone, more than fifteen hundred professors were

replaced by military supporters. The military contended that they were only redressing the balance in public education, as university politics had become dominated by left-wing ideologies which supported revolutionary activities.

Curricula were altered. Political science, sociology, and psychology were suspect because they were heavily dependent on foreign influences and had been much favored by left-wing students and academics. Although John Wayne was a particular favorite of the *junta*, many American movies were banned. The music of Bob Dylan, Joan Baez, and the Beatles was forbidden on the airwaves. Books idealizing the Nazi regime in Germany went back into print in Buenos Aires. Mass public book burnings took place as the writings of Mao Zedong, V. I. Lenin, and Che Guevara were singled out for immolation. Citizens burned their own books to eliminate anything that might get them in trouble. Sex education books were banned, reflecting the strong puritanical mores of the regime.

The military regime also felt an obligation to defeat communism internationally. To this end, they helped militaries in Peru, Chile, and Paraguay in their struggle against leftist movements. In addition, the Argentines gave members of Somoza's Nicaraguan National Guard sanctuary in their Managua, Nicaragua, embassy after the victory of the Sandinistas in July, 1979. They further aided the ex-National Guardsmen by setting up a training school to organize the first "contras," or counter revolutionaries, who opposed the Sandinista regime. Although the military campaign destroyed the guerrilla movement, it prompted outrage and resistance both within and outside Argentina. U.S. president Jimmy Carter was an outspoken opponent of the military government, eventually cutting military and economic aid to the regime.

Resistance to the military sweeps came from one unexpected source. A group of fourteen mothers who had lost their sons petitioned the military-controlled judiciary for writs of *habeas corpus* in 1977. When their pleas fell on deaf ears, they went to the Plaza de Mayo in downtown Buenos Aires, armed with only their identity cards, and directly challenged the military to return their loved ones. The mothers returned each Thursday to the square. The protest movement grew and became a political statement on behalf of all of *los desaparecidos*. At first, the military ignored the protests, but when foreign reporters publicized the demonstrations, the government cracked down. The movement was infiltrated by the military, some organizers were harassed and arrested, others were driven off the streets, and finally twelve mothers were "disappeared."

Another case which showered international attention on *los desaparecidos* was the Jacobo Timerman affair. Timerman had founded a prominent Buenos

Aires newspaper, *La Opinión*. The paper expressed muted disapproval of the military regime, as Timerman was worried that publicity of any individual case might likely lead to that person's death. Timerman was "disappeared" and taken to a detention center. The negative publicity generated by an international campaign probably saved Timerman's life. He was released and sent into exile, where he penned a powerful account of his capture and treatment in the detention center.

Impact of Event

The worst of the repression had ended by 1979. The guerrillas had been decimated and the regime was in complete control. If the military proved successful in quashing the insurrection, however, it did not prove as diligent in righting Argentina's troubled economy. Rising indebtedness, hyperinflation, and a worldwide recession in 1980-1981 combined to shake national confidence in the military's ability to rule the nation. A disastrous military decision to invade the Falkland Islands (or as they are called in Argentina, Las Malvinas) in the spring of 1982 proved to be the final straw. In 1983, the military, now discredited, turned the government over to civilian politicians.

Elections were held in 1983, and Raúl Alfonsín won the presidency. Alfonsín was one of the few politicians who had spoken out publicly against the repression during the dirty war. During his campaign, he made two promises to the nation: He would investigate the disappearances and prosecute those responsible. He appointed a Commission on the Disappeared (CONDEP) with full powers to investigate and report.

The identities of 8,960 citizens who had disappeared were conclusively established. CONDEP stated that twenty thousand Argentines were arrested during military rule, and many of them were tortured or raped. Two million had fled the country to escape the possibility of death or imprisonment. The great majority of the disappeared were young adults, usually educated and politically aware. CONDEP concluded that the great majority were kidnapped during the first two years of the *junta's* rule and then murdered in 1978, when the international call for information about *los desaparecidos* reached its height.

CONDEP's report fulfilled Alfonsín's first promise to investigate the tragedy. Next, a series of trials was held to prosecute past officials for criminal acts. For Alfonsín, it was essential that the process vindicate not only justice but also the Argentine legal system. After so many illegal acts, Argentina, if it was to persevere as a nation, would have to come to terms with its past through the rule of law. Alfonsín ordered the arrest of all nine generals who formed the three ruling *juntas* from 1976 to 1983. The new government passed a com-

prehensive statute which dealt with the issue of criminal responsibility.

The nine commanders went on trial on April 22, 1985. The highly publicized proceedings lasted five months. Although capital punishment was permissible for these offenses, the government prosecutor asked for life imprisonment for five of the nine defendants and lesser sentences for the rest. Two of the generals were given life sentences—Jorge Videla and Emilio Massera, commanders of the army and navy, respectively. Four others were acquitted, although three of the four were later convicted by separate military tribunals and sentenced to prison.

Some citizens were outraged by the court's decisions, and many wanted much tougher sentences. The court's policy of variable sentences was important for several reasons. It showed that the judiciary was politically independent of the government, which had called for heavier sentences. In other words, the trials were an exercise in due process, not political vengeance. More important, it made clear that there are degrees of guilt in crimes against humanity. The trials of junior officers were more troublesome. Drawing the line between following orders and taking responsibility proved more difficult for the judiciary. Although five hundred other members of the military were formally charged, few were ever brought to trial. Political considerations weighed heavily on Alfonsín and his successor, Carlos Saúl Menem. An attack on the military was regarded in some quarters as divisive and politically unwise, since the armed forces were needed to maintain the peace and prop up the fledgling civilian government. A number of attempted coups during Alfonsín's and Menem's terms graphically demonstrated how tenuous democracy was in Argentina. In 1989, Menem passed a series of general pardons which in effect dismissed the charges pending against all those who were tried and sentenced under the Alfonsín regime for their participation in the dirty war.

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Allen Wells

IRA Prisoner Dies After Hunger Strike

Category of event: Health and medical rights; prisoners' rights

Time: February, 1976

Locale: Wakefield Prison, West Yorkshire, England

In an attempt to obtain special political status from the British government, IRA member Francis Stagg undertook a fast that led to his death

Principal personages:

FRANCIS STAGG (1941-1976), a resident of Coventry, England, who was imprisoned in 1973 for IRA activities

ROY JENKINS (1920-), a Labour Party politician and British home secretary

HAROLD WILSON (1916-1995), the Labour Party leader and prime minister of Great Britain

LIAM COSGRAVE (1920-), the prime minister of the Irish Republic

Summary of Event

During the twentieth century, few problems strained the British political and judicial systems more than the demands of Irish nationalism. Decades of agitation, followed by a civil war, finally produced the uneasy compromise of 1922 that granted most of the island virtual independence but allowed six counties in Ulster to remain part of the British system as the province of Northern Ireland. This province, dominated by Protestants, obtained its own parliament at Stormont and exercised considerable control over Northern Ireland's internal affairs. For decades, the Protestant establishment systematically used this power to discriminate against the Roman Catholic minority in matters such as jobs, housing, and political representation.

Militants, chiefly represented by the Irish Republican Army (IRA), never reconciled themselves to the concept of a divided Ireland and periodically resorted to acts of terrorism and violence in Northern Ireland, the Irish Republic, and Britain in order to achieve their dream of a united Ireland free of any British control. The situation became particularly explosive in 1968 with the birth of a Catholic Irish civil rights movement in Ulster, patterned in many respects on the contemporary struggle for justice of African Americans in the

United States. The marches and demonstrations inevitably sparked violence by both Protestant and Catholic extremists and resulted in British troops being sent to the troubled province in 1969 to try to restore order and protect the civilian population.

In response to the tumult throughout Ulster, the IRA split into two factions. The more moderate wing, known as the Official IRA, expressed willingness to work with the parliaments in Belfast, Dublin, and London to achieve a political solution. The militant wing, infused with idealistic nationalism and a leftist political agenda, repudiated compromise and pledged allegiance to the traditional program of physical force to expel the British presence. Throughout the 1970's, this group, known as the Provisional IRA, or Provos, continued a campaign of bombings, assassinations, and other violent acts that reduced Northern Ireland to chaos and created serious problems for the British government regarding the proper treatment and status of IRA prisoners.

In an attempt to break the back of the IRA, in August, 1971, the government of Northern Ireland introduced internment without trial. By the end of the year, more than fifteen hundred suspects had been arrested. This failed to crush the IRA and succeeded only in alienating a larger proportion of the Catholic population, who saw internment as a discriminatory measure that violated basic civil rights. Perceiving themselves to be political prisoners rather than criminals, IRA inmates demanded special status, which essentially meant that they could wear civilian clothes, refuse penal labor, and have free association with other such internees. In order to obtain special status, several IRA prisoners in 1972 resorted to hunger strikes, a traditional weapon used by Irish nationalists to draw attention to their demands. With several such prisoners near death, the government of Prime Minister Edward Heath, which had recently abolished the Stormont Parliament and assumed direct control over the province, granted special status to those found guilty of politically motivated crimes.

The issue of special status did not limit itself solely to Northern Ireland. Four years later the Labour government of Harold Wilson found itself confronting yet another hunger strike, this time by an Irish prisoner in an English jail. The thirty-four-year-old prisoner was Francis Stagg, a native of the Irish Republic who had lived in Coventry, England, since 1959, where he had been a bus driver. Coventry has a large Irish population, and Stagg became involved in local IRA activities. An English court, after his arrest in 1973, sentenced Stagg to ten years in prison for conspiring with others to attack targets in Coventry and for participating in the management of the local IRA unit. In February, 1975, he was transferred to Wakefield Prison in West Yorkshire to

serve the remainder of his sentence. In December, for the fourth time since his incarceration, Stagg embarked upon a hunger strike, demanding that the government transfer him to a prison in Northern Ireland, where he would automatically enjoy special political status.

When confronted with such an act of defiance, authorities had three basic options: concede to the demands, resort to force feeding, or allow the hunger striker to die. Previous British governments had shown no consistency in their response. Delours and Marion Price, two sisters imprisoned in London for car bombings in 1973, began a hunger strike during which they were force fed for 206 days before the government agreed to their demand to be transferred to Armagh prison in Ulster. In June, 1974, however, twenty-four-year-old IRA member Michael Gaughan, jailed in England for robbing a London bank, died after a sixty-five-day fast, his demand for transfer having been rejected. The following month Labour Home Secretary Roy Jenkins announced an official policy for dealing with hunger strikers. In the future, they would not be force fed and would be allowed to die unless they asked for medical intervention.

In embarking upon his strike in December, 1975, Stagg was thereby challenging the government to abandon its stated policy. Two days after he began his fast, he received official warning of the consequences of his actions, including the grim reminder that his condition would be allowed to deteriorate unless he specifically asked for medical intervention. On December 19, officials transferred him to the prison hospital, where he received medical supervision and advice, but no forceful steps were taken to prevent the inevitable grievous consequences of his actions.

Throughout the following weeks authorities made food readily available to Stagg, which he repeatedly refused. He was allowed virtually unlimited visits from family and friends. Although remaining steadfast in its refusal to transfer him to a prison in Northern Ireland, the government did indicate it would be sympathetic to a transfer to a penitentiary closer to his wife in Coventry. Stagg rejected this since it did not grant him recognition as a political prisoner.

As death grew imminent, Home Secretary Jenkins reiterated that the government would not give in to blackmail. The government hoped that the leadership of the Provisional IRA would call off the hunger strike, as it had done in January, 1973, when it decided that Chief of Staff San McStiofian's fifty-seven-day fast was serving no productive purpose. This time, however, no such order was forthcoming.

Six relatives, four British members of Parliament, the Auxiliary Bishop of Leeds, and one representative of the IRA's political wing visited Stagg during

his final days. The young prisoner remained steadfast in his determination to continue his strike. On February 7, he dictated his will, requesting an IRA funeral with full military honors in his native Ireland. He died on February 12, sixty-one days after beginning his fast. According to his wife Bridie, his final words were, "Peace with everyone." Two days later, an official inquest ruled that Stagg's death was a suicide resulting from cardiac atrophy associated with malnutrition.

The Provos seized upon Stagg's death as an opportunity to stage a grand military funeral honoring their latest martyr. They planned an elaborate 180-mile march from Dublin to a cemetery in County Mayo. The government of Irish prime minister Liam Cosgrave had no intention of permitting such a demonstration by an organization which was illegal in the Irish Republic as well as in the United Kingdom. The Irish government diverted the plane carrying Stagg's body to Shannon airport and refused to release the body until the IRA agreed to take it quietly to County Mayo for interment. Over seven thousand people attended the funeral on February 22. IRA supporters threw stones at some of the eight hundred Irish police gathered to prevent disorder. As his IRA colleagues fired an illegal volley over his grave, Francis Stagg was laid to rest a mere forty yards from the grave of fellow hunger striker Michael Gaughan.

Impact of Event

Provisional IRA leaders had threatened violent retaliation should Stagg be allowed to die, and both British and Irish authorities braced for a wave of deadly reprisals. The British government placed full-page ads in Belfast's leading Catholic newspaper explaining its refusal to accede to Stagg's demands, pointing out that he had been sentenced by a British court for offenses committed in Britain and that he had no official ties with Northern Ireland.

Nevertheless, Stagg's death escalated the level of violence and political tension in Northern Ireland, the Irish Republic, and Britain. The day after his demise, London police defused a bomb at the crowded Oxford Circus underground station, and the same day bomb attacks occurred in Dublin at several department stores and a prominent hotel. The IRA later claimed credit for two explosions in the heart of London on February 22.

The deadliest violence, however, occurred in Ulster, some of it engineered by the Provisionals and some of it resulting from spontaneous rage by the Catholic citizenry. Riots erupted in Belfast and Londonderry, and by February 15 authorities estimated that arsonists and mobs had destroyed property valued at more than £5 million. More than twenty bombs wrecked homes and

shops in Northern Ireland in the week following Stagg's death, and eleven people lost their lives. By August, as a result of escalating violence by the IRA and Protestant extremists, more than two hundred had died.

Continuing its no-compromise policy, the British government implemented a previously announced plan to abolish all future special political status for prisoners, effective March 1, 1976. Following the assassination of the British ambassador to Dublin, the Irish government declared a state of emergency and passed strenuous antiterrorist measures, giving the army power to search, arrest, and detain suspects.

The deaths of three young children in Belfast in August, 1976, gave birth to a peace movement led by Betty Williams and Mairead Corrigan. They organized massive demonstrations demanding an end to the violence and garnered more than three hundred thousand signatures on a peace petition by 1977. Hopes that this movement could end the bitter divisions proved illusory.

Five years after Francis Stagg's death, Bobby Sands became the thirteenth Irish nationalist in the twentieth century to starve himself to death, as he vainly attempted to intimidate the Conservative government of Prime Minister Margaret Thatcher into reinstating special political status for IRA prisoners. Nine other young Irishmen followed him during 1981. The IRA finally called off the campaign late in the year.

Francis Stagg's sacrifice failed to end British rule over Northern Ireland and resulted in no significant change in the way the British handled political prisoners. It did reflect a long-standing belief that hunger strikes could influence public opinion and ultimately force a change in government policies. Such actions had been practiced not only by Irish nationalists but also by individuals as diverse as the British suffragists before World War I and Mohandas Gandhi in India. The 1976 hunger strike was but another example of an attempt to use prisoners to obtain political goals. William McKee, once the main IRA leader in Belfast, had proclaimed, "This war will be won in the prisons." Francis Stagg's 1976 death was yet another fatality reflecting this mentality.

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Tom L. Auffenberg

South African Government Suppresses Soweto Student Rebellion

Category of event: Atrocities and war crimes; political freedom; revolutions and rebellions

Time: June 16, 1976

Locale: Johannesburg, South Africa

The Soweto Riots of 1976 changed the fundamental relationship between the Afrikaner-dominated regime and the African majority

Principal personages:

BALTHAZAR JOHANNES (JOHN) VORSTER (1915-1983), the prime minister of the Republic of South Africa at the time of the Soweto rebellion

JAMES T. KRUGER (1917-), the minister of justice under the Vorster regime

DESMOND TUTU (1931-), an African national religious and political leader

DANIEL SECHABO MONTSITSI (1956-), a member of the Soweto Eleven put on trial in the aftermath of Soweto

MAFISON MAROBE (1957-), a member of the Soweto Eleven put on trial in the aftermath of Soweto

Summary of Event

On June 16, 1976, ten thousand African school children in the segregated public schools of South Africa openly protested against a new regime policy which required instruction in Afrikaans, the Dutch language of the white minority that controlled government institutions. Afrikaans is the language of Dutch Afrikaners, who along with the British settled the tip of southern Africa and eventually colonized the indigenous African population in what is known today as South Africa.

The Soweto protest was, in part, the outgrowth of more than three hundred laws passed by the white regime which subjected black Africans to inferior status in every aspect of life from cradle to grave. The black majority suffered from poverty, unemployment, underemployment, poor health care, segregated housing, and lack of suffrage. White children had eight times as much money spent on their education as did black children and had only one-third

the number of students in a typical classroom. Laws treating the races differently were known by the euphemism “apartheid,” which is a Dutch word meaning “separate development.” The name Soweto is actually an acronym which stands for Southwest Township, a sprawling black ghetto on the outskirts of Johannesburg which housed more than one million poor Africans in 1976.

Soweto leaders, including the Very Reverend Desmond Tutu, a national figure, warned political and legal authorities that the township, with a high level of alienation, particularly among its youth, represented a powder keg that could explode at any time. Manie Mulder, chair of the West Rand Bantu Administration Board that governed Soweto, scoffed at the idea, arguing that Soweto’s black citizens were perfectly content. In 1974, use of Afrikaans became a political issue before the board that would further divide people by generation, race, and political ideology.

The protest in Soweto began nonviolently with the carrying of placards protesting the language of Afrikaans in classrooms. Students attempted to march to Soweto’s largest stadium for a rally, singing and chanting black nationalist and liberation songs. Sowetoians already knew two languages, their own ethnic group’s and English. To have Afrikaans, not only a difficult language but a language associated with oppression, forced on students represented the proverbial straw that broke the camel’s back. Interpretations differ as to whether the police (which ironically were mostly black, with white supervisors) or students initiated hostilities. As the confrontation unfolded, police used tear gas followed by open gunfire. The students responded with rocks and stones. The students, joined by older teens and young adults, attacked, overturned, and burned police cars, trains, and buses, and set fire to government property and buildings. They attacked and killed two whites. South Africa had never witnessed this level of black rage.

The evening of the first night of the uprising, Minister of Justice James T. Kruger appealed to Sowetoians for calm and asked them to help police do their job. Prime Minister John Vorster was put in an embarrassing position, since the uprising took place on the eve of his meeting with U.S. secretary of state Henry Kissinger. Nevertheless, several days after hostilities began, Vorster warned that the state would use whatever force was necessary to put down the rebellion. Vorster, in a special message to the all-white parliament, argued that the violence was not spontaneous and was meant to polarize the races. Kruger made similar arguments before parliament, claiming that police were not using excessive force, and stating that the presence of young Africans in their twenties suggested that the riots were organized. Evidence uncovered later

shows that some of the violence may have been organized, since telephone calls to authorities often preceded violence and the same nationalist placards and slogans were seen in different parts of the country.

The protests and violence spread to other black townships around the country as well as to mostly white and mostly black colleges and universities, one of the latter on the coast of the Indian Ocean, 350 miles from Johannesburg. White students, in a show of support, fought bloody battles with police on campuses as well as in the streets of Johannesburg and Cape Town. In the end, more than six hundred blacks were shot and killed by the police in the Soweto area alone. In the country as a whole, it is estimated that the number of blacks killed may have reached several thousand and that several thousand more may have fled the country to take up arms with the African National Congress, the outlawed black guerrilla organization fighting to overthrow the apartheid regime. Hundreds more were arrested and detained, including Winnie Mandela, wife of Nelson Mandela, the world renowned leader of the African National Congress (ANC). It is hard to develop an accurate count of those killed since the regime was sensitive to international opinion that could influence foreign capital and investment and thus would understate the totals.

The Soweto uprising did not end with the state's suppression of the Soweto rebellion against the language of Afrikaans. A number of blacks were put on trial, with proceedings beginning in July, 1978. The leaders of the uprising who were not killed or who had not fled the country to prevent their prosecution and possible persecution by the state came to be known as the "Soweto Eleven." These eleven were made up of one female and ten males. The defendants were Susan Sibongile Mthembu, Wilson Welile Chief Twala, Daniel Sechabo Montsitsi, Seth Sandile Mazibuko, Mafison Marobe, Jefferson Khotso Wansi Lengane, Ernest Edwin Thabo Ndabeni, Kennedy Kgotsietsile Mogami, Reginald Teboho Mngomezulu, Michael Sello Khiba, and George Nkosinani Yami Twala. These students ranged from sixteen to twenty-one years of age and were charged with sedition.

The state concentrated on two of the eleven defendants, Montsitsi and Marobe. These two were older, more mature, more intellectually sophisticated, and unimpressed by the power of the state regime to determine their fate. In addition, Marobe was known to have connections with the ANC, the organization most hated by the state. Montsitsi was brutally beaten a number of times by state security agents before the trial in an attempt to change his attitude. The state set out to prove that the Soweto Eleven were older, organized instigators and that conditions in Soweto really were not that bad for blacks. The Soweto Eleven contended that the rebellion was a spontaneous event pro-

voked by the police and the poverty-stricken conditions of blacks. Ten of the eleven were eventually convicted of various charges emanating from the Soweto uprising. Nine of the eleven drew suspended sentences. Montsitsi and Marobe, the two primary targets of the prosecution, drew four- and three-year prison terms, respectively.

Impact of Event

The Soweto rebellion continued for months, and many blacks were killed before it was crushed. This incident contributed to South Africa's legacy of racism and oppression in international circles. Additional sanctions were instituted by Western countries as a result. In the past, the regime had put down black rebellions almost instantaneously with brutal shows of force. This was the case in the Sharpeville Massacre in 1960. More than five thousand unarmed black men, women, and children had protested in front of a police station against carrying of passbooks, or internal passports. The police responded without warning with deadly force, shooting at point-blank range. Seventy-two blacks were killed, most shot in the back as they attempted to flee from the barrage of gunfire. Hundreds were wounded.

Soweto is considered a turning point in the black revolution in South Africa to overthrow the system of apartheid and white minority rule. After Soweto, guerrilla and revolutionary activities against the apartheid regime intensified. From the ashes of the Soweto conflict arose the Black Consciousness movement, composed of a number of student organizations committed to self-help and liberation as well as condemnation of the older generation of moderate blacks. By the early 1980's, the regime had begun to institute a number of political reforms aimed at reducing international criticism, attracting greater foreign investment, and dividing the indigenous Asian and colored populace from the black majority.

One of these reforms was the creation of a tricameral legislature. Whites, Asians, and coloreds would have their own chambers, but with the white chamber having veto power over all legislation approved by the other houses. Under this reform, the black majority, 68 percent of the total population in South Africa, still would not have national representation. Lacking representation, blacks had no mechanism to voice their grievances. Black protests against the so-called reforms were the spark for President Pieter Botha to declare a state of emergency in 1985, in which the military and police killed and wounded thousands of protesters and imprisoned thousands more with neither charge nor trial. A second state of emergency was declared as antiapartheid protests, many nonviolent, continued. Thousands were killed or imprisoned.

By 1986, the U.S. Congress had responded by passing the Comprehensive Anti-Apartheid Act, imposing severe sanctions for the racial atrocities and human rights violations against the black majority. The European Commonwealth and the European Economic Community each also imposed a variety of economic sanctions in the aftermath of the violent suppression.

South Africa continued to undergo reform, including removal of most of the apartheid laws that ensured cruel and unusual treatment of blacks. These reforms are widely attributed to sanctions by other countries, which had a devastating effect on the South African economy.

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Mfanya Donald Tryman

South African Government Kills Biko

Category of event: Atrocities and war crimes; health and medical rights; prisoners' rights

Time: 1977

Locale: South Africa

Detained under the Terrorism Act, Stephen Bantu Biko became the forty-sixth political detainee to die in the custody of the security police

Principal personages:

STEPHEN BIKO (1947-1977), a fighter against apartheid and a leader of the Black Consciousness movement

PIETER GOOSEN, the chief of security police in the Eastern Cape

JAMES T. KRUGER (1917-), the minister of justice, police, and prisons

MARTHINUS PRINS, the chief magistrate of Pretoria, who presided at the inquest into Biko's death

BALTHAZAR JOHANNES (JOHN) VORSTER (1915-1983), the prime minister of South Africa

Summary of Event

Apartheid, the policy of institutionalized racial domination and exploitation imposed in South Africa, was denounced by the United Nations as a flagrant violation of the U.N. Charter and of the Universal Declaration of Human Rights. Apartheid caused immense suffering and the forced removal of millions of Africans from their homes. Its enforcement entailed ruthless repression and the denial of basic human and political rights. Apartheid, based on fundamental premises of racial superiority and separation, became the official ideology of South Africa in 1948 with the electoral victory of the Nationalist Party. The apartheid system persisted into the 1990's, and only in 1991 did President Frederik Willem de Klerk begin to dismantle it. In one of the great political miracles of world history, all legal vestiges of apartheid were removed from South Africa by 1994, and the country had a new constitution with some of the strongest protections of human rights in the world.

Prior to the apartheid system, the history of South Africa from the beginning of European colonialism in 1652 had been one of deepening racial op-

pression and economic exploitation. The result of this history is a situation in which the approximately 5.5 million white South Africans (out of a 1990 total population of about 34 million) owned 87 percent of the land. The political system totally excluded the 25 million black South Africans and afforded very limited participation to the three million "Coloureds" and one million Asians. The legal and economic systems were designed to control the movement and exploit the labor of the black majority. A repressive "police state" security structure quashed black resistance.

Resistance by the black African majority was a constant feature of South African history. Increasingly in the twentieth century, allies were found among the white, Coloured, and Asian populations of the country. Most prominent among the twentieth century black resistance movements were the African National Congress (ANC), the Pan-Africanist Congress (PAC), the Black Consciousness movement (BCM), and the United Democratic Front (UDF). The leaders of these movements, including Nelson Mandela of the ANC, Robert Sobukwe of the PAC, and Stephen Biko of the BCM, all suffered repression by the South African state. In Biko's case, the state not only detained and restricted his movements on many occasions but also ultimately killed him while he was in detention.

Stephen Bantu Biko was born in King William's Town, Cape Province, on December 18, 1947. After a high school career interrupted by reprisals for his political activism, he began medical studies at the University of Natal in 1966. Two years later, he helped found and became the first president of the South African Student Organization (SASO), established to provide a voice of liberation for black students and the black community and to propagate the emergent philosophy of Black Consciousness. In 1971, Biko helped found the Black People's Convention (BPC) as an umbrella organization for the growing Black Consciousness movement. Because of his activism, Biko was expelled from medical school, and in 1972, along with other SASO and BPC officers, was "banned" by the state. The banning order forced his removal from membership in SASO, BPC, and the other community self-help programs and activist organizations with which he was associated; prohibited him from attending gatherings of three or more people and from writing for publication or being quoted; and confined him to King William's Town for five years. The banning was intended to bring an end to Biko's political activities; however, he continued to establish community programs and to develop and articulate Black Consciousness. Biko's national and international stature grew, and in 1976 he was elected honorary president of the Black People's Convention. He was arrested and detained many times between 1974 and August, 1977, accused of

breaking the terms of his banning order or undermining the security of the state. He was always cleared of such charges, and during his life he was never convicted of any crime.

At the heart of Biko's activism was the philosophy of Black Consciousness, a philosophy with roots in African nationalism, pan-Africanism, and liberation theology. At its core, Black Consciousness is both a philosophy of psychological emancipation, self-assertion, racial pride, and dignity and also an ideology for combating the legal, economic, political, and physical repression intrinsic to the apartheid system. The need to free black South Africans of their entrenched inferiority complex, mental emancipation, was seen as a prerequisite for political emancipation. The goal of Black Consciousness was not artificial integration among the races in South Africa but instead true humanity, devoid of racist solidarities and power politics. Biko declared, "We are looking forward to a nonracial, just, and egalitarian society in which color, creed, and race shall form no point of reference."

Central to the political practice of Black Consciousness were the rejection of white liberal domination of the antiapartheid organizations and the establishment of community-based self-help and mass agitation programs involving the rededication of black intellectuals to the black community. SASO, BPC, the Black Community Programs, and the Zimele Trust Fund, devoted to community development via housing, health, and literacy programs, were concrete manifestations of this philosophy and practice. The commitment to nonviolence was another key element of Black Consciousness. There was a deliberate effort by the Black Consciousness movement to avoid being banned by the state. The movement wanted to fill the gap in internal, legal black politics that had existed since the banning of the ANC and the PAC in 1960, after the Sharpeville Massacre.

Biko was arrested for the last time on August 18, 1977, in Grahamstown. He was detained under the provisions of the Terrorism Act of 1967, which permitted the police to arrest without a warrant anyone suspected of terrorist activities or having knowledge concerning such activities. Detained persons could be held incommunicado for as long as the commissioner of police or minister of justice deemed necessary. Biko's arrest in Grahamstown meant that he was in violation of the terms of his banning, which restricted him to King William's Town. Biko was kept in isolation, naked and manacled, for twenty days. On September 6, he was moved to the Security Police Headquarters in Port Elizabeth, and was interrogated. Sometime on September 6 or September 7, Biko received blows to the head, causing brain damage and ultimately his death on September 12. The day before he died, Biko had been driven seven hundred

miles in the back of a police van, from Port Elizabeth to Pretoria Prison Hospital.

Biko was the forty-sixth person to die in detention under South Africa's security laws. These deaths dated back to September, 1963. Twenty-three of these deaths of political detainees occurred in the eighteen-month period from March, 1976, to September, 1977. Official explanations for these deaths include "natural causes," "suicide by hanging," "fell out of seventh floor window," "slipped in shower," and "slipped down the stairs." Many other political prisoners died while detained under nonsecurity laws.

The South African minister of justice, police, and prisons, James Kruger, initially announced that Biko had died as the result of a seven-day hunger strike, and that Biko had been examined regularly by a team of doctors, who found nothing physically wrong with him. This explanation was disbelieved universally. Biko was a big, strong man who would not have died of starvation in one week. In addition, Biko previously had told Donald Woods, the editor of the *Daily Despatch*, that if it ever were announced that he had died as a result of a hunger strike, it would be a lie—he would never engage in such a futile action.

While Kruger was telling delegates of the Nationalist Party that "I'm not pleased, nor am I sorry; Biko's death leaves me cold," the world diplomatic corps and media voiced their doubts and called for an official investigation. U.S. senator Dick Clark, who had met with Biko, declared that Biko's "death represents a loss not only to the blacks of South Africa . . . but to all . . . who believed that through responsible and talented leaders like Biko, there still remained a chance for peaceful racial accommodation." Criticizing the "pattern of outright racial oppression conducted by an authoritarian state," Senator Clark called for an impartial inquiry into Biko's death. U.S. secretary of state Cyrus Vance similarly called for a full investigation, declaring that Biko "must be regarded as another victim of the apartheid system and the South African security legislation which supports that system."

Within South Africa, similar disbelief at the official explanation and concerns for the future of the country were voiced. The *Financial Mail* called Biko an inspiration to his generation. The reaction of black South Africans was summed up by Soweto community leader Nthatho Motlanda at a memorial service: "I say boldly to you and to the whole world that we accuse Mr. Vorster and his government of killing Steve Biko. . . . There is no greater force in this world than an idea whose time has arrived, and this idea is Black Consciousness, which is going to free the black man from the shackles of white imperialism, white slavery, and white oppression."

The autopsy carried out on Biko by two state pathologists and a doctor representing the victim's family revealed the cause of death to be severe brain damage resulting from a blow to the forehead. The autopsy report destroyed any credibility that the official hunger-strike explanation may have had. Kruger recanted this explanation and acknowledged "irregularities" in police handling of the case.

Impact of Event

On November 14, 1977, an official inquest into Biko's death began, presided over by Marthinus Prins, the chief magistrate of Pretoria. The inquest lasted three weeks. Despite numerous contradictions in the testimony of the police and the doctors who "attended" Biko, Magistrate Prins concluded that Biko died as the result of head injuries suffered in a scuffle with police during the interrogation, and that "the available evidence does not prove that death was brought about by an act or omission involving an offense by any person." *Newsweek* described the inquest as a charade. Hodding Carter III, the U.S. State Department spokesman, said "We are shocked by the verdict."

More than ten thousand people attended Biko's funeral, including diplomats from thirteen Western countries. The 1976 Soweto student uprisings had focused world attention on South Africa. Biko's death reinforced the growing international outcry against apartheid and strengthened calls for comprehensive economic sanctions and an arms embargo against the state. In the immediate aftermath of Biko's death, the United Nations Security Council imposed a mandatory arms embargo against South Africa. Foreign investment decreased drastically, and major Western multinational corporations began to divest themselves of their South African subsidiaries. International banks severely limited new loans to South Africa.

The South African state responded in typical manner to the wave of public grief and anger occasioned by Biko's death. Police opened fire at a memorial service in Soweto, killing one youth and wounding several others. Twelve hundred university students were arrested at the University of Fort Hare for holding a gathering to mourn Biko. The Nationalist Party called a snap election to reinforce its mandate from the white-only electorate, and Prime Minister Vorster warned foreign critics against "meddling" in South Africa's internal affairs.

Repressive governments imprison and kill those of their critics they cannot silence. Biko was one such critic. As Nobel Peace Prize winner Desmond Tutu said on the tenth anniversary of Biko's death, "Steve's fate shows clearly that you can silence a person with a banning order, harass him, torture him. . . . Yes,

you can kill him, but you will never destroy his ideas.” The system of apartheid has had many victims—millions of exploited workers, farmers forced off their lands, miseducated school children, jailed trade union leaders, banned intellectuals, and imprisoned and murdered political activists. Each generation, however, took up the struggle against apartheid and produced its own martyrs for the cause of human justice. A realization that apartheid must eventually fall perhaps prompted Frederik de Klerk finally to begin dismantling the system and move the country toward full democracy not based on race.

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Hashim Gibrill

Zia Establishes Martial Law in Pakistan

Category of event: Civil rights; political freedom

Time: 1977

Locale: Pakistan

Martial law in Pakistan set the framework for serious abuses of the rights of citizens and political detainees, creating international outrage

Principal personages:

GENERAL MOHAMMAD ZIA-UL-HAQ (1924-1988), the chief of staff of the Pakistani army, established martial law after he deposed the civilian government and declared himself president

BENAZIR BHUTTO (1953-), the daughter of Zulfikar Ali Bhutto, the deposed prime minister of Pakistan

NUSRAT BHUTTO (1932-), the widow of Zulfikar Ali Bhutto

KHWAJA KHAIRUDDIN, the secretary general of the Movement for the Restoration of Democracy (MRD); persisted in protesting martial law despite numerous arrests and detentions

MALIK QASIM, the chairman of the MRD who openly accused the Zia government of fabricating charges against the MRD to justify arrests

Summary of Event

On July 5, 1977, General Mohammad Zia-ul-Haq, chief of staff of the Pakistani army, deposed the civilian government of Prime Minister Zulfikar Ali Bhutto in a military coup and established martial law throughout Pakistan, declaring himself president and chief martial law administrator. Under martial law, fundamental human rights as specified in the Universal Declaration of Human Rights and other internationally recognized agreements were violated frequently. These abuses were widely publicized, especially by Amnesty International and by the Human Rights Society of Pakistan. The report of this latter Pakistani society on the condition and treatment of political detainees played a major role in strengthening indigenous groups which took a stand against the abuses of Zia's regime. Opposition was particularly intense concerning Zia's desire to establish a new political system "true to Islamic principles." Zia's efforts at Islamization were intended not only to reduce alien influ-

ence but also to liquidate the sophisticated, cosmopolitan elite that had dominated Pakistan since its beginning. A disproportionate number of political detainees whose rights were abrogated were members of this elite.

General Zia suspended the fundamental rights guaranteed by Pakistan's four-year-old constitution, including freedoms of speech, assembly, association, and movement, and security of citizens against arbitrary arrest and detention. In spite of public promises to hold fair elections, Zia maintained martial law and imprisoned thousands of political opponents in order to consolidate his power. Zia greatly expanded the jurisdiction of military courts at the expense of civilian courts, virtually destroying the latter system. The majority of defendants tried for political offenses were tried by summary military courts, established by Martial Law Order Number 4 of 1977 and given extraordinary powers to impose severe penalties following trials lacking even the most rudimentary elements of procedural fairness. Punishments, according to Islamic law, included death, amputation, life imprisonment, flogging, and confiscation of property. Under the Provisional Constitution Order (PCO) promulgated on March 14, 1981, no higher court could review or challenge the actions of the martial law authorities or the decisions of the military courts. The PCO suspended all orders made by the superior courts pertaining to decisions of military courts and declared null and void all other decisions addressing the legality of the military government. Article 17 of the PCO provided that judges of the supreme and high courts of Pakistan could not continue to hold their offices unless they swore an oath to abide by the PCO. Some justices of the high courts of Punjab and Baluchistan defied the military regime by overturning military court decisions. The PCO forced those judges who were committed to upholding the 1973 constitution to resign. Nineteen supreme court and provincial high court justices lost their seats on the bench for refusing to take the oath required by the PCO. After these dismissals, judges were appointed only to "acting justice" status, facilitating their removal. Pakistani lawyers of the time stressed that before Zia seized power, no matter how erratic or arbitrary government action was, one always had the opportunity to appeal one's case or to seek a writ of mandamus or habeas corpus when a lower court or government official acted improperly.

Ordinary Pakistani citizens virtually were prohibited from participating in the political process, since Zia banned all political parties and activities and imposed press censorship. Human rights violations escalated in the early 1980's, at the same time the United States, under President Ronald Reagan, was providing a \$3.2 billion military and economic assistance program to Pakistan.

Arrests under preventive detention provisions were frequent in the early



Pakistani president Mohammad Zia-ul-Haq during a visit to the Pakistani community in Sacramento, California, in 1982. (Sacramento Ethnic Survey Collection)

1980's. Under martial law, hundreds of politicians, political party workers, lawyers, students, trade unionists, and others were arrested and rearrested on numerous trumped-up charges or on the basis of no charge at all. These arrests generally took place either under the Maintenance of Public Order Ordinance or under Martial Law Order (MLO) Number 78. The latter provided for indefinite detention without the prisoner being informed of the reason for arrest.

Detainees were held for periods ranging from several days to several years, in spite of the provision that such detainees were to be held for a maximum of ninety days at a time, renewable for a total of one year. Even periods of short detention were associated with a sustained cycle of arrest, release, and rearrest. During detention, torture of prisoners during interrogation was commonplace and severe, including beating, often while the prisoner was suspended from the ceiling. Methods of torture also included applying electric shocks, burning the body with cigarettes, pulling out hairs, subjecting prisoners to continuous loud noise, and depriving prisoners of food and sleep for long periods. People were arrested without their families being notified and were often held incommunicado in solitary confinement. The Human Rights Soci-

ety of Pakistan reported that seven political detainees died while in captivity during 1982. The United States Department of State counted eleven deaths.

Political detainees held after the 1983 protests organized by the umbrella opposition alliance, the Movement for the Restoration of Democracy (MRD), were held without formal charges or trials. In February of 1983, the MRD decided to hold a "political prisoner's day" in Lahore, but its meeting was interrupted by the police, who took attendees into custody. The MRD persisted in demanding a return to civilian government and an end to the arbitrary system of martial law. The Zia regime made a practice of keeping opposition leaders under detention. Lawyers in particular came under attack during Zia's reign of terror because they continued to argue for the reinstatement of civil law and courts.

Among the police and army agencies named as responsible for the arrest, interrogation, and torture of political prisoners were the Inter-Services Intelligence, the joint intelligence unit of the three armed forces, under the control of the federal government; the Field Intelligence Unit, an army intelligence agency regularly cited as conducting arrests; the Special Branch attached to the provincial police; and the Federal Intelligence Agency. Of particular cruelty was the use of flogging to punish political detainees. During the 1977-1981 period, hundreds of political prisoners were flogged, prisoners accused of nonviolent crimes. In addition, the death penalty was imposed on a great number of political prisoners. As of March, 1982, it was reported that 1,350 prisoners in Punjab were under sentence of death.

Impact of Event

The publication of reports by Amnesty International, the Human Rights Society of Pakistan, and the Lawyers Committee for International Human Rights in the early 1980's signaled a growing movement within both Pakistan and the international community to stand up against abuses of human rights being perpetrated under Zia's martial law regime. The reports put pressure on Zia to call elections by 1985. The reports also put pressure on the Reagan administration to make U.S. assistance conditional upon the reinstatement of civil law in Pakistan. Reports of brutality and violation of rights ultimately led to the demise of Zia's regime and to the political victory of Benazir Bhutto.

The open publicity of the human rights violations created an international context within which Zia's major opponents could maneuver more effectively. One of the major groups included the politicized intelligentsia, especially lawyers. The bar associations, particularly vexed at Zia's imposition of Islamic law, organized numerous demonstrations in defiance of martial law. The lawyers

were especially concerned that Zia's institution of courts of "qadis," or Islamic clerics who would administer justice on the basis of Islamic codes, would eliminate lawyers trained in English common law and destroy the independence of the judicial system. They continued to obtain international support against Zia and to oppose all of his legal reforms. The All-Pakistan Lawyers Convention met in Lahore in October, 1982, with the stated purpose of criticizing the government program. In spite of numerous arrests, the lawyers continued to be some of the most outspoken opponents of the government. The Punjab bar association demanded the withdrawal of the Provisional Constitutional Order of 1981 and the repeal of all laws, orders, and regulations which barred or curtailed the jurisdiction of the superior courts. They observed a symbolic two hour strike protesting the military *junta's* denial of civil liberties and the discarding of the rule of law.

The politicization of the intelligentsia entered a new phase as Malik Qasim, chairman of the MRD, accused the government of fabricating a case against the movement in order to justify arresting members. Qasim declared that thousands of MRD supporters had been arrested and were wasting away in prison. More and more professional associations declared that they would no longer remain apolitical and began openly to renounce the Zia government, further pressuring both Zia and his international allies, such as the United States, to begin to show some semblance of justice.

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Randal J. Thompson

Soviet Citizen Group Investigates Political Abuses of Psychiatry

Category of event: Civil rights; health and medical rights

Time: 1977-1981

Locale: Moscow, Soviet Union

Concern about the increasing use of psychiatry for political purposes led a small group of concerned Soviet citizens to form a working commission to monitor and publicize such practices

Principal personages:

ALEXANDER PODRABINEK (1953-), a paramedic who helped form the commission

ANATOLY KORYAGIN (1938-), a psychiatrist and consultant to the commission from 1979 until his arrest in February, 1981

VYACHESLAV BAKHMIN (1947-), a computer specialist working in a government research institute who cofounded the commission

FELIX SEREBROV (1930-), a self-educated worker and cofounder of the commission

ALEXANDER VOLOSHANOVICH, the commission's first psychiatric consultant

LEONID ILICH BREZHNEV (1906-1982), the Soviet leader whose government initially tolerated, then suppressed, groups like the working commission

ANDREI SNEZHNEVSKY (1904-1987), the director of the Soviet Institute of Psychiatry in Moscow whose theories suggested treatment of political dissidents

Summary of Event

Under Leonid Brezhnev, many political, religious, ethnic, and professional groups dissented from Soviet policy. Brezhnev's government used a wide range of tactics in dealing with this opposition, among them toleration, co-optation, harassment, exile, and imprisonment. The Working Commission for the Investigation of the Use of Psychiatry for Political Purposes was founded by Vyacheslav Bakhmin, Irina Kaplun, Alexander Podrabinek, Felix Serebrov, and Dzhemma Kvachevskaya. It was affiliated with Moscow's Helsinki Watch Group and worked closely with General Pyotr Grigorenko, a dissenter who

had been involuntarily committed for psychiatric care. The working commission proclaimed the intention of working within the Soviet legal system and of effecting Soviet commitments to the Final Act of the Conference on Security and Cooperation in Europe (the Helsinki Agreement of 1975). It routinely sent copies of its bulletin to the Procuracy (legal officials) and health ministry. Although the commission proclaimed that it was nonpolitical, the government considered it to be a political danger; the government claimed that organs of the Communist Party could guarantee human rights and that independent monitoring groups would undermine the role of the Party. By focusing on those illegally detained, the commission acknowledged that psychiatric detention is sometimes justified and that some dissidents might be mentally ill. The commission's objection was that neither proper legal nor psychiatric procedures were employed.

The working commission was always a small group. Its largest membership was five, with others serving as consultants. The expertise of its members varied. It included industrial workers and health workers but also drew on psychiatrists and lawyers, some working anonymously to avoid losing their jobs. Those without psychiatric backgrounds had intense curiosities. The accuracy and detail of commission reports impressed leaders of the world psychiatric community.

The commission took on three tasks: to publicize and win the release of individuals illegally and forcibly detained in mental hospitals, to aid such people and their families, and to improve the conditions in mental hospitals. The commission focused public attention on Soviet psychiatric practices. Political dissidents were frequently subjected to psychiatric examinations and hundreds were interned in psychiatric institutions. Drugs were often forcibly administered, and many patients were sent to hospitals in remote areas of the country. Dissidents were frequently diagnosed as schizophrenic, based on writings of Andrei Snezhnevsky implying that nonconformity and antisocial behavior required treatment. Working commission cofounder Alexander Podrabinek argued that Snezhnevsky and his associates were not sincere in their claims. Podrabinek claimed to know of only one psychiatrist who honestly regarded dissidents incarcerated in special psychiatric hospitals as mentally ill.

Commission members used a variety of tactics. They visited psychiatric hospitals and gathered data on patients and the treatment they received. They wrote to psychiatrists on commission stationery about particular patients. This sometimes resulted in improved treatment, because of the impression that the commission was a state-sanctioned body. They offered advice to citizens who

risked commitment to a psychiatric hospital. They issued more than one hundred statements and appeals. The commission's *Information Bulletin* circulated secretly in the Soviet Union and openly in the West. Excerpts from the *Information Bulletin* were summarized in the *Chronicle of Current Events*, the Soviet human rights movement's journal. Radio listeners were acquainted with the commission's work through Western stations' Russian-language broadcasts. The commission regularly requested additional information about listed individuals so that it could update or, if necessary, correct its reports.

The commission gained respect internationally, as well as in the Soviet human rights community. Amnesty International called a draft of Alexander Podrabinek's book, *Punitive Medicine* (1980), an important new source of information and understanding and helped to disseminate it. Amnesty produced a twenty-five-page summary of the draft for distribution to psychiatrists attending the 1973 World Psychiatric Congress, a sexennial meeting sponsored by the World Psychiatric Association (WPA), in Honolulu. That congress unanimously passed a set of ethical guidelines, the Declaration of Hawaii; it narrowly passed a resolution specifically criticizing Soviet psychiatry.

The Soviet delegation to the World Psychiatric Congress voted in favor of the Declaration of Hawaii. The working commission sought to demonstrate that psychiatrists regularly violated its guidelines. An analysis in the commission's *Information Bulletin* compared the declaration's standard requiring psychiatrists to keep their patients well informed with the Moscow region's form used in ordering civil commitment. That form categorically forbade the sharing of any information contained in the order with the patient or the patient's relatives.

The commission was an organized effort to carry on the work of such dissidents as Vladimir Bukovsky, who sent extensive information about Soviet psychiatric abuse to the West in 1971. Bukovsky's information was the basis for initial queries into Soviet practices at the World Psychiatric Congress. The commission was one of several Soviet groups advocating ostracism of Soviet psychiatrists at the 1977 Congress. Western psychiatrists did act, but slowly, and were reluctant to impose a total boycott.

The commission encouraged Western governments to protest Soviet psychiatric practices at meetings of the United Nations and of the Conference on Security and Cooperation in Europe. Along with the Moscow Human Rights Committee, it provided reliable data and analyses of abuses. American and Western European committees worked in common cause with the commission. The International Association on Political Uses of Psychiatry, the Working Group on the Internment of Dissenters in Mental Hospitals, the

Vladimir Bukovsky Foundation, the International Podrabinek Fund, and a host of other groups publicized psychiatric abuses.

Until the commission's demise, its members kept professional associations apprised of new developments. Two months after the Honolulu Congress, it reported to the WPA on five new forcible commitments to mental hospitals. Five months later, it appealed to national sections of the WPA, complaining of WPA in action. Bakhmin urged, in a 1979 letter to the American Psychiatric Association, that psychiatrists not keep quiet and pretend the problem does not exist. Soviet hospital and government officials, as well as representatives of the All-Union Scientific Society of Neuropathologists and Psychiatrists, routinely denied working commission members' requests for information. The commission was, though, credited with occasional successes by independent observers. For example, the Serbsky Institute, a Moscow psychiatric institution, acknowledged detainees' legal right to receive parcels.

Impact of Event

The working commission, as one of many forces agitating for an end to human rights violations, increased public awareness of psychiatric abuse in the Soviet Union. Although its members were imprisoned or exiled, and government persecution led to the group's demise, its members' goals were eventually achieved.

Commission members were subjected to repression. The Soviet government and many Soviet psychiatrists attempted to dismiss its efforts as slanderous and unscholarly. Late in 1977, Serebrov was charged with falsifying his labor documents and sentenced to a year's imprisonment. Podrabinek's writings, reconstructed in *Punitive Medicine*, were confiscated. He was "administratively detained" for two weeks in April, 1977, then jailed in May, 1978. The reported charge was "dissemination of fabrications known to be false which defame the Soviet state and social system."

The Soviet government's practice of "punitive medicine" and its actions against dissidents who challenged such practices would intensify, then diminish. In October, 1978, the official psychiatric organization set up its own commission to investigate cases presented by working commission consultant Alexander Voloshanovich. Its operations seemed designed to mollify foreign critics rather than to reform psychiatry. The working commission's bulletin reported that at one meeting, all Voloshanovich's references to specific violations of the directives of the ministry of health were ignored. Voloshanovich concluded that the hidden intent was to discredit him personally and to deprecate the results of his examinations.

The harassment of working commission members and consultants continued. Voloshanovich emigrated in 1980. A court labeled activities of his successor, Anatoly Koryagin, incompatible with the calling of a Soviet scientist and took away his doctoral degree. Bakhmin was jailed, as were two other members, on charges of slander. By 1981, all of the working commission members were imprisoned or had emigrated. The harshest sentence, seven years of labor camp and five of exile, was reserved for Koryagin. This was likely designed to deter other psychiatrists from following his example. Imprisonment did not stop Koryagin, who smuggled letters out of prison camps, urging the world psychiatric community to remember the plight of Soviet psychiatric prisoners.

The outcry from Western governments and nongovernmental organizations changed the nature of psychiatric repression. It diminished in major cities but continued in remote areas. As the working commission and other monitors became more sophisticated, so too did the Soviet government. The government learned to use a range of sanctions, some of them criminal but others supposedly therapeutic. The government could control access to information about sentencing procedures and about the punishments.

There is evidence that the commission made a difference in individual cases. In some cases, commission intervention was followed by the authorities' decision not to intern a dissenter. In other cases, commission intervention was followed by changes in treatment; in still others the result was sentencing to a labor camp or exile rather than detention in a special psychiatric hospital.

Most national and international psychiatrists' associations came to share the commission's perspective. By 1983, most national sections of the WPA were ready to isolate and ostracize the Soviet section. The Soviets withdrew, complaining that the WPA had been turned into a tool of the forces, among them the U.S. State Department, using psychiatry for their own political goals. Anatoly Koryagin, still in a Soviet labor camp, was given honorary membership in the WPA.

Almost four years after the commission's demise, Mikhail Gorbachev rose to power and popularized the theme of *glasnost*, or openness. Procedures for psychiatric internment were changed, and Soviet officials acknowledged past abuses. Human rights activists greeted the changes with cautious approval. Some questioned whether they went far enough to change deeply rooted practices of leaders in the psychiatric profession, hospital administrators, and government officials. Andrei Sakharov gave the working commission, along with the Moscow Human Rights Committee and allies in the West, much of the credit for new legal safeguards but cautioned that "the assistance of Western psychiatrists is needed to halt psychiatric repression completely."

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Soviets Crack Down on Moscow's Helsinki Watch Group

Category of event: Civil rights; international norms; political freedom

Time: February-March, 1977

Locale: Moscow, Soviet Union

After dissidents had engaged in public protest for two years against Soviet violations of the Helsinki Accords on human rights, authorities had the protesters arrested

Principal personages:

ANATOLY SHCHARANSKY (1948-), a prominent Soviet dissident, a founder of the Helsinki Watch Group in Moscow, and a Jewish “refusenik”

YURI ORLOV (1924-), a founder of Helsinki Watch in Moscow

ALEKSANDR GINZBURG (1936-), a dissident author and a founder of Helsinki Watch in Moscow

LEONID ILICH BREZHNEV (1906-1982), the General Secretary of the Communist Party and leader of the Soviet government

Summary of Event

After the death of Joseph Stalin in 1953, the Soviet Union, under Nikita Khrushchev and Leonid Brezhnev, sought international accommodation with the West while still trying to maintain strict control over politics and economics at home. One of the Kremlin's major goals was Western recognition of the border changes that Soviet leaders had made after World War II. Western leaders were reluctant to recognize these and insisted on linking any recognition to improvement in human rights in the Soviet Union.

Khrushchev had introduced a brief period of liberalization in the Soviet Union with his de-Stalinization campaign in 1956. In Western eyes, this had not gone far enough. It was limited to partial relaxation in the social and cultural areas; noncommunist economic and political activity still remained strictly forbidden. Furthermore, when the Communist Party's Central Committee suddenly dismissed Khrushchev from power in 1964, Brezhnev became the leader of an even stricter regime.

Nevertheless, Soviet leaders still wanted a period of “peaceful coexistence”

with the West and the recognition of postwar borders. In the early 1970's, the spirit of détente promised a new age in relations between Moscow and the West. On Moscow's urging, European and North American leaders convened the Conference on Security and Cooperation in Europe, which held a series of meetings from 1973 to 1975 to discuss détente, the recognition of existing borders, and, at the insistence of the West, the guarantee of fundamental human rights—the so-called “Basket 3” issues. Representatives from all European countries, the United States, and Canada received invitations. Only the hard-line isolationist communist government in Albania refused to attend. The last session met in Helsinki, Finland. In August, 1975, the heads of state of all the attending countries signed the nonbinding Helsinki Final Act, popularly called the “Helsinki Accords.”

The accords recognized most of the border changes Moscow wanted but also provided for international cooperation in humanitarian, cultural, and economic endeavors and required the signatories to guarantee a whole series of political and civil rights. These rights included the freedom of information—specifically the right of citizens to receive and read foreign newspapers and to listen to foreign broadcasts—and the right to travel and to migrate. The “Basket 1” agreement on international boundaries and security, however, provided for noninterference in a country's internal affairs by other countries. Thus, the Soviets continued to suppress many civil liberties. They refused to allow free emigration; noncommunist newspapers were generally unavailable, although the hotels in Moscow and Leningrad catering to Western tourists sold a few copies of such periodicals as the *International Herald Tribune*; and the jamming of Western radio broadcasts also continued. When Western diplomats complained about violations of the Basket 3 stipulations of the accords, the Kremlin replied that the Basket 1 agreement protected the Soviet Union's internal affairs.

On May 12, 1976, eleven Muscovites formed the first Helsinki Watch Group in the Soviet Union to monitor the government's fulfillment of the accords. Among the members were Anatoly Shcharansky and Vitaly Rubin. Shcharansky and Rubin were already well known as outspoken critics of the Soviet policy of refusing to allow Jews to migrate to Israel; the policy had been one of the reasons that Western leaders had insisted on including freedom of migration on the agenda at Helsinki. Shcharansky, a brilliant scientist, was the spokesperson for the so-called “refuseniks,” Soviet Jews who requested and were refused exit visas. In fact, the government often punished the refuseniks with loss of employment or arrest. Many around the world had taken up their cause, and in the United States congressional leaders were linking their plight to the eco-

conomic agreements between Washington and Moscow that the Kremlin desired. Other members of the Helsinki Watch Group in Moscow included Yuri Orlov, another scientist, Aleksandr Ginzburg, a writer, and Elena Bonner, the wife of the world-renowned physicist Andrei Sakharov, one of the country's most prominent dissidents. Sakharov, however, who avoided joining organizations himself, did not become a member of Helsinki Watch, although he gave it public and private support. Orlov and Bonner had previously helped to found the Moscow committee of Amnesty International.

Soviet authorities brought official and unofficial pressure to bear upon members of the Moscow Helsinki Watch Group. Because of the prominence of the issue of Jewish emigration, Shcharansky was particularly subject to attack. He was fired from his job and denied a living permit for Moscow. The scientist moved to a village near the capital and found private work as a tutor of English and physics in order to avoid imprisonment as an unemployed parasite. (Under Soviet law, "parasitism" applied to persons without work, but in practice the authorities used it as a political weapon against dissidents.) Shcharansky also acted as an interpreter, and prominent visitors to the Soviet Union familiar with and sympathetic to his case, including a number of American congressmen, sought him out for employment. He also worked as an interpreter for Sakharov and gave Orlov English lessons. Sakharov employed Ginzburg, as well, as a secretary.

From May, 1976, to February, 1977, the Helsinki Watch Group prepared sixteen reports on the state of human rights in the Soviet Union. One report dealt with prisoners of conscience subjected to "physical and moral torments, genuine torture by means of hunger, in combination with hard physical labour." Other reports stated that the authorities continued to persecute political prisoners even after release, that political prisoners suffered abuse in psychiatric hospitals, and that the police harassed Pentecostal Christians and Jews who applied for emigration to Israel. A report of June, 1976, dwelled on the separation of Jewish families applying for emigration. In conclusion, the Helsinki Watch Group stated that Moscow had no intention of fulfilling its human rights obligations under the Helsinki treaty. The group sent these reports to the Soviet authorities, and when there was no reply they released them to the Western press. The *Los Angeles Times*, in particular, published a number of the group's statements.

In August, 1976, at a press conference that the Helsinki Watch Group convened, the group commented on the application of the Helsinki Accords to Jews applying to emigrate. Although the group specifically invited Moscow journalists, only Western reporters attended. The group claimed that the gov-

ernment was not only hindering emigration to Israel but also harassing the refuseniks by taking away their telephone service and intercepting their mail. In November, Shcharansky, in his capacity as a member of the Helsinki Watch Group, publicized in the West a government press release regarding the banning of a number of Jewish cultural events and institutions in violation of both the Helsinki Accords and the Soviet constitution. He appealed for reestablishment of Jewish theaters and schools.

By January, 1977, the Soviet authorities, disturbed by the adverse Western publicity, decided that their policy of trying to ignore the Moscow Helsinki Watch Group was not working. They began a concentrated effort of harassment of the group leaders and systematically searched their apartments for evidence of criminal activity. On January 22, 1977, Soviet television showed a documentary, *Traders of Souls*, denouncing Soviet refuseniks as traitors in league with an international anti-Soviet Zionist conspiracy based in Israel and the United States. Shcharansky was one of several Jews shown in the film and mentioned by name. In the following days, various Moscow newspapers published a series of anti-Zionist articles. Although only Shcharansky and Rubin among the Helsinki Watch Group's members were Jews, the government and the press implicated the group as collaborators. On February 3, Soviet secret police arrested Aleksandr Ginzburg, one of the leaders of the group. Ginzburg's mother was Jewish, but he himself was a practicing Christian. A few days later, authorities arrested Orlov, also a non-Jew, and on March 15 they arrested Shcharansky.

Impact of Event

The arrests of Ginzburg, Orlov, and Shcharansky did not have an immediate impact on the human and civil rights situation in the Soviet Union. The adverse publicity abroad, however, allowed the West to put further pressure on Moscow for a liberalization program based on the promises of the Helsinki Accords. A Helsinki review conference was convened in Belgrade in July, 1977. Western leaders brought up the cases of the arrested "prisoners of Zion" (Jewish refuseniks also arrested in the raids of early 1977) and the leaders of the Helsinki Watch Group, but to no avail.

The trials of Shcharansky, Orlov, and Ginzburg took place in the spring and summer of 1978, more than a year after their arrests, during which period they remained incarcerated. The government accused the three of espionage and antistate activity. Although the latter charge was technically true under the laws of the Soviet Union, which forbade citizens to criticize the state, government, or Communist Party abroad, the defendants argued that this law itself

was contrary to rights guaranteed under the Soviet constitution and the Helsinki Accords. The charge of espionage, claiming that the three gave state secrets to foreign journalists, was clearly false. As expected, the tribunal found the three guilty and gave them harsh sentences: Orlov, seven years in prison; Ginzburg, eight; and Shcharansky, thirteen.

Negotiations for their release and permission for emigration were the subject of many talks between Soviet and Western authorities. President Jimmy Carter brought the matter up at a summit meeting in 1979 and successfully attained the release of Ginzburg as part of an exchange of five Soviet prisoners for two espionage agents being held by Washington. Ginzburg then immediately emigrated to the United States. Shcharansky and Orlov, however, remained in prison, and their fate continued to receive world attention.

In the meantime, the Helsinki Watch Group still functioned, issuing reports detailing the ongoing violations of Soviet human rights. The authorities paid no attention to the reports but continued the harassment and arrest of Watch Group members. In 1982, only three of the group's nineteen members remained in Moscow. The others sat in prison, were exiled within the Soviet Union, or had left the group in despair. Thus frustrated in its work, the Moscow Helsinki Watch Group dissolved itself.

In December, 1979, the Soviet Union invaded Afghanistan, and the gap between Moscow and the West widened even further. International questions took precedence over Basket 3 issues. In 1982, Brezhnev died, and Yuri Andropov replaced him as leader of the Soviet Union. The latter introduced a modicum of liberalization in some of his policies in order to improve relations with the West. These, however, were the early years of the presidency of Ronald Reagan, who wished to make no accommodations to what he called the "Evil Empire"; moreover, Andropov's liberalization still held little hope for Soviet political prisoners. Shcharansky and Orlov remained in prison even though Shcharansky was nominated for the Nobel Peace Prize. Another Helsinki review conference met in Madrid in 1983. The West brought up once more the cases of Shcharansky, Orlov, and the other prisoners and refuseniks. Andropov had died shortly before the conference, however, and a caretaker government under Konstantin Chernenko ruled in Moscow. Nothing definite could be settled, but there appeared to be some hope for the future. In 1985, Chernenko died, and Mikhail Gorbachev replaced him. Gorbachev began a process of change in the Soviet Union that included both economic and human rights reform. Within a year, both Shcharansky and Orlov were released from prison and allowed to emigrate from the Soviet Union.

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Frederick B. Chary

Dissident Writer Mihajlov Is Released from Prison

Category of event: Political freedom; prisoners' rights

Time: November 24, 1977

Locale: Sremska Mitrovica Prison, near Belgrade, Yugoslavia

After years of intermittent captivity and international notoriety in the struggle for political freedom, Yugoslav writer Mihajlo Mihajlov was freed under a general amnesty

Principal personages:

MIHAJLO MIHAJLOV (1934-), a Yugoslav writer and dissident

TITO (1892-1980), the creator and president of the republic of Yugoslavia

JIMMY CARTER (1924-), the thirty-ninth president of the United States (1977-1981)

MILOVAN DJILAS (1911-1995), a Yugoslav dissident and writer, formerly a government official

LEONID ILICH BREZHNEV (1906-1982), the president of the Soviet Union and Communist Party secretary-general

Summary of Event

Josip Broz, widely known by his military code name "Tito," gained the support of England and Russia in 1943. After World War II, he was chosen to head the newly formed federal republic of Yugoslavia, comprising the republics of Croatia, Serbia, Slovenia, Montenegro, Bosnia-Herzegovina, and Macedonia. The nation fell generally within the orbit of the Soviet Union, but in 1948 Tito asserted a more independent course in the formation of foreign policy and internal affairs. Tito, considered a renegade within the communist-socialist world, watched as the Soviet Union cracked down on liberal policies in its satellites—Hungary in 1956, Czechoslovakia in 1968—and managed to tread a thin line between serving his own national goals and placating his neighbor to the east.

The fear of Soviet domination was not Tito's only concern. The six distinct republics of the federation had their own languages, cultures, and, more important, feelings of nationalism. Tito had embarked the nation on a

unique economic plan, less explicitly socialist and more devoted to “self-management” of enterprises under the socialist umbrella. Tito proclaimed nonalignment and was a leader in the Non-aligned Movement of the early 1960’s. Yugoslavia’s independent political and economic stance allowed the government to deal with the specific challenges of its ethnic diversity and geographical situation, standing between the Eastern and Western blocs and commanding a four-hundred-mile seacoast on the Adriatic and, by extension, the Mediterranean Seas. During modern Yugoslavia’s first three decades, the constitution was changed four times, in 1946, 1953, 1963, and 1974.

Like the other Soviet-influenced regimes, Yugoslavia under Tito did not tolerate opposition parties or vociferous criticism of government policy. Milovan Djilas, a close friend of Tito, was a dissident who had been a partisan leader during World War II. He had served as vice president in the early years of the republic but was demoted, harassed, and imprisoned when he began to question and criticize Tito’s course for the nation. His example provided Yugoslavia with a vivid image of the precariousness of its political freedom.

One citizen keenly aware of that situation was Mihajlo Mihajlov. Born on September 26, 1934, in Pančevo, a city near Belgrade, to Russian émigré parents, Mihajlov was an authority on Russian language and literature. He worked as a translator, writer, and lecturer, and in December, 1963, at the age of 29, was elected Assistant Professor of Russian Literature and Language on the Philosophy Faculty at the Zadar branch of the University of Zagreb. Through his position, he had the opportunity to travel, and in the summer of 1964 he spent five weeks in the Soviet Union on an exchange program. While in Moscow and Leningrad, Mihajlov met with prominent Soviet writers and learned about Soviet social and political life. Upon his return, Mihajlov wrote a travelogue describing his impressions of Russian literary trends. The piece, which appeared in the January and February, 1965, issues of the Belgrade monthly *Delo*, included references to the labor camps established under Vladimir Ilyich Lenin, ballads of camp life, conversations with literary figures, and charges of genocide under Joseph Stalin.

In Yugoslavia in 1965, three dangerous topics were ethnic distinctions and nationalistic tendencies among the six republics, the possibility of establishing a multi-party system, and criticism of Soviet influence or policy. At a meeting with public prosecutors on February 11, 1965, Tito denounced Mihajlov and called for seizure of *Delo*. On March 4, after a formal protest from the Soviet ambassador, Mihajlov was arrested. On March 27, he was dismissed from the university, and on April 23, he was tried in Zadar for making false charges against a friendly government and for distribution of his banned articles. At

the time, the PEN Club, the international writers' organization, was having a conference in Slovenia and heard of the case. Mihajlov wrote and personally delivered to the press an open letter to Tito protesting his Soviet-style repression. Adverse publicity and protests from PEN and others led the Supreme Court of Croatia, on April 29, to give Mihajlov a five-month suspended sentence.

Mihajlov's appeal was denied. He found himself with no job and no passport, supported by his wife's modest salary as a proofreader. He wrote articles for *New Leader* magazine in New York, and, in a relatively liberalized period in the summer of 1966, took the legal steps necessary to begin an opposition journal, *Slobodni Glas* (voice of freedom), as a seed for an opposition party.

Mihajlov was arrested again for his publications abroad. On August 22 and September 1, 1966, Tito delivered speeches denouncing him and his colleagues as foreign agents. Mihajlov was sentenced to a year in prison at his second trial, in September. In April of 1967, he was brought from prison to Belgrade to be tried for circulating his articles to his friends. He was sentenced to another forty-two months, seven of which he spent in solitary confinement.

Upon release on March 4, 1970, Mihajlov was barred from publishing in Yugoslavia or leaving the country to accept lecturing positions at Western universities. Over the next four years, he published dozens of articles in foreign periodicals such as *The New York Times*, *New Leader*, and *Posev*, a strident anti-Soviet, Russian-language journal published by Soviet exiles in Frankfurt, West Germany.

In 1974, Tito was eighty-three years old, and concern was growing over the issue of succession. A new campaign was initiated to suppress ideological opposition, and in October Mihajlov was arrested again. On the eve of his trial in the city of Novi Sad, Tito denounced him in a nationwide broadcast. Facing judges who were all Communist Party members, Mihajlov openly condemned the one-party system. His lawyer was Jovan Barovic, the premier civil rights advocate who also represented Djilas, Vladimir Dapcevic, and other prominent dissidents. In February of 1975, Mihajlov was convicted of disseminating hostile propaganda and associating with foreign émigré groups. He was sentenced to seven years imprisonment with hard labor.

In December of 1974, Djilas came out in the international press in Mihajlov's support. In March of 1975, *Newsweek* reported that the Soviets considered Mihajlov as a primary enemy. World attention, however, turned to human rights violations. In 1975, thirty-five nations signed the charter of the Conference on Security and Cooperation in Helsinki, Finland. This charter contained provisions regarding human and civil rights. The United States cen-

ter of PEN fought for two years on Mihajlov's behalf, with letters and petitions. With increased publicity, his case garnered the attention of Helsinki Accord watchdog organizations. In 1976, Jimmy Carter was elected president of the United States and initiated an American foreign policy based on human rights (though he remained silent regarding Mihajlov). The East-West Commission on Security and Cooperation was to meet in Belgrade in late 1977 to discuss implementation of the Helsinki Accords.

Meanwhile, Mihajlov endured prison life. He saw in Carter's election hope for political prisoners under repressive regimes. He was deprived of books, a radio, and a typewriter, and forbidden to associate with other political prisoners. He waged three hunger strikes protesting the conditions of his imprisonment. During his second hunger strike, in 1976, he was transferred to a different prison and force-fed. On December 10, 1976, he stopped eating for the third time; seven weeks later, on January 17, 1977, his wife, Milica, personally delivered a note to Vice President Vidoje Zarkovic asking for Mihajlov's transfer to a hospital. He had lost forty pounds and was, as reported in *The New York Times*, seriously ill. His demands were finally met, and he ended his strike.

With incessant international pressure on Mihajlov's behalf and the Belgrade human rights conference focusing attention on Yugoslavia, Tito declared, in honor of Yugoslavia's National Day (November 29, 1977), a general amnesty that would affect 723 prisoners. On November 24, 1977, Mihajlov was released from prison, having served half of his sentence.

Impact of Event

The release of Mihajlov from prison in 1977 had both tangible and symbolic repercussions on both personal and global levels. In personal terms, Mihajlov's release gave him a new beginning in life at the age of forty-three. In 1974, denied a passport to leave the country for foreign teaching engagements, he had addressed a plea to Tito: "Either enable me to live normally in this country, or allow me to leave the country." Three years later, his request was granted. He received a passport and made his first visit to the United States, where his mother and sister had already emigrated, in the summer of 1978. During the following year, he delivered lectures throughout the United States, Europe, and parts of Asia. Throughout the 1980's, Mihajlov accepted the positions at Western universities which he had had to turn down in years past. He held visiting professorships at Yale University, the University of Virginia, Ohio State University, the University of Siegen in Germany, and the University of Glasgow in Scotland. He joined dozens of organizations focusing on literature, international affairs, and human rights, including the French and

American Centers of PEN and the International Helsinki Group Committee for the Free World. More important, Mihajlov began writing and speaking without restriction, with free and full access to the world intellectual community and the publishing and broadcasting industries. He received numerous awards, including the International League for Human Rights Award in 1978 and the Ford Foundation Award for the Humanities in 1980. His release from prison gave to the world a powerful and uncompromising voice in the struggle for freedom and human rights.

On a larger scale, Mihajlov's release had great symbolic importance. His case had become a cause célèbre; he had come to represent for many observers the repression practiced by regimes in both the Soviet satellite nations and, given Yugoslavia's unique identity, the nonaligned nations of the Third World as well. Immediately following the amnesty, President Jimmy Carter expressed praise for Tito's decision and the progress it represented. Mihajlov's freedom accentuated the continued plight of other political prisoners, and more attention was focused on such cases as the imprisonment of Soviet dissidents Yuri Orlov, Anatoly Shcharansky, Alexander Ginsburg, and Viktor Petkus for monitoring violations of the Helsinki Accords.

It must be noted, however, that the impact of Mihajlov's release was, to a certain degree, illusory. Mihajlov's notoriety, and that of such figures as lawyer Djuro Djurovic, retired judge Franc Miklavcic, and Croatian nationalist Marko Veselica, provided Tito with impressive media coverage and gave the general amnesty magnitude. Not immediately apparent, however, was that many of the 723 prisoners affected by the amnesty were not freed and that less than one-third were political prisoners. Tito had seized the moment, highlighted by the international conference in Belgrade, to suggest a general and permanent liberalization.

As Mihajlov himself cynically noted, apparent relaxation in communist nations was often a tactic that would be followed by a wave of renewed repression. In August, 1979, Yugoslav authorities issued a warrant for Mihajlov's arrest, discouraging him from returning to his native land. When Djilas moved in the following month to launch a mimeographed journal entitled *Casovnik* (clock), featuring substantial contributions from Mihajlov, the government immediately stopped the publication as subversive propaganda. Six years later, the writings of Djilas and Mihajlov were still among the categories of material proscribed for publication in newspapers.

Nevertheless, the 1980's brought dramatic changes throughout Europe. The Soviet policy of *glasnost* (openness), the reunification of Germany, and the political democratization of the satellite nations changed the political face

of Europe. While Yugoslavia welcomed the relaxation of Soviet pressure and much-needed political and economic reform, with openness came internal troubles. Toward the end of the 1980's and in the early 1990's, the general liberalization and the examples set in the independence-minded Soviet Baltic and Caucasian republics revived the specter of ethnic tension and nationalist separatism in Yugoslavia, endangering the precarious federation that Tito had created.

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Barry Mann

Guatemalan Death Squads Target Indigenous Indians

Category of event: Atrocities and war crimes; indigenous peoples' rights

Time: 1978-1985

Locale: Western highland departments of Guatemala

Indian reform demands brought violent responses from the army and allied unofficial death squads, leading some Indians to join guerrilla forces and others to flee into exile

Principal personages:

ROMEO LUCAS GARCÍA (1925-), a general and elected president (1978-1982) under whom death squads flourished

EFRAÍN RÍOS MONTT (1926-), a general who took power in a 1982 military coup

OSCAR HUMBERTO MEJÍA VÍCTORES (1930-), led the 1983 military overthrow of Ríos Montt and presided over the transition to civilian administration

POPE JOHN PAUL II (1920-), the Roman Catholic leader who criticized army mistreatment of Guatemalan Indians

PRÓSPERO PEÑADOS DEL BARRIO (1926-), the archbishop of the Roman Catholic Church in Guatemala

Summary of Event

Since the sixteenth-century Spanish conquest of the Americas, relations between indigenous peoples and the mixed-race descendants of the conquerors have been volatile. Land and human resources which once were controlled by indigenous peoples became spoils for the conquerors, denying many Indians access to socioeconomic rights. In Guatemala, the political arrangements heavily favored the interests of the mixed-race *ladino* population. Throughout most of the modern era, military figures presided over this political system in which the generally poor indigenous people were excluded from effective participation. Between 1978 and 1985, indigenous peoples and reform advocates in the *ladino* community challenged this system through both peaceful and violent means. Comprehensive and violent suppression of this challenge by the Guatemalan army and its civilian allies was accomplished by gross violation

of Indians' civil rights, by use of internationally banned torture, and by breaking up Indian social and political organizations.

Political instability has long been the norm in Guatemala. In the late 1960's in Eastern Guatemala, several thousand *ladino* peasants perished when guerrilla insurgents were suppressed by army units and allied death squads. The acute violence of 1978 to 1985 decimated non-Indian unions, cooperatives, and reform advocates among the general *ladino* population, but the greatest element in the tragic Guatemalan political violence from 1978 to 1985 was its focus on the indigenous or Indian population.

Grievances over denial of Indians' socioeconomic rights set the stage for confrontation. By the mid-1970's, under pressure from population growth and economic change, many indigenous communities had begun to assert themselves, demanding in diverse ways that their interests be respected. More than five hundred cooperatives had been formed to enable members to pool resources more effectively to compete in the marketplace. Others had formed Christian "basic communities" within which literacy was taught and religious texts read for the purpose of enabling members to work together to change conditions and advance social justice. Essentially, this grassroots activity focused on economic grievances. In 1978, indigenous life expectancy (forty-four years) lagged fifteen years behind that of *ladinos*, Indian incomes were barely 58 percent of that of *ladinos*, and Indian infant mortality was 70 percent higher than for *ladinos*. In a society where 82 percent of all children experienced some form of malnutrition, Indian children were most likely to go hungry.

Some among the indigenous had been strongly influenced by Roman Catholic activists. The key political movement of modern Latin American Catholicism, the Christian Democrat Party (DCG), however, had little influence in Guatemala until the 1985 election of its leader, Vinicio Cerezo Arévalo, as president. In the 1978 to 1985 period, more than three hundred DCG activists and leaders were assassinated. Catholic activists in the indigenous community increasingly were driven to adopt nonelectoral tactics to bring pressure for change.

Signs that military rulers had opted to repress Indian protests became visible in May, 1978. Indians from the Panzos municipality, Alta Verapaz department, joined about eight hundred others and marched to present petitions objecting to army seizures of nearby Indian lands to local government officials. More than one hundred perished when army troops opened fire on the marchers. After this Panzos massacre, Defense Minister Otto Speigler publicly blamed clerics for Indian unrest; the Catholic missionary who led the marchers was deported. Detailed death lists naming others soon appeared, and

proarmy political parties called on the people to judge communists, who were said to include religious people. These were not idle threats. One month after the Panzos massacre, activist priest Father Hermógenes López was murdered. He was the first of more than a dozen priests to die between 1978 and 1985.

Both religious rights and rights to free association clearly were under attack. Leaders of Indian cooperatives, Catholic basic communities, and other organizations were victimized. Members of these Indian self-help organizations were frequently targeted by death lists, violently abducted by anonymous armed men, or killed outright. Thousands of Indian children were orphaned as populations of whole villages fled into the mountains to avoid army massacres. Fear broadened and intensified as guerrillas committed reprisals against Indians who collaborated with army authorities. Once tranquil, the highlands became killing fields with tortured and dismembered corpses littering paths and highways.

The Roman Catholic Church and its followers were especially hard hit by army and allied "death squad" atrocities. As the violence peaked in 1981 and 1982, Catholic Father Stanley Rother, a missionary committed to organizing assistance to the orphaned Indians near picturesque Lake Atitlan, Okarche, was murdered in his church sanctuary. The Catholic bishop of adjacent El Quiché department fled the region as many church properties were confiscated or desecrated by the army. In such a situation, without the moderating guidance of ordained clerics, some victimized Indians sought revenge.

Other Indian activists, inspired by the apparent successes of revolutionaries in nearby Nicaragua and El Salvador, voluntarily chose to join offshoots of existing armed guerrilla groups which had appeared in 1961. Most who turned to guerrilla violence did so after relatives or neighbors fell victim to soldiers or private proarmy death squads. Four separate guerrilla forces recruited angry survivors and savagely killed favored targets (landlords, local officials, and army officers). By 1981, the guerrilla and counterinsurgency violence had polarized the nation as most Indian areas fell into near civil war. Action was most intense in El Quiché, Huehuetenango, Sololá, Alta Verapaz, San Marcos, and several other largely Indian departments. Rates of assassinations, wholesale massacres, and guerrilla violence rose there between 1978 and 1982. Other Indian departments, such as Totonicapán and Chiquirnula, remained virtually free of a guerrilla presence and also suffered fewer incidents of army and death squad violence.

Abductions and killings directed against the Indians divided army commanders after Pope John Paul II sharply criticized military rulers during a 1983 visit to the nation. This tension contributed to the overthrow of

Protestant dictator and general Efraín Ríos Montt by Catholic officers in August, 1983. After coup leader General Oscar Humberto Mejía Víctores ended secret trials and public executions, the official Catholic voice remained in opposition to all forms of brutality, continuing to call for social reforms. In well-publicized papal letters and through numerous criticisms aired by the Guatemalan Bishops' Conference, especially those by its chair, Archbishop Próspero Peñados del Barrio, the church demanded that human rights be respected.

Military rulers formally relinquished control to the Cerezo administration in January, 1986. By then, seventy-five thousand Guatemalans of both major ethnic groups had perished and more than thirty-eight thousand others had been kidnapped and were feared dead. By any measure, the events of 1978 to 1985 were the most intensely violent in all of Guatemalan history.

Impact of Event

Disruption of normal life in Guatemala's indigenous areas was comprehensive, went well beyond that endured by nearly all non-Indian communities, and left a large imprint on the nation. Of more than four hundred villages destroyed in the army counterinsurgency campaign, nearly all were in indigenous areas. In several cases, whole communities were annihilated in the process: For example, at the San Francisco plantation, Nentón municipality, Huehuetenango department (near the Mexican border), more than 350 people were massacred by the army in late July, 1982. Many of the distinct Indian subcultures so decimated no longer exist.

The events of 1978 to 1985 significantly affected public attitudes. Even among civilian government officials, distrust came to reign. A disgusted Vice President Francisco Villagrán (who later resigned and fled into exile) in 1982 stated: "There are no political prisoners in Guatemala—only political murders." Fear of the army remained widespread throughout the 1980's and formed a serious barrier to realization of the human right to free association, especially in the Western highlands. Army occupation of large areas of El Quiché, Huehuetenango, Alta Verapaz, San Marcos, and Sololá departments continued for more than a decade and transformed Indian society. Civil defense patrols substantially restricted rights to travel freely and to work outside government supervision. These organizations also undermined traditional authority in Indian communities, sowing suspicion and creating dependency on nearby military administrators. After the greatest guerrilla threat ebbed, remaining rural military bases undermined civilian officials' authority and inhibited realization of Indians' rights to self-government and to free movement within the nation.

The events also created large numbers of displaced persons, further eroding the distinctive indigenous cultures. In 1982, the Bishops' Conference of the Guatemalan Roman Catholic Church stated that nearly one-seventh of the national population had been displaced from their home areas, including more than one hundred thousand who had fled Guatemala for Mexican sanctuary. Tensions between the Guatemalan army and these exiles exacerbated foreign relations, producing minor skirmishes between the nations, and led to United Nations assistance to the refugees. These migrations were sympathetically chronicled in the film *El Norte* (1984). In some cases a semblance of a new community evolved, as was the experience of Kanjobal Indians from San Miguel Acatán municipality, Huehuetenango department, who reconstituted a Guatemalan community in the United States at Indiantown, Florida. For most Guatemalan Indians, the violence shattered a world, and the civilian governments of Guatemala since then have failed to recreate it.

The events of 1978-1985 had great impacts on the whole Guatemalan social and political system, not only on the indigenous peoples. Army victory, pursued without reservation or negotiation, had been achieved by 1985. The brutal excesses involved in the victory, however, had exhausted the army and had repulsed the public. Systematic use of human rights violations to eliminate both armed and peaceful challengers carried high costs. With legality in tatters, corruption had flourished, alienating much of the Guatemalan business community. International isolation in response to human rights abuses produced cuts in foreign aid, complicating economic recovery. These and other factors in 1985 and 1986 led ruling generals to abandon governmental offices they had held for nearly thirty years.

Electoral participation was unusually high as common people, Indian and *ladino*, exercised long-denied rights to self-government, choosing reformer Cerezo to lead them. Momentum toward realization of socioeconomic rights through reform policies under his civilian Christian Democrat administration, however, waned after two unsuccessful military coup attempts in 1988 and 1989. Neither the 1986-1991 Cerezo administration nor its more conservative Serrano successor proved fully able to end political violence, though army massacres virtually ceased and overall casualty levels from assassinations and kidnappings fell. Civilian administrations also initiated peace negotiations with the guerrilla movements in 1987 as part of the Arias Peace Plan for Central America.

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Gordon L. Bowen

European Court of Human Rights Rules on Mistreatment of Prisoners

Category of event: International norms; prisoners' rights

Time: January 18, 1978

Locale: Strasbourg, France

The European Court of Human Rights found the United Kingdom guilty of the mistreatment of prisoners in Northern Ireland

Principal personages:

JACK LYNCH (1917-1999), the prime minister of the Republic of Ireland (1966-1973 and 1977-1979)

LIAM COSGRAVE (1920-), the prime minister of the Republic of Ireland (1973-1977)

EDWARD HEATH (1916-), the British prime minister (1970-1974)

Summary of Event

The situation in Northern Ireland had engendered abuses of human rights since the creation of the province in 1922. When, after a two-year war with the British, the Irish Free State was created, Northern Ireland was not included. With a majority population of Protestants who preferred union with Great Britain, the province was retained within the United Kingdom. This left one-third of the population as Roman Catholic Nationalists, who preferred to be part of the Irish Free State. Tension and violence marked the politics of the province for decades.

The government of Northern Ireland in 1922 passed the Civil Authorities (Special Powers) Act, which indirectly encouraged police harassment and oppression of the Roman Catholic minority since it removed most citizen protections against arrest, detainment without warrant, interrogation, searches, and the like. A British commission reported in 1969 that the Special Powers Act had caused widespread resentment among Catholics. A tradition of police repression grew, especially against Catholics and the Irish Republican Army (IRA), the organization most committed to removing Northern Ireland from British rule. In 1968 and 1969, civil rights marches triggered an outburst by the Royal Ulster Constabulary (RUC), the police of Ulster, which

in turn led to mob violence. In August of 1969, the British government sent in troops to keep order. Within eighteen months, British Army activities—house searches, arrests, and interrogations—were as offensive to the Catholic minority community as those of the RUC. A renewed IRA engaged in violent attacks against the police and army.

In August of 1971, the Northern Ireland government invoked the internment provision of the Special Powers Act. In cooperation with the British Army, approximately 350 suspected IRA members were arrested without warrant and detained without limit. At the end of six months, about twenty-four hundred had been interned and about sixteen hundred had been released after interrogation. Evidence began to accumulate that these prisoners were being subjected to brutal treatment in order to obtain information from them. This was consistent with the Army policy of acquiring as much information as possible about the inhabitants of Republican areas.

The principal charges were against five techniques that included the use of hooding. The prisoners, at all times other than interrogation periods, wore heavy black bags over their heads, causing an extreme sense of isolation. Another charge was that of subjecting prisoners to intense noise, such as that of a high-pressure drill or steam escaping, at all times other than interrogation, causing psychological disorientation. These conditions were coupled with a deprivation of sleep for two and three days at a time and deprivation of food for the same period, causing intense stress and physical weakness. Finally, prisoners were forced to stand on their toes, leaning against a wall, with their hands above their heads and legs spread apart, for days at a time, despite the periodic collapse of the prisoners. Patrick Shivers, for example, was held for eight days in 1971 and was subjected to beatings, wall standing, hooding, and lack of sleep. He feared for his sanity, and his body ended up shaking uncontrollably.

Allegations about the techniques were widespread, and the British government appointed a committee under Sir Edmund Compton to investigate the practices. The committee report, issued in November of 1971, indicated that the practices were taught to the RUC by the English Intelligence Center in April of 1971 and that their use was authorized “at a high level.” After discounting allegations of even more serious abuses—beatings, dog attacks, and the like—the report concluded that the interrogation techniques were “ill-treatment” but not “physical brutality,” as the committee understood the term. The response to the Compton report was critical skepticism among the British and complete rejection by the Catholic community, which saw the report as a whitewash.

Another committee was appointed that year, and it reported in March of 1972. The majority report held that the treatment of prisoners was justified on moral grounds. The minority report disagreed, but the minority and majority reports concurred that some of the techniques were illegal under domestic British law. When this report was issued, Prime Minister Edward Heath declared that the five techniques would be discontinued as aids to interrogation.

The government of the Republic of Ireland, under Prime Minister Jack Lynch, decided that the results of the Compton report warranted bringing the evidence to the European Commission on Human Rights in December of 1971 and March of 1972. The Irish government was motivated by what it saw as insufficient response to the explosion of violence in Northern Ireland and the treatment of the minority community. The Irish government asserted that the maltreatment of prisoners constituted a violation of Article 3 of the European Convention on Human Rights on the part of the United Kingdom. The Irish government sought a finding that torture and inhuman treatment had been used on prisoners. The Irish government also maintained that internment was



After a committee issued a report criticizing certain techniques—such as hooding—used to interrogate Irish prisoners in 1972, British prime minister Edward Heath announced that the government would stop using the objectionable techniques. (Library of Congress)

a violation of Article 5 of the convention, which protects the right to liberty and security of a person, and also Article 6, which protects the right to a fair trial. The manner in which internment was carried out, directed almost exclusively against Catholics, was also held to be a violation of Article 14, which forbids racial or religious discrimination.

In 1976, the European Commission on Human Rights considered evidence based upon 228 cases from 1971 to 1974 and heard 118 witnesses. The commission report, issued in 1976, accepted the British position that instituting internment was necessary under the conditions in Northern Ireland at the time and thus was not discriminatory. The commission held, however, that the treatment of prisoners did violate Article 3 and that the treatment of prisoners constituted torture. The British government again disavowed the use of the techniques and paid out more than \$320,000 in damages to prisoners. The Irish government, under Prime Minister Liam Cosgrave, then brought the case to the European Court of Human Rights in March of 1976 to seek a confirmation of the commission's findings and the punishment of those responsible.

In January of 1978, the court issued its judgment. On the key matter of the torture of prisoners, it did not go as far as the European Commission's judgment. The court accepted that the five techniques created fear, humiliation, and debasement and thus constituted inhuman and degrading treatment. The court, however, saw torture as a particularly cruel and "aggravated" form of inhuman treatment. The techniques used by the security forces in Northern Ireland were held by a vote of sixteen to one not to be "torture" under Article 3 of the European Convention on Human Rights. The British judge, in fact, did not even see the five techniques as cruel and inhuman. Finally, the court concluded it did not have the power to direct the British to bring criminal charges against those responsible.

The court went on to agree with the commission that the British did deprive citizens of their liberty outside of the judicial process but allowed that the larger issue of special powers for the RUC and judiciary were justified by presence of a terrorist threat. The type and character of the laws used to combat terrorism were the responsibility of the British, and the court accepted their necessity. The court also addressed the question of whether RUC and army actions, directed at the IRA and Catholics, constituted a form of discrimination. The judges concluded, along with the commission, that the British government had tried to eliminate a formidable terrorist organization, the IRA, and that such a goal was not discriminatory. The means of achieving it, in addition, were not viewed as disproportionate.

Impact of Event

The revelations of the Irish case before the commission were embarrassing to the British government. When the commission found that the methods used constituted torture, the fact that they had been authorized officially in the first place and then accepted by the Compton commission was less than flattering to British security policy in Northern Ireland. When the Irish government proceeded to take the findings to the European Court of Human Rights in 1976, as it was entitled to do, the British government reacted with anger, as the five techniques had by then been discontinued. London believed that to continue the case was a deliberate insult to the United Kingdom. In fact, the case was often cited by those critical of British human rights policy in Northern Ireland.

The British government had not contested, in the case before the European Court, the European Commission's report that the five techniques constituted torture. In 1972 and again in 1977, the British government vowed that the techniques would not be used in interrogation. The practice of internment was stopped in 1975. The Irish government's case would seem to have been effective in curbing the abuses. In fact, however, subsequent reports indicated that the abuse of prisoners continued. In 1977, thirty defense lawyers in the juryless court system wrote the secretary of state for Northern Ireland that ill-treatment of prisoners was a common practice used to extract confessions. In 1978, Amnesty International issued a report indicating continued regular maltreatment of prisoners and calling for an investigation. Amnesty also called for a review of the special police powers, citing the arrest, interrogation, and conviction of a retarded man who could not have formulated the confession he supposedly gave. The media attention given to the Amnesty report and the European Court's decision in 1978 prompted the British government to appoint the Bennett Commission to study the issue. Its report called for restrictions on ill-treatment of prisoners and new rules for interrogation. The evidence of maltreatment, however, continued to accumulate. Two RUC doctors resigned because they believed that the injuries they were treating were caused by police abuse during interrogation.

The pattern continued of arrest on suspicion without a warrant, followed by brutal interrogation to obtain a confession, and then use of the confession to obtain a conviction. A vast majority of convictions (85 percent) for terrorist crimes came from confessions. The fact that the five specific techniques cited in the European Court's decision were no longer used does not ameliorate the fact that RUC abuses to obtain confessions from Catholics were not halted by the European Court in 1978.

The precedent of challenging security practices in Northern Ireland through European institutions was set by the 1978 case. Four Republican prisoners in the Maze Prison brought their case to the European Commission on Human Rights, arguing that the conditions of their imprisonment constituted inhuman and degrading treatment. The commission in 1980 rejected their claim and said that they were not entitled to be treated as political prisoners. Other cases concerning Northern Ireland have been brought to the commission since 1971. The protection of human rights decided in the 1978 case apparently encouraged the use of both the court and the commission.

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Richard B. Finnegan

China Promises to Correct Abuses of Citizens' Rights

Category of event: Civil rights; political freedom

Time: Spring, 1978

Locale: Beijing, People's Republic of China

Post-Mao Chinese communist officials encouraged Chinese citizens to publicize their grievances against the government in a short-lived democracy movement

Principal personages:

DENG XIAOPING (1904-1997), the power behind the post-Mao political and economic reforms in China, although not occupying a major government post

PENG ZHEN (1902-1997), the former mayor of Beijing, persecuted during the Cultural Revolution; one of the Deng reformers who encouraged the "Beijing Spring"

WEI JINGSHENG (1950-), a member of the Chinese Human Rights Alliance sentenced to fifteen years in prison; one of the editors of *Explorations*

FU YUEHUA, a leader of Beijing demonstrations against hunger and oppression; the first Beijing Spring leader arrested

Summary of Event

After the death of Chinese Communist Party Chairman Mao Zedong, many Party leaders, under the leadership of then Vice-Premier and veteran party cadre Deng Xiaoping, called for a major break from past political and economic practices. In the political arena, the reformers called for the rebuilding of the legal system, for redressing the wrongs committed since 1957 against Chinese of all political persuasions, and for ridding the Chinese Communist Party of the influence of the so-called "Gang of Four"—Mao's wife, Jiang Qing, and three of her Cultural Revolution colleagues.

In the economic area, Chinese post-Mao reformers called for the economic "responsibility system" that would free both rural and urban economic institutions from overreliance on central control. Peasants would be able to leave the communes and lease farmland from the state. Factory managers would be responsible for running more efficient factories that sold goods to the market.

The economic and political reforms were, however, resisted by at least some of the Communist Party members who had joined the party during the previous twelve years, that is, since the beginning of the 1966 Cultural Revolution. As many as one-half of the party's members fell into this category. Reforms were also opposed by some of the older party members who still remembered Chairman Mao with fondness and who feared the subversive influence of new ideas. They particularly seemed to fear Chinese versions of liberal democracy.

In 1978, the leaders supporting Deng Xiaoping mobilized popular support to resist these attacks on reforms. They encouraged popular opposition to the Maoists and permitted people to air their grievances. The Cultural Revolution began to be characterized as the "Ten Lost Years," and former Red Guards were encouraged to write about their feelings in an outpouring of writings called the literature of "the wounded." Chinese from all walks of life were also encouraged to voice their criticisms of government policies during the Cultural Revolution using big character posters posted on the Democracy Wall in Beijing (and other cities), or in various unofficial publications. Leading publications included *Explorations*, *Beijing Spring*, *April Fifth Forum*, *Today*, and the *Masses' Reference News*. Leading organizations included the Chinese Human Rights League, the Enlightenment Society, and the Thaw Society. The unofficial publications, and the organizers and contributors to them, generally used their new freedoms to call for a "fifth modernization," that is, for democracy, in addition to the other four modernizations (agriculture, industry, science and technology, and military) that focused on economic development.

In March of 1978, a new constitution was promulgated that guaranteed many new democratic rights, what were called the "four freedoms" (the right to speak freely, to air views fully, to hold debates, and to put up wall posters). By the fall of 1978, about thirty-four thousand peasants had come to Beijing to publicize their problems and to seek redress from the authorities. In November, 1978, the Democracy Wall in Beijing became a rallying point for leaders of the democracy movement as well as petitioners to the government.

Deng called for the rehabilitation of many of China's political outcasts and sufferers from the previous twenty years. Among those whose verdicts were reversed were 110,000 people who had been imprisoned since 1957. Deng insisted on righting the records of many others who had died in prison or were persecuted to death. During this period, the newspapers were filled with belated obituaries.

In the area of intellectual activity, Deng moved the society from a situation of "politics in command" under former Communist Party Chairman Mao to

one of seeking truth from facts and using practice as the sole criterion for testing truth. He followed these general statements in 1978 with specific support for popular expression of criticism and discontent. He condoned the setting up of the Democracy Wall, calling the posters there “a good thing” in November of 1978. Also in November of 1978, Deng reaffirmed that unofficial media would be permitted to flourish, as guaranteed by the new constitution. He noted that it was useful sometimes for the party to be urged along by the masses. It was even rumored that the unofficial journal *Beijing Spring* had Deng’s tacit support.

The reaction of democracy movement participants in late 1978 was sometimes ecstatic. They wrote posters, composed articles, joined demonstrations, and made public statements. On November 29, 1978, a huge demonstration called for democracy and human rights, while cheering Deng Xiaoping and the late Chou Enlai. One excited man was reported to have told a foreigner, “You are witnessing the greatest thing to happen in China.”

Unfortunately for Chinese human rights advocates, Deng Xiaoping began to react against the movement by January, 1979. He did this in part because the movement had served its political purpose of embarrassing Maoists and providing reformers with popular support, and now was no longer needed. Perhaps more important, Deng began to repress the democracy movement because it was beginning to call for substantial democratic reforms, reforms which could have led to the loss of the Chinese Communist Party’s monopoly of power.

On January 18, 1979, Fu Yuehua became the first democracy movement leader to be arrested. On March 16, 1979, Deng, in a secret speech on the Sino-Vietnam War, warned that the democracy movement had “gone too far,” and that it was not in the interest of “stability, unity, and the four modernizations.”

The Communist Party in 1979 began to take steps to make arrests and detentions easier, steps that would rein in the democracy movement. The National People’s Congress reissued regulations using a 1957 Stalinist law that permitted Chinese police to practice administrative detention of people for three years without charges or trial. This detention was intended to accomplish what was called “reeducation through labor.”

Impact of Event

By December, 1979, wall posters on Democracy Wall in Beijing were banned. On January 1, 1980, Democracy Wall was officially closed, and on January 17, Deng announced that the right to put up wall posters and to exercise the “four freedoms” would be deleted from the new constitution because

of “abuse.” Many of the democracy movement leaders were arrested, and all the unofficial publications were either closed or voluntarily ceased publication.

In sum, the Beijing Spring lasted from March, 1978, to March, 1979. During that time, Chinese were encouraged by post-Mao reform leaders such as Deng Xiaoping to air their grievances and to seek redress from the government. The Beijing Spring also saw the beginnings of a number of unofficial prodemocracy magazines and the use of the Democracy Wall in Beijing.

Unfortunately, once the Cultural Revolution was repudiated (as evidenced by the Gang of Four trial in early 1980), Deng’s economic reforms approved, and the Communist reform leadership consolidated, Deng no longer had a need for the democracy movement. He also feared this movement because the Beijing Spring leaders called for a democratization of the entire political structure, including free elections, a free press, and open criticism of the government. Beijing Spring leaders began to be arrested and were often given long sentences, ranging from two to fifteen years, and harsh treatment in prisons.

As with human rights movements in many countries, leaders paid a high price, including long prison terms and extremely harsh treatment, some of it documented by Amnesty International. At the same time, this movement and the democracy protests that have occurred since 1978 seem to have moved the country closer to a more democratic system. The leaders of the Beijing Spring, although in some cases still in prison, continued to be an inspiration to the leaders of democracy movements in 1984, in 1986, and at the 1989 Tiananmen Square demonstrations.

In terms of immediate consequences, the 1978-1979 year of freedoms moved the entire range of Chinese civil rights forward. Although there was some reversal in the immediate post-Beijing Spring period, and much suffering by its leaders, each generation of leaders’ sacrifices have seemed to move forward the entire cause of democratic rights. The long-term consequence of these human rights movements is that it became harder for the Chinese government to repress without cause, or totally to repress, later democracy movements. After the democracy movement of 1989, there was even more Chinese support for the goal of a fifth modernization, democracy, even though few were willing to express it publicly.

Each new movement has received wider support, and each new movement has built upon the last. When the history of China’s democracy movement is later written, the Beijing Spring movement of 1978 will most likely be seen as the opening shot in a struggle that will have taken many years, but will probably ultimately be successful, although at a high cost in human suffering.

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Stephen C. Thomas

Iran Uses Executions to Establish New Order

Category of event: Atrocities and war crimes; religious freedom

Time: 1979-1985

Locale: Teheran, Iran

Iran under the rule of Ayatollah Ruhollah Khomeini had a poor record in human rights, including countless deaths of the young, underage children, political figures, and members of religious minorities, particularly of the Baha'i faith

Principal personages:

AYATOLLAH RUHOLLAH KHOMEINI (1902-1989), the Islamic leader who took control of Iran and created a religious state

MOHAMMAD REZA SHAH PAHLAVI (1919-1980), the ruler of Iran (1941-1979)

SHAHPOOR BAKHTIAR (1916-1991), the ruler of Iran for thirty-nine days, after the shah's abdication

Summary of Events

Until 1979, Iran was under a monarchy headed by the self-styled shah, Reza, the son and successor of a minor officer who had sought to establish a new dynasty, the Aryan Pahlavis. The shah sought to modernize Iran as a Western state and establish it as a major regional power. The shah found it expedient to be conciliatory toward Israel and brutal toward his opponents, weeding them out systematically. This persecution, along with corruption and poor economic performance, led to urban unrest. By 1978, Iran was paralyzed, and the shah was forced to abdicate. A provisional government under Prime Minister Shahpoor Bakhtiar was installed. He was forced out of power and replaced by Medhi Bazargan. The government lasted only until November, when the clerics took over. Ayatollah Ruhollah Khomeini thus came to full power.

Systematic persecution followed. A secret list of enemies of the state was compiled. Ten to twenty thousand suspects were instructed not to leave the country. Arbitrary arrests followed investigations of the suspects. Those charged rarely received fair public trials. Revolutionary Guards began searching homes for liquor and pornographic materials, possession of which violated Islamic law.

By the end of 1979, the new regime had imprisoned more than fifteen thousand. Of these, seven hundred, all political and military figures prominent during the shah's reign, were executed summarily by firing squads. The remainder were judged to be counterrevolutionaries, seditious plotters, and persons violating Islamic ethics and codes of conduct—prostitutes, drug traffickers, homosexuals, suspected shah sympathizers, and seditious members of ethnic minorities in Kurdistan, Khuzestan, Baluchistan, and Azerbaijan.

In early 1980, the clerics moved a step further. They sought to legitimize the evolving theocracy. Elections were held for a new president and a clerically biased Parliament, the Majlis. Iran moved toward theocratic fundamentalism and became viscerally opposed to separation of church and state. Laws were promulgated making all aspects of private and public life subject to *Fiqh*, or Islamic jurisprudence. Individuals were no longer citizens of a secular state. They were part of the Ummah, a transnational fellowship dictating every aspect of human life. Iran was seen by the Western world as a blatant violator of basic secular tenets regarding human rights. Of these, the laws that were seen as most pernicious dealt with personal freedom and choice in matters of sexuality, public appearance, politics, and liturgical observance.

Women were required to appear modestly dressed in public, wearing the *chador*, or head veil. No exceptions were made for non-Muslim women. Secular divorce laws were replaced, and traditional Islamic family law was instituted. This law severely limited certain rights and privileges in matters of custody of children and initiation of divorce proceedings by women. Political participation by women was restricted, and women were limited effectively to one in their representation in the Majlis.

Homosexuality was banned. It was declared a moral depravity and a criminal offense. Public flogging was instituted for it and other moral offenses. Death by stoning was introduced, as was amputation of fingers as a measure of punitive deterrence in cases of theft. Revolutionary courts and the Guards were given considerable powers to use private initiative for the public moral good. They were to see that public and private behavior conformed to moral standards set by the new order.

Revolutionary guards searched, without warrants, private homes for anti-Islamic materials, political or pornographic. They searched homes suspected of "anti-Islamic" activities, including possession of liquor. Governmental acquiescence to this private initiative by the Guards opened opportunities for individuals to settle old scores, a process made easier by the lack of juridical standards ensuring due process to protect the accused. The burden of innocence was left with the accused. Political offenders were not given easy access

to a legally constituted defense counsel, and admissions of guilt extracted under duress or torture were admissible proof. Torture was indeed used.

Opposition to the new Islamic order in most forms was deemed illegal, be it by individuals, expressed orally or in the press, or by anticlerical groups. One such group singled out for brutal attack by the clerics was the Mojahedeen-e-Khalq, a group of radical left-wing revolutionaries, three thousand of whom were executed by the end of 1982.

In April, 1980, universities were closed down. Left-wing elements were weeded out, and the universities were reopened under new Islamic guidelines. Similar purges were instigated and carried out in the public sector. Public-sector employment and admission to educational institutions were granted to individuals achieving satisfactory scores in tests of knowledge of Islam and its orthodoxy. These Islamic test requirements were dropped in the mid-1980's, but while they were in effect, they further increased discrimination against non-Muslim minorities.

By the end of 1982, according to some observers in Teheran, the new regime had executed more than ten thousand people, some summarily and others under brutal conditions. Perhaps the single most systematic violation of human rights, even by Islamic standards, occurred against religious minorities. As befitted a theocratic state, the constitution of 1980 recognized the legal rights of the *Ahl-e-Kitah* (the People of the Book, or Christians and Jews) and one other pre-Islamic religious group, the Zoroastrians. Representatives from these three minorities were granted seats in the newly formed Parliament, the Majlis. These three religious minorities were to be guaranteed protection of life and property under the law only as long as they complied with government regulations.

Armenians and non-Farsi-speaking religious minorities could not propagate religious instruction without severe restrictions, particularly instruction carried out in non-Farsi languages. To allow this, the authorities argued, was to allow the possibility of subversive activities among such minorities. Perhaps the greatest infringement to individual freedom of worship was to occur against Iranians of the Baha'i faith. Baha'is were charged with crimes against God and warring against God. At the revolution's onset, mobs had demolished Baha'i shrines in Shiraz. Revolutionary Guards had subsequently confiscated Baha'i properties and businesses. Vigilante groups continued to weed out known Baha'is. A few were singled out for summary trials and executions. The persecution intensified. In the new constitution, the Baha'is were specifically singled out and excluded as a protected religious minority. The Ayatollahs considered the Baha'i faith as heretical and the Baha'is, numbering about

one-third of a million, as religious subversives. Thereafter, Baha'i social welfare organizations and businesses were banned. Public and private Baha'i worship was made illegal. Baha'is could no longer hold government jobs; employment in the private sector was also discouraged. Baha'i marriages were no longer recognized. Married Baha'i women were thus liable to persecution on grounds of immorality, that is to say, prostitution.

Impact of Event

The most dramatic impact of laws advocating the supremacy of theocracy over the rights of the individual was felt by religious minorities. Relations between the government and the religious minorities were fraught with tension and conflict, tensions which began manifesting themselves almost at the outset of the revolution. These tensions centered on Jews suspected of Zionist or seditious tendencies.

In the light of the regime's virulence toward Zionism, international Jewry, and Israel, many Jews became increasingly anxious and began leaving Iran. Some Jews were charged with harboring Zionist sympathies, a treasonable offense punishable by death. Ten of these suspected sympathizers were killed, accused of "warring against God" and "corruption of Earth." Subsequently, larger numbers of Jews fled Iran. The drive to leave intensified, particularly after a concerted raid led to several arrests. Among those arrested was a rabbi who was charged with helping Jews to flee Iran. Others were forced to make public anti-Israeli statements. The public recanting of one's faith or political sympathies in return for clemency for life or permission to work was not confined to Jews. Christians suffered similar discrimination and persecution. On the whole, however, Jews fared better than Christians. Unlike the Christians, predominantly of Armenian descent, Jews in Iran spoke Farsi. This helped ease tensions between them and the authorities.

The Baha'i leadership, fully aware of the regime's fundamental commitment to eradicate the faith as heresy, responded swiftly. It sought to comply with the new regulations. It disbanded the national association, but to no avail. The persecution continued and intensified. By September, 1980, seven Baha'i leaders had been executed. In December, 1981, eight more followed. The Baha'is, now rendered formally leaderless, became easy targets, ready to be plucked one by one. Members of the Baha'i national executive committee who sought to evade prosecution were all spotted, apprehended, and killed. Baha'is sought to prevent desecration of graves in their cemeteries, again to no avail. Baha'i cemeteries were, like Baha'i residences, easily earmarked.

Lesser-known Baha'is sought to avoid arrest by going into hiding. Some

found refuge with friends of non-Baha'i faiths. Arrests, however, continued. Baha'is could not evade vigilante groups, spies, and Revolutionary Guards. More than 190 Baha'is were arrested following the prosecutor general's orders banning Baha'i worship. By December, 1985, 767 Baha'is were languishing in jail. Approximately 200 Baha'is had been killed since the outbreak of the Islamic revolution. Their plight continued, and Iran remained firmly entrenched in theocracy, committed to a new order, rid of heretics and secularist tendencies.

The human rights record of Iran from October, 1979, to the end of 1984 shows 6,108 accountably dead. One hundred thousand were killed during the Iran-Iraq War, many in their early teens. This sad record is a chilling manifestation of the potential harms stemming from purist normative doctrines.

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Mustafah Dhada

Pakistan Hangs Former Prime Minister Bhutto

Category of event: Atrocities and war crimes; political freedom

Time: April, 1979

Locale: Rawalpindi, Pakistan

Bhutto was executed by the government of General Zia ul-Haq after being found guilty of complicity in a political murder

Principal personages:

ZULFIKAR ALI BHUTTO (1928-1979), the chief martial law administrator and president of Pakistan (1972-1977)

SHEIKH MUJIBUR RAHMAN (1922-1975), the leader of the Awami League party in East Pakistan and president of Bangladesh (1971-1973)

MOHAMMAD ZIA-UL-HAQ (1924-1988), the chief of the army staff, chief martial law administrator, and president of Pakistan (1977-1988)

AGHA MOHAMMAD YAHYA KHAN (1917-1986), the chief of the army staff, chief martial law administrator, and president of Pakistan (1969-1971)

Summary of Event

The career of Zulfikar Ali Bhutto and the significance of his ultimate fate can be understood and appreciated only within the broader context of Pakistan's political history. The most decisive factor in this history is the country's creation. Pakistan was born on August 14, 1947, when the British ended their two centuries of imperial rule over the Indian subcontinent and transferred governing authority to two countries, India and Pakistan. India inherited a political tradition and a culture that were millenia old. Pakistan, on the other hand, could lay claim to no prior existence as a separate country. It had come into being as the result of a separatist movement based upon the common identity and sense of minority status of the South Asian Muslim community. India, which declared itself to be a secular state, contained a majority Hindu population as well as many other communities, including millions of Muslims. Pakistan, in contrast, was intended to be a homeland for Muslims, which meant that its social and political institutions should be fashioned according to the dictates of Islam.

The combination of newly gained independence and the role of Islam created a difficult political environment within which Pakistan tried to develop politically. For nine years, Pakistan attempted to govern itself by means of a legal framework set down by the Government of India Act of 1935. This document had been enacted by the British to meet their imperial needs in governing India. Designing a constitutional framework befitting its distinctive needs and desires was frustrating for Pakistan. Institutions of government together with the rights, duties, and responsibilities of citizens were so intensely controversial that a constitution was not finally agreed to until 1956.

This proved to be an abortive effort, as the combination of Western political traditions and institutions and efforts to establish an Islamic state proved beyond the grasp of Pakistan's political leaders. The results of this experience were chronic political disorder and frequent direct intervention by the military into the political affairs of the country, a practice that has continually frustrated, and indeed inhibited, Pakistan's political development. The constitution of 1956 lasted only two years, and martial law was declared for the first time in 1958. The military regime, after reestablishing civil order, set about crafting a new constitution, one which would not borrow directly from European parliamentary experience under which voters directly chose their representatives. Instead, an indirect approach was chosen in which the political system was divided into layers and the representatives of each layer would choose the personnel of the next higher level.

This arrangement was introduced in the new constitution of 1962. This constitution, carefully crafted to suit the interests of the military and the bureaucracy, set Pakistan on a course of political development fully consistent with Western models of administrative organization but which, at the same time, gave only limited political and social freedoms to the citizenry. The new regime, under General Mohammad Ayub Khan, lasted for more than a decade. During this time, Pakistan became a close friend of and received considerable financial support from the United States. In the late 1960's, however, Ayub's government encountered increasing difficulties generated by the politically frustrated opposition. Those opposed to the government included not only those seeking more democracy and freedom but also advocates of a more vigorous Islamic approach to nation building. Opposition came to a head following the failure of Pakistan's military in its confrontation with India over Kashmir in 1965.

Among those opposing the regime was Zulfikar Ali Bhutto. Bhutto, scion of a wealthy family of landlords in the province of Sindh, came to hold an important place in politics in the late 1950's. During the period of Mohammad Ayub



Zulfikar Ali Bhutto. (Library of Congress)

Khan's rule, Bhutto was foreign minister. He eventually broke with Ayub and formed his own political party, the Pakistan People's Party (PPP).

The government's incapacity to deal with mounting disorder again brought out the army. Martial law was established for the second time, and Ayub was replaced by another general, Agha Mohammad Yahya Khan. Yahya Khan was committed to democratic elections to resolve fundamental constitutional issues, especially the relationship between the East and West wings of the country.

In the election of 1971, there were two major political parties. The Awami League, under the leadership of Sheik Mujibur Rahman, represented East Pakistan. In West Pakistan, although there were several parties, the largest and most powerful was Bhutto's PPP. The Awami League won a decisive majority in the National Assembly, capturing nearly all the seats allocated to the East wing. Bhutto's PPP managed to gain only a majority of the seats allocated to the West wing.

In the negotiations leading to the meeting of the National Assembly, the Awami League demanded a new constitution that would give East Pakistan the political dominance to which it was entitled by virtue of its larger population. Efforts to control the agenda for determining a new constitution were viewed

by Bhutto, and by most West Pakistanis, as tantamount to secession of the East wing. Bhutto refused to attend the meeting of the National Assembly on the grounds that the Awami League was unwilling to compromise. Yahya Khan's attempts to resolve the situation based on negotiations proved fruitless. On March 26, 1971, the army intervened in East Pakistan and civil war resulted. In December, India invaded East Pakistan and brought the conflict to an end. East Pakistan became Bangladesh, Yahya Khan was removed from power, and Bhutto assumed control of the government in a truncated Pakistan.

Bhutto had come to power at the time of Pakistan's most severe national and international crisis. The new government moved quickly to resolve many of the problems facing the country. Bhutto went to Simla and met with Indian leader Indira Gandhi. The negotiations gave a new and cooperative tone to India-Pakistan relations. Bhutto also set about drafting a new constitution that radically altered the direction of Pakistan's politics. This new constitution, introduced in 1973, expanded the political and economic opportunities of ordinary citizens. All educational institutions were nationalized in order to expand opportunities for low-income groups. Labor unions were encouraged and given enhanced legal standing. Restrictions on the press and political organizations were reduced. In taking these actions, Bhutto offended traditional political constituencies, especially Islamic fundamentalists and conservative elements in the military and the bureaucracy. Moreover, the less restrictive atmosphere encouraged opposition to the central government by some provincial groups, especially in Baluchistan.

Having raised expectations, the government found it increasingly difficult to meet public demands. Bhutto was no more successful than his predecessors had been in controlling communal rivalry. Pakistani politics have always been volatile, and street demonstrations are a way of life. Political opposition to the government became increasingly violent among diverse groups who were, for various reasons, frustrated with the government. Whipped up by Bhutto's enemies, especially among religious conservatives, this violence provided an invitation for the military once again to take political control.

The military, humiliated by its defeat by India in 1971, was never friendly toward Bhutto. In 1977, the army stepped in, placed Bhutto under house arrest, and "temporarily" suspended the constitution until order could be restored. Martial law administrator General Mohammad Zia-ul-Haq, who had been appointed by Bhutto and who had a reputation as a desk general and was thus politically safe, promised elections would be held as soon as possible. He declared that the military had no desire to remain in power a day longer than necessary.

One of Bhutto's problems was the accusation that he had been involved in a politically related murder in 1974. This charge provided the opportunity for General Zia to remove Bhutto from the political scene permanently. In December, 1978, Bhutto was convicted. In an effort to add to his political discredit, the government undertook a campaign detailing the misdeeds and oppressive practices of Bhutto's administration. It came as no surprise, since many of its members were Zia loyalists, when the conviction was upheld by Pakistan's Supreme Court in February, 1979. Despite public pleas from national leaders around the world, Zia remained resolute in his determination to end Bhutto's political career. Zia could not free Bhutto because of Bhutto's large and loyal following. Keeping Bhutto in jail for a long period of time was also impractical, as this would make him the symbol of military oppression. Zia concluded that for his own political future, the safest thing to do was to execute Bhutto and weather the storm of protest that would surely follow. Bhutto was hanged in the Rawalpindi jail on April 4, 1979.

Impact of Event

The immediate consequences of Bhutto's execution were public protests and demonstrations. The country was already under martial law, so the government needed little justification for suppressing political rights. Many members of Bhutto's Pakistan People's Party had been arrested before the execution, thus diminishing effective resistance to the government. Nevertheless, political violence continued for some time. The arrest of Bhutto and his subsequent execution, the imposition of martial law, and the suspension of the constitution compromised the political integrity of Pakistan. The arbitrary use of force had once again replaced the rule of law. The justification for this action—the doctrine of necessity—means that whenever the military considers it "necessary" it can nullify any law, including that of the constitution.

By executing Bhutto, General Zia removed the most immediate threat to his political control but created an enduring problem. Bhutto had become a martyr and served as the symbol of resistance to government oppression. It was this very resistance that the government used to justify continuing restrictions on political freedoms. When he first seized power in 1977, Zia had promised to restore constitutional government within a matter of months. He instead planned, even before executing Bhutto, to change the system under which the elections, scheduled for November, were to be conducted. In a gesture to fundamentalists, Muslims and non-Muslims were to vote separately. Zia declared that local elections would be held before the general election and on a nonpartisan basis. In August, he issued an ordinance narrowly re-

stricting the ability of political parties to function. In October, he postponed the elections on the grounds that they would not yield positive results. Restoration of democracy, he said, would come eventually, although it might take years.

In the months to follow, martial law was tightened and civil liberties further restricted. Newspapers published issues with large blank spaces to protest censorship. The government accelerated its efforts to bring every activity and institution in the country into conformity with Islam, a process that raised questions about the social and political status of women. Banks were Islamized, which meant the elimination of interest. Instead, fees were charged for loans and depositors shared in the profits and losses of their bank. The legal system, inherited from the British, was to be reviewed and made consistent with Islamic law. Public entertainment, such as dancing, films, women's sports, Western music, and art, were either significantly proscribed or discouraged.

By the mid-1980's, opposition to Zia's rule was growing. Open resistance came in the form of the Movement for the Restoration of Democracy, established in 1981, but it was unsuccessful in changing the course of action under Zia. In 1988, the situation was dramatically altered when General Zia was killed in a plane crash. Elections were held very soon thereafter, in November. The PPP won a substantial victory and was restored to power. In a dramatic historical twist of fate, the new leader of the government of Pakistan was Bhutto's daughter Benazir. Not only was a Bhutto once again leading the government of Pakistan, but for the first time in the history of Islam, a woman had been elected to lead a predominantly Muslim country.

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Louis D. Hayes

Iranian Revolutionaries Hold Americans Hostage

Category of event: Atrocities and war crimes; prisoners' rights

Time: November 4, 1979-January 20, 1981

Locale: Teheran, Iran

The Iranian hostage crisis was the direct result of United States support of a regime whose flagrant violation of human rights precipitated the Iranian revolution

Principal personages:

JIMMY CARTER (1924-), the thirty-ninth president of the United States (1977-1981)

AYATOLLAH RUHOLLAH KHOMEINI (1902-1989), an Islamic religious leader who became the chief political figure in Iran in 1979

MOHAMMAD REZA SHAH PAHLAVI (1919-1980), the shah of Iran from 1941 to 1980

CYRUS VANCE (1917-2002), the U.S. secretary of state (1977-1980)

Summary of Event

The anti-American sentiment that culminated in the seizure of the United States embassy in Teheran in 1977 had its roots in the 1953 overthrow of popular prime minister Mohammad Mosaddeq. Prior to that time, the United States had been praised by many Iranians as a liberating force that had protected them from the British and the Russians. After 1953, though, Iranians of all political persuasions began to condemn the United States as an oppressive exploiter that had allied itself with the imperialistic interests of Great Britain. The United States' support of the governing regime of Iran, which began with the rescue of Mohammad Reza Shah Pahlavi, solidified its reputation as an interventionist power in the eyes of many Iranian citizens. By the 1970's, the anti-American movement had become associated with the antimonarchical movement that had arisen as a response to the shah's oppressive policies.

The year 1977 set the stage for the Iranian revolution and the virtual severance of ties between Iran and the United States. First, the Iranian economy, which had experienced a boom between 1973 and 1975, began to plummet. The tremendous gap in the distribution of income between rural and urban people was aggravated by the fact that the peasants could not compete with im-

ports that were being sold at subsidized prices. Because there was a shortage of skilled laborers, workers were imported from the Philippines, Korea, and the United States. In an effort to control spiraling inflation, the shah set up groups of inspectors who prowled through the bazaars looking for price gougers. Because most of the people who were arrested and exiled were the pillars of the traditional business community, the bazaar, which lay at the heart of the Iranian economy, was alienated. Even after the economy began to level off later in the year, the people were no better off because the corruption that had accompanied the boom in the early 1970's was firmly entrenched in the economic system. It is important to note that many people who had instigated the taking of bribes, the fraudulent land schemes, and the exorbitant commissions on contracts were the shah's family and his close associates.

The event that had the greatest impact on Iranian and American relations in 1977 was the revival of Islam. Throughout that year, young men and women in secondary schools, universities, and religious study centers engaged in dialogue concerning social and political matters. Women even began wearing the long black *chador* as a way of making a political statement. The resurgence of Islam as a powerful political force first became evident on October 9, 1977, when two dozen masked students at Teheran University burned buses and smashed windows to protest the integration of women on campus. During the following weeks, a number of religious demonstrations were held in the holy city of Qum. Iranians appeared to embrace Islam as a refuge from the tyranny of the shah's regime.

The year 1977 was also witness to the shah's "liberalization" program, called *musharikat*, which was developed as a response not only to the growing Islamic movement but also to President Jimmy Carter's human rights policy. On January 20, 1977, President Carter said in his inaugural address, "Our moral sense dictates a clear preference for those societies which share with us an abiding respect for individual human rights." Hoping to win continued military and financial support from the United States, the shah instituted the White Revolution, which was a reform program that focused on land reform and literacy. He also invited Amnesty International, the International Red Cross, and the International Commission of Jurists to investigate the social and political conditions in Iran.

The volatile situation in Iran was made even more so by Cyrus Vance's visit to Teheran in May, 1977, for the purpose of discussing the sale of 160 F-16 aircraft to Iran. After Vance's return, the United States tried to emphasize the progress that the shah had made in human rights, but most Iranians believed that the shah had improved conditions only a little and that he would regress

once he had won favor in President Carter's eyes. The shah's critics pointed to the fact that only one political party, the shah's Rastakhiz party, was permitted in Iran. They also exposed the shah's tendency to categorize his opponents as either communists or reactionary clerics. Both types of opponents, the shah's critics claimed, were branded as "suffering from mental imbalance" and thrown into prison, where they were beaten and tortured.

Ironically, the efforts by the shah's police and the military to destroy the opposition in 1978 only served to strengthen it. A secret network of the Ayatollah Ruhollah Khomeini's followers, which had been in place ever since his exile in 1964, escalated its operation by distributing millions of dollars to the impoverished masses who were its constituents. On January 8, 1978, an event occurred that united the fragmented opposition forces. Following a verbal attack on Khomeini in the newspaper *Ittala'* at the day before, clerics and students staged a massive protest march in Qum. The police opened fire, killing two dozen people and wounding many more. Thereafter, antiregime demonstrations became commonplace; at least one was held every month from January, 1978, to February, 1979. At the end of the fourteen-month period, an estimated ten to twelve thousand persons were killed and another forty-five to fifty thousand were injured.

Anti-American sentiment, which had been growing along with the opposition movement, increased dramatically after the Black Friday massacre on September 8, 1978. The shah's soldiers had fired at the crowds in Jalah square, killing and wounding hundreds of unarmed men, women, and children. Two days later, President Carter called the shah and assured him that he still had the support of the United States. This phone call was construed by the Iranian people as an expression of the U.S. president's approval of the Jalah massacre. The Iranians' hostility toward the United States reached its peak when the shah was granted refuge in New York City on October 22, 1979, following the takeover of his country by the Ayatollah Khomeini on February 1.

The new era in Iranian-American relations of distrust and violence that was ushered in after the fall of the shah reached tragic proportions in November. On November 1, 1979, two million angry Iranians demonstrated in Teheran, shouting slogans such as "Death to America." On November 4, 1979, a group of nearly five hundred extremist students stormed the U.S. embassy in Teheran and initially took about ninety hostages, most of whom were embassy workers and about sixty of whom were U.S. citizens. The extremists vowed to hold the hostages until the United States returned the shah to Iran to stand trial.

For the next 444 days, the fifty-two Americans who remained as hostages (some hostages were released early) were subjected to the same sort of inhu-



Iranians demonstrating against the United States in front of the U.S. embassy in Teheran shortly after the beginning of the hostage crisis. (Library of Congress)

mane treatment that the shah had been accused of by the revolutionaries. After being held in the embassy for twenty days, the hostages were bound, blindfolded, covered with blankets, and taken to a series of makeshift prisons. During a series of seemingly endless interrogations, they were beaten and humiliated by their captors. Except for a rare “feast” of hamburgers and sodas, their meals consisted of bread and tea in the morning, cold rice at lunch, and cold soup at night. The only exercise that they were permitted was an hour of running in place in the morning. After three months, the hostages were placed in small cells; during their incarceration, they were not permitted to communicate. Hostages who violated the rules were locked in cold, dark cubicles for as long as three days. Toward the end of their confinement, they were forced to stand before a mock firing squad. When the hostages were finally released on January 20, 1981, their emaciated and hollow-eyed appearance provided mute testimony to the suffering that they had endured during their brutal ordeal.

Impact of Event

The taking of hostages from the U.S. embassy in Teheran immediately received worldwide attention. Most of the nations of the world joined the

United States in condemning the actions of the Iranian revolutionaries. In 1983, a United Nations treaty took effect that called for ratifying nations to prosecute the hostage takers or to return them to their countries for trial. On the other hand, the success with which the Iranians used hostages to render a superpower impotent inspired terrorists in other nations, especially in the Middle East, to do the same. The unprecedented media coverage that the hostage crisis received also opened up a country that had previously been shrouded in mystery. Both during and after the hostage crisis, the United States and many other nations made a serious effort to understand the Iranian position.

From the point of view of the revolutionary factions in Iran, the seizure of the U.S. embassy in Teheran was fortuitous because it helped to radicalize politics in Iran. Once the embassy was taken, the militants set about the task of piecing together shredded State Department documents they found, with the intention of proving their contention that the American embassy was a “nest of spies.” The documents that the militants recovered supported their claim that the United States and the Soviet Union had joined forces to back the shah and oppose the revolution. As a result, the extremist factions had the proof that they needed to gain ascendancy over the moderates. By taking retribution against a superpower that had been perceived for years as an external threat, the extremists rallied the masses behind their cause. Most important, though, the taking of hostages effectively thwarted any attempt that the United States may have been considering to reverse the revolution.

From the vantage point of the United States, the hostage crisis had dire political consequences. The inability of the Carter administration fully to appreciate the strength of the Islamic revival in Iran did irreparable harm to Carter’s presidency. Further damage was done when a rescue mission had to be aborted in April, 1980. The failure of the operation known as Eagle Claw angered military and civilian leaders in the United States. The economic sanctions that President Carter set in place against Iran served only to increase the determination of the hostage takers. President Carter’s unflinching support of the shah and his inability to resolve the hostage crisis probably contributed to Ronald Reagan’s landslide presidential victory in 1980.

The effects of the hostage crisis in Iran extended far beyond the Carter administration. The hard feelings that were created by the episode went a long way toward shaping U.S. foreign policy in the Middle East. During the Iran-Iraq War, for example, the United States was unofficially on Iraq’s side and even engaged in sporadic firefights with Iran in 1988. During the 1987 Iran-Contra hearings, officials of the National Security Commission stated that it was the embarrassment from the ill-fated rescue operation in 1980 that pro-

vided the incentive for the exchange of arms for hostages. The hostage crisis left behind a legacy of resentment that crippled Iranian-American relations for years.

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United Nations Convention Condemns Discrimination Against Women

Category of event: International norms; women's rights

Time: December 18, 1979

Locale: United Nations, New York City

The adoption of the U.N. resolution to eliminate all forms of discrimination against women served notice that the United Nations system had formally incorporated the principles of women's rights and gender equality

Principal personages:

ESMERALDA ARBOLEDA CUEVAS, the special rapporteur of the United Nations Commission on the Status of Women

JOHANNA DOHNAL, the secretary of state of Austria, instrumental in changing attitudes toward the role of women in the United Nations decision-making process

DEVAKI JAIN (1933-), the Indian representative to the United Nations and initiator and first convener of the Development Alternatives for Women for a New Era

HERTTA KUUSINEN (1904-1974), a Finnish parliamentarian and official of the United Nations Commission on the Status of Women

LUCILLE MAIR (1935-), a Jamaican deputy permanent representative to the United Nations

INGRID PALMER (1938-), the chief researcher in the United Nations Department of International and Social Affairs, whose study helped to bring about the United Nations Decade for Women

HELVI SIPILA (1915-), a Finnish lawyer and a key figure in organizing the convention

Summary of Event

For most of history women have shared the experience of inequality. The cause given for this revolves, for the most part, around the concept of the division of labor necessitated by the childbearing function of women. Division of labor caused societies to evolve with separate spheres for men and women, with women mostly relegated to performing domestic chores. This soon gave

rise to a cult of domesticity, relegating women to roles of peripheral importance in all but domestic matters. Over time, such roles were institutionalized through a more formal division of labor, forcing women to be treated unequally in any role they pursued outside the home. They were given limited access to resources, which subsequently affected their involvement in daily life. Women were often left out of society's political and economic decision-making processes, leaving women relegated to supportive tasks, as the positions of lesser value were transferred to the less powerful.

In an attempt to confront this evolving inequality of gender, the United Nations in 1979 drafted the Convention on the Elimination of All Forms of Discrimination Against Women. In addition to addressing female inequality in world affairs, the convention focused on byproducts of gender inequality such as poverty, underdevelopment, and educational backwardness. The convention called upon all U.N. member states to contribute to the cause of female rights by incorporating the principles of women's rights and equality between the sexes into the provisions of international law. The convention also provided for follow-up means to measure the progress and results of the resolution, obliging member states to present to the United Nations Commission on the Status of Women every five years a detailed report on major socioeconomic policies and programs initiated for the elimination of discrimination against women.

In other sections, the convention noted that women were not simply discriminated against in political and economic life; the rights to nationality, education, employment, and health were imperiled, and women were often subject to reproductive discrimination as well. Although women's childbearing and nurturing functions were respected in many countries, this very respect often resulted in the removal of women from potential economic contributions. The convention maintained that this was incompatible with human dignity and the welfare of all society and constituted an obstacle to the achievement of women's full potential.

The convention itself was the result of five years of political negotiations and maneuverings by various U.N. groups such as the Economic and Social Council and the General Assembly's Social, Humanitarian, and Cultural Committee. The resolution that was finally adopted reflected its origins in a broad-based coalition of previously single-issue-oriented groups addressing parochial agendas.

One such agenda was aimed at addressing the rights of rural women around the globe. Because of the successful formation of this political coalition, the inequality of rural women was confronted from a more politically powerful unified base. Subsequently, the plight of rural women was recog-

nized. The resolution's preamble emphasized that, because of the interference in the domestic affairs of states by foreign occupation and domination of indigenous economies, rural women had been even more severely discriminated against than their urban counterparts. Directly addressing this concern, article 14 of the resolution called for member states to recognize this and ensure that rural women received access to adequate health-care facilities, counseling, and family-planning education. To secure the full enjoyment of the rights of all men and women, the article further stated that women should have equal access to agricultural loans and technology, equal sharing of land reforms, and equal opportunities for agricultural training and education.

In article 9 of the resolution, particular emphasis was placed on the idea that neither marriage to an alien nor change of nationality by husbands during marriage should automatically change the nationality of wives. The adopted resolution stressed that such policies in essence render wives stateless by tying a women's nationality to that of her husband. Expanding upon this topic, the resolution also declared that member states should grant women equal rights with men with respect to the nationality of their children.

Calling on member states to ensure the prevention of discrimination against women, articles 10 and 11 of the resolution emphasized educational and employment measures. Women must be assured access to the same educational conditions (curricula, examinations, teaching staff, equipment, and methodology) as men. In the area of employment, the resolution called for equal employment opportunities, including application of the same criteria and employment standards to both genders, the right of free selection of career opportunities, the right to equal advancement and all other benefits, the awarding of equal training programs and remuneration, and the adoption of effective right-to-work initiatives. Furthermore, member states were urged to take steps to prevent dismissals or the imposition of sanctions against pregnant workers and to initiate maternity leaves-of-absence without any loss of previous position and salary.

Article 12 of the resolution called upon member states to effect for women the same rights enjoyed by men in the area of family benefits, the right to bank loans and other forms of financial credit, and the right to participate in sports and other recreational activities on an equal basis with men. Family concerns were pursued further in article 16, which encouraged all member states to provide legal guarantees for egalitarian measures to eliminate all forms of discrimination in all matters of marriage and family relations.

Under article 17, the convention set up a committee to evaluate the progress toward its goals. This committee, known as the Committee on the Elimina-

tion of Discrimination Against Women, consisted of eighteen members responsible for overseeing the resolution's implementation.

The resolution was passed by a vote of 130 in favor to none against, with 10 abstentions. Explanation for the voting was varied; many of those abstaining claimed that traditional laws of their nations were at odds with certain provisions of the resolution, while the United Kingdom, for example, voted for the resolution but voiced a concern that its immigration laws might be at odds with articles 15 and 16.

Impact of Event

The convention rekindled an interest in women's rights, accomplishments, and identity. Traditional views of feminine and masculine roles in society were called into question as the convention initiated measures to be taken by various states to eliminate discrimination against women. Principal topics emerging from the convention included women's development of an independent identity, women's interdependence with other women, and women as participants in society. Acting on the convention's recommendations, the United Nations invited the world to recognize that women must have a more active role in the policy-making decisions of their governments. To ensure international participation in this regard, the United Nations called for a resolution establishing a formal decade for women. On December 17, 1979, acting on the recommendation of the Social, Humanitarian, and Cultural Committee, the General Assembly adopted eight resolutions relating to a U.N. supported initiative to describe the varying principles establishing women's place in the world community, understanding their links to social problems, and exploring these problems and their consequences. The United Nations also formally adopted the "Decade for Women," which called upon member states to ensure women's access to the world's economic and political decision-making processes and to establish a formal equality between men and women. The United Nations had officially prescribed for the world a plan to address the female concerns of humanity.

Programs were formally established to improve the status, nutrition, health, and education of women. The goal of the Decade for Women was to view women as equals in the developmental process, a goal which included recognizing women for their contribution to the family, to themselves, to their work, to their institutional constraints, and to their own liberation movement.

Although the means at the disposal of the United Nations to enforce the implementation of such a program remained limited, the process establishing the program was nevertheless potentially beneficial to the understanding of women's significance. The Committee on the Elimination of All Forms of

Discrimination Against Women played a key role in the process. Thanks to the convention, international pressure could be put on governments to rectify gender injustices and inequalities. The convention encouraged national governments to involve women in their political and economic decision-making processes, to provide periodic reviews of policies on gender inequality, and to integrate women into strategies for national development.

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Thomas Jay Edward Walker

Human Rights Violations

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MAGILL'S CHOICE

Human Rights Violations

Volume 3

1979-2001

edited by

Charles F. Bahmueller

Center for Civic Education

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Soviet Union Invades Afghanistan

Category of event: Atrocities and war crimes; indigenous peoples' rights; political freedom

Time: December 24-December 27, 1979

Locale: Kabul, Afghanistan

Soviet troops invaded Afghanistan in an attempt to support the communist government the Soviet Union had helped develop and install

Principal personages:

LEONID ILICH BREZHNEV (1906-1982), the Communist Party leader who directed the activities of the People's Democratic Party of Afghanistan (PDPA) from Moscow and who ordered the invasion of Afghanistan

BABRAK KARMAL (1929-1996), the leader of the Parcham faction of the PDPA and president of Afghanistan after the Soviet invasion

NUR MOHAMMAD TARAKI (1917-1979), the leader of the Khalq faction of the PDPA who became president of Afghanistan in 1978 by overthrowing Mohammad Daud

MOHAMMAD DAUD (1909-1978), an Afghan politician who turned to the United States, Iran, and India for assistance after breaking off previously cordial relations with the Soviet Union

HAFIZULLAH AMIN (1929-1979), a member of the Khalq faction and president of Afghanistan in 1979

MIKHAIL GORBACHEV (1931-), the president of the Soviet Union who opted for an end to the war and for settling the dispute in the political arena

AYATOLLAH RUHOLLAH KHOMEINI (1902-1989), the Iranian religious leader

MOHAMMAD ZAHIR SHAH (1914-), the last Afghan monarch; during his rule from 1933 to 1973, Marxist ideology penetrated Afghan government and society

Summary of Event

On December 24, 1979, four motorized tank and rifle divisions, made up mostly of Uzbek, Tajik, and Turkmen soldiers, rolled down the Salang Highway into Kabul, Afghanistan. On December 27, Hafizullah Amin's three-month-old government was overthrown. Amin was executed, and Babrak Karmal was installed as president. Within a week, Soviet military strength in

Afghanistan reached 100,000 soldiers, nearly balancing the 150,000 in the *mujahideen* (freedom fighters) opposition.

Analysts have given a number of reasons for the invasion. One expansionist view regards the invasion as a step in the further implementation of a Russian policy espoused originally by Peter the Great and later adopted by the Soviets as well. This view allows that the annexation of Afghanistan follows the earlier takeover of Kazakhstan and Uzbekistan. The motivation for the move is given as access to the warm water ports of the Indian Ocean. Another reason states that the reform-minded Marxist government of Afghanistan needed Moscow's assistance. Moscow could not turn a deaf ear to the needs of a newly formed Marxist state. A third and compelling reason relates the invasion to the rise of Ruhollah Khomeini's fundamentalist rule in Iran. Khomeini's expressed intention of exporting his revolution made Afghanistan and the Soviet Central Asian republics prime candidates for Iranian ideological expansion. Whatever the primary reason for the invasion, the Iranian revolution seems to have hastened it.

Pressure for the Soviet takeover had been building for more than a decade. Amity between the Afghan monarchy and the Soviet government had been sealed in a friendship treaty in 1921 and a neutrality and nonaggression treaty in 1926, but Afghan society began to divide along class lines and between communist supporters and detractors in the mid-1960's.

Afghanistan was the first noncommunist Third World nation to receive Soviet aid during the 1950's, despite traditional Afghan distrust of non-Afghans. Radio Moscow began to broadcast programs in Pashto, the chief language of eastern Afghanistan, in 1957. Soviet contacts with the Afghan leadership under monarch Mohammad Zahir Shah were of a primarily political nature during the 1950's and 1960's. Heads of state of each country visited the other. Soviet leaders used their visits to determine Afghan needs, assess access to strategic points, and propose avenues of cooperation. Afghan leaders spent two or three weeks at a stretch in the Soviet Union pursuing educational and recreational endeavors as well as negotiating aid packages.

Following each trip of an Afghan leader to Moscow, specially designed aid packages arrived in Kabul. These packages initially included kits for building flour mills, motor repair works, and asphalt factories. Later on, trained personnel brought equipment for building major roads such as the Salang Highway through the Hindu Kush and the Kushka-Qandahar Highway across Afghanistan. Soviet aid also helped develop an Afghan irrigation system, including canals and dams, and a gas pipeline, several hydroelectric plants, and several airports.

The Soviets wished to preserve Afghanistan's neutral stance in relation to the United States and the People's Republic of China and to maintain a trade relationship with the Afghans. For this reason, every time a dispute flared up between Afghanistan and neighboring Pakistan, the Soviets intervened. In 1950, for example, Pakistan sealed its northern borders, effectively separating the landlocked Afghans from all port facilities and markets to their south. Seizing this opportunity, the Soviets stepped in and negotiated an agreement with the Afghan government. The agreement granted the Afghans duty-free transit rights in exchange for allowing the Soviets to institute a program of political education in Afghanistan. Some of the students of this institution formed the nucleus of the People's Democratic Party of Afghanistan (PDPA) in 1965. Two of them, Hafizullah Amin and Nur Mohammad Taraki, were voted into the Afghan parliament.

The emergence of the PDPA threatened traditional ways of life. Afghan society was ethnically diverse and operated along tribal affiliations. Most citizens



Afghani resistance fighters returning to a village destroyed by Soviet occupation forces. (Department of Defense, Still Media Records Center)

followed Islamic law as well as their own tribal customary bylaws. Payment of dowries, polygamy, child marriage, and seclusion of women were all accepted practices. Ownership of water and land was regarded as an inalienable right lost only through sale or inability to pay debts, and jobs were tied to social rank rather than ability. The PDPA, with its links to communist ideology, threatened to upset this pattern of life.

The PDPA itself split into factions in 1967. The Khalq faction, representing southern, tribal Pushtun people, controlled the civil administration and the lower echelons of the military. The Parcham faction, representing northern, urban speakers of Dari, communicated with the government elite. Mohammad Daud led the Parcham faction to an overthrow of monarch Zahir Shah in 1973. Khalq and Parcham forces reunited in 1977, however, and overthrew the Daud government in 1978 in the Saur Revolution, which created the Democratic Republic of Afghanistan and established the Khalq as the only authoritative party.

The new government, under Hafizullah Amin, guaranteed cultural rights of all ethnic and national minorities. These included full legal rights for women, in particular banning of forced marriages, polygamy, and dowries. Debts caused by usury were canceled, and farms were collectivized in a program of agrarian reform. Three billion acres of land were distributed among 285,000 farmers.

These reforms were initially welcomed by the people, until the clergy and the other landlords discovered the full implication of collectivization. They realized, for example, that their Islamic right to honestly gained property was not protected under the new laws, and that the government intended to divide their holdings equitably among the landless peasantry. Individuals from different segments of society voiced their opposition and, gradually, pockets of resistance developed, drawing membership from poor peasants who were forced to sell their property to pay for water, draft animals, seed, and equipment. Under the old system, these concerns had been relegated to the landlord. Peasants merely sold their labor for a fraction of the profit derived from cultivating the land. The resisters questioned the validity of reforms imposed upon the Muslim people by nonbelievers.

Opposition to the regime and measures undertaken to suppress that opposition both grew in intensity. Political dissidents had their homes searched without warrant and were incarcerated without due process. Some were secretly executed, including members of an educated class numbering between twenty-five and fifty thousand people. In Kerala, in the Kunar Valley, more than one hundred men and boys who refused to shout out support for the

Khalq government were massacred by the Afghan soldiers and their Soviet advisers. Even these severe measures failed to quell the rebellion. Amin began to sever ties with Moscow to appease the fundamentalists.

With its centerpiece of reforms at stake, and with the specter of a fundamentalist regime propped up by Iran looming large on the horizon, the Soviet government chose a military solution. The Soviets took over the communication lines, introduced censorship, and ordered all foreign media representatives to leave. Workers were frisked at both entrance and exit points as they went about their daily tasks, and a curfew was put into effect. Even the green band of the Afghan flag was replaced with red and, in the elementary schools, the Arabic-based alphabet was replaced by Cyrillic. Dari, the Farsi of northern Afghanistan, became the official language of the bureaucracy instead of Pashto.

The war moved from Kabul to the provincial capitals, which were often sequestered in high mountains and thick woods. Such areas were subjected to repeated saturation bombing and chemical defoliation in efforts to dislodge the insurgents. Houses, foundations, and even the retaining walls of the fields and irrigation canals were demolished. Soviet forces deliberately burned wheat and rice fields and cut down fruit trees. Whole villages fled the devastated countryside, seeking refuge in Pakistan and Iran. The refugee camps provided little relief, as they lacked quality medical treatment and education. Curable physical disabilities were not treated because of a lack of facilities, and psychological disorders such as acute depression and phobic neuroses were dismissed as poor quality of life.

Impact of Event

Relations between the Soviet Union and Afghanistan were cordial from the end of the nineteenth century almost until the Soviet invasion. Soviet aid allowed the Afghans to construct a national infrastructure. The hidden price of this generosity was high. The Soviets gained access to the untapped resources of Afghanistan, especially oil and gas, at prices well below world prices and indirectly disrupted the political and social structure of the country. Words such as *mujahid* (holy warrior) and *jihad* (holy war) were revived, while new terms such as shanty town, refugee camp, holding station, and artificial-limb center were necessarily introduced.

Following the invasion, communists and *mujahids* traded acid and Molotov cocktails in the urban centers of Kabul, Qandahar, and Herat. In Kabul, the Hazara, a Shia minority, served as scapegoat. On February 29, 1980, fifteen hundred were reported killed and two thousand were arrested. Schools, hospitals, stores, and mosques were bombed by the Soviets. By March, 1980, more

than 110,000 were reported dead, and the killing went on. In the repeated bombing of the village of Istalif, north of Kabul, between October 12 and October 19, 1983, five hundred were killed and the same number were wounded. In the Paktiya, Kunar, and Parvan provinces, farms were seeded with mines that detonated in the hands of curious children who picked them up. As a result of such activities, thousand of villagers were disabled or displaced. Almost four million refugees fled to Pakistan, and half that many to Iran. Approximately one million Afghans died in the struggle. Afghan communists were tortured and mutilated by fanatics.

The Soviet invaders did not escape unscathed. The Afghans refused to take prisoners of war and killed Soviets on sight. More than fifteen thousand Soviets died and more than thirty thousand were injured.

In addition to the obvious and immediate casualties of war, the Soviet invasion jeopardized the growing links between Moscow and the West. These ties were the result of Willy Brandt's *Ostpolitik*, which had been in effect since 1970, and Leonid Ilich Brezhnev's *détente*, which began about the same time. Furthermore, Moscow intended to play a central role both in regulating Eastern European contacts with the West and in preventing the formation of alliances between Eastern Europe and the West that could jeopardize the acquisition of updated technology and the infusion of easy credit into the Soviet economy. The invasion of Afghanistan blocked almost all avenues of negotiation on these vital issues.

The United Nations condemned the Soviet invasion with a vote of 104 to 18, with 18 abstentions; Moscow could not ignore the worldwide impact of the condemnation. Neither could it afford the cost of the war, estimated at one to two billion dollars annually. These and other considerations caused Mikhail Gorbachev to announce, on April 15, 1988, that the Soviet Union would withdraw its forces from Afghanistan. The United Nations then brought the United States, the main force behind the U.N. resolutions, Pakistan, China, and the Soviet Union to the negotiation table and worked out a program of phased withdrawal to be completed by February 15, 1989.

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Iraj Bashiri

Saudi Arabia Beheads Sixty-three Persons for Attack on Mecca

Category of event: Religious freedom; revolutions and rebellions

Time: January 9, 1980

Locale: Saudi Arabia

The Saudi Arabian government's hard-fought recovery of the Grand Mosque of Mecca intensified internal repression and bolstered conservative forces abroad

Principal personages:

JUHAIMAN IBN MUHAMMAD UTAIBI (1940-1980), the organizer and leader of the attack on the Grand Mosque of Mecca

MUHAMMAD IBN ABDULLAH AL-QAHTANI (1953-1980), the *Mahdi* proclaimed by the attackers on the Grand Mosque of Mecca

ABD AL-AZIZ IBN BAZ (1912-1999), the chief Sunni Muslim theologian of Saudi Arabia

KHALID IBN ABDUL AZIZ (1913-1982), the king of Saudi Arabia (1975-1982)

FAHD IBN ABDUL AZIZ (1921-), the crown prince and first deputy prime minister of Saudi Arabia (1975-1982)

SULTAN IBN ABDUL AZIZ (1924-), the minister of defense of Saudi Arabia

FAWWAZ (1934-), the governor of Mecca, Saudi Arabia

Summary of Event

The year 1979 meant soul-searching in the world of Islam. The communist regime in Afghanistan was persecuting Muslim leaders and was receiving heavy military support from the Soviet Union. The Yemen Arab Republic was seeking arms from the latter. Moreover, Islam itself had internal problems. The Shi'ite regime in Iran was speaking about supporting its "oppressed" brethren in Sunni-controlled countries such as Bahrain, perhaps also offering support in Saudi Arabia.

On the other hand, 1979 represented optimism for the Islamic people. November 20, New Year's Day in the Islamic calendar, marked the first day of the Islamic year 1400 and signified the beginning of the fifteenth century since Muhammad had been forced to leave his native Mecca for the welcoming embrace of Yathrib (which was renamed Medina in his honor). Thus, Novem-

ber 20 called for prayer at the Grand Mosque at Mecca, the city that Muhammad eventually cleansed of its iniquity.

An event on November 20, 1979, would convulse all of Islam. At 5:20 A.M., the aged, venerable imam of the Grand Mosque, Sheikh Muhammad ibn Subayyal, used the microphone to lead the dawn prayers. Then he was pushed aside, two shots were fired, and an acolyte was slain. The shooter was Juhaiman ibn Muhammad Utaibi. The microphone was seized by Muhammad ibn Abdullah al-Qahtani, who shouted that he was the expected *Mahdi* (the "Rightly Guided"). He claimed that he and his followers sought shelter and protection in the Grand Mosque because they were persecuted in all other places.

Juhaiman was the mastermind of the takeover of the Grand Mosque. In the 1970's, Juhaiman had turned to religion and attended informal discussions at the prophet Muhammad's mosque in Medina. These were organized by Abd al-Aziz ibn Baz, a blind theologian who advocated the earth's flatness. Juhaiman lived in charitable hostels in Mecca and Medina, where he gained followers from various religious drifters.

Juhaiman's ideas reflected those of the Ikhwan, a group formerly powerful in his native region. Once staunch allies of Ibn Saud, creator of Saudi Arabia, they turned on him when he advocated certain types of modernization. The illiterate Juhaiman took an Ikhwan name and imitated their long beards and cut off, shin-length robes. As they castigated innovations like the radio, he condemned television. He blasted the House of Saud for allowing such sacrilege, having relations with non-Muslim countries, and allowing non-Muslims in Saudi Arabia. He despised the Saudi theologians for their unholy alliance with the "corrupt" Saudi dynasty.

Juhaiman preached that the regeneration of Saudi Arabia, indeed of Islam itself, would proceed from the coming of the *Mahdi*. Thus, Juhaiman emphasized a doctrine that was scorned overwhelmingly in Sunnism, the orthodox wing of Islam, but yet appealed to the popular mind, especially in troubled times. The *Mahdi* would appear to restore the pristine faith of Islam just prior to the resurrection of all humanity. Like the original Ikhwan, Juhaiman believed that the *Mahdi* would be revealed at the Grand Mosque of Mecca.

Juhaiman gained a following. Some were Saudis who were disenchanted with their government's drift into materialism and moral laxity. Foreigners augmented the indigenous ranks: Egyptians chagrined by Anwar el-Sadat's understanding with Israel, Kuwaitis angered by their monarchical family's Westernization, Yemenis upset with their government's ties with the atheistic Soviet Union, Pakistanis disillusioned with their regime's refusal to give full

support to the freedom fighters of Afghanistan, and Americans fed up with racial discrimination. A number of these believed they would join the *Mahdi* in triumph at Mecca because an army sent against them from Syria would be swallowed up in the desert between Medina and Mecca.

In his gathering, Juhaiman concluded, Allah had placed the *Mahdi*: Muhammad ibn Abdullah al-Qahtani, a young student at the Islamic University of Riyadh. He possessed all the qualifications laid down in the Sunni traditions: the name and patronymic of the prophet of Islam, descent from the Quraish, the tribe of the prophet Muhammad; and appearance in a time of disorder. This period had begun when the people accepted Ibn Saud, who had proclaimed himself king of Saudi Arabia in 1932.

Juhaiman meticulously prepared for the takeover of the Grand Mosque. A young, rich convert provided money for weapons. The Ikhwan purchased seven truckloads of East European and Soviet arms from dealers in the Yemens and among Saudi bedouins. Coffins, allegedly made to hold bodies for ritual washing near the Grand Mosque, concealed automatic rifles. Food—rice and dates—was secreted in the mosque's cellars.

The Ikhwan easily seized the Grand Mosque on November 20, 1979. Consternation gripped the Saudi authorities. Recovering from indecisiveness, King Khalid ibn Abdul Aziz consulted the senior theologians, including Baz. They ruled favorably on the legality of clearing the Grand Mosque by force. The elite Saudi troops faced fierce resistance. Juhaiman proved a competent commander of the Ikhwan. He was helped by the opposition's restraint, caused by their fear of harming the hostages taken by the Ikhwan. The latter were helped by finding refuge in the labyrinthine passages deep below the mosque's courtyard. The Saudi forces, however, were rallied by the Saudi chief of external intelligence. Moreover, the Ikhwan were running out of ammunition. They suffered greatly from exhaustion and thirst. A terrible blow to their morale was the death of the expected *Mahdi*, Muhammad ibn Abdullah. Saudi newspapers claimed he was killed in the early fighting in the Grand Mosque's basement. Another report claimed that the deeply despairing Juhaiman killed the man he had proclaimed as the *Mahdi*.

At 1:30 A.M. on December 5, 1979, two weeks after his takeover of the Grand Mosque, Juhaiman surrendered his force, which had been reduced to 170 from an original total of about 400. The prisoners presented a pathetic sight. Disheveled, weeping, incoherent, and stumbling, they passed by their conquerors, who spat on them and hurled invective. One prisoner inquired about "the army of the north" (the opposing force, according to one tradition, that the earth would swallow up between Medina and Mecca).

Retribution followed swiftly for the prisoners. Secret trials resulted in consignment to a welfare center for the thirteen boys involved, two years' imprisonment for the twenty-three women who had helped the Ikhwan in the Grand Mosque, suspended sentences for nineteen men who had supplied arms for the uprising, acquittal of thirty-eight men, and beheading for sixty-three men. The latter included forty-one Saudis, ten Egyptians, six South Yemenis, three Kuwaitis, one Iraqi, one North Yemeni, and one Sudanese.

On January 9, 1980, the sixty-three condemned were divided into groups of about half a dozen. They were dispatched for public beheading to Abha, Buraydah, Dammam, Hail, Mecca, Medina, Riyadh, and Tabuk. This dispersion aimed to spread the message of godly retribution widely and effectively. The event marked the largest mass execution in Saudi Arabia's history.

Impact of Event

Significant repercussions followed Juhaiman's temporary seizure of the Grand Mosque of Mecca. Crown Prince Fahd anticipated reaction. To counteract Juhaiman's charge that the government repudiated the *Sharia* (Islamic law), Fahd decreed its increased enforcement. There ensued rigid application of laws prohibiting women from traveling alone, working with men or non-Muslim foreigners, dressing immodestly, wearing crosses openly, or holding hands in public. Scholarships for women to attend foreign universities ceased. Newspapers were forbidden to publish pictures of women without blackening out their faces.

Further repression came. Swimming pools were drained to prevent mixed bathing. Police cracked down on shopkeepers who did not close for the five daily calls to prayer. Supermarkets could not sell dog food, because Islam judges dogs to be unclean. Shops were forced to discard dolls and teddy bears, which were considered idolatrous. Restrictions regarding possession of alcoholic beverages and behavior of foreign residents underwent stricter enforcement. Overall, Fahd expanded the theologians' authority in supervising the country's puritanical Muslim character. This also meant more religious programs on the radio and television.

Fahd recognized that his reactionary policy outraged the intelligentsia. Therefore, he also sought to promote innovation. In January, 1980, he stated that the long-promised national consultative council would be formed within two months, in accordance with two hundred basic provisions derived from the *Sharia*; however, the council was not established. The government also proposed that regional administrations be reorganized and that some members of these new local governments be elected.

Another impact of the incident at the Grand Mosque was noteworthy. Fahd concluded that the inordinate time (two weeks) to rout the rebels and the heavy government casualties (127 dead and 478 injured in a total force of 3,000) exposed inefficiency in the government and the armed forces. Fahd announced plans for a crackdown on corruption within the ruling elite, through the preparation of new laws and regulations "to counter the widespread image of many Saudi princes and officials as playboys who get huge commissions on government contracts and squander huge sums on high living."

Fahd decided that the inglorious recovery of the Grand Mosque dictated changes in high positions. He secured the resignation of the governor of Mecca, his half-brother Fawwaz, a reputed heavy drinker. Fahd replaced the army chief of staff, the commanders of the land and air forces, the director of military operations, and the chief of the Frontier Guard. Most important was the dismissal of the director of public security. His replacement was a member of the al-Sheikh family, which, along with the royal Saud family, formed the dominant element in the country's religious establishment. Thus, the religious authorities increased their power and felt confident in resisting pleas for liberal change in Saudi Arabia.

The Grand Mosque episode also influenced Saudi Arabia's international outlook. To compensate for the Mecca incident's undermining of its image of stability and its Islamic credentials, the Saudi regime sought to lead Islamic opposition to the Soviet invasion of Afghanistan. Furthermore, the Saudi government worked to strengthen relations with the other conservative states of the Persian Gulf and with Iraq. At the outset of the Iran-Iraq War in 1980, Saudi Arabia exulted in Iraq's initial successes and offered safe haven to its forces. Moreover, Saudi Arabia thought it necessary to distance itself from the United States as much as possible. At the Arab League summit at Tunis, which coincided with the rebels' seizure of the Grand Mosque, Fahd supported resolutions strongly condemning the United States for its Camp David agreement and hinting at future sanctions against that country. Furthermore, the Saudi government sought to lessen dependency on American weapons by shopping in Western Europe.

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Erving E. Beauregard

Rioters Protest Miami Police Brutality

Category of event: Civil rights; racial and ethnic rights

Time: May 17-May 19, 1980

Locale: Miami, Florida

The Miami race riot gave evidence that the attainment of a multiracial society in the United States was far from being realized in 1980

Principal personages:

ARTHUR McDUFFIE (1946-1979), a Marine Corps veteran and insurance agent whose death led to the Miami riot of May, 1980

ALEX MARRERO, a police officer charged with second-degree murder in McDuffie's death

MICHAEL WATTS, a police officer accused of manslaughter in McDuffie's death

HERBERT EVANS, a police sergeant charged with tampering with evidence in the cover-up of McDuffie's death

IRA DIGGS, a police sergeant who initially gave chase to McDuffie

WILLIAM HANLON, a police officer who participated in McDuffie's arrest

JANET RENO (1938-), the Florida state attorney in charge of the overall prosecution of the five police defendants in the death of Arthur McDuffie

Summary of Event

On May 17, 1980, a sad chapter of racial violence was added to the long and painful history of race relations in the United States. On that date, five white South Florida law enforcement officers, Herbert Evans, Ira Diggs, William Hanlon, Alex Marrero, and Michael Watts, were acquitted by an all-white jury of charges stemming from the death of African-American insurance executive Arthur McDuffie. This acquittal precipitated a riot in an area known as Liberty City, a black community of Miami, Florida. Before the riot was brought under control, eighteen people were dead and countless more had been injured. Property damage was assessed in the millions of dollars. Eight of those who died were whites who had been driving through Liberty City unaware of the verdict. By the time anger had replaced the initial shock caused by the verdict, migrants as well as residents had been beaten, stabbed, and burned to death by rioters who were taking out frustrations on those whom they believed were re-

sponsible not only for the verdict but also for their impoverished condition.

Although the immediate cause of this urban and racial violence could be attributed to the Tampa jury failing to find the police defendants guilty, the underlying cause may be somewhat more difficult to ascertain. It was highly unlikely that, if the defendants had been found guilty, any riot would have taken place at all. The acquittal verdict was more than simply one more example of unequal justice for the African-American community. It had a profound meaning that went beyond that community to a much larger audience. It became a symbol for an outpouring of fear, distrust, and hostility, mirroring some of the emotional and violent disturbances and the attempts to achieve equal process that had surfaced during the 1960's. That decade had been filled with inner-city frustration that had resulted in a "get whitey" response to real and perceived racial injustices. The Miami riot seemed equally representative of this period in American history. Perhaps most shocking about the Miami riot was the intensity of the rage directed by blacks against whites.

The Miami riot, born of the immediate need for redressing a perceived injustice, could also be viewed as a culmination of events that exemplified general policies of official oppression against the African-American community. It had been fifteen years since the government had established equal employment opportunity guidelines and affirmative action processes that were supposed to provide equal access for minorities to political decision-making centers. It was therefore only a short step from the perception that an all-white jury unjustly had set free the white police defendants to the recognition that the black community was still being racially discriminated against by a society dominated by white people. Included in this immediate reaction was the idea that the police forces in South Florida were disproportionately balanced toward white police officers.

At the time of the riot, the number of African Americans on the Dade County Public Safety Department (PSD) police force stood at only 7 percent; the upper ranks had only a few black officers. In the higher ranks, there were no blacks at all. The violent reaction by blacks also stemmed from past, largely ignored accusations of police brutality. The death of Arthur McDuffie was perceived by many blacks as only the most recent in a long series of police transgressions against members of the black community—incidents that, when addressed, had resulted in few or no disciplinary actions against those charged.

On the morning of December 17, 1979, Arthur McDuffie left the home of a friend. He was riding his motorcycle toward his home in northwest Dade County, where he lived with his sister. At approximately 1:00 A.M., McDuffie

was observed by PSD sergeant Ira Diggs as having failed to stop for a red light. Diggs began to pursue McDuffie, calling police headquarters for assistance as he did. McDuffie reacted to Diggs's pursuit by increasing his speed. After an eight-minute chase, more than one dozen police cars finally surrounded McDuffie's motorcycle, forcing him to stop. In an ensuing confrontation between McDuffie and six police officers, McDuffie received severe head wounds that resulted in his death four days later.

The investigation into McDuffie's death led to the eventual prosecution of the officers involved in the incident. During the investigation, it was determined that a cover-up of the cause of McDuffie's death had been instituted by key police personnel, including higher-ranking personnel who were not present during the confrontation with McDuffie. Inconsistencies in official police reports made the police officers' statements surrounding McDuffie's death seem highly suspect. The county medical examiner, for example, did not believe that if McDuffie's injuries had occurred as stated by the officers that they would have been sufficient to cause death. In the end, official charges of manslaughter and tampering with evidence were brought by State Attorney Janet Reno against the PSD officers.

Protest within the African-American community began almost immediately. On January 3, 1980, five days following the official charges, two dozen blacks and a handful of whites marched from Liberty City to the Dade County criminal justice building, where they demanded that the manslaughter charges be changed to charges of murder. Reno issued a public statement rejecting any such change on the grounds of insufficient evidence. Black newspapers and radio stations began to receive angry messages calling for Reno's removal from the case. Reno then handed the prosecution over to a team of mostly white assistant state's attorneys.

The trial of the officers was eventually removed to the Tampa area on the basis that the officers would not be able to receive a fair trial in the heated racial atmosphere of Miami. On May 17, 1980, after almost four weeks of testimony, the case went to an all-white jury in Tampa. Two hours and forty-five minutes later, the jury returned not-guilty verdicts for all officers involved. Shocked reactions to the verdicts surfaced immediately throughout Florida, especially in the Liberty City area of Miami. For Liberty City blacks, the trial and the verdicts seemed to represent a continuation of an inherently unequal judicial process. In reaction to this and other perceived injustices, Liberty City erupted into violence that claimed the lives of eighteen people and injured many others.

The residents of Liberty City did not riot because of the death of Arthur

McDuffie at the hands of PSD officers. The riot did not begin until after the trial was completed and the verdict announced. It was in an atmosphere of perceived racial injustice that the riots took place. The belief that the American criminal justice system had failed to prosecute successfully those who most blacks had believed were guilty of McDuffie's death was the cause of the riot.

Impact of Event

If there are lessons to be learned about the Miami riot of 1980, then certain questions must be addressed regarding the judiciary process surrounding the prosecution of those accused of causing McDuffie's death. Did the system fail? Was racism a factor in the white officers' acquittal? Was there psychological conflict between the residents of Liberty City and the white government? Are there connected values, assumptions, and perceptions of problems and goals between the members of all racial groups in America? Answers to questions such as these are necessary in order to understand the impact of the riot.

A good place to start is to look at readily identifiable values and perceptions that characterize America's cultural identity. In the case of the Miami riots, three such values and their interpretations clearly emerge: equality, freedom, and justice. It was a combination of equality and justice, or a perception of a lack of these, that encouraged the violent response to the trial verdict by members of the black community.

The acquittal of the white police officers by an all-white jury reawakened age-old fears of racism in the Liberty City section of Miami—in particular, the fear that America's criminal justice system was inherently racist. In part, this perception was justified. Any system that prevents members of a jury from being seated on the basis of race can surely be labeled as racist. The prosecutors and defense attorneys in the McDuffie case freely applied such a selection process. Prosecutors did not try to exclude black jurors; the defense did. Both sides, whether racist in outlook or not, based their jury selection decisions on the color of potential jury members and a racist outcome resulted. In the McDuffie case, whether the racial makeup of the jury affected the verdict was obscured by the confusing and contradictory evidence presented by the prosecution. If the evidence presented did not in fact convince the jurors beyond a reasonable doubt that the officers were guilty as charged, then charges of procedural racism were irrelevant.

The McDuffie case did contain enough racist possibilities to cause concern over the accusations surrounding it. It was not enough that officers of the court maintained that the trial was a fair one; the trial also needed to appear fair to those outside administrative capacities. Blacks in the United States have a long

history of racial abuse. A lack of equality of condition and equality of opportunity has kept blacks from participating in the mainstream wealth of the nation. Laws have continuously been enacted to override discriminatory practices, but those laws have varied in their impact. Courts have become the vehicle for minorities experiencing discrimination to achieve redress. The denial of justice in the courts—the chief avenue for the elimination of discrimination—creates the potential for violence. The death of Arthur McDuffie and the acquittal of those perceived to be responsible for it left the black community with a sense of alienation that was answered by violence. In evaluating the reasons for the Miami riot, it is not necessary to confront the inequalities of condition and opportunity; one can simply look to see if justice was perceived to have been served. In the black community of Liberty City, the perception was clearly otherwise. The resulting frustration quickly grew into rage and violence.

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Thomas Jay Edward Walker

Paraguayan Torturer Is Convicted of Violating the Law of Nations

Category of event: Atrocities and war crimes; civil rights; international norms

Time: June 30, 1980

Locale: United States and Paraguay

Under a seldom-used 1789 statute, Paraguayan citizens were permitted to sue a police chief for wrongful death in a U.S. court and won more than ten million dollars in damages

Principal personages:

JOEL FILÁRTIGA, a Paraguayan physician; sought to use a U.S. court to recover for his son's wrongful death

JOELITO FILÁRTIGA SPERATTI (1959-1976), the torture victim of Peña-Irala
DOLLY FILÁRTIGA (1956-), a Paraguayan citizen who sought to recover for her brother's death

AMERICO NORBERTO PEÑA-IRALA, the former inspector general of police of Asunción, Paraguay, who was accused of torturing and killing Joelito Filártiga

IRVING KAUFMAN (1910-1992), the judge who wrote the decision allowing torture victims to sue in U.S. courts

EUGENE H. NICKERSON (1918-2001), the federal district court judge who initially refused to hear the Filártigas' case but later ordered a judgment of more than ten million dollars

ALFREDO STROESSNER (1912-), the Paraguayan dictator under whose rule violations of civil and political rights were widespread

JIMMY CARTER (1924-), the U.S. president who focused national attention on human rights issues and whose Justice Department urged that the Filártigas' case be heard

Summary of Event

In the 1960's, the world became aware of the rampant practice of torture. Amnesty International's reports recounted torture on every continent and in every Latin American country save one, Costa Rica. The 1960's and 1970's also included many valiant efforts to confront torturers. Nongovernmental organi-

zations, activist attorneys, relatives of torture victims, international organizations, and some national governments used a variety of strategies to hold torturers accountable.

The regime of Alfredo Stroessner in Paraguay (1954-1989) was known for its authoritarian, repressive rule. The police and military functioned with minimal restraint, and accusations of mistreatment and torture were common. Human rights organizations such as Amnesty International and the International League for Human Rights accumulated extensive evidence in support of such allegations.

Joelito Filártiga Speratti was one Paraguayan torture victim. On March 29, 1976, the seventeen-year-old was kidnapped and tortured to death by four men, including Americo Norberto Peña-Irala, then inspector general of police in Asunción. The entire torture and interrogation session, which included electric shocks to Filártiga's fingertips and penis, was tape-recorded. Later, Joelito's sister, Dolly, was brought to Peña-Irala's home to view her brother's corpse. The apparent intent was to harass Joelito and Dolly's father, physician and human rights activist Joel Filártiga. All of these events have been corroborated by independent autopsies and the judgment of human rights organizations.

Joel and Dolly sought help from the Paraguayan police and courts. Instead of prosecuting a murder charge against General Peña-Irala, the authorities arrested, shackled, and threatened Dr. Filártiga's attorney. Peña-Irala threatened to kill more members of the Filártiga family. The Filártigas' attorney was later disbarred, and authorities warned that Dr. Filártiga could lose his medical license.

Soon after entering the United States in 1978, Peña-Irala was arrested as an illegal alien. Paraguayan exiles and human rights groups, among them the Council on Hemispheric Affairs, hoped to hold Peña-Irala accountable. An Amnesty International staff member alerted the Center for Constitutional Rights, which worked with Dolly and Joel Filártiga to sue for Joelito's murder and torture. They had little difficulty in establishing that torture had occurred—the problem was in demonstrating that U. S. courts had the ability to hear their case.

A long-dormant federal statute, the Alien Tort Statute of 1789, opened a possibility. That statute provided that torts (the assault, battery, and wrongful death were torts) might be heard by federal courts if committed "in violation of the law of nations or a treaty of the United States." This statute, used to permit claims against pirates in the eighteenth century, might be applied if the court found that torture violated the "law of nations."



Under dictator Alfredo Stroessner, Paraguayan police frequently used torture while interrogating suspected communists during the 1960's. (National Archives)

At first, the Filártigas were unsuccessful. District Court Judge Eugene Nickerson dismissed the case. He questioned whether government officials' treatment of their own nationals could be part of the "law of nations" in the old statute. That statute had been used against eighteenth century pirates but not against twentieth century torturers. Nickerson also indicated that Paraguay might be a better place for the Filártigas to bring their case. The Paraguayan Supreme Court had recently decided that they could sue in that country's courts.

The Filártigas had ample reason to be skeptical of the Paraguayan courts, which would soon dismiss their case. They therefore challenged Judge Nickerson's decision, successfully, in the Federal Court of Appeals for the Second Circuit. Three judges heard the case: Chief Justice Wilfred Feinberg, Amanda Kearse, and Irving Kaufman. Judge Kaufman asserted the significance of his court's opinion as "a small but important step in the fulfillment of the ageless dream to free all people from brutal violence."

In writing his decision, Kaufman answered three important questions. First, did torture violate the law of nations? The court looked not to the law of nations at the time of the Alien Tort statute but at the law proclaimed in post-World War II human rights documents such as the United Nations (U.N.) Universal Declaration of Human Rights (1948), the U.N. declaration against torture (1975), and the American Convention on Human Rights and Fundamental Freedoms. The court concluded that torture violated established norms of international law. Second, was the law of nations, specifically the prohibition of torture, enforceable against individuals as well as states? The Paraguayan government agreed to the prohibitions of torture in the law of nations. In fact, it had been more willing to accept human rights commitments than had the United States. The clear intent of human rights documents had been to enhance the status of individuals. Individuals were granted basic rights, and they were also required to bear responsibilities. Individuals who tortured on the Paraguayan government's behalf were the modern counterpart of pirates or slave traders and could be held accountable. Third, could a United States court apply the law of nations when a foreign national tortured another foreign national, outside the United States? An appellate judge from the same circuit wrote in *Dreyfus v. von Finck* (1976) that "violations of international law do not occur when the aggrieved parties are nationals of the same state." Judge Kaufman argued that this statement was "clearly out of tune" with current international law and with the foreign policy of the U.S. government. The law of human rights meant that all people were granted fundamental protections from their own government.

Key issues were left undetermined by the appellate court. It would be left to the district court to decide whether Peña-Irala was in fact liable and whether liability was to be determined by Paraguayan or U.S. law. Judge Kaufman was careful to indicate what his opinion was not: It was not an attempt to turn courts "into some kind of roaming human rights commission." The broad policy response was appropriately left to Congress and the executive branch.

Soon thereafter, Peña-Irala returned to Paraguay, and Judge Nickerson's court held for the Filártigas by default. Magistrate John L. Caden indicated that under Paraguayan law it would be proper to compensate the Filártigas only for wrongs which they suffered but not to levy additional damages to punish Peña-Irala. Dolly and Joel were each awarded \$150,000 for emotional pain and suffering, loss of companionship, and disruption of family life. Dolly would receive an additional \$25,000 for future psychiatric expenses, while Joel would receive \$50,000 for funeral and medical expenses as well as lost income. The total damage award of \$375,000 was not satisfactory to the Filártigas.

In his damages opinion in 1984, eight years after the torture, Judge Nickerson suggested that compensating the Filártigas was not enough: Punitive damages were necessary, not only to give Peña-Irala his due but also to deter future torturers. Dolly and Joel were each awarded \$5 million in punitive damages plus compensation for pain and suffering, medical expenses, and court expenses, for a total of more than \$10 million.

The favorable verdict was helped by fortuitous circumstances. The torturer, Peña-Irala, had come to the United States and had been apprehended as an illegal alien. The administration of President Jimmy Carter was receptive to the court's tackling what other presidents would have viewed as a foreign-policy matter reserved for the executive branch. The State and Justice Departments urged jurisdiction, arguing that torture violated the law of nations.

The verdict was a reflection of a viable human rights movement in the United States. The three judges were all Democratic appointees who were sympathetic to human rights concerns. Amnesty International, the International Human Rights Law Group, the Council on Hemispheric Affairs, and the Washington Office on Latin America submitted briefs as *amicus curiae* (friends of the court). Peña-Irala, however, was no longer in the United States. On May 22, 1979, the Court of Appeals had refused to delay Peña-Irala's deportation; on May 24, the U.S. Supreme Court also refused. The courts were able to give the Filártigas a hearing and to deport their torturer; they were not able to enforce their judgment.

Impact of Event

Human rights activists responded to the *Filártiga* decision with great enthusiasm and hope. The decision exposed the deeds of a Paraguayan torturer and the repressiveness of the Paraguayan government. Many activists thought that the decision would mark the beginning of greater use of United States courts to hold human rights violators accountable. Plaintiffs and their lawyers sought to apply *Filártiga* to repression and terror in several countries, including Israel, Nicaragua, and Argentina.

Subsequent decisions dampened the enthusiasm, however. The *Filártiga* court carefully delineated limits to its applicability. Other courts refused to extend the *Filártiga* rationale to new circumstances or discounted it altogether. Former Secretary of State Dean Rusk labeled it a "legal oddity."

Victims of Middle Eastern terrorism found that they were without a remedy. They hoped to recover damages from the government of Libya, Arab-American organizations, and the Palestine Information Office following a Palestine Liberation Organization (PLO) attack on an Israeli bus. Their case (*Hanoch v. Tel-*

Oren, 1984) was heard by the District of Columbia court of appeals. All three judges dismissed the suit, but differed in rationale. Two sought to minimize judicial intervention in matters that had foreign policy ramifications. One argued that the Alien Tort Statute only allowed actions against individuals acting in behalf of their government, not nonstate actors such as the PLO.

Victims of human rights abuses by the Nicaraguan rebels, or *contras*, hoped that the *Filártiga* rationale would apply to them. In *Sanchez-Espinoza v. Reagan* (1985), nine Nicaraguans and three Europeans sought relief for torture, kidnapping, mutilation, rape, and summary execution inflicted on them or their families. They sued *contras* in Miami as well as Reagan administration officials. The suit was dismissed by District of Columbia courts as raising “political questions” reserved for the executive branch.

Courts have indicated that many human rights violations are violations of the “law of nations” and will not enable victims to bring actions under the Alien Tort Statute. *Forti v. Suarez-Mason* dealt with repression in Argentina. The district court suggested that torture was clearly an international tort, and disappearance was probably one, too. “Cruel, inhuman, and degrading treatment” short of torture, though, was not enough.

Courts have thus been reluctant to extend the *Filártiga* decision to new circumstances. Victims of human rights abuse or their relatives will stand a good chance of success if, as with the *Filártigas*, an alien is suing; an international tort has been committed (not mistreatment, but torture or disappearance); the tort was committed by an individual alien, not a government or organization; that individual was acting under “color of authority,” not as a private citizen or member of a private army; the U.S. administration signals that it will condone or encourage action against another country’s national; and “success” is defined as vindication before the court, rather than a recovery which will compensate for the abuse. “Success” for human rights plaintiffs usually extends beyond relief in a single case. The *Filártigas*’ case helped focus public attention on human rights violations in Paraguay. It contributed to the Stroessner regime’s eroding legitimacy and may have strengthened the forces working for democratization in Paraguay.

Filártiga and its progeny catalyzed new actions by human rights lawyers. A Connecticut court, using *Filártiga*, drew on the United Nations Charter in assessing prison conditions. Suits against the Marcos family, former rulers of the Philippines, also drew on *Filártiga*. Because the fate of torture victims in U.S. courts was uncertain, the New York-based Lawyers Committee for Human Rights urged the adoption of a torture victim protection act. This act would grant torture victims access to federal courts.

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Arthur Blaser

Poland Outlaws Solidarity and Imposes Martial Law

Category of event: Civil rights; political freedom; workers' rights

Time: December, 1981

Locale: Warsaw, Poland

Fifteen months after its emergence, the independent trade union and social movement, Solidarity, was suppressed by the Communist government of Poland

Principal personages:

WOJCIECH JARUZELSKI (1923-), the secretary of the Communist Party
LECH WAŁĘSA (1943-), the president of Solidarity, an independent trade union

ANDRZEJ GWIAZDA (1935-), the vice president of Solidarity

LEONID ILICH BREZHNEV (1906-1982), the president of the Soviet Union

RONALD REAGAN (1911-), the president of the United States (1981-1989)

STANISŁĘW KANIA (1927-), a former secretary of the Communist Party

Summary of Event

Following the strikes of August, 1980, which had resulted in the recognition of Solidarity as an independent, self-governing trade union, Lech Wałęsa and others attempted to consolidate the movement which had begun in Gdańsk. Although officially a labor movement, Solidarity actually had much broader implications for human rights. Economic issues such as pay raises and a five-day work week were addressed. Social inequalities, freedom of information and discussion, the privileged position of the Communist Party, and the interpretation of Polish history free from propaganda constraints were also matters of broad and open discussion. There seemed to be a spirit of renewal throughout the whole of Poland. Membership in Solidarity eventually grew until there were nearly ten million members in a nation whose population was only about thirty-five million.

It was clear to the communist regime that it needed to make changes. The previous party boss was replaced early in September, 1980, by Stanisław Kania, a colorless functionary. He attempted to reach some kind of political solution rather than take military action against Solidarity, as some hard-liners within

the Party were suggesting. Nevertheless, the regime was slow to honor the Gdańsk agreements signed in August. For example, when Solidarity tried to obtain official registration in September, it faced bureaucratic resistance. When they eventually met on November 4, Wałęsa told Kania that unless the regime fully honored the Gdańsk agreements it might not be possible to maintain Solidarity's peaceful approach, for there were radical activists in the movement who wished to go further and faster. These included the vice president of Solidarity, Andrzej Gwiazda, Wałęsa's long-time associate in the trade movement.

Reaction to Solidarity abroad was mixed. The nations of the West applauded the growth of a movement which was seen as strengthening human rights and shaking the foundations of the Soviet system that had been imposed on Eastern Europe after World War II. In the countries of the Soviet bloc, there was great concern that the precedent in Poland might undermine Communist control elsewhere. The Polish regime was under increasing pressure to "do something" about Solidarity, and several times in the fall of 1980 Kania and others were called to Moscow to consult with Soviet president Leonid Brezhnev. During the first half of December, there was a distinct possibility of a Soviet invasion of Poland, similar to what had happened in Hungary in 1956 and in Czechoslovakia in 1968. Kania was, however, able to convince the Soviets that Poland must be left alone to resolve its own problems, and international tensions eased.

Enthusiasm in Poland for the union continued to grow in early 1981. A peasant and farmer organization called Rural Solidarity, which was designed to parallel the original union in the countryside, emerged and sought recognition from the regime. This precipitated a government crisis, and the prime minister was replaced by Defense Minister General Wojciech Jaruzelski on February 9. In March, police broke up a Rural Solidarity meeting in the town of Bydgoszcz and badly beat several people. Solidarity threatened a nationwide strike if its broadened program of social and economic issues was not accepted. For ten days, from March 20-30, Warsaw Pact armies under Soviet leadership undertook maneuvers on Poland's borders, and there was again fear of invasion. At the last minute, on March 30, Wałęsa reached a compromise with the government and succeeded in pushing a cancellation of the proposed strike through Solidarity's leadership. This step was, however, regarded by some as high-handed and undemocratic on Wałęsa's part, and in the aftermath serious internal divisions began to emerge in Solidarity. Wałęsa increasingly was challenged by Gwiazda.

In the Polish Communist Party, hard-liners supporting the Soviet view of

Polish affairs pushed for action throughout the spring and summer of 1981. At the same time, the grim realities of the deteriorating Polish economy and of food shortages were becoming even more apparent. Meat rationing had begun on April 1, and there were wildcat strikes throughout the country over issues of worker-management. Within Solidarity, Wałęsa was having difficulty maintaining control. At the first national congresses of the union in September and October, he retained the presidency, defeating three more-radical opponents, including Gwiazda, though he got only 55 percent of the vote.

On October 18, under increasing pressure, Kania resigned as party secretary. The Central Committee elected Prime Minister and Defense Minister General Jaruzelski to succeed him. Many saw this decision as an admission that the Party could no longer rule and that it had turned the affairs of the country over to the general and the military. Five days later, Jaruzelski sent army units in small groups into the countryside, ostensibly to help local rural administrators with food collection and distribution in the face of worsening economic conditions. In retrospect, it is clear this was a “dress rehearsal” for events in December.

Although some of the original enthusiasm for Solidarity had begun to dissipate as the result of disputes over tactics and leadership, its program of human and labor rights still commanded great support. In early November, Solidarity expressed a willingness to meet with the regime to discuss its six-point agenda: social control of economic decision making, access to mass media, economic reform, democratization of local government at the district and province level, reform of the legal system, and price reform. Eventually, the regime agreed to meet with Solidarity to consider these points, but throughout November and early December no progress was made and there were numerous strikes. Within Solidarity several leaders, including Gwiazda, resigned to protest Wałęsa’s policy, which they regarded as “too conciliatory.”

By the beginning of December, economic and political tensions were increasing. Against Wałęsa’s advice, Solidarity’s national leadership voted on December 12 to declare December 17 as a national day of protest. The leadership also called for a national referendum in February on whether the Communist Party and Jaruzelski were capable of governing or whether a new, temporary, government should be established to hold free elections.

During the night between Saturday, December 12, and Sunday, December 13, Jaruzelski announced that, in accordance with the constitution, a “state of war” (the Polish equivalent of martial law) had been introduced. He declared that Poland was on the brink of an abyss and charged that Solidarity was preparing to overthrow the state.

Troops took up positions all over Poland, and internal and foreign commu-

nication lines were cut. Wałęsa and the rest of Solidarity's leadership, along with many intellectuals, cultural figures, and journalists, were arrested and imprisoned. Jaruzelski placed the government under the direction of a twenty-one-person Military Council of National Salvation, which he headed. He announced a twelve-point program which, among other things, suspended basic civil rights, banned public gatherings, instituted a curfew, imposed censorship, temporarily closed all educational institutions, and militarized police, fire, civil defense, and national-security-related industries.

Although there were sporadic instances of resistance, within two weeks Solidarity and opposition to the military regime had been crushed. For the next ten months, Poland lived under the "state of war," while the Military Council for National Salvation established what it regarded as order and stability. In October, 1982, the Polish Parliament, the Sejm, acted to dissolve Solidarity. It appeared that the end of an era in Polish and human rights had been reached.

Impact of Event

Reaction to the imposition of martial law in Poland and the suppression of Solidarity was swift throughout the world. Jaruzelski was praised by the Soviets and other East Bloc leaders for having moved to defend order and stability. In the West, however, there was universal condemnation. United States president Ronald Reagan ordered economic sanctions against the Polish government on December 23 and invited all people everywhere to light a candle in their windows on Christmas to remember the loss of freedom in Poland. In his New Year's message, Pope John Paul II criticized military rule. On January 11, 1982, the foreign ministers of the North Atlantic Treaty Organization (NATO) condemned what they regarded as the Soviet role in Poland and hinted that sanctions of some kind might be imposed. The Polish crisis, symbolizing the issues of human freedom and rights which had long been part of the Cold War, strained relations between East and West as badly as anything since the Soviet invasion of Czechoslovakia.

For those in Poland who had been imprisoned, conditions were difficult. The internees were often kept in close confinement in rat-infested cells and denied proper medical care and hygiene. Those who were not in prison protested passively as best they could: They went out for walks in public during the time the government television station was broadcasting the news, and they made the private, political jokes which have always been common in repressive political regimes. For example, they turned the Polish acronym for Jaruzelski's Council—WRON—into the Polish word for "crow"—*wrona*—and laughed

about no crow being able to defeat an eagle, the national symbol of Poland. They also turned for solace to religion, in particular the “Masses for Poland” celebrated weekly in Warsaw by Father Jerzy Popiełuszko, who began his sermons by saying “because freedom of speech has been taken away from us, let us therefore pray in silence.”

After nearly a year in prison, Wałęsa wrote a private letter to Jaruzelski, proposing a dialogue about what was best for Poland’s future. He was soon released. On December 13, 1982, martial law was suspended, and in July 1983 the “state of war” was officially ended. Although the union remained illegal, the ideals of Solidarity were still alive, and they were reinforced when Wałęsa received the Nobel Peace Prize in 1983. Solidarity’s struggle for freedom and justice was an example too powerful to repress permanently.

Even though Jaruzelski had promised that “there will be no return to anarchy,” Poland was plagued throughout the 1980’s by labor unrest and a worsening economy. It eventually became evident that only if Solidarity were brought into consultations with the regime could Poland’s economic problems be resolved. In April, 1989, Solidarity was legalized and allowed to participate in political life. Elsewhere in the Soviet bloc, its ideals inspired political activists and human rights advocates. Within a decade after its creation, Solidarity stood in the forefront of the process by which limitations upon human rights were being removed throughout Eastern Europe.

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Palestinians Are Massacred in West Beirut

Category of event: Atrocities and war crimes; refugee rights

Time: September 16-18, 1982

Locale: West Beirut, Lebanon

Lebanese Phalangist militias, in coordination with Israeli forces, went into the refugee camps of Sabra and Shatila in Lebanon and massacred hundreds of Palestinian civilians

Principal personages:

YASIR ARAFAT (1929-), the chair of the executive committee of the Palestine Liberation Organization

MENACHEM BEGIN (1913-1992), the prime minister of Israel during the invasion

BASHIR GEMAYEL (1947-1982), the head of the Phalangist militia and Lebanon's president-elect before his assassination

PHILIP HABIB (1920-1992), an American diplomat, President Ronald Reagan's special envoy to the Middle East between 1980 and 1982

Summary of Event

Between September 16 and 18, 1982, Palestinian civilians were massacred in the refugee camps of Sabra and Shatila, near Beirut. Men, women, and children were killed by members of the Phalangist militia, among others, under the protection of Israeli troops. The massacres occurred in the midst of the catastrophic Lebanese civil war that had erupted in 1975.

Palestinians in Lebanon were largely the descendants of those who were evicted from northern Palestine after the creation of Israel in 1947-1948. The majority lived in refugee camps in southern Lebanon and near Beirut. Unlike Palestinians in Jordan, they did not receive Lebanese citizenship; an antiquated agreement in Lebanon divided power and wealth along religious lines, and the Christian-Muslim ratio would have been severely upset if the mostly Muslim Palestinians were allowed to become citizens. Thus after 1948, the Palestinians, as stateless refugees, did not enjoy the rights of other citizens, whether in Arab host countries or in their homes under Israeli rule. The lack

of a just settlement for the Palestine question shaped the domestic and international relations of the region and constituted a major factor in the tension surrounding the massacres.

The Lebanese Palestinians were governed by a political structure that was dominated by the Christian Maronite sect. The relationship between the Palestinians and the Lebanese state was a troubled one. The trouble intensified after June, 1967, when many Palestinians moved to southern Lebanon. The Palestine Liberation Organization (PLO), representing the Palestinians, and Lebanon signed the 1969 Cairo Agreement to regulate PLO presence in Lebanon. More Palestinians arrived in Lebanon after Jordan expelled them in 1971, making the relationship more problematic.

The PLO became deeply involved in the Lebanese civil war, which erupted in April, 1975. It found itself party to a war that often degenerated into communal bloodletting. Thousands of Palestinians and Lebanese lost their lives or became refugees during the conflict. The Maronite-dominated Christian coalition did not fare well in the civil war, especially after the Syrian government sent a “deterrent” force to restore calm. Bashir Gemayel, leader of the Maronite Phalange militia, approached Israel for help. Israel responded favorably, especially after the conservative Likud party won the 1977 elections, making Menachem Begin Israel’s prime minister. In March, 1978, nearly four months after Egyptian president Anwar el-Sadat’s visit to Jerusalem, Israel conducted a combined invasion of southern Lebanon.

The invasion failed, but the relationship between the Phalangists and Israel became closer. Ariel Sharon, Israel’s defense minister, articulated Israeli aims in Lebanon within a broad plan that some called the “Grand Design.” This plan envisioned the Israeli army’s intervention on the side of the Phalangists. The Syrians and the Palestinians would be driven out of Lebanon. Under Israel’s influence, Gemayel would be elected president,



Menachem Begin, prime minister of Israel at the time of the Beirut massacre. (Library of Congress)

and Lebanon would sign a peace treaty with Israel. The Palestinians were to be pushed into Jordan, where they would destabilize the monarchy and justify Israeli intervention. Israel would then dictate its solution to the Palestine question; West Bank Arabs would be expelled eastward and forced to form a state in Jordan.

Despite the Camp David accords of 1978 and the Egyptian-Israeli Peace treaty of 1979, and despite other international efforts to find a just solution, tension along the Israeli-Lebanese border heightened, especially during the "missile crisis" between Israel and Syria in June, 1980. Philip Habib, an American diplomat, was dispatched to arrange for an agreement. A year later, a war of attrition between the PLO and Israel erupted and required Habib's efforts, and again he negotiated a cease-fire between the PLO and Israel in July, 1981.

The cease-fire held as the PLO grew in stature and the rights of the Palestinians became widely recognized. The removal of the PLO as a national movement became key to the success of Sharon's plan. It is claimed that approval for an attack on the PLO was secured as early as February, 1982. It was given again in late May, when U.S. secretary of state Alexander Haig and Sharon reviewed maps and plans for the operation. The Israeli cabinet had already approved an operation within twenty-five miles of the border. All seemed ready, and only a pretext was needed.

Israel did not have to wait long. On June 4, anti-PLO terrorists severely injured the Israeli ambassador to England. The PLO denied responsibility, but Israel responded with a massive strike against PLO positions in Lebanon. When bombing continued, and when the PLO finally responded with a rocket barrage of its own, the cease-fire was broken. Israel commenced its "Operation Peace for Galilee."

The Israeli army crashed through southern Lebanon and proceeded to lay siege to West Beirut, where nearly five hundred thousand civilians and six thousand PLO fighters were trapped after June 14. Habib was dispatched once more to arrange for a solution. He succeeded, but not until a terrible toll of civilian casualties occurred. On August 11, Israel agreed in principle to the Habib plan, only to follow with the most ferocious air raid on Beirut thus far. Many in the United States and around the world expressed indignation, and a storm was raised at the wanton destruction witnessed on the following day. On August 15, the Israeli government finally agreed to the deployment of a multinational force to supervise the evacuation of PLO fighters from West Beirut. The PLO agreed to evacuate after it received guarantees for the safety of the Palestinians who remained behind. Furthermore, Israeli troops were not to enter West Beirut.

Eight days later, on August 23, Bashir Gemayel was elected as Lebanon's president. On August 25, eight hundred U.S. Marines arrived as part of the multinational force. PLO fighters were evacuated by September 1. Everything seemed to go ahead as planned. Between September 10 and 13, however, the multinational force left, ahead of schedule. Gemayel was killed on September 14 in a massive bomb explosion. Israel, contrary to the Habib agreement, moved swiftly into West Beirut and took control of Sabra and Shatila, an area of three square kilometers in southwest Beirut with ninety thousand inhabitants, 25 percent of whom were poor Lebanese.

The Israeli army allowed elements from the Lebanese Phalangist militias under its control to enter the camps in the early evening of Thursday, September 16. By eleven o'clock that evening, communications between militia officers in the camps and commanders of Israeli army units surrounding the camps indicated that three hundred Palestinian casualties had occurred. Israeli troops lit the night sky with flares at the rate of two a minute. More militias entered the camps Friday afternoon.

According to survivors' accounts, the militias hacked and shot at anything that moved in the alleys of the camps. They liquidated entire families. Some residents were killed in their beds. Wounded victims were finished off along with health workers. In many cases, limbs were severed; heads of infants and babies were smashed against walls. Some were forced to witness as their families were killed. Others were killed execution-style. Houses were dynamited to cover corpses. Hundreds were carted off to unknown destinations. Shots and cries could be heard from the outskirts of the camps, and by Friday morning reporters knew that a massacre was taking place, but the slaughter did not stop until Saturday morning.

Impact of Event

Once reporters gained access to the camps, grisly scenes of mutilated and bloated bodies were transmitted all over the world. The piles of bodies, the mass graves, and the general mayhem indicated the enormity of the event. The precise number of the dead may never be known, but the International Committee of the Red Cross had counted 2,750 bodies by September 23. An estimate of thirty-five hundred victims given later included bodies uncovered later and those who vanished.

An international outcry was raised as people were shocked at the brutality and barbarity of the militias' actions. A hastily arranged multinational force returned to West Beirut to protect the refugee camps. Tension lingered as the Israeli troops were ordered to pull back to their position of August 15.

Nothing, however, could undo the damage. From June 4, to August 31, the duration of "Operation Peace for Galilee," nearly twenty thousand Palestinian and Lebanese civilians were killed and more than thirty thousand were wounded. In Beirut alone, 6,775 persons died during the siege. Hundreds of thousands became refugees again as towns were devastated and their inhabitants fled to safety. The massacres only deepened the wounds and widened the chasm in the Lebanese civil war.

The Palestinians were traumatized by the loss of life and the inhuman way it was inflicted. The Palestinian leadership was stunned. The PLO agreed to evacuate only after the United States gave firm guarantees of the safety of the Palestinian civilians. The PLO found its fighters dispersed and in no position to offer protection to its people. Questions were raised regarding leadership. The PLO split into two warring factions. A peace plan sponsored by the United States fell short of Palestinian expectations and was rejected by Israel. The cause of a just peace did not advance.

In Israel, huge demonstrations protested the invasion and the massacres. Begin and Sharon, along with other military officials, denied knowledge that a massacre was being committed and insisted that they bore no responsibility for the killing. The public outcry and international indignation forced the government to appoint a mission of inquiry. When the investigating commission published its report, it alleged that Sharon "was indirectly responsible." An international commission that inquired into Israeli violations in Lebanon found evidence to suggest direct Israeli involvement.

As the Lebanese civil war did not subside and as the Palestine question was further from being solved, the general anti-Western, anti-Israeli sentiment that spread in the wake of the 1982 war encouraged militias to take Westerners as hostages. As tragedy compounded tragedy, on October 23, 1983, a U.S. Marine barracks in Beirut was truck-bombed, killing nearly 250 marines.

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Mahmood Ibrahim

United Nations Principles of Medical Ethics Include Prevention of Torture

Category of event: Health and medical rights; international norms; Prisoners' rights

Time: December 18, 1982

Locale: United Nations, New York City

The U.N. Principles of Medical Ethics transformed isolated national ethical codes into an internationally unified humanistic voice

Principal personages:

THOMAS PERCIVAL (1740-1804), a general practitioner in Manchester, England; author of a code of conduct that formed the basis for the code of medical ethics of the American Medical Association

BENJAMIN RUSH (1745-1813), a committed revolutionary, called an "American Hippocrates" because of his extensive lecturing on medical ethics

HIPPOCRATES (c. 460 B.C.E.-c. 377 B.C.E.), the Greek physician generally called "the father of medicine"

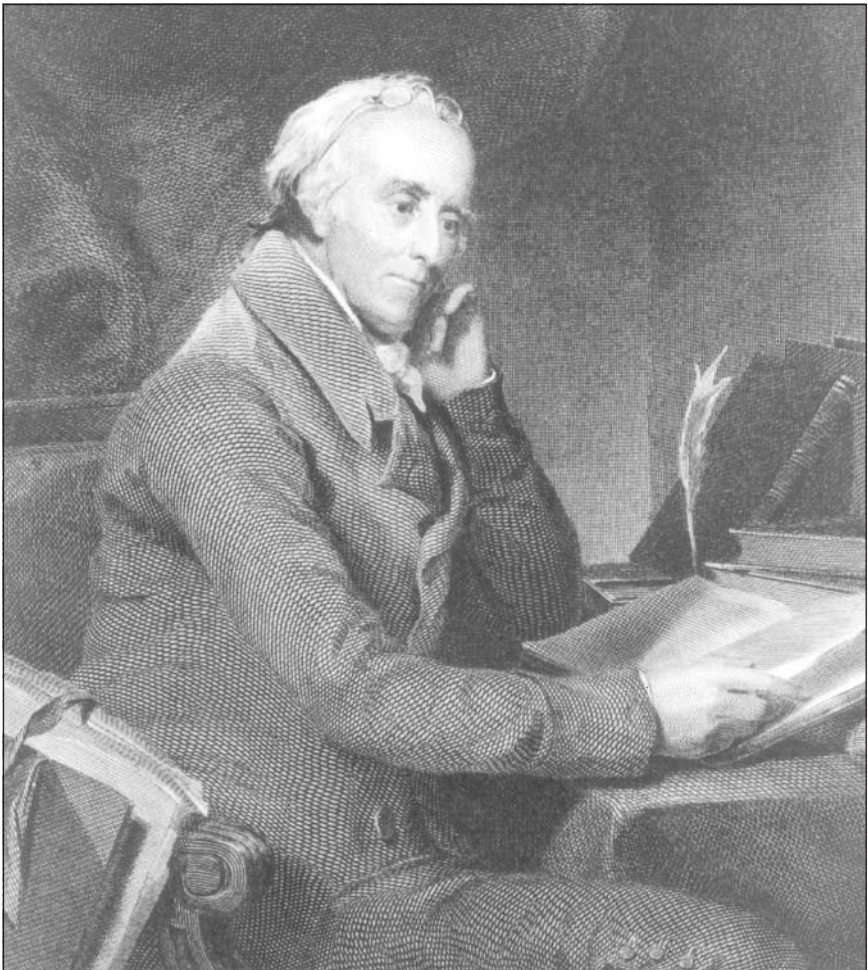
HAMMURABI (c. 1810 B.C.E.-1750 B.C.E.), known for his *Code of Hammurabi*, a collection of Babylonian laws

Summary of Event

The story of human civilization is the meandering story of the invincible will of the human race to assert its natural right to live with dignity. The dynamics of the struggle to survive and to thrive have provided the protagonist of the story, the human race, with a vibrant resilience otherwise called the will to survive. The dynamics between a tradition of torture and the history of the evolution of medical ethics, a body of codes of professional conduct developed by individuals and groups within the medical profession and voluntarily practiced by them in word and spirit, demonstrates how the human will to survive has worked its way toward an increasingly fuller and more coherent realization of the right to live with dignity.

The code of Hammurabi, the earliest of the ethical codes of medical practitioners, protected the natural rights of human beings in the crude spirit of "an eye for an eye and a tooth for a tooth," a spirit that condemns the inhuman and

the cruel inhumanity only to introduce a remedy as bad as the disease. According to this code, a surgeon, for example, who destroys his patient's eye in an operation must lose his hands much the same way as a builder whose faulty construction of a house results in the death of the householder's child must lose his own child. The code does not mention prisoners, since prisons are a relatively recent reformatory social institution, replacing the original harsher punitive measures of death, mutilation, banishment, transportation, flogging,



American Revolutionary leader Benjamin Rush was called an “American Hippocrates” because of his outspoken ideas about medical ethics. (Library of Congress)

and branding. The prevailing cruelty of the Babylonian society of Hammurabi's days generated a cruel code of ethics.

Hippocrates, the renowned physician of the fifth century B.C.E., has been called the "father of medicine." He responded to the prevailing institutionalized cruelty of his age in a different manner from Hammurabi, giving the human will a different mode of survival and a new way of asserting its right to live with dignity. His code counsels physicians to use their skill and learning on their patients with kindness. One of the ways the physician can choose to be kind is to make sure that he or she does no harm to the patient in cases in which the patient cannot possibly be helped. The code captures this injunction in its phrase "above all, do no harm." Further, the Hippocratic oath strongly urges physicians to keep under complete control their possible amorous proclivities toward patients. It also admonishes physicians to keep secret any knowledge that they gain concerning their patients "which ought not to be spread abroad." Above all, Hippocrates wants physicians to apply these tenets with an uncompromising professional egalitarianism to all, "be they free or slave." The Hippocratic oath's professionalism in the conduct of physicians and care of their patients promoted not only the physical health but also the autonomy of the patient, combating the inhumanity of the forces of cruelty and leading the human will to triumph over the social institutions of evil.

The code's unflinching devotion to the propagation of the quintessential existential rights of humans, especially in its enunciations of the interrelationship between the doctor and the patient, made the Hellenistic Hippocratic oath the overarching proclamation in the body of literature on medical ethics. The early Christians modified it only to eliminate its invocation to pagan deities, which they replaced with the Christian God the Father and Jesus Christ. Medieval Arabs admired the oath in its Arabic translations by Avicenna and Averroës, although they found the pagan ideals of the Greek philosopher-physician in conflict with their Islamic theology. They found the oath flexible enough, however, for them to incorporate Islamic ethics without changing the oath in spirit. Medieval Jews followed suit. The humanism of the Renaissance, with its new enthusiasm for Greek and Latin works, showed a deep appreciation for the oath.

Benjamin Rush, an eighteenth century American physician, drew heavily upon the works of Hippocrates for his extensive lectures on medical ethics. His contemporary, Thomas Percival, based his 1803 *Code of Medical Ethics* on a mixture of Hellenistic background and Christian morality, extending the same humanistic temperament to his brief observations on new issues of medical ethics emerging as a result of advances in medical research. Percival's code

formed the core of the medical ethics discussed at the first meeting of the American Medical Association in 1847. In spite of its revisions in 1903, 1912, 1947, and 1980, the American Medical Association's medical code retained the fundamentals of the Hippocratic oath as adapted and interpreted by Percival.

The political events of the mid-twentieth century heralded a new evil and threat to medical well-being and health, the evil of institutionalized torture of political prisoners. Dictatorial regimes in South Asia, Africa, and Latin America used the traditional repertoire of torture methods but also added to it the sophisticated insights the medical profession could offer. These nations were not the only transgressors—torture was practiced nearly worldwide to varying degrees. Some politicized medical and health-care professionals volunteered to assist in torture, with various motives, and many others were coerced into using their skill. Medical practitioners acted to “rejuvenate” the tortured, so that torture could be prolonged until the tortured person “confessed,” and advised torturers on how to inflict pain and damage while leaving the least possible evidence of torture, making the burden of proof almost impossible to meet for humanitarian agencies working on behalf of the rights of the tortured. Some even signed false documents attributing natural causes to deaths resulting from torture. In some countries, psychiatrists were used to interpret political dissidence as “delusions,” commit the “deluded individuals” to psychiatric hospitals, and administer drugs for the person's “treatment.”

This retrogression of the rights of humans to an autonomous selfhood became a matter of concern to the World Medical Association, an association of national medical associations. In its 1975 “Declaration of Tokyo,” the World Medical Association expressed the collective conscience of medical professionals and called upon colleagues not to use their medical knowledge against the natural laws of humanity and to desist from providing “any premises, instruments, substances, or knowledge to facilitate the practice of torture or other forms of cruel, inhuman, or degrading treatment or to diminish the ability of the victim to resist such treatment.” The United Nations broadened the scope of the Declaration of Tokyo after elaborate consultations with the World Health Organization (WHO), the World Medical Association, and the Council for International Organizations of Medical Sciences, an international nongovernmental scientific organization jointly established by WHO and the United Nations Educational, Scientific and Cultural Organization. Finally, it consolidated all suggestions into the *U.N. Principles of Medical Ethics Relevant to the Role of Health Personnel, Particularly Physicians, in the Protection of Prisoners Against Torture*, which was formally adopted by its General Assembly's thirty-seventh session on December 18, 1982.

Impact of Event

The six principles contained in the U.N. document concerning medical ethics are rather unlike their predecessors in that they target a specific group of people (prisoners) and address the ethical problems related to a particular category of social pathology (torture). For example, the second principle specifically denounces the practice, active or passive, by health personnel, particularly physicians, of torture or other cruel, inhuman, or degrading treatment or punishment. The principles are also like their predecessors, as they are the intramural directives of medical professionals without the extramural legal authority of law.

The principles offer extensive moral support—local, national, and international, of professionals and of the laity—for those medical personnel who are coerced into the abuse of medical ethics under the threats of torture or inhuman and degrading acts either from their employers or from their national dictators. Further, presence of such international moral support was hoped to be an effective deterrent to those in the medical profession who may have been tempted to volunteer for the transgression of their professional ethics.

An authoritarian regime cannot afford to exist without ties to the world outside, which is becoming progressively interdependent for economic, technological, scientific, and many other reasons. In such an increasingly interconnected world, consciousness raising can be stronger than the power of legal implementation. Realizing this, the United Nations has publicized the document extensively. In the resolution to which the principles are attached, the General Assembly calls upon all governments to give the resolution and the principles the widest possible distribution, in particular among medical and paramedical associations and institutions of detention or imprisonment. It also requests that intergovernmental and nongovernmental agencies, especially WHO, do the same. Such acts of consciousness raising attempt to make the U.N. Principles of Medical Ethics a more efficacious force than they may appear.

Consciousness raising within the medical profession has led to more soul-searching at the national, continental, and local levels, resulting in the formation of smaller groups espousing the same cause. These local, national, and even international groups may not succeed in preventing dictators from trampling on human rights, but they do shine light on the moral darkness so created by dictatorships. As the number of such lights increases and their light gets stronger, moral darkness is bound to diminish. The United Nations resolution on medical ethics is a part of such light.

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Abdulla K. Badsha

Nigeria Expels West African Migrant Workers

Category of event: Immigrants' rights; workers' rights

Time: 1983

Locale: Nigeria and neighboring countries

Nigeria declared that illegal aliens were a threat to its national security and public morals and in January, 1983, abruptly expelled an estimated two million migrant workers

Principal personages:

ALHAJI SHEHU SHAGARI (1925-), the president of Nigeria from October, 1979, until ousted by the military on January 1, 1984

NNAMDI AZIKIWE (1904-1996), Nigeria's first president (1963-1966), a strong critic of the expulsion

ALHAJI ALI BABA, the minister of internal affairs for Nigeria who announced the decision to expel "undocumented" aliens

JERRY RAWLINGS (1947-), the president of Ghana from June to September, 1979, reinstated in 1982

Summary of Event

Migration across state borders has been a feature of West African history for centuries. The region's ethnic mosaic contains numerous, long-settled communities whose places of origin lie outside the borders of their current countries of residence. Africa's colonially imposed borders divide many ethnic, linguistic, and cultural communities. Prompted by such factors as drought, deforestation, the changing fortunes of national economies, repressive political conditions, and the survival of historic trade and nomadic routes that cut across contemporary state boundaries, modern migrations have often taken place with little regard for the formalities of immigration laws. Well-established migrant communities existed in West Africa throughout the twentieth century, and few faced significant barriers to integration into their host countries. On occasion, however, migrants have been subject to expulsions, sometimes for crimes committed but often as a political expedient.

Beginning in the mid-1970's, Nigeria was the destination of much of the migration in this African subregion. Buoyed by the export of more than a mil-

lion barrels of high-quality oil per day, Nigeria's economy expanded rapidly during the 1970's. Millions of migrants from Ghana and other neighboring countries flooded into Nigeria, attracted by the opportunities offered by its booming economy. In contrast, many of the migrants' home economies faced high inflation and the burdens of debt. Thousands of professionals from farther afield (the United Kingdom, the Philippines, India, and Poland, for example) joined the influx of foreign labor into Nigeria.

In the early 1980's, however, Nigeria's economic situation suffered a major setback. The country responded to the world glut in oil by cutting daily production well below one million barrels by 1983. Government revenues plummeted, international indebtedness became a significant problem, the inflation rate soared to more than 25 percent, and an estimated 20 percent of the work force was unemployed. The country's ambitious development plans were scaled back drastically; import controls, foreign exchange restrictions, and other emergency measures were adopted; and many public- and private-sector employees worked for months without pay.

The economic collapse fueled antiforeigner sentiments in Nigeria. Foreigners were perceived by the general public as taking jobs from Nigerians, hoarding and smuggling consumer goods and currency, and generally sabotaging the economy. Workers' organizations repeatedly charged that employers were taking advantage of cheap foreign labor while Nigerians were facing growing unemployment and destitution.

On January 17, 1983, the minister of internal affairs for Nigeria, Alhaji Ali Baba, announced the government's decision to expel all undocumented West African aliens from Nigeria. These aliens, estimated to number at least two million, were given two weeks to leave the country. The order was amended on January 25 to allow skilled aliens (such as nurses, secretaries, masons, teachers, and carpenters) an additional four weeks to regularize their stay or leave, in addition, foreigners employed by federal and state government institutions and enterprises, and citizens of Cameroon and Chad who had entered Nigeria prior to 1963, were exempted from the expulsion.

Official reasons for the expulsion included the charge that religious riots among Islamic sects in Kano, Kaduna, Sokoto, Maiduguri, and elsewhere, which began in 1980, involved and had been instigated by foreigners from the neighboring states of Cameroon, Chad, Mali, Niger, and Upper Volta (now Burkina Faso). The chief instigator, Mallam Muhammed Marwa, was a Cameroonian. Another major charge was that the growing rates of robbery, prostitution, and indigence in Nigeria were largely the result of the influx of illegal Ghanaian migrants. The Nigerian government argued that illegal aliens were

a threat to public security and morality and declared that it “cannot, and will not, fold its hands and allow such unwholesome developments to continually plague the nation.”

Although there was some truth to the charges of the involvement of aliens in the religious disturbances, armed robbery, and prostitution, and that aliens were among the ranks of the unemployed, it is generally conceded that the charges were exaggerated. The vast majority of the rioters, criminals, social undesirables, and indigents were Nigerians.

In the weeks following the expulsion order, according to Nigerian government estimates, at least 1.2 million aliens left Nigeria. These included 700,000 Ghanaians, 150,000 Chadians, 120,000 Cameroonians, 18,000 Beninoise, and 5,000 Togolese. Other estimates place the total number of aliens who left near 2 million. The legality of the expulsion was not in question: Nigeria had the sovereign right to expel illegal immigrants. What caused consternation among Nigeria’s neighbors and in the wider world were the facts that no warning was given to the neighboring states that would have to cope with a massive return of their migrants, that the time period of two weeks did not allow for structures and provisions to be put in place to assist returning migrants, and that no internal procedures had been established in Nigeria to allow for an orderly departure of the expelled aliens. The results were widespread fear and suffering among the expelled aliens, strained political relations between Nigeria and its neighbors, especially Ghana, and, outside of Nigeria, general condemnation of the expulsion.

World reaction was universally negative. The United States State Department charged that the expulsion violated “every imaginable human right.” Pope John Paul II declared the expulsion had resulted in the “worst human exodus in this century.” Other international condemnation was expressed in such terms as “heartless,” “inhumane,” and “unworthy” of a country that was among the leaders of Africa.

The expulsion was seen by many as a violation of the spirit, although not the letter, of the protocol on the free movement of citizens of the member states of the Economic Community of West African States (ECOWAS). Nigeria had been the leading force behind the establishment, in 1975, of this economic association of sixteen West African states. Intending to create eventually a fully-fledged common market, the ECOWAS member states had by 1979 agreed to the right of their citizens to travel freely within the community without visas and to remain for up to ninety days in another member state. Nigeria had argued strongly in favor of ratification of this protocol and, along with other community states, had been lax in enforcing the ninety-day limitation on the

undocumented stay of ECOWAS citizens. The expulsion was seen as a direct blow to the spirit of the ECOWAS. There was also criticism of the preferential treatment received by nonblack, Asian, and European migrants in comparison to the treatment of black, fellow West African aliens.

The Nigerian government, surprised at the strength of the aversion to the expulsion, defended its decision, declaring that no United Nations human rights provisions had been violated and that no country could allow the flagrant violation of its laws to go unchallenged. To the extent that it could be judged, public opinion in Nigeria was largely in favor of the expulsion. Certainly, the Nigerian media were unanimous in support of the decision. The point was made repeatedly that Nigerians and other illegal immigrants in countries such as France, the United Kingdom, and the United States received short shrift from legal authorities and often suffered imprisonment prior to deportation. It was also pointed out that when Nigerians had suffered expulsions from Ghana, Zaire, the Congo, Gabon, Equatorial Guinea, and Sierra Leone, no such international condemnation was forthcoming.

One of the noted critics within Nigeria was Nnamdi Azikiwe, the country's first president. He argued that "efforts could have been made to repatriate these people under more humane conditions," and he saw the expulsion as a "mortal blow" to the philosophy of African cooperation and unity.

Whatever the official reasons, it was broadly believed that the dramatic decline in Nigeria's economic situation was the prime reason for the expulsion. Many perceived the expulsion as a cynical political ploy by President Alhaji Shehu Shagari and his National Party of Nigeria (NPN) to curry favor with the electorate ahead of the upcoming 1983 elections. Worsening economic conditions weakened the NPN's reelection bid, and the expulsion move was seen as an effort to take advantage of growing antifoigner sentiments among Nigeria's millions of unemployed and underemployed.

There also may well have been an element of delayed retaliation for the prior expulsion of Nigerians from Ghana. In November, 1969, the Ghanaian government issued the Aliens Compliance Order, which gave aliens two weeks to regularize their status or be expelled. Aliens were accused of causing a growing tide of criminal activity and undermining the economy and public morals. The vast majority of as many as half a million aliens expelled from Ghana in 1969 and early 1970 were Nigerians. Relations between Ghana and Nigeria always had been competitive and at times had been openly hostile. Ideological differences pitted a generally conservative, capitalist Nigeria against often-radical, socialist-oriented Ghanaian regimes. Regional leadership aspirations, fluctuating economic fortunes, and national chauvinisms also underlay this

fractious relationship. The Ghanaian government charged that the expulsion was an attempt to destabilize its new, radical regime, led by Jerry Rawlings.

The economic impact of the forced departure of migrant workers was noticeable in several areas. In Lagos and other cities where many aliens had been employed as cooks, drivers, and gardeners, and in other domestic service, the impact was immediate. Finding replacements was difficult and required the payment of higher wages. The construction and hotel industries and the docks were also hard hit by the loss of skilled artisans, clerks, stewards, and cargo handlers. No appreciable alleviation of the overall unemployment situation among Nigerian workers, or of the other maladies of the Nigerian economy, was evident.

Impact of Event

The expulsion order came as a surprise. Neighboring countries were not consulted, transportation was not arranged, and relief agencies were not forewarned. Reportedly, even the Nigerian ministry of external affairs and the police responsible for enforcing the order learned of the decision through the media. This precipitous expulsion, without preplanning, of an estimated two million people resulted in significant hardships. There were numerous reports of robbery and mistreatment of the aliens while they waited for transportation to arrive and borders to open. There were also reports of inflated prices for food and transportation and extortion by airport and border officials. Many deportees were forced to sell their property at giveaway prices in order to buy food. The crowding of thousands of aliens at the border for more than a week produced hunger and outbreaks of malaria and cholera. The returning aliens were at times subject to brutal crowd control, and some were victims of road and rail accidents. No large-scale harassment of aliens by the Nigerian authorities or the general public took place. In fact, there were reports of employers and communities covering up the presence of illegal aliens. In sharp contrast to the widespread profiteering among transporters, the Nigerian Transport Owners Association made two hundred large trucks available to help evacuate deportees stranded at the docks. The association expressed both support for the government's decision and sympathy for the plight of the expelled migrants. The roundup and prosecution of illegal aliens who defied the expulsion order was desultory and soon halted. Governments and ordinary citizens of other nations rapidly mobilized to assist Ghanaians passing through on their way home.

An estimated sixty to one hundred deaths were attributed directly to the expulsion exercise. Although much lower than originally speculated, the

death toll underscores the hardships suffered. The Nigerian government and media claimed that much of the suffering could have been avoided if the borders of neighboring states had not been closed. They blamed especially the government of Jerry Rawlings in Ghana for precipitating the border closures of Benin and Togo. Ghana's border had been closed since September, 1982, to prevent smuggling and because of fear of external subversion. On the announcement of the expulsion order, Benin and Togo also closed their borders, fearing that a flood of Ghanaian refugees would be trapped within their countries.

International assistance was forthcoming, although most donors were slow to react to the appeals from Ghana and the other affected states. Libya sent medical supplies and several aircraft to help with the evacuation. Denmark and the United Kingdom also sent medical supplies. The United States committed 720 tons of food supplies. Denmark, Luxembourg, Norway, Sweden, and Switzerland sent blankets, food, and tents. Italy provided a broad range of emergency assistance. International relief agencies, including the United Nations Children's Fund, Oxfam, the World Council of Churches, the Salvation Army, the Red Cross, and Christian Aid, also rendered assistance to the returning migrants. An offer by the Nigerian government of some financial assistance to Ghana was rejected as "blood money."

The Ghanaian government established a National Relief Committee, which chartered ships and buses to transport its citizens from Lagos, coordinated relief supplies, and processed the returnees in regional centers. Plans were made to incorporate them into the national reconstruction exercise that the Rawlings government had initiated upon its takeover in September, 1982. Economic conditions in Ghana were far worse than in Nigeria, however, and the reabsorption of approximately one million people was difficult. In fact, significant numbers of Ghanaians returned to Nigeria later in 1983, and some suffered another expulsion in April, 1984.

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Hashim Gibrill

Klaus Barbie Is Tried for Nazi War Crimes

Category of event: Accused persons' rights; atrocities and war crimes

Time: February, 1983

Locale: Lyon, France

Klaus Barbie, head of the Gestapo in Lyon, France, during World War II, was extradited to France, where he was tried and convicted of crimes against humanity

Principal personages:

KLAUS BARBIE (1913-1991), the former head of the Lyon office of the Nazi Gestapo, also known as the “Butcher of Lyon”

SERGE KLARFELD (1935-), a French lawyer and anti-Nazi activist who helped organize Barbie's prosecution

JACQUES VERGÈS (1925-), a controversial French attorney known for defending unpopular causes, who served as Barbie's lawyer

PIERRE TRUCHE, the chief government prosecutor in Barbie's trial

Summary of Event

Early in World War II, German armies overran northern France, forcing the government of Marshal Henri Philippe Petain to sign an armistice pact with the Nazi regime. Under this armistice, northern and western France remained under German military occupation, while Petain's government, relocated from Paris to Vichy, would observe military neutrality in the war but would retain authority over the southeastern part of the country. In 1942, in response to Allied army successes in North Africa, German and Italian forces swept southward through Vichy France, eventually bringing the entire national territory under Nazi occupation.

Wherever German armies consolidated their control, the official agencies of the German government and of the Nazi Party quickly set up operations. The most notorious of these were the black-shirted “defense echelon,” or Schutzstaffel (SS), and the infamous state secret police, or Gestapo. Klaus Barbie served as head of the Gestapo in the French city of Lyon from the date of the German invasion, November, 1942, through 1944. During this period, he was responsible for the deaths of some four thousand French citizens and the deportation of some seventy-five hundred others, including women and

children, mostly to their deaths. His personal involvement in torture, his reputation for brutality and sadism, especially in the treatment of Jews and French Resistance fighters, and his forced deportation of forty-four Jewish children, aged three to thirteen, to their deaths at Auschwitz brought him the nickname "The Butcher of Lyon."

Under traditional rules and laws of war, the establishment of military security in occupied territory often requires the occupying forces to maintain order and to conduct ordinary administrative business. In addition, the occupying administration legitimately may be required to execute a counterinsurgency against local resistance fighters. In occupied France, the collection of intelligence regarding and eventual neutralization of the Resistance fell largely to the Gestapo. This sort of counterinsurgency activity is itself bound by certain rules and norms, codified in international treaties such as the Geneva Convention. Among these norms are rules regarding respect for the human rights of civilians and noncombatants, the treatment of prisoners and incarcerated civilians, and prohibiting torture and other forms of physical or mental abuse.

Barbie was directly and personally involved in the violation of these norms. His crimes included supervision of and participation in the torture, sometimes to death, of prisoners during interrogation, and the execution of captured civilians. These tortures included protracted beatings to extract information, suspension of prisoners by the thumbs until death, extended immersion in ice water to the point of near drowning, flaying and subsequent application of ammonia to the wounds, sexual tortures, and the use of spiked manacles. Sometimes these tortures were inflicted while family members were present. Such acts are considered criminal violations of laws of war under both international and municipal law. They fall under the jurisdiction of both military tribunals and civilian courts. Barbie was convicted *in absentia* of these crimes in 1952 and 1954, and was twice sentenced to death.

Following the German defeat in the war, however, Barbie was able to exploit his knowledge of French and other European intelligence sources to render himself useful to U.S. occupying forces. The U.S. government at the time was preoccupied with the threat of communism in France and elsewhere. During the occupation, French communists had been at the heart of the Resistance, and in the context of the emerging Cold War, U.S. intelligence agencies feared the possible influence of these communist heroes in postwar French politics. Barbie's extensive files on and knowledge about communist networks, gathered during his counterinsurgency efforts against the Resistance, provided the bargaining chips he needed to ensure his safety from prosecution for his

war crimes. With the help of U.S. intelligence agencies, he was spirited from Europe and allowed to resettle in Peru under an assumed name, Klaus Altmann. He later moved to Bolivia, where he remained safe from extradition back to France. After several years, the statute of limitations in France ran out on his sentences.

In Peru and Bolivia, Barbie was involved in local profascist activities, drug trafficking, and financial swindles. He served as a lieutenant colonel in the Bolivian army and was involved in the torture and killing of persons opposed to the Bolivian military government. He developed close ties with local intelligence and police agencies affiliated with successive military governments and assisted them in establishing concentration camps for opponents of the regime. He sold arms to international drug traffickers, some of whom were also affiliated with South American intelligence and security agencies. When these military regimes were replaced in the 1980's with democratic governments, Barbie's police agency contacts could no longer protect him from extradition. He was deported to France in 1983.

Amid heavy publicity, Barbie was tried in French court for "crimes against humanity." The specific crimes for which he was convicted included ordering and participating in the torture and execution of hundreds of Jews and Resistance fighters from November, 1942, to 1944, and ordering the deportation of hundreds of French Jews and Resistance fighters to the Auschwitz death camp. The Nazis had set up the death camps initially as slave labor camps and later employed them in an effort to exterminate systematically the entire population of European Jews, along with Gypsies, communists, homosexuals, and others deemed by the Nazis to be either socially corruptive elements or threats to the Nazi vision of world Aryan supremacy. The name given by the Nazis to this campaign of purification by extermination was the "final solution." The program was deemed genocidal, and thus a crime against humanity, by post-war international legal tribunals. It was for participating in this "final solution" that Barbie's war crimes fell under "crimes against humanity" in French law.

Barbie's defense attorney, Jacques Verges, sought to discredit some of the prosecution's witnesses and raised the issue of atrocities committed by Israel, by France in Algeria, and by the United States in Vietnam to suggest that his client was being used as a scapegoat to expiate the imperialist and colonialist crimes of Europeans in the Third World. Barbie himself admitted fighting a vigorous campaign against the Resistance but denied participating directly in the "final solution." He excused his crimes as the products of a war context and argued that he simply had been following orders and policies dictated by his superiors. He argued that laws are enforced only by the victors in war, and

that he was being prosecuted because his country lost the war. He was nevertheless convicted and sentenced to life imprisonment.

The specific crimes for which Barbie was convicted stemmed from three separate incidents and several individual cases. In total, 340 separate charges were filed against him; he was found guilty of all. The charges included having participated in the torture and execution or deportation to their deaths of some 60 French Resistance fighters and individual Jews; organizing the roundup and deportation to their deaths of 86 Jews from a French Jewish organization office in February, 1943; arranging a last-minute death convoy of 650 people, the majority of whom were Jewish women and children, just before the liberation of Lyon by Allied troops; and the deportation to their deaths in Auschwitz gas chambers of 44 Jewish children and seven adults from the Izieu home for children outside Lyon.

Impact of Event

The life in exile, arrest, trial, and conviction of Klaus Barbie highlighted several human rights issues in addition to those brought back to the surface by revelations of his crimes. Barbie was convicted both of war crimes (in 1952 and 1954) and of crimes against humanity (in 1987). One of the most important human rights breakthroughs of the twentieth century was the recognition that individuals are criminally and legally responsible for their own actions and decisions even when following orders or carrying out prescribed policies. This is true in wartime as well as peacetime. Soldiers and officials have a right and a duty to refuse illegal orders. Barbie's defense, that he was only following prescribed policies, is no longer recognized as a legitimate defense against accusations of having committed war crimes. The establishment of international human rights tribunals, the legal enforcement of war crimes codes in national civilian and military courts, and the incorporation, through treaties and other mechanisms, of internationally recognized standards of human rights into the legal codes of most nations have dramatically reduced the force of Barbie's argument that only war victors enforce war crimes laws. The inculcation into the members of the world's armed forces of such central human rights notions was provoked largely by the obvious inhumanity of the particular crimes perpetrated by Nazis such as Klaus Barbie.

Barbie's trial also underscored the nature of criminal participation in crimes against humanity, especially the crime of genocide, or the intended extermination of an entire people. Barbie's case reinforced earlier judgments that even simple active cooperation, such as ordering deportations to death camps, in a genocidal program can constitute criminal behavior.

In addition, Barbie's case raised disturbing issues regarding the willingness of postwar Western governments, especially that of the United States, to condone or overlook even horrible human rights violations by their clients and human "assets." Not only had Barbie been employed by the U.S. postwar occupying forces, but he had been smuggled out of France and hidden by human rights-violating Latin American governments that were themselves sustained directly by the United States as part of Cold War regional policy. Barbie's continued activities in exile illustrated the international collaboration among right-wing movements and governments concerned with stopping communism no matter what human rights cost needed to be paid and underscored the tremendous costs of the Cold War for human rights on both sides of the Iron Curtain. Finally, the case resurrected long-standing guilt feelings in European countries over their own populations' complicity in the Holocaust against the Jews, since it became clear during the trial that many local citizens of Lyon had either cooperated or collaborated with Barbie's Gestapo (while many resisted, some paying with their lives).

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Larry N. George

Philippine Opposition Leader Benigno Aquino Is Assassinated

Category of event: Atrocities and war crimes; political freedom

Time: August 21, 1983

Locale: Manila, the Philippines

The assassination of Benigno Aquino transformed him into a nationalist martyr and mobilized a massive reaction against the rule of Ferdinand Marcos

Principal personages:

BENIGNO AQUINO, Jr. (1932-1983), the leader of the Philippine liberal opposition who was assassinated on August 21, 1983, when he returned to the Philippines from exile

FERDINAND MARCOS (1917-1989), the dictator of the Philippines from 1965 until 1986

CORAZON AQUINO (1933-), married Benigno Aquino in 1954 and became president of the Philippines in 1986

IMELDA MARCOS (1929-), the wife of Ferdinand Marcos

GENERAL FABIAN VER (1920-), the head of the Philippine secret police and army

RICHARD HOLBROOKE (1941-), the assistant secretary of state for East Asia during the Jimmy Carter administration

JAIME SIN (1928-), a cardinal of the Roman Catholic Church who mobilized the church to support Benigno Aquino

Summary of Event

Benigno “Ninoy” Aquino knew that his return to Manila from three years of exile in the United States was fraught with danger. President Ferdinand Marcos and his wife, Imelda, had warned Aquino that his life was threatened. Defense Minister Juan Ponce Emile had asked him to delay his return. The supreme court of the Philippines had declared that his alleged crimes of “subversion, murder, and illegal possession of firearms” still warranted punishment by a firing squad. Aquino, however, knew that Ferdinand Marcos’s health was deteriorating, and he feared that Imelda Marcos or General Fabian Ver would try to take over the government. He believed that only he could

avert a bloody civil war between the military and the radical masses.

Using false passports and scheduling a complex and secret itinerary, Aquino arrived from Taipei, Taiwan, on China Airlines on August 21, 1983. Special agents had alerted General Ver of the “secret arrival.” Armed military men surrounded the plane. Three uniformed soldiers escorted Aquino into a movable passenger tube and, instead of proceeding through to the waiting room, directed him out the service door and down the exterior service stairs. Before he reached the bottom of the stairs that led to the tarmac, Aquino was shot in the back of the head. The soldiers threw his body in a van and disappeared.

Aquino’s assassination was the bloody conclusion of a rivalry between Aquino and Marcos. The government’s flagrant attempts to cover up for the perpetrators included kidnapping, murder, intimidation, and falsification of evidence. Marcos’s policies of retribution and economic exploitation of the country frightened the middle class and traditional ruling families. They mobilized around Ninoy’s wife, Corazon Aquino, and drove Marcos out of power.

Ninoy was the major liberal critic of Marcos and a contender for the presidency. It was widely believed that Marcos had declared martial law in 1972 in order to prevent Ninoy from running for the presidency. Within hours of the proclamation of martial law, Ninoy was arrested and charged with subversion. He endured years of prison confinement and was many times isolated and abused. After several abortive military trials, he was convicted in 1977 and sentenced to death by firing squad. International appeals and local political movements saved him. In 1978, he campaigned from jail. His party, *Lakas ng Bayan* (Strength of the Country), was known by its acronym, *Laban* (Fight). The symbol for the party, a closed fist with thumb and pinky extended, formed the letter L. This gesture became famous as a visual statement against Marcos and his government. Because of ill health, Aquino was finally allowed to leave the Philippines with his family. He spent three years in the United States preparing for his return and for renewed political struggles.

Aquino’s support was drawn from many sectors of the Philippines and from his international connections. He began his career as a newsperson covering the Korean War; his close relationship with foreign journalists helped him to achieve international notoriety during his imprisonment and exile. While working at the *Manila Times*, he attended the prestigious law school of the University of the Philippines, and he became famous for his oratorical ability and charismatic leadership.

After his graduation, Ninoy married Corazon and started a career in politics. At the age of twenty-two, he became the youngest mayor in the Philippines. At the same time, he successfully managed a sugar plantation, increas-

ing its productivity and providing good treatment for its workers. At twenty-eight, he became the youngest governor in the Philippines in his home province of Tarlac. His administration brought prosperity and stability to the area. He achieved national popularity when he became the youngest member of the Philippine congress in 1967. He availed himself of the "privilege hour," in which one could speak about anything with full immunity, and focused his impressive oratorical skills on attacking the Marcoses. He revealed Marcos's intent to declare martial law, castigated Marcos for lifting the writ of habeas corpus after the Plaza Miranda bombings in 1971, and revealed Marcos's corrupt practices. Aquino's own modest life-style contrasted greatly with the opulence of the Marcoses. Most flagrant of all of his denunciations were his attacks on the president's wife for using public funds for lavish and wasteful projects, especially the Philippine Cultural Center, which he characterized as "Imelda's Pantheon."

Aquino's incarceration in Forts Magsaysay and Bonifacio from 1972 to 1980 enhanced his reputation as a martyr for international human rights. Written in self-defense at his military trial in 1977, his *Testament from a Prison Cell* (1977) was both a documentary of Marcos's abuse of power and Ninoy's own vision for a free society. This society was to incorporate democratic institutions with Christian policies of social justice. His political program was greatly influenced by the experience of his Christian conversion in 1975, while he was on a hunger strike in jail. His newfound ideology found deep support among the liberals in the Filipino church and from the Filipino people.

In 1980, Ninoy suffered a severe heart problem that necessitated surgery. Instead of facing the possibility of having Aquino die in a Manila hospital, Marcos allowed him to leave the country for medical care in the United States. For the next three years, Aquino traveled extensively to organize Filipino exile groups and to publicize the problems in the Philippines. Soon after he recovered from his heart operation, he spoke before the Asia Society. His oft-quoted speech ended with a ringing declaration of his commitment to helping his countrymen oppose authoritarian rule in order to support freedom: "I have carefully weighed the virtues and the faults of the Filipino, and I have come to the conclusion that he is worth dying for."

Officials of the Carter administration, especially Assistant Secretary of State Richard Holbrooke and congressmen Stephen Solarz and Donald Fraser, had been sympathetic to Aquino. Ronald Reagan, who had been a special guest at the opening of Imelda Marcos's Philippine Cultural Center, directed his administration to support Ferdinand Marcos. For Reagan, the security of American military bases in the Philippines took priority over human rights and the

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welfare of Aquino and the opposition. Realizing that his influence on United States policies had become limited, Ninoy decided to return to the Philippines.

The reaction to Aquino's assassination was overwhelming and maintained its momentum until 1986, when Corazon Aquino became president. Millions of people gathered for the funeral procession. Archbishop Jaime Sin's homily further expressed the Catholic Church's regard for Benigno Aquino and underlined the need to seek peace and justice through a change in government. The government's clumsy show trial that exonerated General Ver further outraged the population. The success of Corazon's People's Power movement drove the Marcoses, General Ver, and their close followers into exile. With the major witnesses absent, a new investigation of the assassination could not reveal the real perpetrators, but a 172-page report in 1990 did set the record straight: The alleged communist gunman, Rolando Galman, was innocent, and the military men who had surrounded the plane were guilty of conspiracy to commit murder.

Impact of Event

A self-conscious nationalist who was proud of his family's anti-imperialist traditions, Ninoy became a Filipino martyr in the tradition of José Rizal. Like Rizal, Ninoy was willing to die for his country and the freedom of his people. His prison experiences—writings, political organization, hunger strike, soli-

tary confinements, and abusive interrogations—were obviously similar to other famous international cases of conscience and resistance such as those of Nelson Mandela, Andrei Sakharov, and Martin Luther King, Jr.

Ironically, Ninoy admired the autocratic and authoritarian rule of leaders such as Kemal Atatürk of Turkey, Lee Kuan Yew of Singapore, and even General Park Chung Hee, who had placed South Korea under martial law in 1972. Ninoy, however, became a symbol of the People's Power movement in the Philippines. The success of this nonviolent and democratic overthrow of an autocratic ruler provided great hope and inspiration to democratic and human rights movements throughout East Asia. Democratic movements in Taiwan, South Korea, and even China looked for lessons in the Philippine experience. Largely through the success of nonviolent protest, martial law in Taiwan and in South Korea was abrogated in the mid-1980's. Only in China was the democracy movement aborted. The Philippine symbol of personal sacrifice and political accomplishment, however, remained greatly admired in East Asia.

Ninoy's international reputation and popularity resulted in tremendous attention from journalists and human rights organizations. Domestically and internationally, the problems of the Philippines were studied and reports about them were circulated. Under Marcos, there was very little outside interest in the Philippines, and much of the critical information available was censored by the government or by multinational businesses. Nevertheless, a large number of domestic human rights monitoring groups kept a close account of abuses. In addition to many church and lay organizations, the Free Legal Assistance Group (FLAG) became well regarded for its reports and struggles on behalf of human rights issues.

Benigno Aquino's assassination alarmed the Filipino citizenry to the point where they became conscious of the need to develop and monitor policies of social justice in order to further the attainment of human rights for all. This establishment of a new standard to measure political success was Benigno Aquino's greatest domestic and international legacy.

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Richard C. Kagan

Amnesty International Starts Program to Prevent Torture

Category of event: Civil rights; health and medical rights; prisoners' rights

Time: October, 1983

Locale: London, England

Amnesty International's Campaign Against Torture, which was begun in 1972, culminated in the adoption of the 12-Point Program for the Prevention of Torture

Principal personages:

PETER BENENSON (1921-), a London lawyer who founded Amnesty International

MARTIN ENNALS (1927-), the secretary-general of Amnesty International who proposed the first statute against torture

SALVADOR ALLENDE (1908-1973), the president of Chile whose government was overthrown by a military coup

Summary of Event

Amnesty International's campaign against torture began almost incidentally in 1965, almost four years after AI's founding by Peter Benenson. Two publications on prison conditions, one on South Africa and the other on Portugal and Romania, contained evidence that physical and mental pain were being applied against prisoners. The South African report indicated no official guidance on prisoners' torture; wardens were allowed to devise their own means of interrogation, such as burying prisoners up to their necks and then urinating into their mouths. By contrast, the report on Portugal showed a well-organized system of torture. For example, when thirty-one students were arrested in 1965, they were subjected to the "statue" treatment, which involved having the prisoner stand and preventing him or her from sleeping more than ten minutes at a time. The Romania report was primarily of historical value since the prisons were empty of political detainees at the time that the information was released.

In 1968, Amnesty International's membership rose to include twenty national sections, and its funds increased to \$23,000. Because it now had the resources to take on a new mission, Amnesty International began to address

the problem of worldwide torture itself. The secretary-general of Amnesty International, Martin Ennals, presented a new statute that would streamline the administration to enable it to cope with what he called its "mammoth objective": the abolition of torture. This action was taken primarily in response to the Greek coup of 1967, which brought a right-wing military *junta* to power. As soon as this dictatorship took over the country, six thousand people were arrested. Reports to Amnesty International told of ill-treatment of these prisoners. The standard initial torture was the *falanga*, which involved beating the soles of a prisoner's feet with a stick or pipe and then forcing him or her to run through a gauntlet of heavy blows. A special report on these atrocities, prepared by two lawyers who visited Greece, Anthony Marreco and James Becker, was published in 1968. That same year, Amnesty International published a hundred-page booklet entitled *Torture in Greece* which not only verified the data included in the Marreco-Becker report but actually showed that the earlier document had underrated the extent of torture in that country. For example, prisoners were forced to stand on one foot at attention for several hours, with intermittent beatings. Because of these publications, the military *junta* was ousted from the Council of Europe. In 1975, one year after the *junta* had been ousted, twenty-four soldiers were tried and convicted on charges of torture. This trial was important to Amnesty International because it provided a rare look into the torture methods and the training of torturers.

In December, 1972, Amnesty International began a worldwide "Campaign for the Abolition of Torture." In 1973, the United Nations General Assembly followed suit by passing a resolution formally denouncing torture. This resolution asked all nations to "adhere to existing international instruments forbidding the practice of torture." The United Nations passed a declaration against torture and other cruel, inhuman, or degrading punishment in 1975.

The 1972 Amnesty statute was followed a year later by the publication of the first edition of an international survey on torture. This country-by-country report concluded that torture was deliberately used by many nations, often employing the services, either directly or indirectly, of police, soldiers, doctors, civil servants, judges, and scientists. The survey devoted little space to torture methods in communist countries, where torture was unnecessary because the huge secret police forces made opposition almost impossible. Instead, the survey concentrated on Africa, Central and South America, the Middle East, and Asia. The worst offenders, the survey charged, were Chile, Brazil, Paraguay, and Turkey.

The latest reports came from Chile, where President Salvador Allende had been overthrown in September, 1973. Some of the allegations of torture and

maltreatment included cases of burning with acid or cigarettes, of electrocution, and of psychological threats, including simulated executions and threats to families of the prisoners. An unknown number of women were raped or subjected to having insects forced up their vaginas. Pregnant women were often beaten until they aborted. An Amnesty delegation concluded that torture in that country had reached "animalistic levels."

Shortly after Brazil was taken over by a military coup in 1964, Amnesty International became flooded with reports of torture of political prisoners. In 1972, Amnesty published a ninety-page document which gave the names of 1,081 people who had been tortured, as well as the names of 81 torturers. The report also revealed the existence of an advanced school of torture, run by the army. The most original method of torture to emerge from this school was the *pau de arara* (the "parrot's perch"). After his or her arms and legs had been tied together, the prisoner was suspended from an iron bar under the knees and beaten, whipped, or shocked with electrodes.

Brazil's neighbor, Paraguay, was another South American country where atrocities were committed by a military regime. President Alfredo Stroessner, the general who had come to power in 1954, frequently employed torture during the 1960's as a means of interrogating suspected communists. Professor Luis Resck, who was adopted by Amnesty as a prisoner of conscience, was arrested, beaten, and ill-treated a total of thirty-six times.

In 1972, an Amnesty investigation of the atrocities committed in Turkey produced another prisoner of conscience, a woman. The Turkish government declared that no prisoners had been ill-treated and even permitted the mission to interview one of them, a twenty-three-year-old woman named Ayse Semra Eker, who had been seized in the street. Eker's statement revealed a strain of sexual sadism in the torturers. After beating her arms and legs with an axe handle, a police officer inserted a truncheon with an electric wire attached to it into her vagina and passed current. Eventually, she was released, but she could not menstruate for four months. Amnesty International's 1973 *Report on Torture* asked if Ayse Eker's torture could be justified; it concluded that there are countries that think that it can.

The annual reports that were published by Amnesty throughout the remainder of the decade found that many governments subscribed to U.N. human rights declarations and resolutions on paper only. Physical methods of torture were still openly used in the 1970's in dictatorships in Spain, Iran, and Iraq. The Amnesty reports also discovered clandestine torture being used in Third World nations such as Uganda and Ghana. A particularly disturbing trend that emerged at this time was the development of psychiatric and medi-

cal techniques designed to control a prisoner's behavior.

By 1983, it became clear that more formal measures were needed to deal with the worldwide problem of torture. The continued use of old methods of torture as well as the invention of new ones in countries such as Guatemala, Syria, and Rwanda led, in October, to Amnesty's adoption of its 12-Point Program for the Prevention of Torture.

The twelve points are as follows. (1) law enforcement personnel must never employ torture; (2) incommunicado detention should not become an opportunity for torture; (3) prisoners must be held in a publicly recognized place; (4) all prisoners must be told of their right to lodge complaints about their treatment; (5) all reports of torture must be independently investigated; (6) evidence obtained through torture should not be invoked in court proceedings; (7) acts of torture must be categorized as punishable offenses under criminal law; (8) torturers should be prosecuted, and there should be no "safe haven"; (9) training procedures of all prison officials must make it clear that torture is a criminal act; (10) victims of torture and their dependents should be entitled to compensation; (11) all nations should intercede with governments accused of torture; and (12) all governments should ratify international instruments containing safeguards and remedies against torture.

Impact of Event

Since its birth in 1961, Amnesty International has repeatedly demonstrated to its critics that ordinary people really can save from torture men and women they have never met. The publication of Amnesty International's 12-Point Program for the Prevention of Torture in its 1984 book-length report *Torture in the Eighties* helped to mobilize worldwide reaction against torture. Although Amnesty has no scientific way to measure its effectiveness, its stand on torture has clearly struck a nerve in people everywhere. In a number of countries—Argentina, Bolivia, Chile, Colombia, El Salvador, Guatemala, Honduras, and Mexico—human rights organizations have been formed to combat the use of torture. In the United States alone, more than five hundred groups have formed to help Amnesty International stop torture. In 1984, largely as a response to Amnesty's annual reports on worldwide torture, the U.S. Congress passed and the president signed into law an American commitment against torture that requires diplomats to report regularly on human rights abuses overseas and to take specific steps to end them.

Following the publication of *Torture in the Eighties*, thousands of young people all over the world adopted Amnesty's cause as their own. In September, 1988, a group of performers including Bruce Springsteen, Sting, Peter Ga-

briel, Tracy Chapman, and the band U2 generated millions of dollars for Amnesty International through their benefit tour entitled "A Conspiracy of Hope: Concerts for Amnesty International." Accompanying the tour were victims of repressive governments, including a Chilean torture victim and a survivor of Cambodia's Khmer Rouge regime.

Probably the most important measure of the effectiveness of Amnesty's war against torture is the number of governments that have gone to great lengths to improve their image. As a direct result of Amnesty's publications, a number of nations have abolished torture, Portugal, Equatorial Guinea, Democratic Kampuchea, and Rhodesia among them. Other nations, such as Guatemala and Peru, have tried to discredit Amnesty by accusing the organization of being part of a communist conspiracy. Some nations, such as Turkey, have even gone as far as hiring public relations firms in America to change the way that the world views them as a result of Amnesty's accusations of torture. These measures on the part of the accused nations demonstrate that one powerful weapon for preventing the use of torture is the mobilization of international opinion and pressure. This has always been, and will continue to be, the primary goal of Amnesty International.

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Alan Brown

Indira Gandhi Is Assassinated

Category of event: Indigenous peoples' rights; political freedom

Time: October 31, 1984

Locale: New Delhi, India

Revenge was the immediate motive for the two men who shot and killed Indian prime minister Indira Gandhi, but a complex chain of historical events made the murder almost inevitable

Principal personages:

JARNAIL SINGH BHINDRANWALE (1947-1984), the foremost leader of those Sikhs calling for the establishment of an independent state in the Punjab
INDIRA GANDHI (1917-1984), the daughter of India's first prime minister, Jawaharlal Nehru; was unable to manage the Sikh separatist movement in the Punjab

HARCHAND SINGH LONGOWAL (1932-1985), a leader of the moderate wing of the Akali Dal, the largest Sikh political organization

BEANT SINGH (?-1984), a member of Indira Gandhi's elite personal bodyguard who participated in her assassination and was killed on the spot by her other security officers

SATWANT SINGH (?-1989), a bodyguard of Indira Gandhi who participated in her murder; tried and hanged January 6, 1989

Summary of Event

Indira Gandhi, in effect, signed her own death warrant when she ordered the Indian army to execute "Operation Bluestar" in the first days of June, 1984. Bluestar involved putting the entire state of Punjab under martial law, but, more important, it called for soldiers to invade the precincts of the Golden Temple, the most sacred shrine of the Sikhs located in the Punjabi city of Amritsar.

In January of the same year, a charismatic Sant (a Sikh holy man) named Jarnail Singh Bhindranwale occupied parts of the Golden Temple with more than one hundred of his followers. They began to collect a cache of weapons and vowed that they would not leave the temple until the government of India allowed the Sikhs their own state in the Punjab.

From January until May, Indira Gandhi's administration tried to ignore Jarnail Singh Bhindranwale and his private army. The increasing militancy of this army of extremists expressed itself in a wave of assassinations of more moderate Sikhs and Hindus. Public pressure mounted for some kind of strong action, and the press criticized Indira Gandhi for her seeming weakness. In May, the general staff of the Indian army began to plan a response to the militant takeover of the Golden Temple. They gave it the code name Operation Bluestar.

Bluestar envisioned a surprise attack on the militants in the Golden Temple. The army also expected that its soldiers would require only small arms to achieve their mission. From the start, everything went wrong. The Golden Temple itself was crowded with innocent pilgrims unaware of any danger. As many as one thousand of the visitors were caught in the crossfire. The militants put up stiff resistance, forcing the army to employ tanks and heavy artillery. More than one hundred soldiers and uncounted numbers of pilgrims and militants died in a battle that lasted through June 4 and June 5. The Golden Temple compound itself sustained serious damage. For example, a library containing many early copies of the Sikh holy book, *The Shri Guru Adi Granth Sahib*, was reduced to ashes.

Jarnail Singh Bhindranwale died during the assault. A number of his associates, however, managed to escape during the battle. They formed the core of an expanding army of rebels. These rebels continued to assassinate their opponents within the Sikh community as well as indiscriminately massacre Hindu residents of Punjab or other non-Sikhs who happened to be passing through the area on trains and buses.

Indira Gandhi tried to avoid the practical consequences of the Bluestar disaster. Although her closest advisers told her to transfer the Sikhs in her personal bodyguard, she refused to take any action that would appear to accentuate communal tensions.

At about 9:00 A.M. on the morning of October 31, 1984, Mrs. Gandhi left her residence and began to walk across the walled garden that separated her home from her office. On the way, two of her guards, Beant Singh and Satwant Singh, approached her and opened fire with their automatic weapons. At least sixteen bullets pierced her body. Beant Singh was killed immediately by other members of the security forces. Satwant Singh was later hanged for his role in the assassination.

One needs to understand parts of India's religious background to understand fully Indira Gandhi's assassination. The Sikh religion is rooted in the preaching of ten "gurus" (teachers), the first of whom was Nanak (1469-1539)

and the last Gobind Singh (1666-1708). The word “sikh” itself means disciple or student. The early Sikh leaders asserted that there was only one god and combined their monotheistic beliefs with a social doctrine rejecting any hierarchy based on caste in favor of a single community (the *Khalsa*; literally, “the pure”) in which all believers were equal.

The earliest gurus advocated pacifism, but the Sikh movement became involved with the Punjab region’s resistance to the revenue exactions of the Mughals, a Muslim dynasty that ruled parts of India from the sixteenth through part of the eighteenth century. Sikhs began to equate that empire’s attempts to suppress the tax rebellion with religious persecution. In response, the Sikh religion became increasingly militaristic. Guru Gobind Singh added to the rise in militarism by decreeing that every “true” Sikh undergo a special baptism and take the name Singh, which translates as “Lion.” As marks of their status, every male was supposed to carry a sword, wear clothes suited to a warrior’s life, and avoid such things as alcohol, that might diminish a fighting man’s prowess in battle.

As the authority of the Mughal empire began to disintegrate in the eighteenth century, the Sikhs of the Punjab region were able to establish their own independent states. The empire of Ranjit Singh (1792-1839) brought together those petty kingdoms. Shortly after the death of Ranjit Singh, the expanding British empire came into conflict with the Sikhs. In two wars, the British narrowly defeated them, but during those conflicts the Sikhs won the admiration of the British military. The British classified the Sikhs as one of India’s martial races, which meant that Sikhs had a privileged place in Britain’s Indian army.

The British actually worked to enhance the importance of Guru Gobind Singh’s religious reforms. Before Gobind Singh, the Sikhs had been barely distinguishable from other popular religious movements in the Punjab. Gobind Singh’s emphasis on such things as baptism and a prohibition on the trimming of a male’s hair and beard served to distinguish his followers. The British army recruited only men who had undergone the baptism and adhered to Gobind Singh’s rules.

During the Revolt of 1857, also known as the Mutiny, Sikhs remained steadfastly loyal to the British. The support of Sikh troops was especially crucial during the siege of Delhi. Considered not only martial, but also trustworthy, the Sikhs formed one of the largest components of the British Indian army. After Indian independence in 1947, the proportion of Sikhs in the military (around 25 percent) considerably exceeded their numbers in India’s general population (less than two percent).

When the British decided to give up their Indian empire in 1947, they



Indira Gandhi. (Library of Congress)

reluctantly agreed to divide the subcontinent between a Muslim nation, Pakistan, and a predominantly Hindu India. Although one of the cardinal doctrines of the Sikhs is “We are not Hindu, we are not Muslim,” the Sikh community’s leaders agreed to be counted as Hindus at the time of partition, believing that it would be advantageous to be part of the larger state of India. This brought considerable hardship to the Sikhs. Many of them lived in the western Punjab, the region which would go to Pakistan. As they moved eastward toward the new border, they encountered many Punjabi Muslims headed west, toward Pakistan. What some saw as a forced migration raised tensions and escalated ill feelings between groups. Many incidents of violence occurred during this period.

In 1947, a minority of Sikhs did not agree with the policies of their leaders. A few believed that the Sikhs should have joined Pakistan. Others believed that the Sikhs would be better off having their own nation. By the 1950’s, the Sikhs were politically divided. Even the moderates began agitating for a “Punjabi Suba,” a distinct province with a Punjabi-speaking majority. In 1966, Indira Gandhi’s government seemed to accede to that demand. The hill tracts of northern Punjab that had a Hindi-speaking majority were separated into a new state, Himachal Pradesh, with its capital at Simla. The Hindi-speaking areas of southern Punjab were turned into the state of Haryana. The state of Punjab was much reduced in size, although it did have a Sikh majority of fifty-two percent. Punjab and Haryana were supposed to share a common capital at Chandigarh. Many Sikhs, both moderates and extremists, decided that these changes did not meet their demands. Harchand Singh Longowal, the moderate leader of the Akali Dal, the largest Sikh political organization, began to agitate for the transfer of Chandigarh to Punjab alone.

Despite the political turmoil, Punjab’s economy in the 1960’s and 1970’s boomed. The “Green Revolution” particularly benefited farmers who had the capital to invest in new strains of grain seed and chemical fertilizers. Even without those resources, Punjabi farmers experienced a rising standard of living. The income of the average Punjabi peasant household was more than twice that of farmers elsewhere in India. The government invested considerable sums in the region to build roads, irrigation works, and small industries. In the 1980’s, however, the boom ended. The burden fell most heavily on small peasant producers. In their frustration, these peasants began to listen to the voices of political radicals such as Jarnail Singh Bhindranwale.

At the same time, Indira Gandhi’s government began to discuss plans that called for the numbers of any given community in the military to match their proportion of the total population. For the Sikhs, this would have meant a

reduction in their membership from twenty-five percent to less than two percent. Many Sikhs depended on military service as a means of earning cash income, which in turn allowed them to enter into business ventures. The plan would have caused them great economic hardship. The mere mention of the idea further alienated the Sikhs and persuaded increasing numbers of them that only in their own state could they be truly secure.

The increased agitation favored the radicals, whose takeover of the Golden Temple was supported by a significant number of Sikhs. In choosing confrontation over negotiation, Indira Gandhi failed to win back the loyalty of the majority of Sikhs. The assault on the Golden Temple served only to inflame the religious component of Sikh radicalism and led not only to Indira Gandhi's death but also to the deaths of uncounted Indians.

Impact of Event

Shortly after Indira Gandhi's death, a wave of violence broke out against the Sikhs in Delhi. Busloads of young thugs were brought into Sikh neighborhoods and allowed to rape, kill, and pillage. The police made no attempt to interfere. Although the Sikhs fought back, they were outnumbered, and many died. The government's official count of the dead was twelve hundred, but most observers believed that figure was far too low.

In the wake of the violence, many claimed that the killings had been orchestrated by officials in the Congress Party. Rajiv Gandhi, who was sworn in as prime minister on the night of his mother's murder, promised an inquiry into the rioting. In April, 1985, that he appointed a commission of inquiry, headed by Justice Misra. The committee met and investigated for two years before it finally released a report. The report did not name any individual culprits. No leader of the Congress Party was indicted, and the public, especially the Sikhs, claimed that the commission had covered up the truth.

Rajiv Gandhi attempted to forge an alliance with the moderate Sikhs. He agreed to Harchand Singh Longowal's request that Chandigarh would serve as capital of the Punjab state only and not be shared with Haryana state. In 1985, Longowal was assassinated. Rajiv Gandhi no longer had a Sikh leader of any significance with whom to negotiate.

In the years since 1984, murder and massacre became endemic in the Punjab and the areas immediately adjacent to it. Militants bombed buses and stopped trains, pulling off all non-Sikh passengers and brutally killing them. The Punjab was placed under a state of emergency, but the violence continued. No easy solution to the conflicting demands of the Sikhs and the government of India seemed likely to appear.

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Gregory C. Kozlowski

French Government Sinks Greenpeace Ship

Category of event: Atrocities and war crimes; peace movements and organizations

Time: July 10, 1985

Locale: Auckland Harbor, New Zealand

French bombing of a Greenpeace ship heightened public awareness about the series of nuclear tests being conducted in the Pacific and raised questions regarding civil control over security services in France

Principal personages:

CHARLES HERNU (1923-1990), the head of the French Ministry of Defense at the time of the attack and one of those held responsible for it

PIERRE LACOSTE (1898-1989), the head of the French Intelligence Service responsible for carrying out the attack on the *Rainbow Warrior*

François MITTERRAND (1916-1996), the president of France; French newspapers alleged that he sought to cover up his government's involvement in the attack

LAURENT FABIUS (1946-), the prime minister of France; directed that inquiries be undertaken and dismissed members of his government for their involvement

DAVID LANGE (1942-), the prime minister of New Zealand; opposed nuclear testing in the Pacific

Summary of Event

Shortly before midnight on July 10, 1985, two bombs ripped through the hull of the *Rainbow Warrior*, which was anchored in the harbor in Auckland, New Zealand. The first blast occurred near the engine room and created a hole large enough to drive a truck through. The second blast came a minute later, near the propeller. It destroyed the ship's propulsion system. One member of the *Rainbow Warrior's* fourteen-person crew, photographer Fernando Pereira, was killed.

The *Rainbow Warrior* was a thirty-year-old converted research trawler that Greenpeace had bought in 1977 with a grant from the Dutch branch of the

World Wildlife Fund. Greenpeace itself was established in 1969 by Canadian environmentalists. It advocates direct and nonviolent action to bring attention to the world's environmental problems and is well known for its confrontational tactics.

The *Rainbow Warrior* was the flagship of Greenpeace's busy fleet of four protest vessels. Previously, it had sailed to Iceland, Spain, and Peru to protest commercial whaling operations. It had also sailed into Siberian waters to document illegal Soviet whaling operations. Other missions saw it bring attention to the Canadian slaughter of harp seal pups on icepacks, to American chemical dumping and offshore oil and gas development, and to the dumping of nuclear waste in the North Atlantic.

By using the *Rainbow Warrior* and its other vessels in this way, Greenpeace brought worldwide attention to the negative environmental impact of these actions and, on occasion, seemed to goad governments into taking corrective measures. For example, Peru closed down its whaling operations following the *Rainbow Warrior's* 1982 campaign against whaling, and the European Parliament voted a ban on the dumping of radioactive waste at sea. Many also link the increased global concern for the fate of whales to Greenpeace's efforts. On the other hand, Greenpeace's aggressive tactics also brought the organization into recurring conflict with national authorities. On more than one occasion, the *Rainbow Warrior* or its crew were seized and had to either engineer a dramatic escape or rely on diplomacy to secure freedom.

In 1985, Greenpeace International decided to make the Pacific Ocean its priority for that year. The focus of its concern was with the continued use of the region as a nuclear testing area. The testing of nuclear weapons had begun in the Pacific only a few short years after the end of World War II. In May and April of 1948, Operation Sandstone was conducted at Eniwetok Atoll. The three nuclear explosions that were carried out as part of this test ranged in magnitude from eighteen to forty-nine kilotons. In comparison, the explosion at Hiroshima was thirteen kilotons and that at Nagasaki was twenty-one kilotons.

In conducting these early tests, officials routinely played down or ignored the potentially dangerous consequences that followed from exposure to high levels of radiation. By the late 1950's, the evidence of danger became increasingly difficult to dismiss, and public pressure began to build for a halt to the above-ground or atmospheric testing of nuclear weapons. In 1958, both the United States and the Soviet Union agreed to stop such tests and began negotiating a test ban treaty. As Cold War tensions between these states heated up, interest in arms control faded. In 1961, the Soviet Union announced that it

would resume atmospheric testing. The United States quickly announced that it would also end its moratorium on these tests. Concern over how close the Cuban Missile crisis had brought the world to war reversed this trend and led to the signing of the 1963 test ban treaty which, while it outlawed the atmospheric testing of nuclear weapons, did permit their continued underground testing.

In 1968, the two superpowers took another step toward arms control by signing the Nonproliferation Treaty. By terms of this treaty, signatory states that possessed nuclear weapons would refrain from helping nonnuclear states to acquire such weapons. States that did not have nuclear weapons pledged not to attempt to develop them. France refused to sign this treaty (only in 1991 did it indicate a willingness to do so). France steadfastly maintained that only a French nuclear force can guarantee French survival and sovereignty. To that end, it asserted the right to engage in the acquisition of nuclear weapons and to test and improve the weapons in its nuclear inventory.

At first, France tested its nuclear weapons in the Sahara Desert. Its first test came on February 13, 1960. With the success of the Algerian revolution and the passing of French colonial stewardship over North Africa in 1962, the French were forced to turn elsewhere to continue testing their nuclear weapons. It was for this reason that Charles de Gaulle established a French test facility in the Pacific in 1966. The site selected was Mururoa Atoll. French nuclear tests were conducted there in 1972 and 1973.

The centerpiece of Greenpeace's protest efforts in 1985 was to be the disruption of French activities in Mururoa, scheduled as the site of an October nuclear test. Unlike earlier protest activities noted above, this protest was planned in advance and was not spontaneous in nature. The *Rainbow Warrior* was in Auckland in preparation for that protest. Its disruption of the French nuclear test was to be the highlight of the protest effort. Protest vessels and Greenpeace were no strangers to the French. According to the *New Statesman*, in 1966 a motorized sail ship was crippled en route to Mururoa by having sugar poured in its tanks. The following year, a mysterious illness struck a member of that same ship's crew. In 1972, another protest ship was sabotaged and yet another was crippled in the water after French officials boarded the ship to inspect it. With this history, it was not surprising that suspicion quickly fell upon the French, who denied any responsibility for the *Rainbow Warrior* bombing. Misgivings regarding the role of the French, however, were not easily erased. After three days of investigation, New Zealand authorities arrested a French-speaking couple who held false Swiss passports. Authorities were also able to identify others involved in the bombing as well as the vessel they had

used. Both the vessel and the other suspects, who had actually done the bombing, managed to flee New Zealand before they could be arrested.

Uncharacteristically, French newspapers did not accept government denials about its involvement in the bombing but published information suggesting that a link existed. In early August, Prime Minister Laurent Fabius announced that Bernard Tricot, a former adviser to de Gaulle, would head an inquiry into the attack on the *Rainbow Warrior*. Tricot termed the evidence he was shown by New Zealand authorities as disquieting but not conclusive. He acknowledged that those under suspicion by New Zealand were French agents but asserted that they were innocent. Tricot also recommended that a more detailed study be conducted. With the debate over French complicity refusing to die, Fabius then asked Minister of Defense Charles Hernu to conduct the recommended study. To show his support for the nuclear program and to demonstrate his government's innocence, French President François Mitterrand went to Mururoa in September to witness a test of a French nuclear weapon.

Within days of his return, *Le Monde* added more fuel to the controversy by suggesting that high French government officials had ordered the bombing, or at least had known about it in advance. Implicated were Defense Minister Hernu, General Jean Saulnier, and Pierre Lacoste, head of the French intelligence service. *Le Monde* also charged that Mitterrand, while he had known nothing about the attack prior to its taking place, had been informed about French involvement about one week afterward. In late September, Fabius acknowledged that French agents had sunk the ship and blamed Hernu and Lacoste, both of whom were forced to resign.

The *Rainbow Warrior* affair came to an end in July, 1986, when United Nations Secretary-General Javier Perez de Cuellar, who was brought in to mediate a settlement, announced his decision. He ruled that France should formally apologize to New Zealand, pay \$7 million in damages, and refrain from taking any action that would threaten New Zealand's trade with the European Community. New Zealand was to turn over to France the two convicted French agents, who would spend three years in a French military jail.

Impact of Event

As in the past, Greenpeace planned to use the *Rainbow Warrior* to bring world-wide attention to an environmental danger. It succeeded in doing so not through its efforts but through the actions of the French government. The French decision to attack the *Rainbow Warrior* does not appear to have been a spontaneous one. Documents reveal that at least as early as July officials anti-

pated the environmental protest threat. Press reports also suggest that Hernu asked his chief adviser to keep an eye on protest activities and to keep them out of the French test zone.

The long-term significance of the French attack on the *Rainbow Warrior* can be found in several areas. First, the incident played a major role in the continued development of antinuclear feelings in the Pacific. Earlier that year, New Zealand had refused to allow a United States destroyer into its waters because the United States would not divulge whether it carried nuclear weapons. Mitterrand's trip to Mururoa was characterized by both Australia and New Zealand as provocative. Second, the attack needs to be viewed in the context of decolonization in the Pacific. The micro states of the Pacific have been among the last to receive their independence, and nuclear testing on or around them raises serious questions regarding their true territorial sovereignty and the quality of stewardship exercised by French colonial forces.

Third, the *Rainbow Warrior* affair is also important for what it indicates about French politics. Several themes stand out. One is the depth of the French commitment to achieving status as a great power through the acquisition and maintenance of a nuclear capability. The second theme centers on the role of the military in French politics. The government's response to the attack on the *Rainbow Warrior* demonstrated continued military influence. One of Mitterrand's first acts upon taking office in 1981 was to reorganize the French intelligence service by ridding it of many of its most ardent right-wing agents. Still, few seemed surprised when allegations surfaced regarding the possibility that these forces may have acted on their own in attacking the *Rainbow Warrior*. A further sign of the political importance of the military came when Fabius' September statement made no mention of trials or reprimands for those involved. Finally, in October, 1985, the new minister of defense announced the revival of the Eleventh Shock, an elite regiment known for its dirty tricks and right-wing sympathies.

On a more personal level, the French attack on the *Rainbow Warrior* had the effect of bringing into sharp focus the extent to which world politics was incompatible with concerns for human rights and environmental well-being. What was involved was not superpower Cold War intrigue in which spy fought spy. This was a deliberate act of sabotage, resulting in one death, that pitted a large state (France) against private citizens of other states and took place in the territorial waters of yet another state. Even the method by which the issue was resolved (by the United Nations) showed the lack of concern that world politics, as it is traditionally practiced, had for individual rights and protecting the environment. New Zealand was compensated by France for violations of its

sovereignty but little of significance was done to compensate Greenpeace or the family of Fernando Pereira. France continued its program of nuclear testing and continued to receive clandestine help from the United States in developing a usable nuclear arsenal. In response, the people of New Zealand began to protest nuclear proliferation by supporting their government's stance against permitting U.S. nuclear-armed vessels to dock in its harbors and by resisting U.S. attempts to pressure a reversal of this decision.

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Glenn Hastedt

Argentine Leaders Are Convicted of Human Rights Violations

Category of event: Accused persons' rights; atrocities and war crimes

Time: December 9, 1985

Locale: Buenos Aires, Argentina

The conviction of the Argentine commanders in chief documented a program of state terrorism and demonstrated national determination to punish human rights violations

Principal personages:

JUAN PERÓN (1895-1974), the president of Argentina (1946-1955, 1973-1974) and founder of Peronism and the Peronista political party

JORGE RAFAEL VIDELA (1925-), the commander of the army and head of the first *junta* from 1976 to 1981

ROBERTO EDUARDO VIOLA (1924-), the commander of the army and head of the second *junta* in 1981

LEOPOLDO FORTUNATO GALTIERI (1926-), the commander of the army and head of the third *junta* from 1981 to 1982

RAÚL ALFONSÍN (1926-), the leader of the Radical Party; president of Argentina (1983-1989)

Summary of Event

In December, 1985, five commanders in chief of the Argentine military who had led the nation as members of governing military *juntas* from 1976 to 1983 were convicted for human rights violations of the Argentine Penal Code. The defendants' claim that they had been engaged in a war against subversion reflected an extreme reaction to the nature of Peronist politics in Argentine history.

In June, 1973, ex-president Juan Domingo Perón returned to Argentina from exile and four months later was elected president. His return unleashed a political maelstrom in the nation. From his ascension to power in 1943, Perón had positioned himself as a champion of the working and lower classes, which he referred to as the *descamisados*, the "shirtless ones." Perón nationalized basic industry, provided jobs and social programs for the working classes,

and institutionalized his political following into the Peronist Party.

In opposition to his populist politics, the armed forces, backed by the Roman Catholic Church, overthrew Perón and sent him into exile in 1955. Over the next eighteen years, the military and civilian politicians practiced an exclusionary policy designed to proscribe Peronism. For the average Argentine, however, Peronism meant good wages, job security, and government support for labor. Consequently, the party remained vibrant and an essential element for any electoral and legislative success. Over time, the mystique of Peronism broadened and took on confusing and even contradictory interpretations.

In the aftermath of the Cuban Revolution (1959), some followers proclaimed Peronism a revolutionary movement of national liberation, and various guerrilla groups began campaigns of kidnapping and terrorism to bring revolutionary change to Argentina. The two most significant were the Montoneros, founded in 1969, and the People's Revolutionary Army (ERP), founded in 1970. The Montoneros gained the attention of the nation with the kidnapping and execution of General Pedro Eugenio Aramburu, the head of the military coup of 1955. The ERP declared the province of Tucumán a "liberated zone" and attacked military garrisons in various provinces. Perón cultivated all interpretations of his politics so that by the time of his return, Peronism, in its different guises, drew support from disparate sources. Perón took office as president in October, 1973.

The average Argentine decried the social instability of the revolutionary violence, and upon his return, Perón also condemned the radical Left. With this encouragement, a secret right-wing Argentine Anti-Communist Alliance (AAA) opened its own terrorist campaign against suspected Leftists. In July, 1974, Perón died, and the presidency passed to his wife, María Estela Isabela Martínez de Perón. The new president declared a state of siege and authorized the armed forces to annihilate the subversion. The armed forces planned not only an antiterrorist campaign but also the overthrow of the government. On March 24, 1976, a *junta* of representatives of each of the armed forces, led by army commander Lieutenant General Jorge Rafael Videla, seized the government.

The military elite had concluded that Argentina was the key battlefield in a worldwide confrontation. The enemy was left-wing terrorism. From 1976 to 1983, four consecutive *juntas* implemented a dictatorship that has been described by Juan E. Corradi as "the most radical of all military experiments in Argentine history. It was determined to become more impersonal, autonomous, permanent, repressive, and deeply 'structural' than anything before."

Argentines were accustomed to military coups serving to bring order for the next round of civilian governments. They now experienced a tragic aberration from the norm. From 1976 through 1982, 340 secret detention camps were established, and anywhere from nine thousand to thirty thousand civilians disappeared as the armed forces attacked not only the guerrilla movements but any potential or even imaginary opposition. Autonomous task forces raided homes, kidnapped, murdered, and tortured suspects with impunity. Normal security forces were prohibited from interfering with these actions, and there was a systematic denial from all levels of the state of any knowledge of the suspects.

Testimony from the trial of the various *junta* leaders offers terrifying personal scenarios. One woman described being forced to have her child in the back of a police car on the way to her next torture chamber. In one of the most poignant episodes, during the “night of the pencils” in September, 1976, seven secondary students who had supported a campaign favoring subsidies for school bus fares were kidnapped from their homes and tortured for “subversion in the classroom.” Only three survived. University curricula were purged of such disciplines as oceanography, folklore, and psychology, and even Antoine de Saint-Exupéry’s *The Little Prince* (1943) was banned as subversive literature. As defined by Videla, “A terrorist is not just someone with a gun or bomb, but also someone who spreads ideas that are contrary to Western and Christian civilization.”

In 1975, many prominent political and religious leaders organized Argentina’s Permanent Assembly for Human Rights and began to investigate more than two thousand cases of the “disappeared.” In 1977, mothers and other relatives of the disappeared began regular protest marches in the Plaza de Mayo.

In April, 1982, the armed forces tried to draw attention away from domestic problems by invading the Falkland Islands. In the short war with England, Argentine forces were defeated and the military government was undermined. Military leaders were charged by critics at home and abroad with human rights abuses and faced an increasingly united civilian political opposition. Moderates in the military created a transitional *junta* in June of 1982 and prepared the way for national elections and a return to civilian rule.

In October, 1983, Raúl Alfonsín, candidate of the Radical Party, won the election for president. Upon assuming office, Alfonsín decreed that all members of the first three military *juntas* must be brought to trial. He also created the national Commission on Disappeared Persons (CONADEP), which was ordered to investigate the disappearances and report to the government. CONADEP’s findings were published in 1984 under the title *Nunca Mas*

(never again). The report cataloged 8,960 disappearances, identified 340 clandestine detention centers, and concluded that human rights had been violated in a systematic way using state machinery.

On December 18, 1983, the members of the three military *juntas* were brought to trial, charged by State Prosecutor Julio Strassera with violations of the Argentine Penal Code by serving as “indirect perpetrators” in the criminal exercise of power using clandestine methods of repression beyond the borders of legality.

The first stage of the trial was held before the Supreme Council of the Armed Forces. In April, 1985, the proceedings were transferred to the Buenos Aires Federal Court of Criminal Appeals. Public Prosecutor Strassera introduced 711 charges against nine defendants, including Videla, Roberto Eduardo Viola (leader of the second *junta*), and Leopoldo Fortunato Galtieri (leader of the third *junta*). A twenty-thousand-page report, including three thousand statements and the presentation of more than eight hundred witnesses, attested to incidents of torture, rape, robbery, murder, and illegal detention. The prosecution charged the *junta* members with shared collective responsibility as indirect perpetrators of an organized power apparatus of state terrorism. Strassera emphasized that the trial was not a political trial. The accused were not being tried for having organized a coup or for overthrowing the constitution but rather for criminal violations of the Argentine Penal Code, which remained in force throughout the years of the *juntas*.

The defense council argued that the armed forces had been engaged in a legitimate war against armed subversives and that the commanders in chief were acting in due obedience to orders of the pre-*junta* civilian government to annihilate the enemy. If excesses occurred, the persons criminally responsible for the deeds should be on trial, and not the *junta* members. Ultimately, the defense argued that the trial was illegal.

On December 8, 1985, the federal court rendered its verdict. The court rejected the principle of collective responsibility and concluded that liability should be assessed individually. Five of the nine defendants were found guilty, and two, including Videla, received life sentences. Viola received seventeen years, and Galtieri was acquitted. All of the guilty parties were disqualified in perpetuity from holding public office, stripped of all rank, discharged from the armed forces, denied all entitlements, and ordered to pay court costs. In response to an appeal by the defense, the Argentine Supreme Court upheld the verdicts with only slight reductions of the sentences.

Impact of Event

In both political and legal terms, the significance of the trial of the Argentine commanders in chief is wide ranging. As noted by the Amnesty International report on the trial, it was unique in modern Latin American history as the only case of leading government figures who had presided over a period of gross violations of human rights being brought before a court of law to account for their misdeeds. In legal terms, the trial was unusual in the Latin American tradition of jurisprudence not only for the massive documentation and unprecedented nature of evidence presented but also for the variety of independent civil and military jurisdictions which had to be acknowledged and harmonized.

More significant in terms of human rights, the trial demonstrated that leading members of repressive regimes, without having been deposed by force, may be brought to justice before civilian courts for human rights violations within the context of national codes of criminal law. While setting aside the principle of collective responsibility, the decision of the court to assign individual responsibility under the provision of "indirect perpetrators" served notice that those who violate human rights by design, if not by direct participation, are by no means certain to escape legal prosecution.

Internationally, the trial of the Argentine commanders was viewed as a dangerous precedent by supporters of repressive governments in Chile, Brazil, and Uruguay. Following a return to civilian rule in Chile in 1990, President Patricio Aylwin named a Truth and Reconciliation Committee to investigate human rights abuses which occurred during the years of the Pinochet dictatorship (1973-1990).

In the four years following the sentencing, Argentine politics remained focused on this event. The average citizen combined the joy of a return to a civilian government with shame and horror as the trial exposed the atrocities of the generals. Some citizens pressed forward in their efforts to find the disappeared. Others chose silence. Many politicians sought some institutional reconciliation. In 1986 and 1987, the Argentine congress passed laws ending the introduction of any new prosecutions and exempting from trial all military subordinates below the rank of lieutenant colonel. In 1989 and 1990, President Carlos Menem granted controversial pardons to those convicted. Public opinion polls demonstrated that more than 80 percent of Argentines opposed the pardons. Former president Alfonsín labeled the day of the pardons the saddest day in Argentine history. Despite President Menem's conciliatory gestures, the "dirty war," the "disappeared," and the trial of the generals were continuing foci of political and personal debate in Argentina.

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Roger P. Davis

Marcos Flees the Philippines

Category of event: Indigenous peoples' rights; political freedom

Time: February 25, 1986

Locale: Manila, the Philippines

The February, 1986, People's Revolution forced Marcos to flee the Philippines, ending more than a decade of authoritarian government, economic mismanagement, and human rights abuses

Principal personages:

FERDINAND MARCOS (1917-1989), the president of the Republic of the Philippines (1965-1986), exiled to the United States in 1986

BENIGNO AQUINO, Jr. (1932-1983), a Philippine senator (1967-1972), imprisoned (1972-1980), exiled, and then assassinated

CORAZON AQUINO (1933-), Benigno's wife, assumed presidency of the Philippines in the February, 1986, People's Revolution

JUAN PONCE ENRILE (1924-), the secretary of national defense of the Philippines (1970-1986), allied with the Aquino forces to topple Marcos

FIDEL RAMOS (1928-), the deputy chief of staff of the armed forces of the Philippines (1981-1986), allied with Aquino forces to topple Marcos

Summary of Event

In 1972, President Ferdinand E. Marcos imposed martial law in the Philippines, alleging a "national emergency" arising out of the country's communist and Muslim insurgencies, economic dislocations, and general civil disorder. The insurgencies posed no immediate military threat to the country, but Marcos faced the end of his term in office and was constitutionally prohibited from seeking reelection. The national emergency was his way of retaining power. Nine years of formal martial law and an additional five years of de facto authoritarian government resulted in a deterioration of the political order, the militarization of society, widespread human rights abuses, and economic collapse.

Upon declaring martial law, Marcos suspended the country's congress; he ruled by decree. Political opponents, including Senator Benigno "Ninoy" Aquino, were arrested. Three years into martial law, fifty thousand people had

been imprisoned. Newspapers as well as television and radio stations were shut down.

Over the course of the martial law era, Marcos assumed most executive and legislative prerogatives within the country. Members of the judiciary served at his pleasure. Opposition newspapers and electronic media were sold to Marcos family members and friends. The media were subject to varying levels of censorship. Strikes were forbidden, and labor organizers, attorneys, civil rights workers, and dissident religious leaders were harassed and prosecuted. Citizens' right to a writ of habeas corpus was suspended.

The implementation of martial law and the necessity of combating the growing communist and Muslim insurgencies were used as the rationale for massive increases in military manpower and expenditure levels. The armed forces, 62,000 strong in 1972, grew to 230,000 by 1986. During the martial law decade, military budgets increased 257 percent; by 1986, the Philippines had Asia's fastest growing military, with annual expenditures of \$600 million. Military resources were concentrated in Manila to support the martial law government. In the countryside, a poorly paid and undisciplined army confronted insurgents in conditions of guerrilla warfare. Military abuses against the civilian population were pervasive.

The most blatant perpetrators of such abuses were the Civilian Home Defense Forces (CHDF), bullies and petty criminals recruited from the indigenous population and armed and paid by the Philippine government. Incidents of incommunicado detention, torture (including beatings, suffocation, electric shocks, rape, and mutilation), killings, and "disappearances" of civilians involving the armed forces of the Philippines and the CHDF were well documented by international organizations such as Amnesty International and Task Force Detainees of the Philippines (TFDP, a unit of the Association of Major Religious Superiors). Between 1976 and 1986, the CHDF was implicated in more than two thousand murders. Immediately preceding the February, 1986, People's Revolution, the city of Davao experienced an average of three to four murders per day, yet no one had been brought to justice in more than a year. During the late 1970's and early 1980's, TFDP documented an average of thirty disappearances a year.

The reversal of political development and cost in terms of human suffering imposed by the martial law era were rivaled in severity by the economic mismanagement of the period, in terms of long-term damage. In 1965, the Philippines was second to Japan in the region in terms of prospects for economic growth. When Marcos fled the country, the Philippines was in an economic shambles. Ownership and control of entire economic sectors of the country

had been transferred to approximately two hundred Marcos family members and friends in what became referred to as “crony capitalism.” Funds in the national treasury and aid from international sources were diverted from worthwhile ventures to kickbacks, showcase projects, and personal use. Moderate estimates suggest that Marcos and his associates transferred approximately \$25 billion into foreign bank accounts and real estate investments in their own names.

The foreign debt of the Philippines in 1969 was \$738 million; by 1986, the country’s external debt was \$26.5 billion. Debt service consumed sixty percent of the country’s export earnings. This debt burden, mismanagement, corruption, and international factors such as the oil crises and the decline of prices for export commodities produced a negative average annual growth rate of three percent in the country’s economy between 1984 and 1986. In 1965, twenty-eight percent of the population lived below the internationally established poverty level; by 1986 that figure had risen to sixty percent. An unemployment and underemployment rate of thirty percent in 1986 and malnutrition among seventy percent of Philippine school children are indicators of the human suffering that resulted from mismanagement and corruption. In 1985, the Roman Catholic Church reported that one hundred children in the city of Bacolod died each month from hunger and hunger-related illnesses, out of a population of about 250,000. The World Health Organization reported that the Philippines had the highest incidence of tuberculosis of any country in the western Pacific.

These political, economic, and social conditions coalesced to create a volatile political environment in the early 1980’s. As the crony-run corporations collapsed and Marcos’s associates fled abroad with their assets, the financial situation deteriorated. This, combined with international outrage at the human rights violations, concerns about the rising influence of the left in the country, and Marcos’s failing health, made change in the Philippines inevitable. The most prominent member of the exiled opposition, Benigno Aquino, was assassinated at the Manila airport on August 21, 1983, while attempting to return home to participate in the process of political change. Most analysts regard the assassination as the beginning of the end for the Marcos regime. The official government investigation of the assassination and exoneration of the military officers accused of the crime did not convince the public of Marcos’s innocence in the act.

To provide legitimacy for his continued exercise of power in the face of increasing domestic and international pressure to step aside, Marcos called a snap presidential election for February 7, 1986. A multiplicity of opposition

groups, including the Catholic Church, the labor movement, civil rights activists, students and academics, and in the wake of the assassination and economic collapse, the middle class and the business community, united behind the candidacy of Corazon Aquino, widow of Benigno Aquino.

Both Marcos and Aquino claimed presidential victory in the election, which was characterized by many highly publicized incidents of cheating by Marcos partisans. It is estimated that 400,000 people in Manila alone, or ten percent of the electorate, were disenfranchised by having their names removed from electoral lists before election day. The Conference of Bishops of the Roman Catholic Church charged the Marcos regime with a “criminal use of power to thwart the sovereign will of the people.” A compliant Parliament validated Marcos’s election. Aquino responded on February 16 by calling her supporters to participate in a nonviolent civil disobedience campaign.

On February 22, as the Marcos regime moved to eliminate its enemies among the military reform movement, Minister of Defense Juan Ponce Enrile and Acting Army Chief of Staff Fidel Ramos joined the Aquino opposition in demanding Marcos’s ouster. In a three-day standoff between government and opposition military forces, as many as one million Aquino supporters, urged into the streets by Catholic Church-sponsored radio, formed a human barrier between advancing government armored personnel carriers and tanks to protect the rebel forces in an unprecedented People’s Revolution. Faced with the public outpouring of antipathy against his regime, his inability to rout the rebel military forces without bloodshed, and the United States’ withdrawal of support, Ferdinand Marcos and his family consented on February 25, 1986, to be airlifted out of the presidential palace into exile in Honolulu, Hawaii.

Impact of Event

Corazon Aquino was perceived as personally incorruptible and provided an inspiring role model for government service. She restored representative government and the independence of the national judiciary. Citizens’ right to a writ of habeas corpus was reinstated, more than five hundred political prisoners were released, and a presidential commission on human rights, under the leadership of Jose W. Diokno, was established to investigate allegations of torture under the previous regime. News media censorship was abolished, and workers’ right to strike was restored.

Hundreds of corporations previously owned by the state or controlled by Marcos’s cronies were returned to the private sector. The United States, Japan, and the international lending institutions supported the Aquino regime by facilitating the rescheduling of its debt and offering further financial support.

The country's economy achieved an average annual growth rate of six percent between 1987 and 1990. This growth, however, was not translated into improved living conditions for most of the country's poor.

The Aquino government exhibited the uncertainties and divisions endemic to coalitions. The military reformers that joined forces with her party to end the Marcos government became dissatisfied with what they perceived as the president's indecisiveness and softness toward the communist and Muslim insurgents. There were at least eight attempts of varying significance to overthrow the government, mostly led by disgruntled junior military officers.

Early in 1986, the Aquino government initiated dialogue with the communist and Muslim opposition, releasing their leadership from prison and offering them amnesty if they agreed to forsake armed struggle. These efforts at reconciliation failed with the Communist New People's Army and yielded mixed results with the Muslims. The Left regarded the revolution in the Philippines as incomplete, lacking transformation of basic economic and social structures.

Corazon Aquino completed her term in 1992, but political divisiveness continued to plague the country into the twenty-first century.

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M. Leann Brown

Kazakhstan Muslims Riot Against Russians

Category of event: Indigenous peoples' rights; political freedom; revolutions and rebellions

Time: December 17-19, 1986

Locale: Alma-Ata, Kazakhstan, Soviet Union

Gorbachev's policy of glasnost revealed to the Central Asians, Russians, and other Soviet citizens that Communist Party chiefs covertly protected oppressive feudal lords to maintain stability in the Soviet Union

Principal personages:

MIKHAIL GORBACHEV (1931-), the president of the Soviet Union

DINMUKHAMED KUNAYEV (1912-1993), a protégé of Leonid Brezhnev who built a fiefdom in Kazakhstan employing relatives and cronies

LEONID ILICH BREZHNEV (1906-1982), the first secretary of Kazakhstan and later general secretary of the Communist Party

GENNADII V. KOLBIN (1927-), an ethnic Russian whose appointment in 1986 as Kunayev's replacement triggered three days of unrest in Alma-Ata

JOSEPH STALIN (1879-1953), the head of the Communist Party of the Soviet Union from 1924 to 1953

NIKITA S. KHRUSHCHEV (1894-1971), the Soviet leader who introduced the program that made the Kazakhs a Muslim minority in their own republic

YURI ANDROPOV (1914-1984), a Soviet ruler who singled out the republics for scrutiny and weeded out corrupt cadres

ALEXANDER II (1855-1881), a Russian emperor whose reforms led to the emancipation of Russian serfs and to the emigration of many peasants to Kazakhstan

Summary of Event

The riots in Kazakhstan in 1986 were the early signs of serious confrontations that occurred in the wake of Mikhail Gorbachev's 1985 reforms. The reforms were intended to root out corruption and to undo the illegal actions of previous leaders, especially Leonid Brezhnev. They revealed, however, that Russians were no longer welcome in some Soviet republics and that Islam and

Pan-Turkism were serious issues with which to contend. Furthermore, frustrated non-Russian Soviet youth believed that Russians were given preferential treatment in employment, while the Soviet Union as a whole feared complete Russian domination of its affairs.

Kazakhstan was the second-largest republic in the Soviet Union, accommodating more than sixteen million inhabitants. Although it was originally a Muslim domain, Kazakhstan has been heavily settled by Russians, Byelo-Russians, Ukrainians, Germans, and Koreans. Kazakh was the official language of the republic. Modern Kazakhstan was the home of the Soviet space program and a testing ground for nuclear weapons.

Historically, after the demise of the Golden Horde and the fall of Tamerlane's empire in Turkistan, two Turko-Mongol domains appeared. One of them, the Uzbeks, claimed descent from the Golden Horde Khan Uzbek. They consolidated their position and settled as farmers in the Khiva and Bukhara regions. The Kazakhs, or "free people," ranged over the northwest persisting in their nomadic lifestyle as livestock breeders.

Before the Crimean War (1854-1856), the Caucasus Mountains and Iran to the west and the territories of Kazakhstan, Turkistan, and Afghanistan to the east served as buffers between Russia and the British Empire. Russian peasants, freed by the reforms of victorious Czar Alexander II, overran the fertile lands of Kazakhstan, confiscating nearly one hundred million acres of land. Native Kazakhs were pushed up into the hills or into the harsh desert regions of the south and southwest, where most of them died. This marked the beginning of the distrust and dislike of Kazakhs for the Russians.

Although Kazakhstan joined the Russian empire in 1893, it was not until 1916 that the Kazakhs were approached for military conscription. The army of Czar Nicholas II sustained high casualties on the German-Austrian front, and Central Asian forces were mobilized to work behind the lines. The Kazakhs rebelled against conscription for two reasons: The planned conscription coincided with the harvest, and Muslim tribespeople refused to risk their lives to benefit what they considered to be an infidel Russian tyrant. The ensuing four-month rebellion was the first sign of nationalist consciousness among the Muslims under czarist rule. Thousands of Kazakhs were killed in that conflict, and approximately one million sought refuge in Sinkiang, China. After the Russian Revolution, the Kazakhs suffered in poorly administered collective farms. Kazakh households declined from 1.2 million to 565,000. Their entire native leadership was purged.

Nikita Khrushchev determined that Kazakhstan would be a national showcase for agrarian reform in the mid-1950's. Leonid Brezhnev was appointed

first secretary of Kazakhstan in 1954 with a mandate to effect changes. Unlike the farmland of the Ukraine, where abundant use of fertilizer was necessary, the Kazakh “Virgin Lands” could be sown after plowing. The ease of cultivation affected the Kazakh peasants; inexperienced urban youth were recruited to cultivate the land. Within two years Brezhnev, assisted by Dinmukhamed Kunayev, a Kazakh tribal chief, turned the Kazakh grazing lands into productive wheat and cotton fields. Increased use of machinery alienated the nontechnologically oriented Kazakhs, while the devotion of the land exclusively to cotton and wheat crops for the use of the greater Soviet Union destroyed Kazakhstan’s economy and made the Kazakhs dependent on imports.

When Brezhnev left Kazakhstan in 1956, Kunayev became Kazakhstan’s first secretary. In 1962, Khrushchev removed Kunayev from his post, but Kunayev was reappointed when Brezhnev became first secretary of the Soviet Union in 1964. Kunayev remained in his post even after Brezhnev’s death in 1982 and consolidated his fiefdom through a network of loyal Russian communists, tribal nobility, and cronies. These bureaucrats found themselves with secure jobs, and no constitutional restraints or independent media to expose them. They rode roughshod over legitimate Kazakh needs and sentiments.

These relics of Brezhnev’s policies were questioned by Yuri Andropov and later by Mikhail Gorbachev. After the introduction of *glasnost* (openness) and *perestroika* (restructuring), Gorbachev overhauled the *nomenklatura*: the Soviet Politburo, Secretariat, and Central Committee. He promised freedom of choice at most levels of society. In Kazakhstan, *glasnost* caused a confrontation between Gorbachev and Kunayev. From the outset, Gorbachev recognized the degree of Kunayev’s entrenchment in Kazakhstan and the extent of the corruption. He knew that Kazakh officials had inflated statistics and fudged records so that Kunayev would look good. He also knew that Kunayev could mobilize the same bureaucrats and their families under the banner of nationalism and create difficulty.

Gorbachev moved carefully, criticizing Kunayev for Kazakhstan’s stagnant economy in his political report in 1985 and removing Kazakh party officials. By February, 1986, Gorbachev had dismissed two-thirds of Kazakhstan’s party committee and approximately five hundred party officials. Finally, despite its full Central Asian support, Gorbachev tabled Siberian water diversion legislation vital to Kazakhstan’s economy. Funds requested by Kunayev were earmarked for other purposes, leaving the Central Asians to face the consequences of their earlier misguided irrigation projects.

On December 16, the Communist Party of Kazakhstan ousted Kunayev, replacing him with Gennadii Kolbin, an ethnic Russian. This transfer of power



went against the Kremlin's tradition of first secretary appointments, whereby the office had been given to a Kazakh. Thus it was not so much the removal of the retiring Kunayev as the imposition of Kolbin that triggered latent sentiments rooted in cultural, religious, economic, and political deprivations visited upon the Kazakhs by the Soviets.

To prevent further Russian infringement, the Kazakhs in Alma-Ata reacted in what began as a peaceful demonstration. The demonstration turned into riots when Soviet troops attempted to disperse the crowd. Outbursts of nationalist feeling eventually swept through the city. Demonstrators armed with wooden sticks and metal rods stopped public transportation, beating Russian passengers and overturning buses. Demonstrators also burned a food store, smashed store windows, pillaged and looted displays, and destroyed the flowerbeds in front of the Communist Party headquarters. Soviet troops, supported by armored vehicles, responded by attacking the crowd with truncheons and water cannons. Approximately 250 soldiers were hospitalized. After that initial encounter, the demonstrators remained around the central committee building throughout the night. The troops deployed to monitor the crowds and keep the peace also remained in the area. The demonstrators renewed their assault on the government center the next morning. The

troops again fought back, this time with water cannons and rubber bullets. Scores of demonstrators were killed and hundreds were injured.

By December 20, everything was back to normal. A confident Kolbin took Mikhail Solomentsev, a Politburo member and chair of the Communist Party committee on party discipline, on a tour of Alma-Ata. The visit underscored high-level concern regarding the growing Muslim population and its potential to cause disaster. In official Soviet reports, the riots were portrayed as the work of disgruntled hooligans. They were, in fact, far more organized and enjoyed the support of factory workers as well as some school and party agencies.

More shocking to the Kazakhs and the Russians than the demonstrations and the killings were Gorbachev's bold moves against despotism, nepotism, and rampant corruption. Gorbachev allowed the news of the riots in the Muslim republic to be broadcast nationwide, serving notice to other republican protégés that their activities, too, were being observed and that the myth that all was well in the republics belonged to the past.

Impact of Event

Before Sovietization, Central Asian society was nomadic. Tribal chiefs dictated the rules of conduct in social, political, and economic domains. Orders were carried out by the heads of the *oymak* (lineage), *boy* (clan), and *soy* (family). An individual's power was determined through blood relationship to the *khan* (prince) rather than by ability. Sovietization attempted to replace that feudal hierarchy with a more equitable socialist system. Great strides in this regard were made in the 1920's and 1930's, when *khujum* (assault on the traditional ways, especially seclusion of women), *dekulakization* (confiscation of riches by the state), and purges eliminated the *bays* (landlords) and the *khans*. The root of the problem, class distinctions among the Kazakhs, survived.

Kazakhs had long known that although they lived under the rules of a planned socialist economy their real ruler was Kunayev, who reigned like a medieval tyrant rather than an equitable first secretary. Because of their national and tribal sentiments, they ignored Kunayev's misuse of Kazakhstan's resources. After all, in the 1960's and 1970's, Kunayev's network of irrigation systems had provided food for most of the nation. Could a Russian inspire similar pride?

As *glasnost* progressed and people discussed their problems, it became apparent to the Kremlin that Kazakhstan's production statistics could not be substantiated and that fudging, coercion, extortion, and nepotism had been the norm in the republic. To meet strict quotas, and to avoid embarrassment,

party officials had misused their offices, while those expelled from the party had assisted in corruption to regain admission. The most distressing aspect, however, was Kunayev's mismanagement of the Aral Sea, which virtually disappeared as a result of unsustainably heavy water use. The death of the sea affected the health and well-being of all those who drew on it for a living.

Calamities such as the Aral's slow death were the result of rapid industrialization at the expense of employing advanced technology and mechanization in agriculture.

Only a sound plan backed by a strong economy could have averted disaster. Since Kunayev did not have access to either, in the 1980's he took refuge in issuing inflated statistics and in promising relief through such grandiose schemes as the Siberian river diversion project. His magic, however, had lost its power. Kazakhs who saw no relief from standing in long lines wished him to be replaced by another native son. The Kremlin viewed the situation differently and opted for a nonnative who could suppress Kazakh nationalism. Kolbin had successfully alleviated similar problems in the Ulyanovsk region. There was reason to believe that he could create fair employment in the urban centers, decrease the length of lines for daily necessities, and respond sympathetically to the needs of the farmers. The appointment underscored Gorbachev's resolve.

Frustrated and faced with uncertainty, some youths took advantage of *glasnost* and joined the nationalist movement. Others joined Sufi orders or thought of reviving Pan-Turkism. Whatever the direction, however, the revolt against the system signaled to the world that the Central Asians had been suppressed far too long, and that they would seek national, religious, and cultural freedom at any cost. Other republics appeared to resonate with Kazakhstan, suggesting the turmoil to come within the union of republics.

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Government-Supported Death Squads Quash Sri Lanka Insurrection

Category of event: Atrocities and war crimes; political freedom; revolutions and rebellions

Time: 1987-1991

Locale: Southern and central Sri Lanka

Rebellion by the Maoist Janatha Vimukthi Peramuna (JVP) led to the assassination of thousands of government supporters and the slaughter of thousands of suspects by government-supported death squads

Principal personages:

S. SAMAN PIYASIRI FERNANDO (Keerthi Wiyayabahu) (c. 1957-1989), the leader of the military wing of the JVP who used the name of a colonial rebel leader against British rule

UPATISSA GAMANAYAKE (c. 1948-1989), the second in command of the JVP during the 1980's

RANASINGHE PREMADASA (1924-1993), the president of Sri Lanka elected in December, 1988

RANJAN WIJERATNA (1931-1991), the Sri Lankan state minister for defense and an important strategist in the war against the JVP

ROHANA WIJEWEERA (1943-1989), a leader of the JVP who led both the 1971 and the late 1980's insurrections

Summary of Event

Sri Lanka endured a large amount of civil strife in the 1980's. Two civil wars were fought throughout much of the decade. In 1987, the Maoist Janatha Vimukthi Peramuna (JVP) began an all-out war to gain power in Sri Lanka. Their campaign resulted in a bloody response by government-supported death squads and the suspension of constitutional rights and due process for nearly two years. The violence and human rights abuses shook the foundation of constitutional rule in Sri Lanka.

The JVP was the same organization that had led an insurrection against the government in 1971, in which ten to twenty thousand people died. The leaders of the 1971 insurrection were jailed but given amnesty in 1977. These in-

cluded Rohana Wijeweera, the leader and organizer of the insurrection. After the amnesty, the JVP regrouped and organized as a legal political party, and its leader, Wijeweera, even entered the 1982 presidential elections, placing third out of six candidates. The party participated in legal politics until it was banned following ethnic riots in 1983. At that point, it went underground and began to prepare for the next insurrection. The arrival of Indian peacekeeping forces in the northern and eastern parts of the island to enforce a truce between the government and the ethnic minority Tamil guerrillas in 1987 was the catalyst for the revolt. Many Sri Lankans feared India and its intentions, and the government-invited arrival of Indian troops on Sri Lankan soil was seen by many as a serious threat to the sovereignty of the country. The JVP exploited this fear to gain support for its movement.

The JVP leadership espoused a Maoist ideology. Its appeal was to both male and female youths, especially in the southern province of Sri Lanka across the southern tier of the island. Among university students, there was strong sympathy for the JVP. At the height of the violence, from 1988 to 1990, the universities of Sri Lanka were closed down by supporters of the JVP. The JVP's appeal to the young was based on nationalism, the fear of Indian encroachment in Sri Lanka, and the offer of hope in a climate of few economic opportunities, rather than on the organization's Maoist ideology.

The JVP's main tactic was an assassination campaign against government supporters and anyone who did not oppose the Indian troops in Sri Lanka. Thousands were slaughtered in the uprising's first two years. At first, the Sri Lankan government was helpless to stop the JVP killings. By 1988, however, this began to change; the bodies of alleged JVP supporters began to appear at night across the southern districts of Matara and Hambantota. At times, the bodies would be found with signs on them listing their alleged crimes. Eventually, the killers began to burn their victims beyond recognition. The killings spread in 1989 to other parts of the island. Bodies began to appear in the Anuradhapura district in north-central Sri Lanka. Bodies began to appear in June, 1989, in the Kandy district in the central hill country, which had been spared much of the JVP violence. The killings became more gruesome, and the mutilation of bodies became more common. The deaths of victims became less an objective of the killers, while the terror created by leaving body parts in public places or sending them to victims' relatives became more important. In August, 1989, a ring of heads appeared overnight around a campus site where a University of Peradeniya official had been killed the day before. The police refused to allow the heads to be removed. In September, hundreds were killed in villages of low-caste people near the university, and their bodies

were thrown in rivers. Often, security personnel would prevent relatives from retrieving the bodies, forcing them to leave the bodies for the public to view. By the end of the violence, more than ten thousand bodies appeared around the country. Some groups have estimated that the number of victims who disappeared during the violence may be more than one hundred thousand.

Although the government denied it, there was strong evidence to indicate that the killings were carried out by off-duty police and army personnel, assisted at times by government supporters. A few of the killers were captured. The son of a member of Parliament and seven police and army personnel were arrested in 1988 for the murder of three youths picked up at gunpoint on a crowded street in the city of Ratnapura. Most of the time, however, the government denied any involvement in the killings and fought to avoid investigating them.

The killings began to subside in November, 1989, after Rohana Wijeweera and Upatissa Gamanayake, the leaders of the insurrection, were captured. Wijeweera was the first to be captured and died within forty-eight hours of his capture. The official explanation of his death indicated that he was shot by a member of his politburo as he led security forces to a hideout. His body was cremated within hours of his death. Within weeks, the government claimed that all members of the politburo and the district leaders of the JVP had either been captured or been killed. Most of them died while in custody, and their bodies were burned, but not before they had “decided” to provide the government with important information to find other leaders.

The capture of the leadership was followed by a bloodbath by the death squads, as they sought out suspects and killed them on the spot. On one night in December alone, more than 170 bodies appeared across the southern district of Hambantota. What made the killings even more remarkable was that they were usually carried out at night, while strict government curfews were in effect and roadblocks dotted the roadways of the island. Remarkably, the security personnel at the roadblocks rarely noticed vehicles used to pick up thousands of victims. In a few instances, security men were killed when they tried to stop or arrest the death-squad members. Despite the destruction of the JVP leadership, the death squads continued killing for another two months with little decline in the number of victims. Even after that period, the death squads were active for nearly two more years at a much-reduced rate.

The killings were made easier by the existence of the Prevention of Terrorism Act (PTA), which was passed in 1979 to curb Tamil ethnic minority guerrillas in the north and east of the island. The act allowed security forces to search and arrest suspects without warrants or evidence. The police and army were

allowed to take detainees to any site to interrogate them for up to eighteen months without notifying the courts or any other authorities. The act allowed suspects to be tried before a judge without a jury and for security forces to dispose of the bodies of suspects without autopsies or notification of next of kin. The act also allowed for press censorship of any reports of actions related to the Prevention of Terrorism Act. The PTA, along with other emergency regulations, allowed the government security forces to carry out any actions they wished.

Impact of Event

The death-squad activity in Sri Lanka resulted in the elimination of the JVP threat to the government. By mid-1991, JVP violence had been reduced to occasional attacks and arrests. The reign of terror, however, had a profound effect on Sri Lankan society. The exercise of violence by the police, military, and youths undermined the control of the security forces. Some of the death-squad killings appeared to have been personal vendettas cloaked as anti-JVP activity. In addition, the security forces no longer followed the rule of law to protect the constitution. Abuses by the security forces were relatively rare in the southern parts of the island prior to the JVP insurrection; afterward, criminal acts carried out by security force personnel became much more common. These acts included robberies, extortion, and rapes.

Sri Lankan students responded in defiant fear. Unrest at the universities where the JVP had great support, such as Peradeniya, continued. Student protests took the form of boycotts of student government elections and the election of slates of candidates sympathetic to but not openly in support of the JVP's political positions. The respect for the legitimacy of the government also suffered. Many youths lost trust and faith in the older generation's ability to deal with the country's problems.

Perhaps the largest impact on the country was the brutalization of Sri Lankan society. The extensive violence in the country left many physical and psychological scars that would take years to heal. Students not only rebelled against authority but killed representatives of that authority. These included professors, businesspeople, and the families of security personnel. The once-peaceful Sri Lankan society became very violent. Violent crime, once a rarity, became common. Drug use and suicides climbed to near-record levels.

Police and military, who found that torture and violence against suspects could be very effective in controlling civil unrest, continued to use them to solve crimes. The government's unwillingness or inability to punish illegal activity by the security forces provided an umbrella of protection to the police

and military. Attempts to punish wrongdoers were prevented or covered up. The death of an internationally known journalist provided strong evidence of the government's willingness to protect the death squads at all costs. The young journalist, Richard de Zoysa, a leftist who apparently was not connected to the JVP, was arrested at his home by men who claimed to be police on February 18, 1990, more than three months after the death of Wijeweera and the decline in JVP offensive operations. De Zoysa's mutilated and tortured body was found the next day on a beach south of Colombo. His mother, who had observed his arrest, identified a police officer as one of the group that arrested her son, but the government decided that there was not enough evidence to pursue the case. It also blocked an attempt in Parliament to appoint a commission to investigate the murder.

Sri Lanka, once a model of democracy, descended to the edge of authoritarian government. The willingness of the government to use extraconstitutional means such as murder and torture to protect itself left an undemocratic legacy that threatened the country's future.

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Robert C. Oberst

Palestinian *Intifada* Begins

Category of event: Indigenous peoples' rights; refugee rights; revolutions and rebellions

Time: December, 1987

Locale: Israel

Beginning in the Jebalya refugee camp and later spreading to the rest of the Gaza Strip and the West Bank, Palestinians started the Intifada (uprising) to resist the twenty-year Israeli military occupation

Principal personages:

YITZHAK RABIN (1922-1995), the defense minister of Israel during the first two years of the *Intifada*

YITZHAK SHAMIR (1915-), the prime minister of Israel

YASIR ARAFAT (1929-), the leader of the Palestine Liberation Organization

Summary of Event

Protests in the Palestinian Jebalya refugee camp in the Gaza Strip during the second week of December, 1987, were severely repressed by the Israeli army, with heavy Palestinian casualties. These protests became the cornerstone of the *Intifada*, one of the most important political events in the history of the Palestinian-Israeli conflict. To understand the factors behind the *Intifada* is to understand the cumulative effect of Israeli policies on the Palestinians, who have been under occupation since 1967. In general, the Israeli government followed a strategy that brought the West Bank and the Gaza Strip under a firm grip through the use of three control mechanisms: infrastructure, labor, and market. Israel linked the West Bank and the Gaza Strip to its economy in several ways: by making the occupied territories a captive market wherein nearly 90 percent of annual imports were Israeli products; by linking the physical infrastructure of the West Bank and the Gaza Strip to Israel through roads and water and power grids; and by employing Palestinians as cheap and unskilled labor.

This process was accelerated after the Likud Party came to power in Israel in 1977. Freely elected mayors were dismissed and replaced by Israeli military

officials. Land confiscation increased rapidly, and by 1987 more than 52 percent of the land was confiscated. Jewish settlements were built rapidly. Palestinian labor grew even more heavily dependent on the Israeli economy. Nearly 120,000 Palestinians, representing 54 percent of the West Bank labor force and 67 percent of the Gaza Strip's, commuted daily to work in Israel. The lopsided relationship became evident in other areas as well, most noticeably in poor health care services and inadequate education for Palestinians.

On August 4, 1985, Israeli Defense Minister Yitzhak Rabin introduced his "iron fist" policy. The policy turned the Palestinian population into virtual prisoners, requiring them to have permits to travel abroad. An increasing number of Palestinians were jailed, were placed under administrative detention without charge or trial, or were exiled. An estimated two hundred thousand Palestinians out of a population of 1.7 million had been arrested at one time or another before the uprising. Collective punishment, including extended curfews, school closures, and house demolitions, increased.

These practices, Palestinians believed, were designed to drive them out in the course of Israel's "creeping annexation" of the occupied territories. The critical turn in this perception took place in 1982, when Israel invaded Lebanon and drove the Palestine Liberation Organization (PLO) away. The PLO split into two factions and was rendered ineffective. Palestinians in Lebanon were under constant attack, as "the war of the camps" between 1985 and 1987 demonstrated. Anxiety, frustration, and humiliation simmered as conditions deteriorated. A series of incidents involving the Gaza Strip prepared the grounds for the *Intifada* to erupt there at the end of 1987.

On December 4, 1986, the Israeli army shot dead two Birzeit University students who happened to be from Gaza. On April 10, 1987, another Birzeit student, also from Gaza, was killed. On October 1, the Israeli army ambushed and killed seven Gaza men believed to be members of the Islamic Jihad movement. Five days later, four more Gaza men and a high-ranking Israeli prison official were killed in a shootout. Several days later, a settler shot a schoolgirl in the back. In the deteriorating situation, demonstrations became more frequent, and Palestinian youths pelted Israeli cars with stones. On December 7, a Jewish merchant was stabbed in the city of Gaza. On December 8, an Israeli military tank transporter slammed into a line of cars loaded with day laborers. Four Palestinians from the Jebalya camp were crushed to death, and seven others were injured. That night, ten thousand camp residents turned out in protest. The following morning, the burial procession turned into a spontaneous demonstration. The army responded by firing into the crowd. Another Jebalya resident was killed, marking the first casualty of the *Intifada*.

Protests engulfed the entire Gaza Strip, and by late December, West Bank refugee camps such as Balata, near Nablus, became involved; the same cycle of protest, repression, and death occurred again. December alone saw 288 demonstrations, two thousand arrests, twenty-nine killed, and a total of thirty-six curfew days. By mid-January, 1988, leaflets signed by the Unified National Leadership of the Uprising (UNLU) began to appear. These leaflets, called *bayanat*, contained communiques that gave direction to the population. The UNLU was made up of four activists representing four major groups within the PLO. The communiques called for specific acts of civil disobedience to be followed by the population. These ranged from confronting the military to forming popular committees.

The most visible acts of the *Intifada* were the constant demonstrations by Palestinians, which Israeli troops broke up with tear gas, rubber-coated or plastic-coated bullets, and sometimes with live ammunition. These confrontations were also accompanied by stone throwing; stones assumed symbolic status as the protesters' only defense. In response, Rabin allowed the Israeli army to use the "beating" policy, which led to thousands of brutal beatings, some of which were televised internationally. It was during demonstrations that most fatalities occurred. In April, 1988, for example, 416 demonstrations took place, and sixty-one Palestinians were killed.

Commercial strikes, which were introduced first in Nablus and were later endorsed by the UNLU, became another feature of the *Intifada*. Before the strikes became a daily routine, the Israeli military tried to break them by forcing merchants to reopen their shops. This "war of the shops" was won by the activists, and from March onward, shops were open for only three hours of the day.

Because curfews sometimes extended for weeks, the UNLU encouraged each neighborhood to establish its own popular committees for the distribution of food and other necessities. Agricultural committees provided a model for the "return to the land"; every available plot was cleared, plowed, and planted by neighborhood youths. Along with the promotion of cottage and national industry, such methods emphasized self-sufficiency and economic independence. Eventually, the UNLU called for a boycott of Israeli products except for those that had no Palestinian equivalent. After schools and universities were closed, education committees provided basic instruction, especially on the primary-school level. Health-care committees provided instruction in first aid and tended to the injured and the needy. Popular committees became an extension of the UNLU, and both were fully accepted and supported by the population. The UNLU and the popular committees became the political lead-

ers of their community and formed an alternate political structure to that of the Israelis. They assumed many features of the institutional structure of a state.

The Israeli military intensified its attack against the *Intifada* and its activists by tightening economic controls and increasing the use of force. More than two hundred thousand Israelis served in the West Bank and the Gaza Strip during the first two years of the *Intifada*. This was met with equal intensity on the part of the Palestinians. Whenever a lull in the *Intifada* took place, a new storm of protest would follow. The continuity of the *Intifada* led many to believe that the *Intifada* could not be stopped militarily, since it had grown from a demonstration into an active political movement calling for national self-determination.

Impact of Event

The *Intifada* transformed the Palestinians from refugees and “residents” in their own land to a society seeking to achieve its nationhood. Carried out largely by youths who were born under occupation, the *Intifada* shifted the center of political gravity to the West Bank and the Gaza Strip. It signaled Palestinians’ impatience with the inability of the external forces, the PLO and the Arab governments, to bring about a just and peaceful solution to the Palestine question. Despite the enormous price that the Palestinians paid in deaths, injuries, and incarcerations, the *Intifada* represented a self-empowerment. It won them a new confidence and created a cohesiveness among the various sectors of the society that had not existed before.

The creation of the UNLU and the popular committees established an alternate political authority that gave the population directions to sustain the *Intifada* and to create institutional bases for a future state. Respected and supported by the population, the UNLU became the instrument for the political unification of the various factions and political trends within the PLO.

It was largely because of the *Intifada* and the demands of the UNLU that the PLO changed its political positions. The PLO declared its acceptance of two United Nations Security Council resolutions as bases for a political settlement, recognized Israel, and renounced the use of terrorism in a framework of a two-state solution. The PLO declared on November 15, 1988, through the Palestine National Council, the establishment of a Palestinian state, which was gradually recognized by a majority of the world’s nations.

The *Intifada* had a strong impact on Israeli government and society as well. The perpetuation of military occupation became impossible. Many Israelis began to favor a two-state solution. The Israeli military expressed on several occasions that it could not stop the *Intifada*. A growing number favored negoti-

ations with the PLO. The *Intifada* had serious implications for Israeli social structure, since many of Israel's Arab citizens participated in the uprising by providing political support, food, and medical and other aid to the protesters.

More serious for the Israeli government was the failure of its plans to annex the occupied territories through the infrastructural changes that it introduced after 1967. The *Intifada* had grave consequences for the Israeli economy. Merchants and others refused to pay taxes. Popular committees supervised the boycott of Israeli goods. Tourism, the construction industry, textile factories, agriculture, and other concerns that grew dependent on cheap Arab labor suffered after the outbreak of the *Intifada*. The use of Israeli reservists in the army caused more economic and social disruptions.

The outbreak of the *Intifada* and the way Israel treated the Palestinians had important global repercussions. Israel's control over the West Bank and the Gaza Strip was no longer viewed as a benign occupation. World public opinion was galvanized by images of youths confronting well-equipped soldiers. More people began to realize that a political solution to the Palestine question was necessary and urgent so that further conflict and bloodshed could be avoided.

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Mahmood Ibrahim

Ethnic Riots Erupt in Armenia

Category of event: Racial and ethnic rights; revolutions and rebellions

Time: 1988

Locale: Armenia, Soviet Union

An Armenian enclave within the Azerbaijani Republic was claimed by the Armenian Republic at the cost of considerable bloodshed over several years

Principal personages:

MIKHAIL GORBACHEV (1931-), the president of the Soviet Union, introduced *glasnost* and *perestroika*, movements that tolerated the expression of ethnic aspirations

JOSEPH STALIN (1879-1953), the commissar for nationalities (1919-1921) and general secretary of the Communist Party of the Soviet Union (1922-1953)

HENRY POGOSYAN (1932?-), an Armenian placed in charge of Nagorno-Karabakh in February, 1988, replacing a Russian

KAREN DEMIRCHIAN (1932-), the head of the Armenian Communist Party (1974-1988), under attack by the center in 1988 for failing to stamp out corruption in Armenia

SUREN ARUTYUNYAN, the first secretary of the Armenian Communist Party in 1988

Summary of Event

Armenia's history can be told largely in terms of conquests and subdivisions by foreign powers. In 1988, the Armenian diaspora extended over much of the Middle East and, indeed, much of the world. Of 5.4 million Armenians worldwide, approximately 4.7 million lived in the Armenian Republic, located in the Caucasus, a major region in the southwestern part of the Soviet Union. The largely Armenian region of Nagorno-Karabakh and the neighboring Muslim area of Nakhichevan were given to Armenia when the Soviets took power. Partly in response to protests from Turkey, Nakhichevan was then given to neighboring Azerbaijan because most of Nakhichevan's population was Azerbaijani. In 1923, Nakhichevan and Nagorno-Karabakh became autonomous regions within the Azerbaijan (or Azerbaidzhan) Republic.

Cultural and religious factors were not the only factors driving Soviet policy. In general, the Soviet Union did not consider religion as a factor in determin-

ing republic boundaries, since the Soviet government in the early days of the union wanted to obliterate religious influence in society. At the same time, the Soviet leadership was interested in good relations with neighboring Islamic countries as part of their policy on the “Eastern question” or the problems of peoples in less-developed countries.

It is also believed that when the republics were created in the 1920’s, Joseph Stalin, the first commissar for nationalities and later the general secretary of the Communist Party of the Soviet Union, wanted to ensure that the republics would never unite against the central government. Stalin, himself of Georgian origin, was no stranger to the historic divisions among the Caucasian peoples. For this reason, it is believed that he consciously created republic boundaries designed to perpetuate long-term ethnic tensions in order to avoid a united front of the republics against the center. The new Soviet government hoped that ethnic differences would disappear as a united Soviet people evolved. To cement the union, Stalin dispersed industrial and agricultural production in such a way as to maximize interdependence among the republics and make it virtually impossible for any republic to survive alone. These two policies were especially significant as the Soviet Union tried to form a new, looser confederation among the constituent republics in the 1990’s, only to discover that the republics’ economic interdependence and border irregularities made the process of redefinition much more complicated than it might have been otherwise. Armenia and Azerbaijan were among the areas most affected by Stalin’s policies of “divide and conquer.”

A variety of policies were pursued toward the many nationalities residing in the Soviet Union. In the early years, nationalism was strongly discouraged. Later, Russian nationalism was encouraged and nationalist views that were not hostile to Russia were tolerated. Although the Soviet Union after Stalin was considerably freer, nationalist sentiments were discouraged. In the Nikita Khrushchev, Leonid Brezhnev, and Mikhail Gorbachev periods, the numerous nationalities were allowed to maintain their cultural traditions as long as those traditions did not threaten the union.

Armenia serves as an excellent case study of Soviet policy toward the nationalities. After World War II, the Soviet government extended an invitation to Armenians all over the world to come back to their Armenian homeland in the Soviet Union. At first, many responded to the call; some later regretted their decision. A certain amount of autonomy was allowed in Armenia. The autonomous Armenian Apostolic church, in particular, played a significant role as a symbol of independent Armenia and, later, as a supporter of Nagorno-Karabakh’s union with Armenia. Like the other Caucasian re-



Mikhail Gorbachev's liberalization policies helped set in motion the nationalist movement in Armenia that culminated in the republic's declaring its independence from the Soviet Union in the aftermath of the attempted coup against Gorbachev.
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publics, Armenia enjoyed gradual increases in its autonomy from Moscow beginning in the 1960's. Armenia submitted a number of requests to Moscow that Nagorno-Karabakh, which the Armenians call Artsakh, become part of Armenia, but nothing happened.

Greater liberalization occurred under Mikhail Gorbachev in 1985, marked by the gradual introduction of the policies of *glasnost* (openness), *perestroika* (restructuring), and democratization. National and ethnic sentiments throughout the Soviet Union came to the surface. Among these was the status of the region of Azerbaijan known as Nagorno-Karabakh, the majority of whose people were Armenian. The struggle of the republics for complete independence from, or in some cases greater autonomy within, the overall union became a major political force, as did some of the disputed

boundary issues. In the north, for example, the three Baltic republics worked together and separately for the common cause of independence. In the south, although the three Caucasian republics, Armenia, Georgia, and Azerbaijan, Nagorno-Karabakh were also natural allies in the struggle for independence or greater autonomy, the divisive issue of Nagorno-Karabakh prevented full cooperation. On the contrary, civil strife, bloodshed, and considerable unrest began in early 1988, when the issue first exploded. The reasons given for the outbreak of conflict in 1988 were several, one of the most serious of which was the accusation that Azerbaijanis were beating, raping, and killing Armenian nationals in Nagorno-Karabakh.

Pro-Armenia demonstrations began in Stepanakert, the capital of Nagorno-Karabakh, on February 11, 1988. They soon spread to Yerevan, the capital of Armenia. The 120,000 Armenians in Nagorno-Karabakh asked to be united with Armenia. On February 28, the demonstrations spread to Sumgait, an Azerbaijani city on the Caspian Sea, and exploded into rioting and violence. Perhaps coincidentally, the first major demonstrations on behalf of Nagorno-

Karabakh erupted at a time when Karen Demirchian, the leader of the Communist Party of Armenia, was under attack from Moscow for not doing enough to curb corruption in Armenia. The proximity of the two developments allows the possibility that the Armenian communist leadership encouraged ethnic discontent in order to buttress its own position in Armenia vis-à-vis the central authorities in Moscow. On February 26, the Armenian Communist Party asked Moscow to establish a commission to study the problem of Nagorno-Karabakh.

The Nagorno-Karabakh issue quickly became the main agenda of Armenia. Violence erupted on a number of occasions, and both Armenians and Azerbaijanis lost their lives or were wounded. The Soviet military intervened several times to restore order, but its role was questioned by both Armenians and Azerbaijanis. In June, 1988, the Armenian Republic voted to annex Nagorno-Karabakh as part of Armenia, a resolution not recognized by Azerbaijan or the central Soviet government. In July, the Soviet government stated that Nagorno-Karabakh would remain part of the Azerbaijan Republic.

Demonstrations in Yerevan became virtually a daily event in the second half of 1988. In early December, 1988, Moscow sent troops with tanks to Baku to control the increasingly violent demonstrations. The Armenian earthquake of December, 1988, which killed at least twenty-five thousand people and left perhaps a half million without homes, deepened the sadness and discontent within Armenia and strengthened Armenians' resolve. Although attention temporarily shifted from the issue of Nagorno-Karabakh to coping with the earthquake's damage and fatalities, Nagorno-Karabakh continued to be a central concern of Armenians.

The unrest in Nagorno-Karabakh played a major role in the development of the All-Armenian National Movement (AAM), an outgrowth of the nationalist movement in Nagorno-Karabakh uniting approximately forty groups throughout Armenia. Its goal was an independent Armenia. The AAM also supported a cultural and religious renaissance for the Armenian people.

In the aftermath of the attempted *coup d'état* against Mikhail Gorbachev in August, 1991, both Armenia and Azerbaijan proclaimed their independence from the Soviet Union, as did a majority of the Soviet Union's republics. The conflict between Armenia and Azerbaijan continued to erupt intermittently, dismaying those who hoped that in the evolution of a new union old grievances could be put aside.

Impact of Event

The ethnic riots in Armenia are an important human rights issue for several reasons. The plight of the Armenians in Nagorno-Karabakh was an-

other stage in the dramatic and sometimes tragic historic struggle of Armenia to survive as a nation. The struggle was also a microcosm of the nationalities' problems within the Soviet Union. There were numerous similar cases lying dormant across the gigantic expanse of the Soviet Union, threatening to erupt as the process of redefining the union proceeded. Nagorno-Karabakh was not an issue that would go away or be forgotten. It continued to gnaw at the peoples of the Caucasus and prevent their full cooperation in either forging a new union or seeking independent status. The violence affected both Armenians and Azerbaijanis and perpetuated the tense climate in the southern republics. The Armenians had a strong case for union with Nagorno-Karabakh on ethnic grounds, but the fact that the region was separated from Armenia by Azerbaijani territory complicated the issue, as did latent Muslim-Christian conflict in the region. There were numerous similarities to the Kosovo issue in Yugoslavia, which had also defied solution.

It frequently has been stated that, were it not for the Armenian-Azerbaijani clash, there would be a cooperative movement among Armenia, Azerbaijan, and Georgia toward formation of a Transcaucasus union. Such a hypothesis can be neither proven nor disproven, since the struggle remained a real one, unabated by attempts to find a compromise between the two warring republics. In the momentous events leading to the disintegration of the Soviet Union and the enormously complex struggle to construct a new political entity out of the remains of the old, the Nagorno-Karabakh issue did not emerge as a major agenda item for the central government. Furthermore, attempts by the central government to mediate politically or militarily were rebuffed by the two republics, each of which accused the center of favoring the other side in the conflict. For Gorbachev and the other national leaders, the Armenian-Azerbaijan conflict was a "no-win" situation on which they could not afford to stake their own careers.

No resolution of the Nagorno-Karabakh issue seemed likely in the years following the initial uprising. The union that Stalin built, with its ingrained ethnic conflicts and economic interdependence designed to perpetuate Soviet power, reaped a harvest of discontent in the Caucasus that threatened to cloud the future of the region for the foreseeable future.

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Sudanese Civil War Uses Hunger as a Weapon

Category of event: Atrocities and war crimes; health and medical rights

Time: 1988

Locale: Sudan

The success of the Sudan People's Liberation Army in its thirty-year conflict with the army of the Republic of the Sudan led the Sudan government to obstruct and withhold famine relief

Principal personages:

SADIQ AL-MAHDI (1936-), the prime minister of the Sudan

HOWARD WOLPE (1939-), a member of the House Subcommittee on Africa

GEORGE THOMAS (MICKEY) LELAND (1944-1989), the chairman of the House Select Committee on Hunger

JULIA VADALA TAFT (1942-), the director of the Office of Foreign Disaster Assistance, US AID

CHARLES LA MUNIERE (1930-), the United Nations Disaster Relief coordinator

Summary of Event

Upon the arrival of the dry season in the southern Sudan in October, 1987, it became clear that a massive disaster was imminent because of the lack of rain during the growing season (May to October). The harvest was the poorest in almost one hundred years, and more than ten thousand Dinka, mostly women and children from the Bahr al-Ghazal, moved northward in late 1987 to seek food and famine relief. The Dinka were closely associated with the African insurgent movement known as the Sudan People's Liberation Army (SPLA), which since 1987 had achieved considerable military success in the south over the army of the Republic of the Sudan. Unable to defeat the Dinka-dominated SPLA on the field of battle, the Sudan government found it more effective to destroy the opposition by denying food aid to them when they were experiencing famine conditions, while at the same time arming their traditional enemies with automatic weapons. The Dinka who had sought refuge in the towns

of Meiram and Abyei found that the nongovernmental organizations, such as the United Nations Children's Emergency Fund (UNICEF) and the Red Cross, were frustrated by government officials. The indigenous relief organizations, the Islamic African Relief Agency and the Islamic society, al-Da'awal Islamiyyah, were closely associated with the government in Khartoum and provided little assistance to the displaced largely Christian Dinka. The groups were discouraged by government officials in the southern Sudan who were losing control of the countryside.

Despite the obstruction of the government and the Islamic relief societies, the various donor agencies established the Western Relief Operation (WRO) in an attempt to support relief efforts in the western Sudan. The United States Agency for International Development (US AID) released to the Sudan government Relief and Rehabilitation Commission £S 14.7 million to help pay for food transport to the southern Sudanese, but these funds had no fiscal relevance outside the Sudan because the currency was externally worthless. Several of the nongovernment agencies, such as World Vision and Lutheran World Service, were expelled from the Sudan for continuing their humanitarian efforts. Given the attitude of the government in Khartoum, the principal Sudan government aid agency, the Relief and Rehabilitation Commission, demonstrated little interest in relieving the famine conditions that were escalating during the winter of 1987/1988 in the southern Sudan.

Market prices sharply increased in the southern towns and reached unprecedented heights by January, 1988. The government made no effort to facilitate the flow of information or famine relief aid into the southern Sudan despite the predictions of various donor agencies of thousands of Sudanese deaths if prompt action were not undertaken. The government of Sadiq al-Mahdi was apprised that there were serious food shortages in the southern Sudan brought about by drought, locusts, and of course the civil war. The price of sorghum in the Bahr al-Ghazal province rose to twenty times the amount in Khartoum. The southern Sudanese, particularly the Dinka, fled to the north and were looted by the *Murahileen*, the newly armed Arab Baqqara militias who were traditional enemies of the Dinka south of the Bahr al'Arab. The *Murahileen* militia had been armed by the government of the Sudan upon the advice of General Burma Nasr, former governor of Bahr al-Ghazal, whose forces had been consistently defeated by the Africans of the SPLA. The combination of crop failure and the *Murahileen* raiders resulted in the death by violence and starvation of tens of thousands of Nilotes (people from the Nile region), mostly Dinka.

The Dinka fled in two directions. One group, consisting of women and chil-

dren seeking food and shelter, went north. The other, young males, fled to the east, into Ethiopia, to join the SPLA. Many perished during the long march.

The Red Cross, the Red Crescent, and US AID were quietly discouraged from participating in famine relief, leaving that to the Commission for Relief and Rehabilitation, the official relief agency of the Sudan government. The Sudan government was not about to restrain the militia, which they had armed, in their depredations among the northern Nilotes, nor were the ambassadors of the Western governments, despite pressure from the nongovernmental organizations and the private voluntary organizations, about to anger the government of the Sudan. The acting governor of the Bahr al-Ghazal, Darius Bashir, constantly informed the prime minister, Sadiq al-Mahdi, of the serious situation in the province and particularly in its capital, Wau, urging him to send food by any means available. In Khartoum, however, there was little sense of urgency on the part of the government or diplomats that a crisis was looming in the southern Sudan. The Sudan government, through its Commission on Rehabilitation and Relief, was in no hurry to provide supplies for those who were regarded as "rebels, bandits, and terrorists" by the Sudan government.

By February the situation in Wau had been somewhat alleviated by the arrival of 167 tons of food aid, carried by a convoy sponsored by World Vision despite the group's official expulsion from the Sudan. It was the last food to be received in Wau for many months to come. To the east, in Upper Nile Province, food supplies had virtually vanished except in Malakal, the capital of the Upper Nile, which had received 2,400 metric tons of cereals in March, 1987. Most of the cereal, however, was handed over to the army, merchants, and transport personnel. Those relief agencies still operating in Malakal had little to offer those who were starving. The army consumed much of the food aid, and the merchants generally hoarded stocks with the goal of driving up the prices and their profits. The transport personnel were well fed.

The result in the Upper Nile was similar to that in the Bahr al-Ghazal. Thousands of Nilotes from the Upper Nile moved north in search of food. The Commission for Relief and Rehabilitation reported that more than thirty thousand had arrived in Kosti by the end of February, 1988. They were greeted as a source of cheap labor, and many became essentially slaves in order to earn enough to live. Ironically, most of the food aid supplied by Western donors and private voluntary organizations, some sixty thousand tons, had been moving westward into Kordofan and Darfur, while nothing was being done for the displaced southern Sudanese. Kordofan and Darfur were the Muslim heartland of the Umma Party, whose leader was Prime Minister Sadiq al-Mahdi. It was no coincidence that he would use his influence with the donor agencies to send

food aid to his people rather than to his enemies in the southern Sudan.

Further south, in the Equatoria Province, the situation was more localized but just as tragic. Displaced persons seeking food swarmed into the major towns of Yei and Juba in ever-increasing numbers. They expected to find not only food but also safety in the violent conflict between the armed forces of the Sudan army and its militia and the African insurgents of the SPLA. The flight of starving people to the principal centers in Equatoria was accelerated by the continuous victories of the SPLA. In March, 1988, the situation in the Sudan was characterized by thousands of people moving northward into Darfur, Kordofan, and Khartoum, eastward by the tens of thousands to Ethiopia, and southward from the Equatoria Province into the towns of Juba and Yei. By April, 1988, more than one-quarter million southern Sudanese, many described as walking skeletons, arrived in the refugee camps established in Ethiopia and administered by the SPLA. This huge flow of refugees into the Ethiopian camps at Itang, Dimma, and Fugnido overwhelmed the facilities of the SPLA and private voluntary organizations.

It is not known exactly how many perished on the eastward trek from the Bahr al-Ghazal to Ethiopia. Many who survived the long march died from lack of food and medical supplies in the refugee camps. There were conflicts as to whether the limited amount of food supplies should go to the local people or to the refugees walking into Ethiopia, who by June numbered more than ten thousand southern Sudanese per month. The United Nations High Commission for Refugees, which was providing the major source of funds for these refugee settlements in Ethiopia, was overwhelmed by the numbers of the destitute. In late 1988, the Organization of African Unity delegation visiting the Fugnido camp found that of the forty-three thousand refugees, sixty percent were orphans under the age of twelve who had lost their parents to famine or civil war. By the end of the year it was estimated by the British Minister for Overseas Development, Christopher Patten, that more than 700,000 southern Sudanese had arrived in Ethiopia and as many had died en route.

Impact of Event

The reaction of the United States government to this calamity was extremely mild, the State Department not wishing to antagonize the government of the Sudan. In late February, 1988, congressional leaders Howard Wolpe, of the House Subcommittee on Africa; Ted Kennedy; Thomas "Mickey" Leland, the Chairman of the House Select Committee on Hunger; and Paul Simon, of the Senate Subcommittee on Africa, all signed a joint letter to both Sadiq al-Mahdi, the prime minister, and John Garang, leader of the SPLA,

condemning the unconscionable attitude of the Sudan government in refusing to allow donor agencies to provide food aid to those stricken in the southern Sudan. This was matched by a strident report in the British press in February, 1988, when twenty OXFAM trucks were commandeered by the Sudan army for combat against the SPLA. Since the British government had just announced an additional twenty million pounds sterling in foreign aid to be added to the twenty million pounds already pledged for famine relief, this incident created an embarrassment. The trucks were immediately returned, but the efforts of the donor agencies were severely curtailed.

By May, reports in the Western press described the situation in the southern Sudan as desperate. Continuous pressure was placed on Sadiq al-Mahdi, but these pleas were studiously ignored. The donor agencies, nongovernmental organizations, and private volunteer organizations were well aware of the impending disaster in the southern Sudan. By April there were more than 150,000 displaced people in Aweil alone, and by April, with no relief food in the whole region of the Bahr al-Ghazal, the starving began to die in large numbers. The Sudan government remained unmoved by reports from the South and frustrated any attempts by the donor missions to ship food into the northern Bahr al-Ghazal, which was torn by violence and ravaged by famine.

Under pressure from Western governments, Sadiq al-Mahdi agreed in June that he would guarantee the safety of the personnel of the International Red Cross who sought to make a survey of the famine needs in the South. These officials reported a mortality rate of thirty-five deaths per thousand per month in Safaha alone, compared to eight per thousand in the Ethiopian refugee camps. Adding to the misery were plagues of locusts which descended upon the few crops that had survived the drought.

The donor agencies found their allocations were curtailed by the reluctance to release local currency from their counterpart fund accounts (PL480 accounts, in which aid from the United States is converted to local currency, worthless on the world money markets but useful internally for a variety of assistance purposes). Sudanese trucking companies would not honor contracts with donor agencies unless they were reviewed with the promise of higher prices. There were interminable and complex negotiations over food aid and how to transport it, with most of the aid efforts mired in bureaucracy while the southern Sudanese starved.

Food began to arrive in August. Most of it was allocated to the army with the remainder confiscated by merchants in Meiram. The international community, led by Julia Taft of the Office of Foreign Disaster Assistance of the United States government, pleaded for direct intervention. Reports from

donor agencies of high mortality rates in regions from the Bahr al-Ghazal to Kordofan brought Charles La Muniere, the United Nations Disaster Relief Coordinator, to Khartoum. The Office of Foreign Disaster Assistance of AID supplied one million dollars and released grain stored in the Sudan. It reached some of the stricken areas before the dry season in October, November, and December. Despite this relief, the number of southern Sudanese who died has been estimated as high as 500,000. Other estimates place the figure between 260,000 and 300,000. By December, 1988, food supplies were moving southward, but they were too little and too late.

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Robert O. Collins

New York Opens “Shock” Incarceration Camps for Female Prisoners

Category of event: Prisoners’ rights; women’s rights

Time: 1988

Locale: Summit, New York

The first group of selected female prisoners entered an incarceration camp designed to reform them with intense physical and mental discipline

Principal personages:

WILLIAM BENNETT (1943-), the director of U.S. National Drug Control

MARIO M. CUOMO (1932-), the governor of New York

CHRISTOPHER J. MEGA (1930-), a New York state senator, chair of the Crime and Corrections Committee

Summary of Event

Female prisoners have tended historically to be a neglected and negligible group. Women have made up but a small part of the prison population in all countries. Because they have tended to be such a minority in the criminal justice system, their special needs as a specific group have not been met. Nonincarcerated women have sought to help female prisoners, but their treatment has gone through the same cycles as the treatment of male prisoners.

One of the ways in which female prisoners in New York State attained equal treatment with men occurred in 1988, when the first group of women entered the “shock” incarceration program in Summit, New York. The program was aptly nicknamed. Run on the model of armed forces boot camps, such incarceration camps were designed to break down the spirit of the inmates, thereby presumably also “shocking” them out of the bad habits and antisocial conditioning that led them to crime in the first place. The concept involved rebuilding the inmates with strict discipline, rigorous physical exercise, and some educational and vocational training.

In a lengthy feature story in *The Village Voice* (May 22, 1990), reporter Jan Hoffman vividly described the experience of a few of the one hundred women who were sent to the Summit camp in 1990. The women were relatively young, for the program was limited to first-time, nonviolent felony offenders sen-

tenced to a term of three years or less in prison. In 1989, the program accepted women from the ages of sixteen to twenty-six, but the age limit was later raised to twenty-nine. The overwhelming majority, more than 80 percent, were drug offenders. Other prisoners had been convicted of embezzlement, forgery, and burglary. If the inmates given the option of this six-month camp took it and made it through to graduation, they were immediately eligible for parole. If they were kicked out of the program, they started their sentence in prison all over again.

Some given the option chose not to participate. The discipline at these camps was severe. As Hoffman described it, the women's hair was trimmed severely, to within two inches of their heads. They were not allowed to use the pronoun "I" and instead referred to themselves as "this inmate." Inmates rose at 5:30 A.M. for one round of calisthenics, then spent several hours at hard labor, such as cutting down trees and transporting bricks. In addition to learning hundreds of new rules detailing every aspect of their daily routine, the women were subject to all sorts of mental and psychological discipline. Swearing, for example, was punished; a violator was made to wear a bar of soap with the words "Dirty Mouth" around her neck. Meals were to be eaten in silence, at breakneck speed, in eight minutes. Food not consumed had to be worn in a bag around the neck for three days.

The drill instructors and the superintendent noted that degradation was the point of such rules. Discipline was intended to help inmates overcome the greater problems out on the streets where they would, if successful, return. Everyone at the Summit camp, including the secretaries, was put through one month of such shock training so as to know what the inmates would endure.

Such boot camps were not unique to New York. Fourteen other states had them at the time, and others were considering them. New York's program, as Hoffman reported, was the biggest. In 1988, the Shock Incarceration Correctional Facility in Summit accepted its first group of sixteen women. New York's program had some features to recommend it over others, such as an emphasis, backed by resources, on rehabilitation. Inmates were given drug and alcohol counseling, group therapy, and high school classes. In one Summit shock group, for example, the average reading score reportedly increased 1.5 years. New York also had a follow-up parole program, After-Shock, with continued drug testing, curfews, weekly group meetings, and help in finding jobs.

Community leaders were divided over these shock camps. William Bennett, the "drug czar" of the Bush administration, supported such incarceration camps as one solution to the crime problem. Politicians in general tended to be positive. According to an article in *The New York Times* (June 8, 1989), it was

Governor Mario Cuomo's administration that proposed raising the age limit to twenty-nine and allowing inmates who had already been in state prison. The same article reported that the New York State legislature was told in January, 1989, that it could save \$1.59 million for every hundred shock camp graduates, because the program so drastically reduced time spent in prison.

Although the financial saving was a prime attraction, supporters of such incarceration programs also cited humanitarian reasons: The chance to change the destructive habits of the inmates, to teach them self-respect and show them that they could succeed, was more constructive than locking them away and then returning them to the poor economic and personal conditions that had defeated them in the first place. Other community leaders were more cautious: Such severe discipline tactics, they pointed out, are prone to abuse. They also suspected that the humiliating treatment of the camp inmates may have served the less humanitarian and more human urge for revenge.

Broader issues were also at stake. In the group followed by the reporter from *The Village Voice*, a majority of the inmates were African American and Hispanic. The majority of the women in the New York State penal system as a whole were single mothers with children. Many women were themselves victims of domestic violence and suffered from low self-esteem. Finally, breaking a long historical pattern, women seemed to be committing more crimes and entering the criminal justice system at an alarmingly high rate. It seemed urgent to study the needs of women prisoners and to pinpoint their differences from male prisoners. Women as a group, and therefore female prisoners in particular, tended toward culturally conditioned behavior that is submissive, dependent, and self-doubting. With so many of the inmates at a place like the Summit Camp being women of color as well, the question of human dignity became doubly acute.

Impact of Event

With the persistently high crime rate in the United States, the problem of overcrowded prisons, the backlog of cases in the overworked court system, and widespread use of illegal drugs leading to crime, it was easy for a weary public not to question too closely what means were used to keep criminals off the streets or how prisoners were treated. The ways in which Western societies have tried to deal with lawbreakers have changed over the centuries, but in a cyclical fashion, with one of four major attitudes dominating at a time. Sometimes restitution to victims of crimes has been paramount; retribution has satisfied people in some ages; deterrence or rehabilitation seem more productive in others. The attitude in the United States has followed similar shifts, with

growing emphasis in the late twentieth century on restitution to victims whenever possible, or restitution to society in general, as in the sentences of community service.

The shock incarceration camp for women in Summit, New York, incorporated a few such attitudes. On the positive side, it seemed to be intended as a therapeutic and rehabilitative program, giving inmates a chance to change and improve their lives, first by changing and improving themselves through personal discipline and a sense of accomplishment. Among the women tracked by Jan Hoffman in 1990, for example, one woman lost 56 of her 215 pounds. She was also, to her pride, made the leader of her platoon. Unquestionably, given the societal values prevailing at the time, for women especially, the opportunity to look and feel good about herself was an important first step in gaining control over other areas of her life. The means by which this particular inmate lost the weight is more problematic: hard physical labor combined with degrading sessions when she would step on a scale and be yelled at for being fat.

Such lack of human dignity in the process, no matter what ultimate human dignity is intended in the long run, may prove to be counterproductive. As Hoffman pointed out, however, similar sorts of shock treatment have been tried, without clear positive results, such as the "Scared Straight" sessions of the 1970's, in which hardened criminals confronted juvenile offenders. New York Shock graduates, Hoffman noted, had proven slightly less likely than other inmates, as of the time her article was published, to revert to their former patterns of life.

For women prisoners, who most often come from homes that humiliated and degraded them, or who must abandon children for six months to go to a shock camp, such severe treatment may be particularly ineffective in the long run. Studies of prison culture show that women in prison have a distinct culture of their own, different from that of male prisoners. Incarcerated women tend to replicate the familial structure from the outside, building networks of mutual support and assistance. With the rising crime rate among women and the personality changes that drug offenders may undergo, even this female prison culture may vanish. It can only be hoped that what replaces it will be more humane and productive.

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Shakuntala Jayaswal

United States Government Orders

Collection of Data on Crimes Against Homosexuals

Category of event: Civil rights; women's rights

Time: 1988-April, 1990

Locale: Washington, D.C.

The Federal Hate Crimes Statistics Act required the attorney general to collect information on all hate-motivated crimes, including those committed against gay men and lesbians

Principal personages:

GEORGE BUSH (1924-), the forty-first president of the United States, whose endorsement of the act seemed to mark a departure from his conservative views on gay rights

PAUL SIMON (1928-), a Democratic senator from Illinois; a prominent sponsor of the bill

KEVIN BERRILL, the director of the Anti-Violence Project for the National Gay and Lesbian Task Force and a chief lobbyist for passage of the act

URVASHI VAID, the executive director of the National Gay and Lesbian Task Force

JESSE HELMS (1921-), a conservative Republican senator from North Carolina

Summary of Event

The modern Gay Liberation movement was born in the 1960's. Its growth was ignited by a 1969 incident outside the Stonewall Inn in New York City, where homosexuals rebelled against police harassment. Since the birth of the movement, various local and national gay organizations have worked to document episodes of defamation, harassment, intimidation, assault, murder, vandalism, and other abuse directed at victims because of their sexual orientation. In 1978, when San Francisco mayor George Moscone and an openly gay city councilman, Harvey Milk, were murdered, members of the gay community nationwide pointed to the incident as another example of violence motivated by hatred or resentment of gay people.

The National Gay and Lesbian Task Force (NGLTF) was organized in 1972 to lobby, educate, and demonstrate for the rights and full equality of lesbians and gay men. In 1984, this group published the first national study focusing exclusively on antigay violence. More than two thousand lesbians and gay men in eight U.S. cities were surveyed. The results of the report revealed, for example, that 44 percent of those surveyed had been threatened with physical violence and 94 percent had experienced some type of victimization (from being spat upon or chased to suffering physical assault or police abuse) because they were homosexuals. The report also emphasized that fear of antigay violence profoundly affected the attitudes and behavior of the men and women surveyed. Most of them believed they might become victims of hate crimes in the future, and nearly half reported they had modified their behavior to reduce the risk of attack. For example, a person might avoid certain locations, or a couple might refrain from showing any affection in public, for fear of harassment or assault.

Other studies conducted in the 1980's by government agencies and academic researchers showed that the problem of antigay violence in the United States was widespread. Furthermore, the NGLTF held that the numbers in any study might greatly underestimate the seriousness of the problem, since many victims of antigay violence or harassment were afraid to report the incident for fear that such reporting might result in more abuse.

During the 1980's, in fact, lesbian and gay men's community organizations reported a dramatic increase in antigay violence and harassment. By 1990, the number of antigay episodes, from harassment to homicide, reported by local groups to the NGLTF had more than tripled since the task force's first official report six years earlier. The rise could have reflected better documenting of the antigay incidents, but records kept by several gay assistance groups and by police departments indicated that violence and victimization were indeed growing. The New York Gay and Lesbian Anti-Violence Project experienced, for example, a threefold increase in the number of clients it saw between 1984 and 1989.

When the acquired immunodeficiency syndrome (AIDS) became a major health issue and a major media focus in the early- to mid-1980's, the disease's initial association with the gay community caused even more antigay sentiment to be asserted. AIDS itself, even if not a cause of antigay violence, seemed to provide for many a new focus and justification for antigay prejudice. In a 1988 survey, gay men and lesbians reported that they had recently experienced violence or harassment that was AIDS-related, such as being called a "plague-carrying faggot." Although such antigay bias may not have been new,

the increased visibility of lesbians and gay men in American society in the late 1980's was new. After the onset of the AIDS epidemic, the amount of media attention paid to gay rights issues increased dramatically. Although greater visibility could have led to greater understanding and acceptance, it also triggered more hostility toward lesbians and gay men, and made them more identifiable targets for harassment and violence.

The numerous surveys and studies carried out in the 1980's were a testament to the heavy prices paid by victims of antigay prejudice. The numerical measures in reports on antigay violence could only suggest, not quantitatively relate, the fear and anguish experienced by survivors of antigay-motivated assaults and those who shared their communities. Members of the country's gay communities believed they were suffering harsh setbacks in the earlier progress they had made toward equal rights and total acceptance. Gay activists called for greater study of antigay prejudice and violence and for an organized response from public officials, educators, and all people of conscience concerned with civil rights.

Since 1983, the NGLTF had been actively lobbying for passage of the Federal Hate Crimes Statistics Act. On May 18, 1988, the U.S. House of Representatives passed H.R. 3193, a bill requiring federal collection of statistics on crimes based on "homosexuality or heterosexuality," race, religion, and ethnic background. The victory in the House marked the first time a chamber of Congress had passed a piece of legislation recognizing the victimization of lesbians and gay men. An equivalent bill in the Senate was stymied by North Carolina Senator Jesse Helms, an opponent of civil rights for homosexuals.

Helms threatened to delay Senate business unless an amendment he drafted was added to the bill. The amendment stated that homosexuality



When President George Bush signed the Hate Crimes Statistics Act into law, more than more than twenty gay activists attended the ceremony—the first time gay activists had ever been formally invited to a presidential bill signing. (White House Historical Society)

threatened the strength of the American family unit, that state sodomy laws should be enforced, that the federal government should not provide discrimination protection on the basis of sexual orientation, and that school curricula should not condone homosexuality. Helms's efforts killed the measure.

The Hate Crimes Statistics Act was reintroduced in both the House (H.R. 1048) and the Senate (S. 419) on February 22, 1989. It again passed in the House by an overwhelming margin, but again languished in the Senate because of Helms's delaying tactics.

Gay groups shared a minor victory in 1988, however, when the Presidential Commission on the Human Immunodeficiency Virus Epidemic gave public acknowledgment to the problem of antigay violence in its final report, which stated that "increasing violence against those perceived to carry HIV, so-called 'hate crimes,' are a serious problem." Also during 1988, three major professional organizations—the American Sociological Association, the American Association for the Study of Social Problems, and the American Society of Criminologists—passed resolutions condemning antigay violence and calling for research on the problem. Furthermore, in June, 1989, the National Institute of Mental Health held a groundbreaking national research workshop on antigay violence cochaired by Kevin Berrill, director of the NGLTF's Anti-Violence Project, and Gregory Herek of the University of California at Davis. These workshops reflected a national willingness, concern, and need to express solidarity with and support for gay people who were being oppressed by the threat of violence and harassment from those who actively opposed their right to live openly as homosexuals.

In 1990, the hate-crimes bill finally passed both houses of Congress, after the third year of intense lobbying by the NGLTF and a wide array of religious, professional, law-enforcement, and civil rights organizations. Senator Helms's opposition was overcome by supporters of the bill, led by Senators Paul Simon and Orrin Hatch. The measure passed the Senate on February 8, 1990, by a vote of ninety-two to four.

On April 23, 1990, President George Bush signed into law the Hate Crimes Statistics Act, requiring the Department of Justice to collect data on crimes based on race, religion, sexual orientation, or ethnicity. Unlike most bills, this one was signed during a public ceremony to which more than twenty gay activists were invited. Notably absent was Urvashi Vaid, executive director of the NGLTF, who was not invited allegedly because she had heckled President Bush during a March 29, 1990, speech on AIDS. It was the first time gay activists had been invited formally to a presidential bill signing. During the ceremony, Bush declared his hopes for "a society blind to prejudice, a society open to all."

Impact of Event

Some high-ranking members of the Republican Party were concerned that Bush's signing of the bill might be perceived by his conservative supporters as an endorsement of homosexuality, and they feared that the president might alienate his own base. For many, the greatest significance of the act's passage was not its mandate to pursue hate-crime statistics, but the fact that it wrote "sexual orientation" into federal law for the first time. While Bush perceived the main issue as tolerance for homosexuals, gay lobbyists saw the signing as a positive step toward legitimacy for gay men and lesbians. "I was encouraged . . . that the Bush White House is not afraid to talk to or deal with gay and lesbian organizations," said Urvashi Vaid.

Of immediate concern was how the Hate Crimes Statistics Act would be implemented. The Federal Bureau of Investigation (FBI) was assigned this task, and the National Gay and Lesbian Task Force's Anti-Violence Project was invited to work with the FBI to discuss and plan implementation. The NGLTF continued to lobby for funding and took part in monitoring hate-crime law-enforcement training. Members worked closely with the FBI to develop hate-crime reporting guidelines and training materials. When Kevin Berrill and Urvashi Vaid took part in a 1991 press conference at the FBI to announce the agency's progress in implementing the Hate Crimes Statistics Act, it marked the first time that gay and lesbian activists had been invited to an official FBI event.

Many state legislatures followed suit after passage of the federal act. More laws to counteract antigay crimes were passed in 1990 than in any previous year. New legislation in Connecticut, the District of Columbia, Illinois, Iowa, Massachusetts, New Hampshire, New Jersey, and Vermont brought to twelve the number of states with hate-crimes laws that penalized crimes based on sexual orientation. In March, 1991, legislation addressing antigay violence and other crimes motivated by bigotry was pending in ten states.

The Immigration Reform Bill (which removed restrictions against gay men and lesbians entering the United States) and the Americans with Disabilities Act (which banned discrimination against people with AIDS and the HIV virus) were other important political victories for gay people that came in 1990 on the heels of the passage of the Hate Crimes Statistics Act. The Civil Rights Amendments Act of 1991, reintroduced in Congress for the ninth time, banned discrimination on the basis of affection or sexual orientation in housing, employment, federally assisted programs, and public accommodations.

The Hate Crimes Sentencing Enhancement Act, which was part of the Violent Crime Control and Law Enforcement Act of 1994, allowed tougher

sentencing for crimes that were committed because of hate. The push for a federal hate crime bill in the form of the Hate Crimes Prevention Act received overwhelming public support during the late 1990's, yet remained on the senate floor in 2002.

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Joann Balingit

Israel Convicts Demjanjuk of Nazi War Crimes

Category of event: Accused persons' rights; atrocities and war crimes

Time: April 18, 1988

Locale: Jerusalem, Israel

Demjanjuk's trial for atrocities committed at the Treblinka extermination camp continued the Nuremberg precedent of holding Nazi war criminals accountable for their violations of human rights

Principal personages:

JOHN DEMJANJUK (1920-), an SS auxiliary guard at the extermination camp at Treblinka in German-occupied Poland during World War II, known to inmates as Ivan the Terrible

ADOLF EICHMANN (1906-1962), the SS officer in charge of deporting Jews to extermination camps in Eastern Europe, convicted and executed by Israel for war crimes

ALOIS BRUNNER (1912-), an Eichmann deputy and SS officer who supervised deportations to extermination camps

Summary of Event

During World War II, the Nazi German government implemented a calculated policy of genocide by killing millions of human beings. Although victims included persons from many political and religious groups and numerous nationalities, Jews, Gypsies, and the handicapped were the primary victims of Nazi genocide. To accomplish their ends, the Nazis constructed killing centers and perfected mass murder on the assembly line.

The Treblinka extermination camp, which figured prominently in the trial of John Demjanjuk as it did in many Nazi war crimes trials, was one such killing center. One of the three camps of Operation Reinhard (the other two were Belzec and Sobibor) in eastern Poland, Treblinka opened in July, 1942. A revolt in August, 1943, destroyed parts of the camp, and the Germans closed it in November, 1943. Treblinka, as did the other two camps of Operation Reinhard, served only the purpose of mass murder. Every man, woman, and child arriving there was to be killed. Most were Jews; a few were Gypsies. Some

of the young men and women were not immediately killed. They served the camp by sorting the belongings of those who had been murdered and by burning the bodies after any gold fillings had been extracted from the victims' teeth. Eventually, they, too, were killed. Only a handful of prisoners, able to escape during the uprising, survived to testify. The number of people killed at the Treblinka camp has been estimated to be between 700,000 and 900,000.

The method of murder was relatively simple. The victims arrived by train, mostly in cattle cars. They were driven from the cars and the men were separated from the women. They were forced to undress and to surrender all their valuables. Those too old or too infirm to walk rapidly were shot, and their bodies were dropped into a ditch where a continuous fire consumed them. The others were driven naked toward the gas chamber facility, a large building whose interior was divided into chambers disguised as shower rooms. They were forced into the gas chambers, the doors were sealed, and carbon monoxide from a diesel motor was pumped into the chambers.

The Treblinka killing center employed a small staff. About twenty-five to thirty Germans, dressed in the uniform of the SS (*Schutzstaffel*), the elite German security unit, supervised all operations. They were supported by 90 to 120 Ukrainian auxiliaries (Soviet prisoners of war recruited and trained by the SS), without whose help the killing machine could not have been operated. A fluctuating number of Jewish prisoners, approximately five hundred to one thousand, performed all the necessary physical labor.

Demjanjuk was one of these SS auxiliaries. Born Ivan Demjanjuk in the Soviet Ukraine, he was drafted into the Soviet army in 1940. He was wounded but returned to active duty until captured by the Germans in May, 1942. He volunteered for and received training as an SS auxiliary at Trawniki, Poland. He was then posted to the extermination camps of Operation Reinhard and served at Treblinka until the camp closed in 1943.

After the war, Demjanjuk found refuge in Displaced Persons (DP) camps. In 1948, he applied for DP status, and in 1951 for an American immigration visa. He was ineligible for either because the operative definition of a displaced person given by the International Refugee Organization (IRO), later adopted by the United States Congress, specifically denied DP status to Nazi war criminals. Demjanjuk obtained both DP status and his American visa by lying about his wartime occupation. He entered the United States in February, 1952, settled in Cleveland, and became an auto worker. He was naturalized in 1958.

In the United States, criminal charges could not be brought against Demjanjuk because American courts have no jurisdiction to try persons who

commit murder abroad. American law does require the denaturalization of those who lied in order to gain entry and citizenship and, after denaturalization, also requires their deportation if they had assisted Nazi Germany in persecuting civilians.

In 1977, the U.S. government instituted denaturalization proceedings against Demjanjuk, alleging that he was the SS auxiliary at Treblinka, known to the Jewish inmates as Ivan the Terrible, who had operated the diesel motor that fed lethal carbon monoxide into the Treblinka gas chambers and who had tormented, tortured, and shot Treblinka inmates. Demjanjuk denied that he had ever been at Trawniki or Treblinka. The government produced documents, expert witnesses, and Treblinka survivors to prove its allegations. The government's most important piece of evidence, in addition to the eyewitness identifications made by former Treblinka inmates and a former German Treblinka staff member, was Demjanjuk's Trawniki identity card.

This Trawniki card showed Demjanjuk's picture and signature and provided his name, nationality, family history, and such personal characteristics as a shrapnel scar on his back, the color of his hair and eyes, and the date of his birth, all of which matched the relevant information on his visa application. The authenticity of the Trawniki card was certified by an expert forensic documents examiner. A historian testified that the information on the Trawniki card conformed to the known facts of SS administration in occupied Poland.

Unable to deny that he was the man in the Trawniki photograph or that the personal data were accurate, Demjanjuk seized upon the fact that the Trawniki card had been obtained from Soviet archives to claim that it was a KGB forgery. He produced no credible reason for being singled out for persecution by the Soviet government and no evidence to support the forgery claim. Nor could he produce a plausible, or indeed even a consistent, alternative explanation of his whereabouts and activities during the war.

The federal district court found the government's case to be persuasive. In June, 1981, it revoked Demjanjuk's citizenship, a decision upheld on appeal. The government then instituted deportation proceedings against him. In May, 1984, an immigration judge concluded that Demjanjuk was deportable because he had assisted Nazi Germany in persecuting civilians and ordered him deported to the Soviet Union, a decision upheld on appeal.

In October, 1983, during the deportation proceedings but before Demjanjuk was ordered deported, Israel charged him with murder and other offenses in violation of its 1950 Nazi and Nazi Collaborators Law and requested his extradition. The U.S. government sought and received a certificate of extraditability from a federal district court. On February 27, 1986, United States

marshals took Demjanjuk to Israel and turned him over to the proper authorities. On September 29, 1986, the government of Israel filed a twenty-four page indictment, charging Demjanjuk with having committed crimes against the Jewish people, crimes against humanity, war crimes, and crimes against persecuted persons.

The trial began on February 16, 1987, before a three-judge district court in Jerusalem. The Israeli prosecutors relied on documentary evidence, expert witnesses, and the testimony of Treblinka survivors. The principal documentary evidence was again the Trawniki card, once again authenticated by documents experts. A forensic anthropologist compared the photo appearing on the Trawniki card with a photo of Demjanjuk in prison, concluding that it was the same person. Historians testified about the Holocaust, Operation Reinhard and Treblinka, and the administrative procedures used by the Germans. The Treblinka survivors testified about their personal experiences at the camp, identified Demjanjuk as Ivan the Terrible, and recounted his specific acts of cruelty. As in the American proceedings, Demjanjuk relied largely on his own denial that he had ever been at Trawniki or Treblinka and the contention that the Trawniki card was a KGB forgery. Again Demjanjuk failed to offer credible evidence to refute the prosecution's case.

On April 18, 1988, after a fifteen-month trial, the court returned its verdict. For ten hours the judges read excerpts from their four-hundred-page opinion, reviewing, summarizing, and analyzing the documents and the testimony that led the court to find Demjanjuk guilty. The following week, the judges sentenced Demjanjuk to death. Demjanjuk appealed to the Supreme Court of Israel. That court heard Demjanjuk's appeal beginning in 1991. The appeal gained strength when, on June 5, 1992, a federal appeals court in Cincinnati, Ohio, ordered a reopening of the case involving Demjanjuk's extradition from the United States. The appeals court in Ohio asked to hear more evidence because of the possibility that the extradition order had been based on erroneous information.

During 1993, both Israel and the United States courts expressed doubts that Demjanjuk and Ivan the Terrible were one in the same and in September 1993, Demjanjuk returned to the United States. In 1998, the decision to strip Demjanjuk of his citizenship was overturned. However, in May, 1999, the U.S. Justice Department alleged Demjanjuk was a guard at Nazi death camps and his citizenship was revoked for a second time in February 2002. Demjanjuk appealed this last decision.

Impact of Event

Israel has not been, and is not likely to become, the major forum for the trial of Nazi war criminals. Demjanjuk was only the second non-Israeli tried under the Nazi and Nazi Collaborators Law. The first, Adolf Eichmann, was tried in the early 1960's. Most Nazi war criminals have been tried in a large variety of international and domestic tribunals.

After World War II, the Allies established the International Military Tribunal (IMT) at Nuremberg to prosecute top-ranking German Nazis. In addition, each Allied power tried Nazi war criminals in its zone of occupation and extradited others to countries formerly occupied by Germany in which the crimes had been committed. Further, Austria and the two German states continued to prosecute Nazi war criminals.

By the 1950's, concern about Nazi crimes had waned, and many Nazis escaped trial. By the late 1970's, however, indifference to the Holocaust changed to renewed concern. Governments began to seek those perpetrators of Nazi crimes who had not been brought to justice. Some countries (Canada, Australia, and Great Britain, for example) made Nazi war crimes punishable under their domestic laws. The United States has relied on civil, not criminal, proceedings: It has sought to denaturalize those Nazi war criminals who had entered illegally and then to deport or, on occasion, to extradite them. The legal road to Demjanjuk's conviction for war crimes began in Cleveland, Ohio, in a civil denaturalization proceeding.

The Israeli trial of Demjanjuk, like the trials of Nazis in other forums, was a reminder to those still at large that they, too, could still be called to account. Under the Nuremberg precedent, international tribunals can be established to try war criminals. Moreover, under international law, every country has universal jurisdiction over crimes against humanity and war crimes, even if those crimes were not committed on their territory or against their citizens.

Justice, of course, has been neither swift nor sure for Nazi war criminals. Demjanjuk himself evaded the law for more than forty years. Other Nazi war criminals found refuge in dictatorships that refused to surrender them. Syria, as of 1991, continued to refuse the extradition of Alois Brunner, an Eichmann deputy. Still other war criminals died of natural causes in their old age without ever having had to answer for their crimes.

As Demjanjuk's trial illustrates, there is no statute of limitations for crimes such as those committed at Treblinka. The fact that Demjanjuk's past was discovered and that he was finally held accountable for his crimes serves as a warning to contemporary violators of human rights that they are not immune from prosecution for mass murder. The prosecution of Demjanjuk is another

step in the development of an international system of justice wherein some crimes so offend norms of civilized behavior that perpetrators will be held accountable by international or domestic tribunals.

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Earlean M. McCarrick

Ethnic Violence Erupts in Yugoslavian Provinces

Category of event: Indigenous peoples' rights; racial and ethnic rights

Time: July-November, 1988

Locale: Yugoslavia

Centuries-old ethnic tensions and contemporary economic problems fueled political jockeying for position in the largest republic of Yugoslavia

Principal personages:

SLOBODAN MILOSEVIC (1941-), the president of the Serbian Republic and League of Communists, a Kosovar Serb catalyzing the unrest

RAIF DIZDAREVIC (1926-), the president of the Yugoslav state collective presidency; a Bosnian Muslim who resisted Milosevic

AZEM VLASI (1948-), a popular member of the Kosovar presidium

TITO (1892-1980), the postwar leader who created Yugoslavia's diffuse governmental structure and the autonomous Kosovo and Vojvodina provinces in Serbia

Summary of Event

Yugoslavia, the most clearly multiethnic state in East Central Europe, contained five major South Slavic groups: Serbs, Croats, Slovenes, Montenegrins, and Macedonians. It also contained more than a dozen non-Slavic groups, such as Albanians, Magyars, Turks, Czechs, Slovaks, Russians, Gypsies, Italians, Romanians, Vlachs, Poles, Germans, and Ruthenians. Hatred and discrimination among ethnic groups broke into open protests in 1988 among the Serbian, Albanian, and Montenegrin Yugoslavs. A chain reaction brought in nearly all other ethnic and nationalist groups and fueled federal republics' desires for independence.

Deep economic and political crises in Yugoslavia aggravated centuries-old ethnic tensions. Economic distress was largely a result of the country's political paralysis, which, in turn, derived from the decentralized political structure designed to accommodate the ethnic diversity. Leaders of the six republics and two autonomous provinces defended their own interests at the expense of Yugoslavia as a whole.

The tinder for the 1988 disturbances took the form of mutually exclusive Serbian and Albanian claims to authority in Kosovo. Serbs considered Kosovo their culture's cradle. There, in 1389, the Turks had defeated the Serbs and begun a domination of them that lasted into the mid-nineteenth century. Serbs believed that their numbers, traditions of statehood, and military prowess—particularly their participation on the Allied side in both world wars—entitled them to be at least first among equals in contemporary Yugoslavia. Instead, they argued, Tito had cheated them by establishing two autonomous provinces, Kosovo and Vojvodina, within Serbian territory.

On the other side were the Albanian Kosovars. They were the last Balkan people to acquire independence (in 1912). They formed a majority in Kosovo, an area that was part of Albania briefly during World War II. The Kosovars historically had been under Serbian control, though many believed Tito had promised that the region eventually could join Albania. Despite generous federal government spending in the region, Kosovar Albanians had high rates of unemployment and poverty. From later migrations and high Albanian birthrates (24.2 per thousand compared to 8.5 per thousand in Yugoslavia as a whole), the province by 1988 was nearly 90 percent populated by Muslim, non-Slav Albanians. Ethnic Albanians, then, claimed Kosovo on demographic grounds of majority rule. Serbs claimed it on historical grounds.

Serbian aspirations regarding Kosovo changed when Slobodan Milosevic became president of the Serbian League of Communists in May, 1986. Of Kosovar Serbian descent, he championed the Serbs when Kosovar Albanian police beat Serb demonstrators in his presence during a rally in April, 1987. He purged political opponents and dissenting voices in the Serbian mass news media and was elected president of the Socialist Republic of Serbia in May, 1987.

Milosevic found fertile soil for his appeals. Serbs had undergone political and cultural loss in the previous generation. The reformulated Yugoslavia after World War II had accorded Montenegro full republic status, though most Montenegrins considered themselves to be Serbs. Large numbers of Serbs were left in Croatia, Bosnia-Herzegovina, and Vojvodina. There they had no assured legal protection for their cultural, religious, or economic well-being. Serbs listed many ways their culture had been suppressed. The 1974 constitution, for example, permitted bureaucrats of other provinces to strengthen their statehoods at Serbia's expense. The names of centuries-old Serbian cultural institutions such as the Serbian National Theater in Novi Sad and the Serbian Cultural Center and Prosvjeta publishing house in Zagreb (Croatia) had been changed. The two million Serbians living outside Yugoslavia had no



Josip Broz Tito, who created modern Yugoslavia after World War II, is generally credited with holding the fractious nation together. After he died in 1980, the country started to come apart. (National Archives)

newspaper or other periodical oriented to them. In sum, the Serbian Academy of Sciences said, the religious, cultural, and political fate of Serbians had been better under the old Austro-Hungarian monarchy than it had in Yugoslavia.

Although Milosevic could not solve the Kosovo problem, he reunited many Serbians by working to undermine certain provisions of the 1974 constitution. Representatives of Vojvodina and Kosovo, which constituted one-third of the Serbian republic's territory, sat in the highest federal bodies and could veto any constitutional changes Serbia proposed. Inside Serbia, the two provinces' representatives could also veto Serbian legislation. Meanwhile, Serbia had no right to participate in the two provinces' assemblies. From late 1986 to early 1988, the Serbian government tried several ethnic Albanians for offenses ranging from membership in illegal separatist organizations to singing Albanian songs with alleged chauvinist sentiments, flying the Albanian flag, or

giving children names expressing Albanian national identity. This Serbian attention was apparently driven by a belief that the separatists intended to create a Great Albania that would include Albania proper, Kosovo and parts of southern Serbia, western Macedonia, and southern Montenegro. Emigration by non-Albanians in the face of Albanian harassment was reported from all these areas.

The matchsticks in Kosovo in 1988 were, first, Serbian and Montenegrin claims that ethnic Kosovar Albanians were systematically harassing them out of the province through rapes, murders, and attacks on property, and second, Kosovar hopes of independent republic status. Unemployment running at 50 percent compounded the situation.

Beginning in July, hundreds of thousands of Serbs and Montenegrins demonstrated almost daily to protest Kosovo's purported mistreatment of minorities. The federal government sent a police unit to Kosovo to reinforce the federal paramilitary police unit there and gave the paramilitary police special powers. Serbians also campaigned to annex Kosovo and Vojvodina into Greater Serbia. Vojvodina's leadership, although largely Serb, did not want to merge with Serbia. Kosovo's ethnic Albanian leadership also vehemently opposed annexation. In August, the collective state presidency announced that it was empowering its special federal police unit in Kosovo to maintain law and order. Serbian militia detachments deployed in Kosovar municipalities arrested dozens of alleged Albanian separatists.

In early October, some two hundred thousand nationalists staged protests in three Serbian cities. Approximately one hundred thousand protesters in Novi Sad, Vojvodina's capital, prompted the provincial party leadership to resign, a first for Yugoslavia. The party politburo, which had opposed joining Serbia, also resigned. In Titograd, Montenegro's capital, the interior minister ordered both local police and special antiriot and antiterrorist units (which included some federal militia personnel) to disperse crowds angered by suppression of students' public calls for multiparty elections. Riot police resorted to using clubs after repeatedly asking demonstrators to disperse. Rioters in Nikšić then attempted to get to Titograd to protest harsh methods the police had used. When a member of the Montenegrin League of Communists presidency could not calm the crowd, he resigned. Students initiated hunger strikes in Titograd and Nikšić. Disgruntled steelworkers and pro-Serbian nationalists were dispersed in Nikšić only after riot police used tear gas.

The president of the Yugoslav collective presidency, Raif Dizdarevic, a Bosnian Muslim, warned on October 9 that he would declare a state of emergency if the unrest did not stop. He conceded that the protesters grievances

about the economy and about bureaucratic delay were justified, but he criticized Milosevic's inflaming of ethnic animosities. News reports said that army leaves were canceled and that reserves were being called up.

Other republics began reacting to the prospect of a Greater Serbia. Slovenia's party leadership on October 9 recommended using federal force to curb Serbian nationalist protests and warned against permitting Serbia to impose solutions, which would set a precedent that Slovenes would never accept. Croatia, which often allied with Slovenia, condemned Serbian nationals for pushing Yugoslavia toward violence and began independently buying arms from Hungary. Macedonia, Bosnia-Herzegovina, and Montenegro also criticized Serbian nationalism.

Next, the Serbian Communist Party tried to oust three top officials of Kosovo, including Azem Vlasi, perhaps the most popular Kosovar Albanian. The national party blocked the ouster, however, and went on to urge that senior state officials should no longer simultaneously hold party office. This setback for Milosevic triggered new demonstrations by the Serbs and Montenegrins in Kosovo, which caused resignations of Kosovo government officials. In response came the first major ethnic Albanian protests since 1981. Nearly one hundred thousand ethnic Albanian workers and students marched in Priština to the city's party headquarters to demand reinstatement of their leaders and Serbian respect for Kosovo's rights under the 1974 constitution.

In Belgrade, on November 19, a rally climaxed a series of protests organized in Serbian cities. Free transportation brought nearly one million Serbs to hear speeches in favor of proposed changes to the republic's constitution. Meanwhile, in Kosovo thousands of ethnic Albanians walked distances of up to fifty miles through rain and snow to attend demonstrations in Priština. Kosovo Albanians regarded Milosevic's constitutional amendments as an attempt to return Kosovo to colonial status. They denied that Serbians were being persecuted and claimed that the Slavs were leaving mainly for economic reasons. Finally, on November 23, the Kosovo provincial executive declared an immediate, indefinite ban on mass gatherings in Kosovo. Enough steam had escaped for the tempers to cool temporarily.

Impact of Event

Yugoslavia was forged in 1945 in the crucible of simultaneous war for national liberation and civil war. The country was created as a federation of six republics and two autonomous provinces headed by Tito. It was also a politically artificial attempt to quell centuries-old ethnic rivalries responding to the clarion call of self-determination.

National tendencies had been containable, generally, under four conditions: a strong leader, expanding prosperity, governmental legitimacy, and internal mutual security. All of these were coming apart by 1988. First, Tito died in 1980. Second, rising living standards were reversed shortly thereafter, and interethnic competition began for economic resources. Third, without Tito at the reins, the collective presidency was unable to undertake necessary market reforms. Consensus began eroding quickly. External respect for Yugoslavia diminished, as did much of the country's Soviet-opposing socialist self-image. Finally, several minorities began by 1988 to believe that their existence was endangered. Absence of Cold War anxieties within the great powers permitted the disturbances to occur without confrontational involvement in the civil strife. Yugoslavia's role as a strategic buffer between alliances was no longer essential.

Ethnic disturbances in Yugoslavia in 1988 moved beyond being local concerns, whether in Serbia or Macedonia, or assertions of self-determination, as in Croatia or Slovenia. The ways in which regional governments coped with ethnic protests and the growing inability of the federal government to address effectively either the regional tensions or the economic downturns set the stage in 1988 for friction among the republics. Given Yugoslavia's strategic position in the heart of the Balkans, wide-spread civil unrest inevitably spilled over into neighboring countries. The potential disintegration of Yugoslavia that the ethnic disruptions seemed to portend radiated unease about the future of human rights throughout the Balkans, even across the whole of Europe.

Milosevic advocated ending the interregional consensus rules adopted in the 1970's and urged other constitutional changes to dissolve the constitutional and political impasse frustrating Yugoslavia. Although he attacked opponents as bureaucrats, he sought a stronger federal government. Non-Serbians, however, rejected Milosevic's suggestions for reforms in Yugoslavia because they suspected Milosevic of scheming to expand Serbian sway and even to assimilate non-Serbs.

Milosevic, the leader of the League of Communists of Serbia, was behind the demonstrations and the annexation campaign. He was widely regarded as the most powerful figure in Yugoslavia outside the federal leadership. His hard-line Serbian nationalism appeared to endanger the fragile balances between Yugoslavia's many ethnic groups and between the central government and the republics. He actively resisted pressures for democratic reform and human rights.

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Kenneth L. Wise

Iraq Uses Poison Gas Against Kurds

Category of event: Atrocities and war crimes; indigenous peoples' rights; racial and ethnic rights

Time: Late August, 1988

Locale: Kurdistan (northern Iraq and southeastern Turkey)

In August, 1988, Iraqi aircraft dropped lethal gases on Kurdish settlements in northern Iraq, killing thousands of Kurds and causing sixty thousand to flee into Turkey

Principal personages:

SADDAM HUSSEIN (1937-), the president of the Republic of Iraq during the gassing of the Kurds

TARIQ MIKHAYI AZIZ (1936-), Iraq's minister of foreign affairs

MASOUD BARZANI (c. 1935-), a leader of the Democratic Party of Kurdistan

SERBEST LEZGIN (c. 1940-), a local leader of Kurdish guerrilla forces, the *pesh merga*

RONALD REAGAN (1911-), the fortieth president of the United States (1981-1989), in office during Iraq's gassing of the Kurds; called for the resumption of chemical weapons manufacturing in the United States

GEORGE BUSH (1924-), the forty-first president of the United States; Ronald Reagan's vice president (1981-1989) who cast tie-breaking votes in the Senate to pass bills permitting the United States to resume manufacturing lethal gas

GEORGE SHULTZ (1920-), the U.S. secretary of state during the Reagan administration; called for economic sanctions against Iraq

TURGUT ÖZAL (1927-1993), the prime minister of Turkey

Summary of Event

The Kurdish minority in the mountainous regions of northern Iraq, large portions of southeastern Turkey, parts of the southwestern Soviet Union, and Iraq's borders with Iran and Syria has sought autonomy since the early twentieth century. The European nations that signed the Treaty of Sèvres in 1920 did not honor a provision that granted autonomy to the Kurds. Rather, the former

Ottoman Empire was divided among the five nations—Iraq, Iran, Turkey, Syria, and the Soviet Union—in which an estimated twenty million Kurds lived in the late 1980's.

The nations that became hosts to the Kurds sought to suppress their culture. The Kurdish language was not used in schools Kurdish children attended. Kurdish books and folk music were proscribed. Nevertheless, the Kurds represented a substantial percentage of the electorate, so national leaders were mindful that it was politically astute to cultivate members of the group.

The gassing of Kurds by Saddam Hussein's forces in 1988 was not the first Iraqi attempt at Kurdish genocide. Similar attempts occurred in the 1960's. The 1988 incidents were a result of the Iran-Iraq War that raged from 1980 until 1988. In March, 1988, shortly before the war's end, Iranian forces swarmed across the border into Iraq and occupied Halabja, a largely Kurdish city. Iraq had been using lethal gases—mainly cyanide, mustard gas, and nerve gas—against the human waves of infantry Iran was sending across its borders. Doing this violated the intent of the Geneva Protocol of 1925 forbidding chemical warfare. The United States and several European countries had been trying for years to broaden the provisions of this protocol to extend its prohibitions to the manufacture and storage of lethal gases. Although the United States was on record as opposing chemical warfare, under the Ronald Reagan administration Vice President George Bush twice cast tie-breaking votes in the Senate that permitted the United States to resume the manufacture of such gases.

Although Bush was on record as opposing chemical warfare, the knowledge that the Soviet Union was developing gases caused the Reagan administration to allow the resumption of production of poison gas, which had been halted in 1969 during the Richard Nixon administration. Reports that Libya was greatly accelerating its production of lethal gases also caused the United States to act defensively.

Among the nations known to have chemical weapons in 1988 were the United States, the Soviet Union, France, and Iraq. The Central Intelligence Agency (CIA) believed that Burma, Cuba, Egypt, Ethiopia, Iran, Israel, Libya, North Korea, South Africa, South Korea, Syria, Taiwan, Thailand, and Vietnam had such weapons as well.

The use of lethal gases against the Iranians in occupied Halabja resulted in at least four thousand deaths, mostly among Kurdish inhabitants. The rebellious Kurd separatists were thorns in the sides of the Iraqis, so they did not look upon these deaths as losses of their own countrymen.

The Iraqis, amazingly, could not be called to account under the provisions

of the Geneva Protocol because, in attacking Halabja, they were using lethal gases within their own borders. The gassing of the Kurds in this instance had to be regarded as an internal matter. Much of the world was horrified when it heard what had happened, but to interfere would have been to violate Iraq's sovereignty.

Not until some months later did Iraq do something that was deemed to violate the Geneva accord. On the morning of August 25, 1988, Iraqi warplanes dropped poison gas on the Kurdish town of Mesi in the mountains of northern Iraq, close to the Turkish frontier. This raid killed more than nine hundred people.

Among those who escaped across the border into Turkey were people who told stories of being exposed to a gas that smelled like rotting onions. They described how the gas burned their skin, eyes, and lungs, and how many people had collapsed, never to rise again. Those who escaped had sores that oozed. Their skin was scorched and badly discolored, and their hair fell out.

At about the same time, Iraqi warplanes dropped bombs armed with lethal gases on several other villages in the vicinity. In Butia, some people survived by drinking large quantities of milk, which absorbed some of the poison, and by running. More than sixty thousand Kurdish refugees poured over the border into Turkey. Refugee camps were set up, even though Turkey, which was dependent upon Iraq for its oil and did \$2.4 billion in annual trade with the country, rejected the call for a United Nations inquiry into the gassing, saying that its own investigation, involving forty doctors and 205 other health officials, had uncovered no evidence of chemical warfare in northern Iraq.

The Iraqis, who denied officially that they were gassing the Kurds, were, in effect, punishing those who sided with Iran during the Iran-Iraq War. They sought to annihilate the Kurdish guerrillas, the *pesh merga*—literally “those who face death”—and the Kurdish nationalists who struggled for the establishment of an independent Kurdistan.

Despite Iraqi protestations of innocence, Iraq's foreign minister, Tariq Aziz, in 1986 told a group of United States congressmen that Iraq's continued existence was being threatened. He said that if Iraq possessed nuclear weapons, it would surely unleash them against its enemies. Chemical weapons have been called the nuclear weapons of the poor.

The Kurds, a non-Arab Muslim people, constituted almost a fifth of Iraq's population of seventeen million. Masoud Barzani, a leader in the Democratic Party of Kurdistan, and Jellal Talibani, a leader in the Patriotic Union of Kurdistan, officially accused the Hussein government of practicing genocide against the Kurds in Iraq, an accusation the Western world believed.

With the gassing of the Kurdish villages, U.S. secretary of state George Shultz called for immediate action. Within hours, the U.S. Senate voted economic sanctions against Iraq. The Senate also became more amenable to pressing for a world-wide ban on the manufacture and stockpiling of chemical weapons, although the idea met with resistance from those who realized that such a ban was virtually unenforceable, since chemical weapons could be made easily from readily available materials.

Meanwhile, the Iraqi government offered amnesty to the nearly sixty thousand Kurds who had fled from Iraq. These Kurds had to decide by October, 1988, whether to return to their homeland or to risk being stateless. Knowing that because of their support of Iran during the war the government in Baghdad regarded them as traitors, Kurds suspected the amnesty offer, which attracted few takers.

The leader of the Kurdish guerrillas, Serbest Lezgin, said that he would return with his men only under orders from Kurdistan's separatist leaders. Meanwhile, Turkish prime minister Turgut Özal, who faced election on September 25, 1988, wanted the matter settled. He needed the votes of Turkish Kurds, yet he could not risk offending Iraq by speaking openly of the atrocities that had caused hordes of refugees to flee into his country. His silence on that issue agitated his Kurdish constituency, weakening his chance of reelection.

Impact of Event

An obvious issue that arose from Iraq's gassing of the Kurds was whether a large, discrete ethnic minority had the right to self-determination. The Kurdish case was complicated by the fact that five nations—Iraq, Iran, Turkey, Syria, and the Soviet Union—were involved. A further complication was that an amalgamation of Kurds from those five nations would have resulted in a nation of some twenty million people, creating a sovereign entity with a considerably greater population than Iraq and more than twice the population of Syria.

Given the agitation that had characterized the Kurds for much of the twentieth century, the countries that would have been affected by allowing self-determination became understandably nervous. The resulting nation likely would have been stronger than Iran, which had been weakened considerably by war from 1980 until 1988. The Soviet Union, although much larger than the resulting autonomous Kurdish nation might be, had its own problems with separatist movements and would not have welcomed Kurdish independence. Turkey, with a large and widespread group of Kurds living within its borders, stood to lose territory and population if autonomy were granted.

On the other hand, the Kurds, particularly those in Iraq, suffered such in-

credible atrocities that it was clear that Iraq had renewed its efforts at genocide against them. For those Kurds, it was hardly overstating the case to say that autonomy appeared to be synonymous with survival.

That genocide occurred in northern Iraq was evident to Western governments. For various reasons, however, they did not rush to condemn Iraq. France remained circumspect, condemning chemical warfare but, despite the evidence, not accusing Iraq categorically of using it. Iraq still owed France several billion dollars for armaments it had bought from the French during the Iran-Iraq War. The British held back because they did not wish to give the appearance of marshaling their prestige against Iraq, an act that might have been construed as siding with Iran to enlist its help in gaining the release of British hostages held in Lebanon.

An important economic factor that inhibited the expression of Western outrage against Iraq's aggression was the expectation of Britain, France, and Italy that they would be beneficiaries in the reconstruction of Iraq after its eight-year war with Iran. Several Arab countries—Egypt, Saudi Arabia, and Jordan—supported Iraq because they considered any threat to that nation's sovereignty as a threat to their own.

Because the problems the Kurds faced did not lend themselves to simple solutions, they could be expected to continue well into the future. The Gulf War of 1991 resulted in Iraq's losing some of the support it received from other countries after the gassing of the Kurds in 1988, but the political situation remained sufficiently complex that the Kurds' future remained in doubt.

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R. Baird Shuman

Amnesty International Exposes Cruelty of Death Penalty

Category of event: International norms; prisoners' rights

Time: 1989

Locale: London, England

Pursuing its campaign against capital punishment, Amnesty International published When the State Kills, advocating total abolition of the death penalty and reporting on one hundred governments' use of it

Principal personages:

RANDALL DALE ADAMS, the U.S. death row inmate released after the documentary film, *The Thin Blue Line*, revealed his erroneous conviction

CHRISTIAN BRODA (1916-1987), the former minister of justice of Austria, the architect of the 1983 Sixth Protocol to the European Convention on Human Rights abolishing the death penalty

THOMAS HAMMARBERG (1942-), the Executive Committee chair during Amnesty International's 1977 international conference in Stockholm on the abolition of the death penalty

Summary of Event

When the State Kills . . . The Death Penalty: A Human Rights Issue (1989) revealed the ancient legacy of Amnesty International's worldwide campaign against the death penalty by citing the earliest recorded parliamentary opposition, Diodotus's claim in 427 B.C.E. Greece that execution was not an effective deterrent. Sixteenth century critics of capital punishment objected to the widespread penalties of burning, beheading, hanging, and drawing and quartering that were imposed for more than two hundred offenses. Preindustrial societies in the Middle Ages substituted banishment or mutilation for execution, and the first prisons opened in the sixteenth century. Reformers such as Jeremy Bentham successfully worked to reduce the number of capital offenses in England to four by 1861. In 1863, Venezuela became the first country to abolish the death penalty. The Netherlands ended capital punishment for most crimes in 1870, Sweden for all crimes in 1921, and the United Kingdom in 1965. Executions in the United States declined from 1,666 in the 1930's to

191 in the 1960's, before the Supreme Court halted all use of capital punishment from 1972 to 1976.

In an attempt to become more humane, the United States was the only country to introduce electrocution, poison gas, and lethal injection as methods of execution. The Amnesty report, however, showed that all methods of premeditated state killing resemble unacceptably barbaric torture:

If hanging a woman by her arms until she experiences excruciating pain is rightly condemned as torture, how does one describe hanging her by the neck until she is dead? If administering 100 volts of electricity to the most sensitive parts of a man's body evokes disgust, what is the appropriate reaction to the administration of 2,000 volts to his body in order to kill him? If a pistol held to the head or a chemical substance injected to cause protracted suffering are clearly instruments of torture, how should they be defined when used to kill by shooting or lethal injection?

Malfunctioning electric chairs in the United States have caused head coverings to catch fire, have prolonged suffering, and have resulted in one failure that required postponement until a second execution date. Saudi Arabia has conducted public executions, using a sharp sword to behead religious offenders or medium sized stones to kill those convicted of sexual crimes.

After 1948, developing international human rights law progressively imposed greater restrictions on judicially imposed executions. Article 3 of the Universal Declaration of Human Rights affirmed the right to life, and the 1949 Geneva Conventions circumscribed military punishments in wartime. The International Covenant on Civil and Political Rights draft Article 6 limited the death penalty to only the most serious crimes. Article 4 of the American Convention on Human Rights forbade the extension of capital punishment to crimes for which it was not imposed at the time as well as reestablishment of the death penalty in states that abolish it. Both conventions also prohibited execution of pregnant women and those below the age of eighteen at the time of their offense. Pressed by Sweden and Austria, the United Nations began collecting data and publishing reports. The General Assembly resolved that the number of capital offenses should be progressively restricted and affirmed the desirability of abolishing capital punishment in all countries.

Nearly forty states nevertheless continued to execute for crimes other than murder—Iran and Saudi Arabia for adultery, China for embezzlement and pornography, seven governments for rape, fourteen for robbery or armed robbery, and seven for drug trafficking. Twelve U.S. states had sentenced

more than twenty-five young prisoners to death, and three of these were executed for offenses committed when they were below eighteen years of age.

Internationally mandated rules of fair criminal procedure did not eliminate arbitrary executions or completely protect the innocent. Governments prosecuted unrepresented defendants in secret proceedings of specially created courts with partisan judges from whose decisions there was no appeal. "In Turkey, for example," the Amnesty report states, "death sentences have been imposed after mass trials (with sometimes more than 1,000 defendants). . . . In one such trial in 1986 the judge ruled that confessions extracted under torture could be used in evidence." Summary execution immediately after trial renders meaningless any right to petition for clemency when unstable new governments, as in Liberia, hasten to eliminate potential rivals for power. Despite the extensive procedural guarantees and opportunities for appeal in U.S. courts, researchers discovered 350 miscarriages of justice in capital cases since 1900, resulting in at least twenty-three erroneous executions.

Founded in 1961, Amnesty International (AI) initially worked primarily on behalf of prisoners of conscience—individuals imprisoned for nonviolent political activity—and, as a second mandate, on behalf of all torture victims. In 1977, the year it won the Nobel Peace Prize, AI convened an International Conference in Stockholm which led in 1979 to publication of *The Death Penalty*, a handbook for the first global campaign against capital punishment. Thereafter, Amnesty actively opposed all executions, even of individuals convicted for violent offenses.

To publicize executions as human rights violations, AI began collecting and annually reporting the number of death sentences imposed and the number of individuals executed. The AI research provided a more complete record than did the U.N. secretary-general's periodic reports, based on surveys returned by fewer than one-third of the more than one hundred retentionist governments. Nevertheless, AI could record only a fraction of the executions actually conducted, since many went unreported or unacknowledged. During the 1980's, as many as sixty-seven countries imposed death sentences in a single year, and between thirty and forty-four governments were known to have conducted executions each year. The number of known executions in any given year ranged from a low of 769 to a high of 3,278, but there were certainly many more unacknowledged and unreported death sentences carried out by China, Iran, and other countries.

Abolitionists took heart, however, when on the average one government each year discontinued executions after 1976. European states led the way, first in national law and then in 1983 by adding Protocol 6 to the European

Convention on Human Rights. The Council of Europe awarded its Human Rights Prize to Dr. Christian Broda, former minister of justice of Austria and architect of the Sixth Protocol. A similar protocol abolishing capital punishment was proposed for the American Human Rights Convention.

Thirty-seven states in the United States, however, reinstated the death penalty. More than two thousand prisoners were soon sentenced to death, and frequent executions in four southern states raised the U.S. rate to eighteen per year. AI published a book-length attack on death penalty sentencing in the United States, attempting to counter the growing popularity of capital punishment. Conclusive evidence demonstrated that race, poverty, and mental retardation significantly affected the selection of those condemned to die. The Supreme Court, however, rejected statistical proof of racial disparities in affirming a highly questionable death penalty from Georgia. In other cases, new evidence led to the release of wrongly condemned individuals, including Randall Adams, the subject of *The Thin Blue Line*, a film documenting the criminal justice system's failure.

AI also singled out for special campaigns the governments with the highest execution rates: China, Nigeria, and Iran. Despite worldwide appeals for clemency, Pakistan's military government executed former prime minister Zulfikar Ali Bhutto in 1979. Following her 1988 election as prime minister, Bhutto's daughter Benazir arranged commutation of all remaining death sentences to life imprisonment.

AI also worked for new international human rights standards that would curtail use of the death penalty. At the United Nations, Amnesty supported procedural safeguards promulgated by the Economic and Social Council (ECOSOC) in 1984. The guidelines directed governments to provide fair trials, the right of appeal to a higher court, and opportunities to request clemency. The nonbinding ECOSOC safeguards also prohibited retroactive application of the death penalty and precluded execution of the insane. Throughout the 1980's, AI lobbied along with other nongovernmental organizations for an optional protocol to the International Covenant on Civil and Political Rights that would oblige ratifying governments to abolish capital punishment.

Ten years following its first campaign against the death penalty, AI launched another global abolition effort in 1989. *When the State Kills. . . The Death Penalty: A Human Rights Issue* presented the most compelling arguments and evidence against executions before surveying the law and practice in 180 countries. The nine-month campaign highlighted forty-one target countries with public opinion research, a week of actions against executions, specially produced vid-

eos, marches, vigils, letter writing, petitions, and resolutions by AI members and groups. More than one hundred leaders from twenty-six countries made public statements appealing for an end to executions. A former Nigerian chief judge, the mother of an American murder victim, and a number of academic and medical experts conducted lecture tours.

Impact of Event

Because there are so many allies in the campaign for abolition of the death penalty, there is no way to gauge AI's separate impact on revised norms, the fluctuating rate of executions, and shifting public opinion. New governments in Romania and Hungary which abolished the death penalty may have been reacting against communism rather than responding to AI's appeals.

While not claiming credit, AI has enthusiastically noted continued progress on the legal front. In 1990, seven more countries became totally abolitionist. One more abolished the death penalty for ordinary crimes, two instituted moratoriums on executions, and two abolitionist governments defeated attempts to reintroduce capital punishment. By 1991, nearly half the countries of the world had abolished capital punishment either in law (forty-four totally, seventeen for ordinary crimes) or in practice (twenty-five with no executions for more than a decade). Ninety countries retained and used the death penalty. From 1976 to 1990, thirty-one countries abolished the death penalty, an average of more than one per year. After years of sustaining one of the highest rates of executions, South Africa instituted a moratorium, and the Soviet Union reexamined its practice.

Some major countries, such as the United States and China, however, moved against the trend. The U.S. Supreme Court limited death row inmates' right to habeas corpus appeals in federal court, reversed a recent precedent to allow victim impact statements, and authorized execution of the mentally retarded and those who committed offenses at ages as young as sixteen. The U.S. Congress extended capital punishment to noncapital offenses and also curtailed inmates' right to federal habeas corpus relief. After subjecting Democratic opponent Michael Dukakis to embarrassment for his "coddling" of dangerous criminals, President George Bush sought the death penalty for thirty-seven more federal offenses. Public opinion polls revealed broad support for capital punishment; gubernatorial candidates and legislators sought votes by proclaiming their commitment to swift and certain execution for heinous offenders.

AI could nevertheless find consolation in the successful quest for an international convention abolishing the death penalty. In 1990, the U.N. General

Assembly opened for signature an optional protocol to the International Covenant on Civil and Political Rights that would abolish the death penalty in ratifying states. In addition, ECOSOC expressed concern about government practices incompatible with the 1984 procedural safeguards. While calling for improved implementation, ECOSOC also recommended further guidelines—the adequate assistance of counsel at all stages, mandatory appeals, a maximum age beyond which a defendant could not be executed, and elimination of the death penalty for the mentally retarded. The United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities also appealed to member states to stop using the death penalty against people under the age of eighteen. The General Assembly of the Organization of American States adopted for ratification a protocol to abolish the death penalty to the American Convention on Human Rights. The 1990 Eighth U.N. Congress on the Prevention of Crime and Treatment of Offenders, however, failed to adopt a resolution inviting retentionist countries to consider establishing a three-year moratorium on executions.

AI reported that despite the improved legal situation, in practice there were 2,229 known executions in thirty-four countries and at least 2,826 death sentences imposed in sixty-two countries during the 1989 campaign year. In the following year, AI learned that at least twenty-six countries had executed 2,029 prisoners and fifty-four governments had sentenced 2,009 to death. Whatever the ultimate impact of AI's second death penalty campaign, abolitionists will almost certainly need a third global effort to complete the task.

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Howard Tolley, Jr.

Kenyan Government Cracks Down on Dissent

Category of event: Atrocities and war crimes; political freedom

Time: 1989

Locale: Kenya

Kenya's government became increasingly repressive, and in 1989 the government and opposition groups intensified their positions

Principal personages:

DANIEL ARAP MOI (1924-), the Kenyan who succeeded to the presidency upon the death of founding president Jomo Kenyatta in 1978

GITOBU IMANYARA, the editor of the *Nairobi Law Monthly* and an advocate of human rights

JOSIAH M. KARIUKI (1929-1975), an opposition member of parliament who was assassinated

NGUGI WA THIONG'O (1938-), a novelist, academic, and political exile

OGINGA ODINGA (1911-1994), the leader of government opposition

GIBSON KURIA (1947-), a lawyer, human rights advocate, and political exile

TOM MBOYA (1930-1969), an early opposition leader who was assassinated by the Kenyatta government

ALEXANDER MUGE (?-1990), an outspoken Anglican clergyman who died under mysterious circumstances

ROBERT OUKO (1932-1990), a foreign minister who was assassinated, presumably for being a potential threat to Moi's power

Summary of Event

When Kenya's first president, Jomo Kenyatta, died in 1978, newspaper headlines pointed to a likely power vacuum. In a regime long dominated by Kikuyu tribal interests (21 percent of the population), the emergence of a Kalenjin (11 percent of Kenya's population) president, Daniel arap Moi, prompted uncertainty about whether a non-Kikuyu could manage the system so long in the grip of a Kikuyu oligarchy. A strong sense of tribal identity in Kenya dates back to the colonial period and through the preindependence

process of political organizing to confront the British. During the Kenyatta regime, Kikuyus exercised virtually complete political dominance, particularly at the expense of the second most populous group, the Luo. Moi's political success was in part attributable to his being a member of a smaller group.

A former British colony, Kenya arrived on the international scene depicting itself as a democratic, uniparty system. During Kenyatta's regime, however, democracy was limited at best, although there was competition in intra-party elections for parliament. An oligarchy emerged, consisting primarily of Kikuyus, especially members of Kenyatta's family. His nephews were foreign minister and high commissioner to London, his daughter was mayor of Nairobi, and his fourth wife headed extensive business holdings which were clearly facilitated by her position. Kenyatta himself owned hundreds of thousands of hectares of prime farmland.

By the last days of his regime, likely successors (or threats) to Kenyatta had been eliminated. Tom Mboya, a Luo who was minister of economic planning and development, was gunned down at midday on a Nairobi street in 1969. Demonstrations accompanied by a popular outcry led to the banning of opposing parties. In response, Parliament determined there had been a police coverup of the murder. Another political leader, parliamentarian Josiah Kariuki, a Kikuyu, was assassinated by the secret police in 1975, having been abducted from a downtown hotel in Nairobi. His crime was that he was attempting to develop an alternative power center through coalition politics.

The 1979 presidential election, held within a year of Moi's taking office, could be characterized as the opening salvo of opposition not only to Moi and his Kalenjin-dominated oligarchy but also to the growing repression that occurred in the later years of the Kenyatta regime. Half of the incumbents, including one-third of the former cabinet, were unseated in the election, which also saw the success of Raila Odinga, son of Oginga Odinga, a primary opposition leader. A 1982 coup attempt by the air force resulted in its dissolution, the conviction of more than six hundred, or one-third, of its members for mutiny, and the execution of twelve of them.

Moi's regime continued the same repressive behavior as Kenyatta's regarding opposition. For example, foreign minister Robert Ouko, a potential threat to Moi, was assassinated in February, 1990. Public outcry then resulted in a British investigating team looking into the death.

The Moi regime created a curiously self-described "African" electoral process for the 1988 elections in order to dampen opposition. Declaring the secret ballot inherited from the British colonial system to be "un-African and against the will of God," the ministry of national guidance decreed that voters

would queue behind photographs of their preferred candidates. Only about one-third of the eligible voters chose to participate in this election, and political unhappiness subsequently grew. When Kenneth Matiba pointed out election irregularities, he was expelled from the party and his wife and daughter were beaten by police who came to his home.

The ranks of the clergy produced some of the most outspoken opposition. Several clergy members have been victims of violence. Alexander Muge, Anglican Bishop of Eldoret, died in an auto accident under mysterious circumstances in August, 1990. Three days earlier, he had been threatened with death by Moi's minister of labor. The Roman Catholic Bishops of Kenya issued a statement in April, 1991, calling for political change, including freedom of expression.

Since gaining its independence in 1963, Kenya has had one legal political party, the Kenya African National Union (KANU), the party of Kenyatta and Moi. Whatever electoral democracy existed was exercised within the context of intraparty elections. A shadowy opposition movement, Mwakenya, emerged in the 1980's. It consisted primarily of intellectuals with a Marxist bent. It was not formally recognized as a party and had little impact.

There were reports of several other alternatives to KANU. Oginga Odinga announced the formation of the National Democratic Party; however, it suffered from being perceived in some quarters as a Luo-dominated organization, continuing the tribal perspective of politics. Other opposition movements included the Union of Nationalists to Liberate Kenya, the United Movement for Democracy in Kenya (led by the novelist Ngugi wa Thiong'o in London), the Kenya Patriotic Front, and the Mhetili Nationalist Movement, consisting of university faculty dismissed at the time of the 1982 coup attempt.

The 1989 crackdown thus came in the wake of long and vigorous opposition to the two unresponsive regimes which dominated independent Kenya. The 1982 coup attempt set off a course of repressive practices. The government's ostensible concern over the unhappiness which precipitated the crackdown resulted in the establishment of a committee, chaired by vice president George Saitoti, to hear public complaints on the topic of election procedure reforms. Its announced charge included receiving proposals to dissolve parliament, since the parliamentary election was widely thought to have been rigged, holding multiparty elections, restoring judicial independence, and limiting the term of the president.

Moi added jailings, censorship, and harassment to the occasional murder as a means of silencing dissent. The *Nairobi Law Monthly* had been confiscated or banned several times since its inception in 1987. Its editor, Gitobu

Imanyara, was jailed for various crimes including advocating multiparty elections. In the wake of unrest and dissent in the legal community, the International Bar Association cancelled a meeting planned for summer, 1990, in Nairobi. Internationally recognized dissident Ngugi wa Thiong'o, a Kikuyu author, was a faculty member at the University of Nairobi until barred from that position by the government. Parliamentarian Chris Kamuyu was arrested in October, 1990, for possessing a banned magazine. Gibson Kuria, a lawyer who had represented political dissidents, was jailed and subsequently took refuge in the United States embassy in mid-1990, prior to fleeing to the United States. He had received the Robert F. Kennedy Human Rights Award in 1988. His co-defendants Kenneth Matiba and Charles Rubia were former cabinet ministers. Those two and a fourth codefendant, Raila Odinga, were jailed without charge. Rubia was released without explanation in April, 1991. The rule of law underwent further erosion in 1988 when President Moi unilaterally amended the constitution to end judicial independence and extended the time an individual could be jailed without charges. Judges served only at the pleasure of the president. Moi announced on June 16, 1990, that debate on multipartyism had ceased.

Despite the dangers, the legal profession, including Paul Muite, president of the Law Society of Kenya in 1991, vigorously came to the defense of human rights. For example, at Imanyara's trial, thirty-nine lawyers appeared at the defense table in a demonstration of solidarity. This behavior resulted in Muite's reportedly being placed under police surveillance.

Gitobu Imanyara's writings, as well as other media criticism, elicited counter criticism from the government. Imanyara's publication had been banned frequently. News vendors commented that one could be shot for possessing it. At the same time, citizens in Nairobi robustly criticized the regime in casual conversations, with no apparent fear of reprisal. One could only conclude that the general public did not take seriously the Moi regime's repressive tactics, presumably assuming that eventually the regime would give way to another system. In the meantime, only a few serious challengers suffered the wrath of the government.

There were sporadic student riots, including one in July, 1990, in which twenty or more students were killed, many were wounded, and hundreds were arrested. Schools and universities opened and closed in response to the political temperature of the times. It is noteworthy that president Moi, like Kenyatta before him, served as chancellor of the University of Nairobi.

Impact of Event

The New York Times editorialized in October, 1990, to the effect that Moi would either have to respond to critics or face the fate which toppled uniparty regimes in Eastern Europe as a consequence of the global movement toward democracy. This prompted a retort from Kenya's ambassador in Washington to the effect that Kenya had never been communist, culminating in the following statement: "The only government critic who has died mysteriously was J. M. Kariuki." Clearly, at least one government official acknowledged that there have been political murders.

The events recited above put into context the dissent which began in earnest in 1989 and continued at least until mid-1991. Dissident politicians, clergy, students, and especially the legal community expressed themselves and in turn felt the wrath of the regime in various ways. A measure of Kenya's sensitivity to criticism is reflected in severance of diplomatic relations with Norway, the first such instance in peacetime for Norway. This arose as a result of Norway's protestations regarding treatment of dissident Koiga wa Wamwere, a former parliamentarian who took refuge in Norway and was arrested upon his return to Kenya in October, 1990.

All the dissent, it should be noted, did not have political roots. One cannot ignore the economic realities in Kenya, including estimates of 25-40 percent unemployment. Periodically, shantytowns of the unemployed were cleared by the government. These events resulted in hundreds of "homes" being demolished and demonstrations by the displaced poor. When the agriculture minister criticized one such event, Moi suspended him. Kenya's economic crisis was implicitly acknowledged by the Central Bank of Kenya when it reported that only one-sixth of six hundred thousand needed jobs were created in 1988. High unemployment and general economic stagnation characterized the system.

The ostensible "wave of democracy" sweeping across Eastern Europe in the early 1990's had little impact in much of Africa. The world's media focused upon Kenya as a site for potential democratic reforms possibly because it was more appealing to Western business and tourism, and was a more attractive base for media reportage, than are many of its sister states in Africa. The level, pervasiveness, and persistence of dissent suggested that there was a movement toward reform that could not easily be dismissed.

The absence of the essential traditions of representative government portend a difficult transition for Kenya, as in most other uniparty states. Even given an adequate level of political will, which appears to be lacking, moving to a stable and reasonably representative system will be troublesome. It is

axiomatic in the study of revolution that once the process is under way, it is rarely possible to repress or reverse.

For the first time in Kenya's history, democratic elections were held in 1992. Moi emerged as the winner and the international community generally agreed the election was corrupt. In 1997, after continued political corruption and violence resulting in hundred of deaths, Moi was re-elected to another five-year term.

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Richard A. Fredland

Colombian Presidential Candidates Are Killed

Category of event: Political freedom; revolutions and rebellions

Time: 1989-1990

Locale: Colombia

The assassination of Colombia's leading presidential candidate revealed a society increasingly at risk as it faced the violence of drug lords, paramilitary groups, leftist guerrillas, and common criminals

Principal personages:

LUIS CARLOS GALÁN (1943-1989), the Liberal presidential candidate whose call for extradition of Colombian drug lords to the United States led to his assassination

CÉSAR GAVIRIA TRUJILLO (1947-), the manager of Galán's campaign who won the Colombian presidency for himself

CARLOS PIZARRO LEONGÓMEZ (1952-1990), the assassinated presidential candidate of the M-19 Democratic Alliance

VIRGILIO BARCO VARGAS (1921-), the Liberal president of Colombia (1986-1990)

PABLO ESCOBAR (1949-1989), a leader of the Medellín drug organization

ANTONIO NAVARRO WOLFF (1949-), the leader of the M-19 after Pizarro's murder

GONZALO RODRÍGUEZ GACHA (1947-1989), chief in the Medellín drug world who was killed by security forces

JORGE ELIÉCER GAITÁN (1898-1948), the reform leader whose assassination thrust Colombia into the bloodiest part of *la violencia*

GUSTAVO ROJAS PINILLA (1900-1975), the dictator of Colombia from 1953 to 1957; almost won the presidential election of 1970

Summary of Event

Violence, kidnapping, banditry, bloodletting, revolts, partisan conflicts, and civil wars are all familiar in Colombia, where the geographic complexity of three mountain ranges formed the basis for the development of dissimilar economies and conflicting traditions. The resulting regional and ethnic diver-

sity made it difficult to unify the country. Only the Roman Catholic Church and the brokered agreements between the 150-year-old Conservative and Liberal parties provided some elements of peace, national unity, and continuity. Even these arrangements depended on the acquiescence of local elites and party leaders. Periodically, these understandings broke down, especially when the dominant party's factional infighting allowed the opposition party to win. The nineteenth century saw fifty bloody conflicts, with the War of the Thousand Days (1899-1902) alone taking more than one hundred thousand lives. The twentieth century witnessed the macabre period of *la violencia* (1946-1959), when upwards of two hundred thousand people came to a violent end.

La violencia was the product of a split in the Liberal Party, in power since 1930, that allowed the minority Conservative Party to win the 1946 presidential election. The latter attempted to replace Liberal officeholders throughout the country. Liberal resistance and the assassination of their charismatic leader, Jorge Eliécer Gaitán, in 1948 led to three days of burning, looting, and death in Bogotá and wholesale human rights abuses and carnage in the countryside. It also set in motion profound forces that challenged the tradition of elite rule through the Conservative and Liberal parties. First, *la violencia* led the military to end civilian government in 1953 with the coup of General Gustavo Rojas Pinilla, who as dictator had some success in building support among the lower classes. Second, *la violencia* gave birth to guerrilla groups that matured and became an enduring force in the Colombian countryside. Finally, criminality became a major occupation in Colombia.

Faced with the prospect of losing power to the military and a persistent level of lawlessness, members of the Colombian political establishment eventually saw the wisdom of patching their differences. They did this in the historic National Front pact, whereby they agreed to rotate Liberals and Conservatives in the presidency from 1958 until 1974 and to divide political offices equally between Liberals and Conservatives. They first had to take back power from the military, which they did with the ouster of Rojas Pinilla in 1957.

To some extent the National Front achieved its goals. The Liberals and Conservatives regained control, political competition was reined in, and murder in the countryside continued to drop through most of the 1960's and well into the 1970's. On the other hand, there was dissatisfaction among political groups that were not included in the power-sharing agreement. Further, the guerrilla groups spawned by *la violencia* did not disappear. They grew in numbers, experience, and ideology, so that by the 1980's Colombia had six important Marxist guerrilla groups and a plethora of other types. They ruled large areas of the rugged Colombian countryside, although when challenged by the

armed forces they usually moved on. Given the formidable geography, it was impossible for the military to secure all areas. The Colombian political establishment was also reluctant to give the military too much power, fearing that it would again become a threat to civilian rule, as it had in the 1950's.

The guerrilla groups generally were content to bide their time, ambush the armed forces, and live by "taxing" landowners, businesspeople, and multinational corporations in the form of demands for protection money. Some anted up and some did not. All suffered kidnappings for ransom that sometimes ended tragically. Paramilitary groups also appeared that levied their own measure of revenge against leftists and "social undesirables." Labor leaders, social activists, homosexuals, prostitutes, and others disappeared or were found abused or dead. At the same time, a criminal element flourished that astutely cloaked its entrepreneurial activities under the cover of the ongoing ideological and political struggles. It was difficult to know whom to blame for the human rights abuses that began to grow in frequency, especially after 1975.

It is in this historical context that the illegal Colombian drug trade developed and added the potent new elements of money, power, organization, and weaponry to an old mix of illegality and human rights abuse. The money involved was out of proportion to the Colombian economy. The drug trade earned more in foreign exchange than Colombia's fabled mountain-grown coffee. It bought hired killers, death, protection for cocaine production and processing in guerrilla-controlled areas, immunity from military and police actions, favorable judicial rulings, legislative actions, and executive decisions. With an enormous amount of wealth and influence at every level of Colombian society, the drug lords began to pursue what they had never had and desperately wanted—acceptance, respectability, and legality.

All Colombian institutions and relationships—political, social, and economic—were at risk of being overwhelmed. Nevertheless, the drug lords were never so unified as to be a "cartel." They were too individualistic. There was a global oversupply of drugs, and the ensuing competition and turf wars led to a dangerous division in the ranks of producers, especially between the Medellín and Cali organizations. Their leaders—Pablo Escobar, Gonzalo Rodriguez Gacha, the Ochoa family, Carlos Lehder, and Gilberto and Miguel Rodriguez Orejuela—became household names.

The Medellín group in particular showed a lack of sophistication in its attempts to gain a place within the Colombian system. In its search for legitimate uses for its money and in its drive for acceptance, it created much turmoil and dislocation. Various civic leaders and newspaper editors demanded results, and the United States mistakenly viewed action in Colombia as an easy fix to its

own drug problem. The Colombian government and the military began to crack down in the mid-1980's. The crackdown was haphazard at first, concentrating on the guerrillas, but became more determined and focused as time went on. On center stage was the suspended extradition treaty under which Colombian officials would try to send the more flagrant drug lords to the United States for prosecution. The Medellín "cowboys," however, brooked no restraint on their activities and responded with a reign of terror and assassination against responsible government officials. Their battle results were impressive. They made successful strikes against the police and military, especially in Medellín, on an almost daily basis. Especially intimidating, because of the rank and power of those involved, were the assassinations of Justice Minister Rodrigo Lara Bonilla in 1984 and Attorney General Carlos Hoyos in 1988. The most menacing, however, was the machine-gun slaying on August 18, 1989, of Colombia's leading presidential candidate and expected winner, the Liberal Party's Luis Carlos Galán, who had spoken out in favor of extradition. Clearly, the "extraditable ones," as the drug lords signed their declarations, had thrown down the gauntlet to the Colombian political establishment and had defined what was intolerable.

They also may have had a larger goal of capturing the Colombian state, since there is some evidence that they had created the political party MORENO and were going to field a candidate in the presidential election. By concentrating on the middle and lower Magdalena River Valley, an area in which they, especially Rodríguez Gacha, had invested heavily in land and politicians, they seemed well on their way to creating a fiefdom until the military and guerrillas resisted their efforts. The subsequent murder of two more presidential candidates appeared to be Medellín contracts. Bernardo Jaramillo, from the Patriotic Union (UP), was murdered on March 22, 1990, at the Bogotá airport. Carlos Pizarro Leongómez, from the M-19 Democratic Alliance (M-19), was killed on April 26, 1990, while on an Avianca flight. It is noteworthy that some viewed these two leftists as a more serious threat than the drug lords.

Impact of Event

How Colombian leaders responded to the assassination of Galán and who those leaders were would offer important clues to the future of Colombia, including the risks of human rights abuse for different groups. Would Liberal-Conservative rule continue to survive? Galán's murder led Liberal president Virgilio Barco Vargas to refuse to negotiate with the drug lords, to seek settlements with guerrilla groups, to collaborate closely with the United States, and to mobilize the armed forces and police in a determined attempt to extermi-

nate or extradite the most notorious of the drug lords. By 1990, the government had succeeded in killing Rodríguez Gacha and forcing Pablo Escobar to go underground. The drug world's reaction, as expected, did much to make Colombians think twice about the wisdom of such action.

The next president, Liberal César Gaviria Trujillo, formerly Galán's campaign manager, showed a more nuanced policy. Drug lords who turned themselves in, such as the Ochoas, were to be tried in Colombia and not extradited to the United States. President Gaviria supported the calling of a seventy-seat Constituent Congress to change the constitution. Elections to that congress got the Liberals only twenty-four seats, while the political newcomer M-19, led by the former guerrilla and ever-more-popular Antonio Navarro Wolff, made off with nineteen and was in position to challenge or to be co-opted by the political establishment. President Gaviria also made more money, weapons, and training available to the military and police, much of it coming from the United States. This would allow him to chase down both drug lords and guerrillas who continued to defy the government. For some, however, more power to the military raised the specter of greater human rights abuse. Finally, leftist guerrillas faced some painful decisions in view of the collapse of the Soviet bloc.

Human rights abuses remained significant in Colombia. The year ending in February, 1991, showed 1,451 kidnappings, of which 725 were credited to common criminals, 698 to guerrillas, and 28 to drug traffickers. Among the kidnapped victims were President Gaviria's first cousin, whose body turned up three days after his abduction, and the daughter of a former president, who was killed in a failed rescue attempt. In the months of January and February, 1991, there were more than one thousand drug-related killings in Medellín, and throughout the country thirty-one ambushes and sixty-one clashes between the security forces and guerrillas resulted in death tolls of 140 military personnel, 167 guerrillas, and 72 peasants. In 1990, there had been 313 political murders. Colombia's homicide rate was one of the highest in the world.

Nevertheless, Colombia resolutely survived. By 1980, its per-capita income was 87 percent above the 1960 level. Indices of quality of life—life expectancy, infant mortality, literacy rates, education levels, and housing conditions—had also improved substantially. The decade ending in 1990 showed Colombia as the only country in Latin America whose gross domestic product had not declined during a single year.

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Maurice P. Brungardt

Iran Calls for Murder of Writer Salman Rushdie

Category of event: Civil rights; international norms; religious freedom

Time: February, 1989

Locale: Iran, London, and New York City

The spiritual leader of Iran, the Ayatollah Ruhollah Khomeini, issued a Muslim legal order known as a fatwa, condemning to death Salman Rushdie, author of a book he considered blasphemous, and all those associated with its publication

Principal personages:

AYATOLLAH RUHOLLAH KHOMEINI (1902-1989), fundamentalist cleric who inspired the Iranian Revolution of 1979 and became Iran's spiritual leader
SALMAN RUSHDIE (1947-), British writer born in India of Muslim parents who published *The Satanic Verses* in 1988

Summary of Event

On February 14, 1989, Ayatollah Ruhollah Khomeini, the spiritual leader of Iran issued a Muslim legal order known as a *fatwa* calling on Muslims everywhere to murder all those associated with the publication of the novel *The Satanic Verses*, beginning with its author. A translation of the *fatwa* read:

The author of *The Satanic Verses*, a text written, edited, and published against Islam, against the Prophet of Islam, and against the Koran, along with all the editors and publishers aware of its contents, are condemned to death. I call on all zealous Muslims to execute this sentence without delay wherever they find them, so that no one henceforth will dare insult the sacred beliefs of the Muslims. Whoever is killed on this path will be regarded as a martyr.

The attitude of Khomeini, a fundamentalist cleric who in 1979 had led the successful rebellion against the regime of the shah of Iran, was summed up by a 1980 statement: "[There] is no room for play in Islam. . . . It is deadly serious about everything." Following the pronouncement against Rushdie and his associates, the "15 Khordad Foundation," formally an Iranian charity, offered a reward of \$1 million to anyone who killed Rushdie. In the ensuing years, the Iranian government repeatedly reaffirmed the *fatwa*.

The author of the offending book, Salman Rushdie, is a British citizen born in 1947 in India of Muslim parents and reared in the Muslim faith. As an adult, however, he discarded religious affiliation of any kind. Rushdie's parents had sent him to Britain at age fourteen to attend Rugby School, a top English private academy. Schooling at Rugby was followed by Kings College at Cambridge University, from which Rushdie graduated in 1968. In 1989 he was hardly unknown as a writer, having won the prestigious Booker Prize in 1981 for his second novel, *Midnight's Children*. In 1988, he published *The Satanic Verses*, for which (also in 1988) he received the Whitebread Award.

Soon after its publication, *The Satanic Verses* attracted negative attention in Muslim communities, both in Britain and abroad. Among the passages that offended the faithful were those depicting a fantasy about prostitutes pretending to be wives of the Prophet Muhammad. The novel was burned in the streets of Bradford, England, home of a large Islamic immigrant community. It was also banned in India, Pakistan, and South Africa. On February 12, 1989, two days before Khomeini's St. Valentine's Day missive, at least six persons were killed in Pakistan during a protest against the novel's sale in the United States. Ten days after the *fatwa* was issued, twelve persons were killed and seventeen wounded when police in Mumbai (Bombay), India, fired upon a large crowd converging on the British consulate to protest the novel's publication.

In the ensuing weeks, protests that continued in India claimed at least four more lives and hundreds of injuries. A number of prominent American booksellers removed *The Satanic Verses* from display shelves, fearing for their employees' safety. Death threats at Viking/Penguin, the book's publisher, became daily events. Bookstores in the United States and England were bombed.

Days after the *fatwa*'s pronouncement, an International Rushdie Defence Committee was launched in London. Chaired and coordinated by "Article 19," a London-based group that advocates for free expression, the committee was a coalition of writers, publishers, booksellers, journalists, trade unions, and human rights groups. "The purpose of the International Rushdie Defence Committee (IRDC)," the group wrote, "is to uphold the fundamental right of the individual to freely express his or her beliefs and opinions in whatever form."

The group was named for Article 19 of the Universal Declaration of Human Rights (1948), which states:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

In June, 1989, just months after issuing the Rushdie *fatwa*, Ayatollah Khomeini died. His successor, however, Ayatollah Khamenei, reiterated the order, leaving Rushdie's status unchanged. Subsequently, Iranian government officials argued that only the *fatwa's* author could rescind it; and since Ayatollah Khomeini was dead, the order could never be revoked. For most, if not all Muslims who supported the original order, the Rushdie *fatwa* was permanent.

Two tragedies occurred less than two and a half years after the order was promulgated to murder those associated with Rushdie's offending book. In July, 1991, Ettore Capriolo, the novel's Italian translator, and Professor Hitoshi Igarashi, its Japanese translator were viciously attacked. Igarashi was slain with a knife; Capriolo, though seriously injured with a knife wound, survived. With Rushdie still alive in November of the following year, the "15 Khordad Foundation," a radical Islamist organization that had already doubled its million-dollar bounty on Rushdie, upped the ante. It offered an additional sum to "cover expenses for the extermination of the cursed writer."



Author Salman Rushdie, who was condemned to death by Iran's Ayatollah Khomeini in 1988, following the publication of Rushdie's novel, The Satanic Verses. (Jerry Bauer)

Rushdie's supporters were disappointed when U.S. president George Bush decided against meeting with Rushdie during the writer's 1992 visit to Washington. White House spokesman Marlin Fitzwater said, "There's no reason for us to have any special interest in him." The following May, however, British prime minister John Major received Rushdie at the House of Commons in London, and several European parliaments officially offered their support.

In the autumn of the same year, international support for the writer intensified, as the Rushdie Defense Committee U.S.A. was launched. The organization was formed by a coalition of groups active in civil rights, human rights, and freedom of expression causes. The committee promptly called upon President Bill Clinton to invite Rushdie to the White House. A group of prominent American writers, including Norman Mailer and Susan Sontag, published an open letter saying that, "We feel that President Clinton has an obligation, in keeping with our nation's traditional defense of human rights, to do his utmost to defend the principle of freedom of expression that has been violated in the Rushdie affair."

Whether or not he was responding to the Rushdie Defense Committee's call, in November, President Clinton, along with Secretary of State Warren Christopher and National Security Advisor Anthony Lake, met with Rushdie in the White House. Meanwhile, however, another violent event occurred in October when William Nygaard, Rushdie's Norwegian publisher, was shot and seriously injured.

For several years the situation remained fundamentally unchanged, though hopes were occasionally raised that the siege against Rushdie would end. To keep the pressure on, the 15 Khordad Foundation again raised its price on Rushdie's head to \$2.8 million. Rushdie continued his life in hiding, protected by his British guards.

In 1998, a significant change did occur. In exchange for diplomatic recognition by Britain, the Iranian government officially revoked its support for the *fatwa* that threatened the writer's life. Rushdie was ecstatic, but the threat to his life had not ended. Since the original *fatwa* was believed by many to be irrevocable, Rushdie was still considered a target. Moreover, the 15 Khordad Foundation pointedly failed to withdraw its bounty on the writer's head.

In February, 2002, extremist Iranian organizations reaffirmed Rushdie's death sentence. In March of that year, Rushdie was banned from the flights of Air Canada, which cited inconvenient three-hour security delays necessitated by Rushdie's presence. An international outcry, however, caused the airline to reverse its decision.

Impact of Event

The impact of a Muslim religious order promulgated in Iran, the Khomeini *fatwa*, demanding the summary extra-judicial execution—the murder—of a British subject was profound. The order attacked basic long-recognized human rights to freedom of expression. In attempting to ride roughshod over the rule of law within any country in which the *fatwa* might be acted upon, the order also attacked the foundation of constitutional government not only in Britain, but everywhere that constitutional government is established. At the same time, the order had the effect of undermining international order, insofar as international order is governed by the rule of international law. Iran identified itself as a pariah state that respected the human rights of those outside its borders only when the regime found such respect convenient.

Moreover, the Rushdie affair gave rise to a general intensification of tension, distrust, and ill-will between the West and the Islamic world. The fundamental clash between the values of Western liberalism, which forms the philosophical foundation of liberal democracy around the world, and Islamist demands for rigid ideological conformity, reminiscent of demands made so recently by Soviet communism, were openly apparent. The yawning gulf between the two sides accorded well with the controversial thesis called the “Clash of Civilizations,” advanced by Harvard Professor Samuel Huntington.

At the same time the affair galvanized writers and certain public officials in the West to rally around basic freedoms of conscience and expression, especially freedom of literary expression. Many of these persons, as well as organizations and institutions, such as writers groups, national legislatures, and sitting governments, made public representations on Rushdie’s behalf. Notably, the British government used significant resources to keep the writer out of harm’s way.

Illustrative of such acts among private persons were those of writers Norman Mailer and Susan Sontag, both prominent New York intellectuals. Mailer played an active role in rallying international support for the embattled writer and published an open letter supporting Rushdie’s right to freedom of expression. A literary event advertised as a lecture by Sontag was instead a speech by Rushdie, defying the fanatics’ standing threats.

Far from complete in 2002, the Rushdie affair resonated with the growing cultural divide between Islam and the West—between Muslim fundamentalists and the basic values and principles of liberal democracy—after the September, 2001, attacks by Muslim terrorists. The polarization of opinion against the West in many Islamic countries when the United States and its allies attacked Afghanistan shortly afterward may well have been exacerbated by the Rushdie affair, with the West’s refusal to place Muslim feelings ahead of the

human rights of one writer, his editors, translators, and publishers. Rushdie himself spoke out about the growing divide in a November, 2001, article titled, "Yes, This Is About Islam." Rushdie argued that the "mantra" stating that the war on terrorism "isn't about Islam" is untrue and that, on the contrary, "Of course this is 'about Islam.'"

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Charles F. Bahmueller

China Crushes Prodemocracy Demonstration in Tiananmen Square

Category of event: Atrocities and war crimes; political freedom

Time: April-June, 1989

Locale: Beijing, People's Republic of China

Hundreds of thousands gathered in Tiananmen Square to protest official corruption, and on June 4, 1989, the People's Liberation Army physically crushed the Democracy Movement, mainly composed of students

Principal personages:

FANG LIZHI (1936-), an internationally recognized astrophysicist who lost his party membership as a result of speeches on reform

HU YAOBANG (1915-1989), the general secretary of the Chinese Communist Party (1980-1987), whose death became a rallying point for students demonstrating for democracy

LIU BINYAN (1925-), the leading Chinese journalist who succeeded in using "investigative reporting" to criticize conservative communism

DENG XIAOPING (1904-1997), the dominant figure in Chinese politics after Mao Zedong's death in 1976

ZHAO ZIYANG (1919-), the former premier of China (1980-1987)

JIANG ZEMIN (1926-), the general secretary of the Communist Party (June 24, 1989-), chosen by the hard-line faction of the CCP to replace Zhao Ziyang

Summary of Event

The Tiananmen Square massacre on June 4, 1989, proved to be the climactic event of the massive demonstrations by the Democracy Movement, a cause backed by hundreds of thousands of student demonstrators and endorsed by millions of other Chinese. These voices were crying out for freedom of speech and better representation in their own affairs. A handbill proclaimed that the Democracy Movement's "guiding principle is to propagate democratic ideas among the people. Our slogan is to oppose bureaucracy and authoritarianism, and strive for democracy and freedom. The time has come to awaken the democratic ideas that have long been suppressed."

Decades of suppression led to the wave of demonstrations culminating at Tiananmen Square, but more directly, the 1986 elections sparked the human rights conflagration that left countless martyrs in its ashes and others exiled in the summer of 1989. China's electoral laws (established in 1953) were modified in 1979 and allegedly provided a four-tier system of representative government: township congresses with two-year terms, county congresses with three-year terms, provincial congresses with five-year terms, and at the top of this hierarchy, the People's National Congress convening in Beijing. Although the Chinese Communist Party (CCP) claimed a "democracy under central leadership," it thwarted election campaigns waged by democratic factions from 1980 through 1984. The denial of appointment to elected representatives again in 1986 finally invoked public protests, beginning with students at Heifi and Wuhan and spreading to Shanghai and Beijing. Even while the demonstrators were still hammering out a workable definition of democracy, they persisted in hanging prodemocracy banners. One factor above all others separated these uprisings from the 1989 massacre—the international free press, which was present at the latter. In January of 1987 the government created a state agency to control not only all publications and presses within the country but also the distribution of relevant supplies. Determined and undaunted, students found creative means to inform distant colleagues such as letter writing campaigns, demonstrating before foreign officials, and tireless information campaigns at train stations.

Prodemocracy sentiments remained strong and became increasingly public until the June 4, 1989, showdown. One of the worst catastrophes in the history of human rights occurred when the People's Liberation Army (PLA) slaughtered hundreds of unarmed students who were only claiming what was constitutionally theirs. The duration of this debacle extended much longer than those few bloody hours in 1989, or even the three long years prior. Rather, it spanned the entire era of the republic's existence.

The same constitutional support claimed by the Tiananmen Square demonstrators had been available since 1954, when Mao Zedong implemented the *Constitution of the People's Republic of China*. "The Fundamental Rights and Duties of Citizens" section is replete with support for open dialogue between citizens and officials. Article 35 states, "Citizens of the People's Republic of China enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration." Articles 37 and 38 buttress this notion with the promise that the freedom and dignity of all Chinese citizens are "inviolable." Article 41 complements this theme by providing the "right to criticize and make suggestions" to state groups with the assurance that "No one [state offi-

cial or representative] may suppress such complaints, charges and exposures, or retaliate against the citizens making them." These statements have proven little more than constitutional prose, and the word inviolable certainly pales in the face of reality.

The controversy over political standards and human rights was not new to China. The Three Principles of the People of Sun Yat-sen, the very "Father of the Chinese Revolution," were claimed by both the Chinese communists and the Nationalists in 1949. Precedents for the Tiananmen Square demonstrations in the form of public criticism of political standards and human rights issues can be found in the Hundred Flowers Campaign (May, 1956-June, 1957) and the Democracy Wall incident (1978). In both cases, official decree abruptly stopped the citizens from voicing their right of freedom of expression. In his experiment with open criticism, Mao had invited monitored criticism of his government, but within a year he was bludgeoned with criticisms not only of easily repairable ills but also of the fundamental tenets of communism. After Mao released his essay "On the Correct Handling of Contradictions Among the People" in June, 1957, he assigned Deng Xiaoping to deal with the intellectuals who had criticized the regime and the Party. Nearly two million were questioned, with 100,000 serious sentences and several million lesser punishments given, including work in the countryside for "reeducation." Ironically, in the late 1970's Deng invoked similar consequences when he pushed for a new state constitution which included the "Great Four Freedoms" of speaking out, elaborating on personal views, holding debates, and hanging big character posters. When the collage of posters and protests at Xidan Wall in Beijing became a daily and growing challenge to Deng's policies, he abruptly ended the Democracy Wall Movement by making thousands of arrests, removing the Great Four Freedoms from the constitution, and reinforcing his March, 1979, "Four Cardinal Principles." Consequently, strict ideological party rule ensued.

On the brink of the Tiananmen Square demonstrations, Chinese universities were filled with students who had learned the lessons not only of the Hundred Flowers Campaign but also of the much-maligned Great Leap Forward and Cultural Revolution. They were entering their teen years when the Chinese were last allowed to speak out at Xidan Wall. Most of them undoubtedly could recall Wei Jingsheng's famous anti-Deng wall poster, "Democracy, the Fifth Modernization." One 1986 Shanghai slogan was rather direct: "If you want to know what freedom is, just go and ask Wei Jingsheng."

In 1986, tolerance of open expression was once again in the air. Deng Xiaoping had miscalculated the ramifications of officially initiating debates

on political reform. General secretary Hu Yaobang became the voice in the secretariat for open debate as an avenue toward reform. The liberalization cause initially received its biggest boost from party member Fang Lizhi, an astrophysicist and vice president of Hefei University in Anhui, who incited student demonstrations with his prodemocracy speeches. He blamed the CCP leaders for “the social malaise in our country today.” Fang also informed the students that the CCP’s “narrow propaganda seems to imply that nothing that came before us has any merit whatsoever.” Propaganda, he said, could be used to praise communist heroes but should not be used to tear down other heroes. Fueled by the Voice of America broadcast coverage of the demonstrations, students throughout China began to spread the flames of protest on their respective campuses. Once again, Deng had to extinguish a conflagration that he was instrumental in starting. The party replaced Hu Yaobang with premier Zhao Ziyang, and it stripped Fang Lizhi of his party membership. Hu’s death on April 15, 1989, gave the students a pretext to demonstrate for democracy in his memory and set off the climactic events of the Beijing Spring.

Zhao Ziyang calculated his moves while making the transition from top administrator to top party member, but his reforming colors soon showed through. As an advocate for openness, he was quickly linked by party conservatives with the student unrest. Students remained vocal after the April 15 demonstrations, looking forward to the seventieth anniversary of another student movement for democracy, the May Fourth Movement. The international media present for Mikhail Gorbachev’s visit on May 16 offered a forum for student demands. Three days prior, three thousand Beijing students had begun a week-long hunger strike, successfully drawing attention to reform demands. Hundreds of bureaucrats, intellectuals, and workers rallied behind these novice ascetics, and by May 17 more than one million Beijing demonstrators called for resignations from Deng Xiaoping and Premier Li Peng. After a sour May 16 meeting between abrasive hunger strike leaders and an uncompromising Li Peng, Zhao made a personal visit (apparently sincere and compassionate), trying to persuade strikers to reconsider, but to no avail. On May 20, Li invoked martial law, which proved ineffective, for the following two weeks. Reminiscent of most revolutionary movements, when the initial leaders of the student movement began to voice concern about the unruly nature of events and began dissolving the hunger strike, refocusing the protest on local campuses, new radical leadership took over. This final stage was symbolized by perhaps the most provocative development to date, erection of the thirty-foot-high Liberty statue. Peking art students had molded white plaster and Styrofoam into an Asian symbol of freedom and reform that caught the media



Students demonstrating in front of the Chinese consulate in San Francisco reflect the worldwide condemnation of China's action at Tiananmen Square. (International Daily News)

eyes of the world. Within a few days, on June 4, their Goddess of Freedom was crushed to pieces by the same tanks and soldiers that had savagely claimed the lives of many of the sculptors and allied protesters.

The radical, fanatical, and militant events of late May had paved the way for the bloody massacre of June 4. When martial law was imposed on May 20, ten thousand demonstrators prevented tanks from entering Tiananmen Square, and another million demonstrators joined the cause the next day. On June 4, 1989, the PLA massacred an undetermined number of prodemocracy demonstrators and bystanders. The following day, another two hundred civilians died at the hands of the soldiers. Troops turned on one another (June 6), reflecting differences within the army leadership. At least seven officers had already publicly sided with the demonstrators. On June 7, the diplomatic community complied with orders from their respective governments to return home. Premier Li congratulated his troops for their crackdown. On June 10, the government-controlled media reported that four hundred demonstrators were arrested for inciting unrest and attacking the military. As the windows of Western media were quickly closed, the Chinese press took center stage, claim-

ing on June 11 that no students had been killed. Pictures abound in Western print media that disprove this assertion. The rumor of stacks of student bodies burning in Tiananmen Square in an attempt to cover up evidence is believable but unsubstantiated.

The first three demonstrators sentenced to death were all male workers, not students. This would not prove to be a precedent as numerous public executions ensued, with reliable evidence of three taking place on June 21 and twenty-four the next day. Hundreds of students and intellectuals remained in jail until 1990. The Iraq crisis in 1991 took the massacre off center stage, allowing the CCP suddenly to announce the trials and verdicts on some of the most famous dissident leaders of the 1989 demonstrations.

The Western media claimed evidence of more than four hundred people dying in the massacre and aftermath. The official report was much lower, and the students' accounts ranged in the thousands. The Western media and students' accounts faulted gross violations of human (and constitutional) rights and official corruption as the main causes. Predictably, the CCP report, crafted by Deng Xiaoping, faulted a "rebellious clique" and "dregs of society" whose "goal was to establish a bourgeois republic entirely dependent on the West."

Impact of Event

For the first time in China's history, the international press served as an eyewitness to the disparity between Chinese human rights and institutional prerogatives. Deng Xiaoping's "new authoritarianism," a combination of autocratic political government and liberal economic methods, ran counter to any of the hopes of the prodemocracy demonstrators.

On November 13, 1989, eighty-five-year-old Deng Xiaoping made a bold attempt to prolong the dominance of the "Gang of Old" in Chinese affairs. He stepped down from his chairmanship of the Central Military Commission, handpicking his successor, Jiang Zemin. Jiang openly embraced Deng's notion of reform, with the primary concern not the subsistence needs of the Chinese people but the leadership role of the Communist Party. Deng and his cohorts boasted that the Tiananmen Square episode clearly showed that hostile force could not shake the party. Even China's most outspoken advocate of reform, Fang Lizhi, admitted that to supplant the CCP's power was impossible.

The CCP invoked regulations, including those implemented from 1986 on, intended to stifle prodemocracy uprisings for generations, or at least until key CCP leaders pass from the scene. The size of the freshman university class of 1989 was cut in half. Very few, if any, government-supported students were

allowed to study the social sciences abroad. Some estimates found that less than 1 percent of the students abroad during the uprising returned to China. A thorough reindoctrination program was instituted at every educational level. At Deng's bidding, the universities added required classes on CCP history and political ideology, seriously detracting from academic pursuits. Social science researchers were given a set list of 190 subjects on which they could publish. Many chose not to publish anything at all. Demonstrations were relegated to impotency through restrictions. The right of freedom of expression took a serious step backward in China after the Tiananmen Square demonstrations.

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Jerry A. Pattengale

Chile Voters End Pinochet's Military Rule

Category of event: Political freedom

Time: December 14, 1989

Locale: Chile

After seventeen years of military rule under General Augusto Pinochet, Chileans peacefully resumed the democratic process by electing Patricio Aylwin to the presidency

Principal personages:

AUGUSTO PINOCHET (1915-), the staunchly anticommunist military ruler of Chile

SALVADOR ALLENDE (1908-1973), the socialist president of Chile elected in 1970 and killed during a military coup three years later

PATRICIO AYLWIN AZÓCAR (1918-), the leader of the Christian Democratic Party who was elected president of Chile in 1989 in the first free elections since 1970

Summary of Event

Chileans in the 1960's were justifiably proud of their long tradition of democratic rule supported by a military committed to upholding the constitution. In 1970, the candidate of a leftist coalition, Salvador Allende Gossens, was elected to the presidency in a three-way race that gave him only slightly more than one-third of the vote. His regime's attempts to redistribute national wealth caused a brief spurt in growth but soon foundered as their inflationary consequences began to be felt locally and as foreign interests searched for ways to impede Allende's success. By 1972, economic chaos reigned in Chile, yet the midterm congressional elections in 1973 did not give Allende's opposition the two-thirds majority it needed to impeach him. At that point, the military, which had supported his taking office in 1970, plotted to depose him. On September 11, 1973, it launched a well-coordinated coup. Allende died, probably by suicide, in the national palace rather than give in to the military and thus collude in the interruption of the constitutional process.

A military *junta* took control of governing the country. The national police

rounded up and executed Allende supporters in what would rank among the bloodiest of military coups in twentieth century Latin America. Estimates put the number of those killed during and immediately after the coup somewhere between five thousand and fifteen thousand Chileans. Thousands of others escaped death by fleeing into exile.

The military at first insisted that it would hold power only as long as needed to restore order and prepare the way to a resumption of the democratic process. The commander in chief of the army, General Augusto Pinochet Ugarte, began to consolidate power for himself. He created the National Intelligence Directorate (Dirección Nacional de Inteligencia, or DINA) to search out dissenters. In the purges sponsored by that organization, several hundred Chileans disappeared between 1975 and 1976. By the time Pinochet became president of Chile in 1974, he had also turned his attention to the nation's serious economic woes. Runaway inflation and nationalization of privately owned businesses had frightened away foreign capital. Chileans themselves had little confidence that investments in their homeland would provide adequate returns. Pinochet brought together a group of economic advisers to tackle these problems and devise solutions. Since several of them had completed post-graduate degrees at the University of Chicago under the tutelage of Professor Milton Friedman, an orthodox monetarist, they came to be known as the "Chicago boys."

Their policies for reducing inflation and encouraging foreign investment meant keeping a tight control on workers' wages. The resulting "economic miracle," characterized by unprecedented growth, brought benefit to a select few while most Chileans continued to find it difficult to make ends meet on their meager wages. By 1989, it was estimated that only two million out of twelve million Chileans had reaped the benefits of the boom.

In the meantime, repression by DINA mounted in order to keep discontent from surfacing. DINA did not, however, restrict its activities to Chile. On September 21, 1976, it pulled off, with the help of Cuban exiles, a car bombing in Washington, D.C., that killed Orlando Letelier, a foreign minister under the Allende regime who was living in exile, and his North American aide, Ronni Moffit. The reaction this provoked in the United States led to the dismantling of DINA in 1977. At the same time, the Vicariate of Solidarity, a Roman Catholic organization in Chile concerned with human rights abuses, kept careful count of those who were tortured by the Pinochet regime or who disappeared into the custody of the military.

In light of such outspoken opposition, and bolstered by the growth of the economy, Pinochet enacted a constitution in 1980 that appeared to point the

way back to democracy in the distant future. One of the provisions of the 1980 constitution was that Chilean citizens would be given the opportunity to participate in a plebiscite on the Pinochet government in 1988. They would, at that time, vote "yes" or "no" on another term in office for the general.

Chile's "economic miracle" suffered severely with the international recession of 1981-1982. By 1983, the number of unemployed had grown from a 1973 total of 145,000 to more than one million. Resistance to the Pinochet government mounted not only among the working class but also in the middle and upper classes. Women, notably in the better neighborhoods of Santiago, demonstrated against the regime in 1983 by banging on their empty cooking pots and thus stressing the fact that it had become much more difficult to fill them. The outlawed political parties also began to regroup, and leaders discussed among themselves strategies for ousting Pinochet.

The military state, in retaliation, once again unleashed repression against protesters. Thousands of army troops patrolled the streets to keep order. When protests and strikes continued, Pinochet reinstated the state of siege he had lifted in 1979. Death squads also swung into action. Despite some of the largest demonstrations of the 1973-1988 period, Pinochet steadfastly refused to consider a rapid return to democracy, although the state of siege was lifted in June, 1985. Divisions surfaced within the military as well. The commanders in chief of the navy and air force began to discuss a transition of power with the civilian opposition. In September, 1986, after a leftist group unsuccessfully attempted to assassinate General Pinochet, the president reimposed a state of siege. Political repression tightened.

Ruling once again with a strong hand, Pinochet had little reason to believe that Chileans would find the courage to vote against him in the 1988 plebiscite. Despite the repression, however, some of the old political parties had joined together to encourage Chileans to vote "no." This sixteen-party coalition was headed by the president of the Christian Democratic party, Patricio Aylwin Azócar. Aylwin had supported the military coup against Allende in 1973, believing it necessary to keep the nation from plunging into complete economic chaos. Like so many of his fellow Chileans, he had not expected the military, and especially a single general, to control power for so long.

As they mobilized for the "no" vote, Chileans feared the worst. They expected Pinochet to react harshly against any show of dissatisfaction with his regime. They were not convinced he would accept an unfavorable vote and believed the plebiscite might be annulled and repression heightened. Apparently, however, General Pinochet firmly believed he would win.

In the October 5, 1988, plebiscite, 54.7 percent of the vote was for the "no"

option. Even though Pinochet did not win, forty-three percent of the Chilean people did vote for his continuation in power. In the aftermath of the plebiscite, the general promised to abide by the 1980 constitution and prepare for presidential elections, in which he would not be a candidate. That constitution, however, allowed him to remain in command of the armed forces for eight more years and to appoint individuals to local offices and to the Congress before he stepped down. The transition was to happen on General Pinochet's terms.

Once the fear of repression faded following the October, 1988, plebiscite, Chileans flung themselves back into politics. Their long democratic tradition had not died during the Pinochet years. Realizing that many Chileans supported Pinochet's economic policies, the opposition vowed it would not dismantle the system responsible for the growth the military years had inaugurated. It would, however, attempt to distribute benefits more equitably. The coalition that had supported the "no" vote now supported the candidacy of a single opposition candidate. The man it chose to represent it was Patricio Aylwin of the Christian Democratic party.

The collapse of communist regimes in Eastern Europe took some of the wind out of Pinochet's supporters, who argued that the election of the opposition coalition's candidate could plunge Chile back into the chaotic days of Allende's socialist administration. Many who had supported those policies in the early 1970's had spent the following fifteen years in Eastern Europe, learning at first hand the pitfalls of socialist economies. Some who had fled to Poland, for example, found themselves more in sympathy with Lech Wałęsa's Solidarity movement than with the Communist Party. They claimed to have returned to Chile overwhelmingly committed to liberal democracy and to a capitalist economy.

Pinochet's supporters chose as their presidential candidate Hernan Buchi, the Chilean finance minister from 1985 to 1988. They claimed he would maintain Chile's position as a rapidly developing nation. As they looked around at their Latin American neighbors, mired in economic troubles, many Chileans hoped that democracy, for them, would not mean a reversal of development.

On December 14, 1989, a majority of Chilean voters cast their ballots for Patricio Aylwin. They also elected a Congress for the first time since the military coup. The transition to democracy had been peaceful, but the military remained strong and proud of its accomplishments while in power; it was determined to oppose any attempts to call it to task for human rights abuses. General Pinochet remained in command of the army. The difficult job of governing fell to Patricio Aylwin and to the Chilean Congress.

Impact of Event

The plebiscite of October 5, 1988, followed by the presidential and congressional election fourteen months later, provided the opportunity for Chileans to resume their long democratic tradition. Exiled Chileans had been returning since 1985 and were now able to participate in the mainstream of political life. The dark days of repression had been banished to the past; yet, the joyous optimism of the majority of the population belied the existence of serious problems that had yet to be addressed.

First, there was tremendous uncertainty over how to deal with the human rights abuses carried out under the Pinochet regime. Unlike Argentina, where the military left office in 1973 in disgrace over a failed economy and a war lost to Great Britain, General Pinochet relinquished power at a time when Chile's economy was once again doing far better than those of most of its South American neighbors. The military, having witnessed the humiliation of its Argentinian counterpart, made it abundantly clear that it would not suffer rebuke placidly. Pinochet remained the commander in chief of the army. It was highly unlikely that the wounds caused by repression would be healed through justice provided by courts of law.

Second, the new Chilean leaders faced the problematic transition from opposition party to government party. The coalition organized to end Pinochet's presidency was made up of diverse parties. Many remembered the bitterness and factionalism of the last days of the Allende regime that led to the horrors accompanying the inauguration of the military dictatorship. Most were determined not to allow their differences to jeopardize democracy, but only time would tell how well the coalition members could work together once in power.

A third, and possibly the most significant, challenge facing the new regime was assuring continued economic growth along with greater attention to social justice. While the gross national product figures for Chile had grown impressively in the late 1980's, most Chilean workers, earning the minimum wage, could not support families. The coalition that had formed to oust Pinochet included parties fully committed to ensuring more equitable distribution of the nation's wealth. How to do that without frightening investors remained to be seen. A return to democracy meant that the mistakes of the regime could no longer be blamed on a strongman; they had become the responsibility of the citizenry as a whole.

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Joan E. Meznar

Ceausescu Is Overthrown in Romania

Category of event: Civil rights; revolutions and rebellions

Time: December 23, 1989

Locale: Bucharest, Romania

Nicolae Ceausescu rose to power in Romania through political manipulation and a populist nationalist program, but the liberation of Eastern Europe brought the demise of the tyrannical dictator

Principal personages:

NICOLAE CEAUSESCU (1918-1989), the general-secretary of the Romanian Communist Party

ION ILIESCU (1930-), the communist reformer who succeeded Ceausescu as prime minister

GHEORGHE GHEORGHIU-DEJ (1901-1965), a Romanian Communist Party leader

Summary of Event

The history of twentieth century Romania is one of class and ethnic conflict. An impoverished peasantry suffered under the oppressive rule of a brutal gentry while the leaders of the country preached the gospel of expansion, seeking to solve their land hunger by taking territory from decaying empires and their equally grasping neighbors. Modernization brought Western ideologies which added to class and national hatred in the country.

As a result of the Balkan Wars and World War I, Romania acquired Dobruja from Bulgaria, Transylvania from Austria, and Bessarabia from Russia. The populations in these lands were mixed with many nationalities besides Romanians—Hungarians, Russians, Serbs, Bulgarians, Gypsies, Ukrainians, and Turks among them. Religions also mixed in these regions—Muslims, Roman Catholics, Orthodox, Protestants, and Jews. Ethnic and sectarian riots were common, and after the wars oppression and poverty continued. Hungarians in Transylvania and Jews in Bessarabia in particular felt the sting of Romanian law and the abuse of ultranationalistic groups and parties. Social friction in Romania worsened when, in the 1930's and during World War II, the country embraced fascism and allied itself to the German Reich.

The poverty of the masses, increased by the Depression of the 1930's, and discrimination against and oppression of the minorities fueled the growth of the Communist Party in the country. Laborers in Romania's small working class were unable to organize in free unions and saw the Communist Party as an outlet. Some peasants also joined, although most preferred the various peasant parties, both democratic and fascist. Another source of Communist Party membership was the oppressed minorities, particularly Jews and Hungarians. Communists from these latter groups were chiefly intellectuals and rose rapidly to party leadership. In the 1930's, many of these intellectual leaders found their way to Moscow, where those lucky enough to survive the purges and executions of Joseph Stalin earned the patronage of the Soviet leader. World War II, however, witnessed the rise of a "native" communist leadership among the partisans who fought fascism at home. During the war, the party kept this rivalry between the "Muscovites," led by Ana Pauker and Vasil Lucca, and the "natives," led by Gheorghe Gheorghiu-Dej, under wraps. In 1944, the "natives" were able to convince the king to give them the reins of power before the Red Army brought Lucca and Pauker back to the country.

After the war, Moscow's priority was the development of a strong security zone in the northern tier of Eastern Europe—Poland, Hungary, Czechoslovakia, and East Germany. This allowed leeway to the countries in the south. Yugoslavia's Josip Broz Tito and Albania's Enver Hoxha broke completely with Moscow. In Romania, the "native" communists replaced the "Muscovites" without breaking from the Kremlin entirely. Gheorghiu-Dej pushed his rivals, Lucca and Pauker, off to the side but still stood shoulder to shoulder with Stalin on the international stage. Unlike the public communist dissident Tito, Gheorghiu-Dej, similar to Mao Zedong in China, publicly remained loyal to international communism while carrying out a nationalist agenda at home.

Under Gheorghiu-Dej, Nicolae Ceausescu moved up the party ranks to the inner circles of power. He took over when Gheorghiu-Dej died. Ceausescu demonstrated his mastery of politics and rose from obscurity to supreme leadership by eliminating his major rivals. Through populism and nationalism, he built support and respect in Romania and abroad. Unlike Gheorghiu-Dej, who for all of his nationalist policies still ruled with a Stalinist iron hand, Ceausescu initiated liberal reforms in civil rights. By 1969, he had established his "cult of personality," but it was his political manipulation of party personnel rather than this cult that kept him in power.

In the 1960's and 1970's, rapid economic growth and liberalization led to improved standards of living and a foreign reputation that made Ceausescu unique among communist leaders. He gradually changed his image from that

of a hero of the proletariat to one reminiscent of the Romanian monarchs. He became an exhibitionist of extravagant wealth in the midst of poverty. Depression and foreign debt in the 1980's did not help matters. Romanians suffered a relative worsening of their living standards, even compared to their Eastern European neighbors. Rationing of food and energy meant hunger and cold for most except Ceausescu and his inner circle. His subjects' extreme hatred toward their leader replaced the popularity Ceausescu had once enjoyed.

Ceausescu increased the number and rigor of the secret police and built a large network of informers. Liberalism disappeared. Romanians found their right to travel reduced, and authorities dismissed critics from their jobs or imprisoned them. Foreigners who formerly were warmly greeted in the country now were rebuffed.

Ceausescu's attempt to industrialize his economy rapidly by razing many Romanian villages—a policy called “systemization”—brought increased disaffection. He hoped to build huge agroindustrial complexes, necessitating removal of the rural population from their traditional hearths and relocating them in communal dormitory-style apartment blocs. The program also destroyed many historic monuments, bringing condemnation upon Ceausescu from around the world. The Hungarian minority who inhabited many of the demolished villages particularly felt this oppression. Ceausescu deliberately fanned the flames of national hatred by singling out the Hungarian community for discrimination and applying the old rule of divide and conquer. Many Hungarians from Transylvania fled across the border, seeking haven in a liberalized Hungary.

Even though the new wave of democracy spreading across Eastern Europe isolated Ceausescu, he refused to change. He tried appealing to nationalism, characterizing the Hungarians who left as traitors both to Romania and to socialism. He demanded the return of the Moldavian Soviet Socialist Republic, the former Bessarabia, which was taken by Stalin from Romania in 1940. In December, 1989, the Romanian-speaking majority demonstrated there for national rights.

At the beginning of December, 1989, Ceausescu increasingly felt the pressure for reform from neighboring countries. The Romanian leader attempted to shift the blame for the country's problems by criticizing the Communist Party and by calling for improvement in living standards but no change in the political system. An international scandal broke over the treatment of Reverend Laszlo Tokes, a Protestant minister of Hungarian nationality living in Timișoara, in Transylvania. Romanian authorities had been harassing Tokes for speaking out against the discrimination suffered by Hungarians living in



Nicolae Ceausescu around the time he took power in Romania in 1965. (Library of Congress)

Romania. The authorities expelled three Hungarian journalists who came to visit him. On December 17, the Romanian police attempted to deport Tokes, but the townspeople of Timișoara, both Hungarians and Romanians, rose up in a protest that turned into a revolt. Battles between the Romanian security forces and the Timișoarians on December 19 and 20 caused thousands of

casualties. Both the Western and socialist nations condemned Ceausescu. The Soviet Moldavians, who just a few weeks before had been demonstrating against cultural discrimination and Russian domination in the Soviet Union, asked Moscow to intervene in Bucharest to save their conationalists. Ceausescu angrily responded to his critics that the demonstrators were fascist agitators spurred on by Hungary.

On December 21, the demonstrations spread to the capital, where the crowd jeered and shouted Ceausescu down when he tried to deliver an address to the university. These demonstrations became riots and then a revolution. The next day, Ceausescu attempted to flee the country. A group of dissident communist leaders whom Ceausescu earlier had expelled from the party now formed a Committee of National Salvation, led by Ion Iliescu, as an interim government. Chaos, however, continued to reign. The populace particularly sought out the hated *Securitate*, Ceausescu's fifteen-thousand-person secret police force that had held Romania in check during his dictatorship and was responsible for the Timișoara massacre.

The rebels captured Ceausescu and his wife on December 23. Two days later, a hastily assembled court-martial tried the Ceausescus on charges of genocide of the Romanian people, the destruction of the country's economy and spiritual values, and stealing more than \$1 billion, which they had deposited in foreign banks. Despite their protests, the court found them guilty and ordered them shot the same day. The Ceausescus's captors filmed the grisly execution and showed it on Romanian television as proof of the dictator's death. The legacy Ceausescu left Romania was one of bitterness, poverty, and hatred. Of all the countries which in 1989 moved from authoritarian one-party rule to open societies, only Romania carried out this change through violence.

Impact of Event

Because Romanian communism had a populist basis built up by Gheorghiu-Dej and by Ceausescu, the fall of the dictator did not lead to a dismissal of the party, as was the case in the northern-tier states. Like those in Bulgaria and Albania, Romanian socialists still had some power. Civil liberties not enjoyed since the 1930's suddenly were introduced, including freedom of speech, assembly, and religion. The communists, however, still ruled, and economic limitations remained as opposing forces tried to come to some agreement on a new form of government. The first government replacing Ceausescu, that of Ion Iliescu, was composed chiefly of communists and ex-communists, some of whom the dictator had fired. This government was opposed by student and intellectual rebels in Bucharest who wanted all communists out of power. In Jan-

uary, 1990, the government arranged for its supporters to break up a large demonstration in Bucharest.

Freedom of speech was still respected, but the freedom to organize opposition was unofficially now severely limited. Moreover, there was little that either the new government or the opposition could do about Romania's economy, bankrupted through Ceausescu's extravagance and projects. The government gradually introduced a lessening of food and fuel restrictions and attempted to solve its food problem through plans offering state and collective land for private use. Ironically, Ceausescu's restrictions on foreign expenditures had a positive aspect, since the country's lack of large international debt made it a creditworthy customer for loans. Without a stable government, however, Romania could not take advantage even of this.

Ceausescu's fall reignited ethnic tensions in Transylvania. The Romanian Hearth association protested the government's granting of cultural autonomy to the country's Hungarians, including the establishment of schools using the Hungarian language. Romanian nationalists broke up Hungarian demonstrations for national rights, such as a peaceful march in the spring of 1990 at Tîrgu-Mureş in Transylvania. Club-wielding Romanians killed eight people and injured hundreds. Thousands of Hungarians, including some of the most educated, fled the country to avoid the turmoil and economic dislocation.

Romanian nationalists mistreated the significant Gypsy population as well. In some villages, Gypsy homes were burned. Many Gypsies were forced to relocate. Some unfortunates were lynched. Outbreaks of anti-Semitism reminiscent of the 1930's occurred as well. Although not suffering the same discrimination as the other minorities, members of Romania's centuries-old German community took advantage of the new freedom to escape the economic hardship through emigration.

Ceausescu's fall brought to light one of the cruelest aspects of his tyranny. Through his policy of forced procreation, Romanian women bore thousands of children they could not care for. Many of these were sent to orphanages and hospitals where, because of unsanitary medical conditions, a large number contracted AIDS. The plight of these infants brought a shock of horror to the world. Couples in the West desiring to adopt children sought healthy babies from Romania. There were cases of baby selling on the black market as well as cases of AIDS-infected babies offered for adoption.

In May, 1990, Iliescu and his Socialist Party (the former communists) won a landslide election. Although observers considered the balloting honest, Bucharest dissidents claimed fraud and another violent demonstration rocked the city the following month. Unable to rely on the local police, Iliescu

brought in miners loyal to him in order to crush the demonstrations. Disagreements between the government and dissidents prevented resolution of Romanian problems. By June, 1991, the cabinet still could function only on a day-by-day basis while the fate of the country remained in the balance. Civil liberties and political freedom existed, but anarchy rather than democracy remained the order of the day.

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Frederick B. Chary

Algeria and Egypt Crack Down on Islamic Militants

Category of event: International norms; political freedom; religious freedom

Time: 1990's

Locale: Egypt and Algeria

During the early 1990's, the North African nations of Algeria and Egypt both saw the rise of radical political activists, who called for the replacement of the countries' secular governments with Islamic states. Both countries responded by trying to suppress Islamic parties; the resulting wars led to violations of human rights by both governments and their Islamist opponents

Principal personages:

HOSNI MUBARAK (1928-), president of the Arab Republic of Egypt beginning in 1981

CHADLI BENDJEDID (1929-), president of Algeria from 1979 to 1992

ALI BELHADJ, one of the principal leaders of the Islamic Salvation Front, sentenced to twelve years imprisonment in 1992

OMAR ABDEL RAHMAN (1938-), spiritual leader of Egypt's Islamic Group, sentenced to life in prison in the United States in 1995 for plotting to blow up landmarks in New York City

Summary of Event

Although there are many differences between the nations of Algeria and Egypt, there are a number of similarities relevant to human rights issues in the two countries. Both have governments closely associated with their militaries, and both are troubled by conflicts between their governments and Islamic militants. Until 1952, Egypt was a monarchy that had been dominated by the British. In that year, a group of army officers known as the Free Officers' Movement took power from King Farouk. In 1956, Colonel Gamal Abdel Nasser achieved sole leadership of the country and in 1957, Egypt became a one-party state. The two Egyptian presidents who followed Nasser, Anwar Sadat and Mohammad Hosni Mubarak, rose within the power structure established by Nasser and relied on the support of the military. Although Egypt liberalized under Anwar Sadat and allowed the establishment of multiple political parties

in 1976, the rise of antidemocratic Islamic radicals and the assassination of President Sadat by some of these radicals in 1981 led to mass arrests and imprisonments under a new emergency law that restricted basic human rights and enabled the government to seize and detain those suspected of subversion. Although the 1981 law was limited to three years, it was consistently extended for additional three-year periods throughout the twentieth century. Following a 1995 attempt to assassinate President Mubarak, government efforts to suppress Islamic organizations intensified.

Algeria was a French colony that began a war of independence in 1954 under the leadership of the National Liberation Front (known in French as the *Front de Libération Nationale*, or FLN) and finally achieved independence in 1962. Under President Ahmed Ben Bella, the FLN became the ruling party of Algeria. Although Ben Bella attempted to maintain ties to Islam, the secular character of his government caused some tension with Muslim activists. When Colonel Houari Boumedienne staged a coup against Ben Bella in 1965, he drew on Islamic resentment against Ben Bella's regime.

After Boumedienne took control of the FLN government, he attempted to appeal to Muslim sympathies through publicity campaigns emphasizing Islamic values and morals. At the same time, Boumedienne suppressed Islamic challengers to his regime. After Boumedienne's death in 1978, he was succeeded as president by Colonel Chadli Bendjedid. Islamic activism increased steadily during his time in power. After riots, provoked by economic hardship, swept the country in 1988, Bendjedid attempted to soothe popular unrest by liberalizing the country's political system. As in Egypt, however, liberalization was followed by a rapid increase in radical Islamic activities. In local elections in June, 1990, the *Front Islamique du Salut* (FIS, or Islamic Salvation Front), Algeria's major Islamist party, won widespread victories. One of the leaders of the FIS, Ali Belhadj, declared his intention to turn Algeria into an Islamic state.

Although women made up nearly half the college graduates in Algeria in 1990, the position of the Islamic Salvation Front held that the education of women should end and that women should be restricted to their homes. Ali Belhadj also maintained that Arabic should be the only language used in Algeria, despite the fact that French and Berber were widely spoken. From the perspective of liberal democracy, it appeared that the democratic election of FIS candidates could undermine basic human rights of political participation.

Confident of its strength, the FIS called on its supporters to rise against the government in the spring of 1991 in order to force Benjedid to resign and call for early elections. Those opposed to the Muslims, such as the General Union

of Algerian Workers, began to prepare for fighting and violent incidents increased in number. When it appeared that the FIS would win again in parliamentary elections in December, 1991, the army staged a coup, forced Bendjedid to resign, and ended the country's efforts at democracy.

Conflict between government forces and Islamic groups followed the crackdowns in both Egypt and Algeria. In Egypt, the most violent Islamic group was al-Gama'a al-Islamiya (the Islamic group). Another prominent Egyptian group was The Muslim Brotherhood, founded in 1928 and often seen as a model for Islamic parties in other Muslim nations. Additional parties included al-Gihad (the holy struggle) and al-Jihad (the struggle).

The military takeover of Algeria and the banning of the Islamic Salvation Front led to a radicalization of Islamic forces in that country. From 1993 to 1995, the Algerian military reportedly murdered many families with connections to the FIS. Under this pressure, the armed wing of the FIS, the Armée Islamique du Salut (AIS, or Islamic Salvation Army) became independent from the army and much more aggressive. An even more radical organization, Groupe Islamique Armé (GIA, or Armed Islamic Group) began engaging in massacres of individuals and groups suspected of having connections to the government. Some observers have asserted that atrocities committed by the GIA may actually have been instigated by the Algerian military itself in order to discredit the Islamic organizations. An offshoot of the GIA, the Groupe Salafiste pour la Prédication et Combat (GSPC, Salafist Group for Call and Combat) was born in 1998 among Islamists who believed that the Islamic revolution had to move beyond Algeria and fight for Islam throughout the world.

Impact of Event

The crackdown on Islamic militants by the governments of Egypt and Algeria had four major impacts in the area of human rights. First, the rise of Islamic parties in these and in other countries provided examples of what some political scientists call the paradox of democracy. In both countries, the Islamic parties have substantial popular support. This means that in free elections these parties would probably win offices of some power. However, the Islamic Salvation Front in Algeria and the Muslim Brotherhood, the Islamic Group, and the other Muslim organizations in Egypt are opposed to many of what are generally considered basic human rights in democratic societies. These parties favor imposition of Sharia, or Islamic law, in their countries. Their interpretations of Islamic law would limit the political and social rights of women, limit the religious rights of non-Muslims, and impose legal punishments inconsistent with internationally recognized standards of human rights. Thus,

the democratic exercise of rights could end up undermining those rights.

However, the suppression of the Islamic parties did not simply make them go away. Instead, banned opposition parties began engaging in extensive underground organizing. In Egypt, for example, Islamic radicals who were shut out of electoral politics worked their way into positions of leadership in professional associations and labor unions. They created charities and free clinics that increased their support in poor communities. A second impact of the crackdown, then, has been the division of the Egyptian and Algerian societies into two dramatically opposed sides.

The conflict resulting from the division has had a third impact: continuing violence from both sides. In Algeria, international observers estimated that well over 150,000 people were killed between 1992 and 2002 by either the Algerian military or Islamic opposition groups. Government security forces and government-backed militias in Algeria regularly tortured and executed suspected opponents. The opposition groups massacred entire villages, frequently mutilating the corpses of their victims. In 1996, the Islamists murdered one of the most popular singers in Algeria, Cheb Aziz. Aziz was only one of several musicians killed by the radicals, who maintained that popular music drew people away from the Koran, the holy book of Islam.

Although the conflict in Egypt has not reached the extreme violence of Algeria, the Egyptian situation has also resulted in fear and loss of life. The Islamic Group, in particular, has attacked Egyptian intellectuals, members of the Coptic Christian minority, and government officials. In 1992, members of this organization assassinated noted political commentator Farag Foda. Two years later, the group tried to kill Naguib Mahfouz, a world renowned Egyptian novelist and winner of the Nobel Prize for literature. Hoping to undermine the government by destroying Egypt's tourist industry, the radical Islamists have also targeted foreigners visiting Egypt. In November, 1997, the Islamic group massacred fifty-eight foreign tourists and four Egyptians at the ancient site at Luxor.

The division of societies into two opposed sides tends to leave little room for the free expression of opinions or for support for human rights. After the secretary-general of the Egyptian Organization for Human Rights (EOHR), Hafez Abu Saada, published a report describing police brutality, he was arrested for accepting foreign funding to publish materials contrary to Egypt's interests. Although Abu Saada was freed after an international campaign, governmental repression continued. In June, 2000, Saad Eddin Ibrahim, chair of Egypt's Ibn Khaldoun Center for Developmental Studies, was arrested on charges almost identical to those against Abu Saada.

The fourth impact related to human rights has been international. Members of the Islamic underground in both countries have established links with Islamic radicals in other countries and have joined a worldwide network. Egypt's suppressed Islamic parties, in particular, have provided leaders and participants in international terrorism. Sheikh Omar Abdel Rahman, one of the founding members of the Egyptian Islamic Group, was sentenced to a life sentence in New York for taking part in a plot to bomb the World Trade Center in 1993. The international al-Qaeda group, led by Saudi Arabian Osama bin Laden, had close ties to both the Algerian and Egyptian groups.

The al-Qaeda organization became well known to the world in September, 2001, when members of the organization hijacked airplanes and flew them into the World Trade Center and the Pentagon, destroying the World Trade Center towers. A number of bin Laden's top lieutenants had come out of the Egyptian Islamist movement. These included Mohammed Atef, a co-founder of al-Qaeda, believed by some to be the one who would replace bin Laden if he were killed. Ayman al-Zawahri, a former Cairo surgeon, was also a founding member of al-Qaeda and one of its leaders. Saif al-Adel, another Egyptian was a member of al-Qaeda's military committee. Algerian Fateh Kamel was reportedly in charge of al-Qaeda operations in North Africa, Spain, and France. The Algerian Salafist Group had especially close ties to Osama bin Laden and al-Qaeda.

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Iraq Invades and Ravages Kuwait

Category of event: Atrocities and war crimes; political freedom

Time: August 2, 1990

Locale: Iraq and Kuwait

On August 2, 1990, Iraq, motivated by a variety of factors, invaded its southern neighbor, Kuwait, thereby initiating a brutal occupation of that country and setting the stage for the Gulf War of 1991

Principal personages:

SADDAM HUSSEIN (1937-), the president of Iraq

GEORGE BUSH (1924-), the forty-first president of the United States

JABIR AS-SABAH (1926-), the emir of Kuwait

Summary of Event

During the early morning hours of August 2, 1990, Iraqi armed forces suddenly invaded neighboring Kuwait, resulting in the looting of that small country and the brutalization of the Kuwaiti people. This act of aggression was the result both of trends which had been developing in the upper Persian Gulf region for several years and of specific problems which, when combined, led to an escalation of Iraqi-Kuwaiti tensions and, ultimately, invasion.

In the broadest sense, three closely interconnected factors contributed to an increasingly explosive situation in the Persian Gulf region. First, throughout the 1980's, Iraqi president Saddam Hussein had systematically and often brutally eliminated all sources of rival political power in Iraq and had, simultaneously, concentrated all power and authority around himself. For example, during the late 1980's, Hussein crushed the Kurdish minority within Iraq, allegedly using chemical weapons to suppress the Kurds and sending more than sixty thousand refugees into Iran and Turkey. Furthermore, more than half a million additional Kurds were forcibly resettled away from the border in order to permit the Iraqi authorities to secure the frontier areas. Meanwhile, throughout the 1980's, Hussein effectively excluded independent elements of the ruling Baath Party from power and increasingly surrounded himself with associates disinclined to provide him with independent advice. This served to isolate the Iraqi president, a trend which was particularly dangerous in view of

his lack of personal experience with the Western powers and limited experience even within the Arab world.

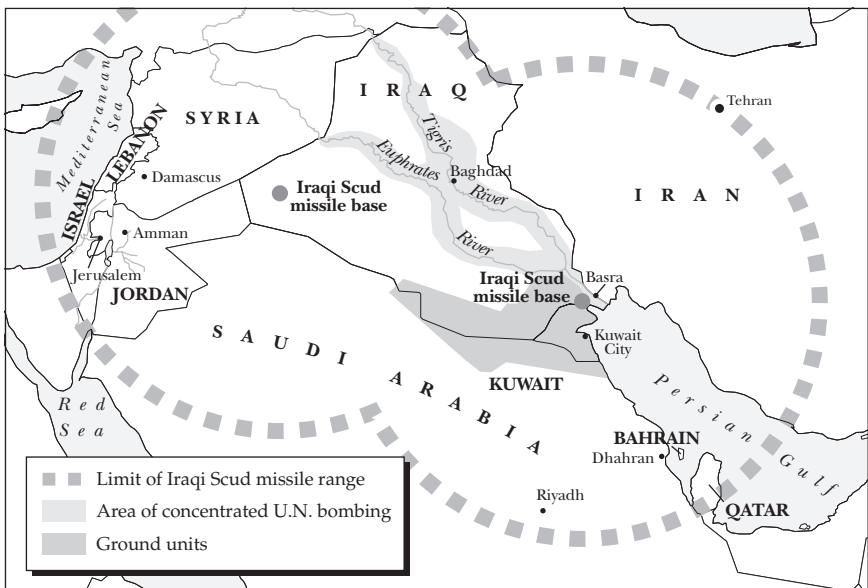
Second, in the aftermath of the Iraqi victory over Iran in the decade-long Iran-Iraq War, Iraq emerged as the dominant indigenous military power in the Persian Gulf region. At the conclusion of the conflict, Iraq's military consisted of more than one million men, including the sizable and well-equipped Republican Guard. In addition, during the Iran-Iraq conflict, the Iraqis had invested heavily in defense industries, particularly in chemical weapons production and the development of missile technology. Following the cessation of hostilities with Iran, the Iraqi authorities continued to emphasize the expansion of Iraq's high-tech armaments industry. In short, as Baghdad entered the 1990's, Iraq's military, backed by the Iraqi defense industrial establishment, placed Saddam Hussein in a strong position to influence Persian Gulf affairs along desired lines.

Third, against the backdrop of his monopolistic consolidation of political power domestically and Iraq's postwar military dominance in the Persian Gulf region, Hussein increasingly aspired to leadership of the entire Arab world. The Iraqi president apparently believed that the collapse of communism in Eastern Europe and the growing internal political, ethnic, and economic chaos within the Soviet Union, combined with other changes in the international power configuration, created an opportunity in which an Iraqi-led coalition of revolutionary Arab states could assert itself and emerge as a more powerful, perhaps regionally dominant, actor in the international arena. As part of his effort to assert his leadership within the Arab world, Hussein directed his rhetoric against Israel, the traditional adversary of the Arabs. On April 2, 1990, he articulated a new deterrence policy for Iraq under the terms of which, should Israel attack Iraq, as it had in 1981 when the Israelis destroyed the Iraqi Osirak nuclear reactor, Iraq would respond with a chemical attack on Israel. Later, the Iraqi president said that Iraq would extend this deterrent umbrella to any Arab state desiring Iraqi assistance. Simultaneously, the Iraqi president attempted to consolidate additional support for his effort to assert leadership throughout the Arab world by promising Iraqi support for the Palestinian cause. Hussein's bold new military deterrence doctrine directed toward Israel, combined with his encouragement of the Palestinians and other, similar measures designed to appeal to the Arab masses, allowed the Iraqi president to reap a swell of popular support throughout the entire Arab world.

Notwithstanding Iraq's regional military power, along with Hussein's effective concentration of political power within Iraq and his growing prestige as a pan-Arab leader in the aftermath of the Iran-Iraq War, Iraq was confronted by

a series of serious problems which threatened to jeopardize Hussein's ambitions for himself and Iraq. The central problem was financial: Iraq emerged from its war with Iran with an estimated debt of \$80 billion, \$30-35 billion of which consisted of short-term loans owed to the Western powers, with the remainder owed to the oil-producing Arab states of the Persian Gulf. The debt problem was further compounded by Iraq's postwar policy of continued heavy investment in its high-tech defense industry as well as highly ambitious, visible, reconstruction projects in war-damaged areas of Iraq and the importation of consumer goods and food from abroad, all requiring additional hard currency. Finally, Iraq's already high demand for foreign exchange was further amplified by its \$6-7 billion annual debt service requirements.

Iraq hoped to meet its financial requirements by increasing oil revenues. This hope was predicated upon predictions of oil price increases. Unfortunately for the Iraqis, when the price of oil declined from twenty dollars to fourteen dollars a barrel during a six-month period between January and June, 1990, they faced a serious short-term financial shortfall. Many Iraqis blamed the Western powers, arguing that the decline in oil prices was part of a larger Western conspiracy in which the West had manipulated the oil market so as to create financial hardship for Iraq and thereby force Baghdad to abandon its



Region affected by the Persian Gulf War in early 1991.

regional policies and ambitions. Hussein also accused Kuwait and the United Arab Emirates of “cheating” on OPEC (Organization of Petroleum Exporting Countries) production quotas, thereby further contributing to the decline in oil prices. Tensions between Iraq and Kuwait were further exacerbated by Kuwait’s refusal to forgive the debt owed to it by Iraq. In short, rather than recognize the underlying sources of financial instability, adopt effective measures to reorder spending priorities, and place Iraq on a sound financial footing, Hussein instead blamed the Western powers, Kuwait, and the United Arab Emirates for Iraq’s financial problems.

In addition to its financial differences with Kuwait, Iraq also had a series of territorial disputes with its southern neighbor. Prior to relinquishing claim to all of Kuwaiti territory in 1963, Iraq had, periodically, made attempts to assert full Iraqi control over the entirety of Kuwait. After 1963, although Iraqi claims against Kuwaiti territory became more limited in scope, they remained a topic of contention between the two states. One dimension of the dispute centered on the Khor Abd Allah estuary, which constitutes the maritime portion of the Iraqi-Kuwaiti border and leads to the Iraqi naval base and port at Umm Qasr as well as to the Iraqi port of Khor Zubair, further upriver. Kuwait applied the midchannel doctrine to divide the estuary, whereas Iraq claimed the entire waterway. Moreover, Baghdad sought to obtain control of Bubiyan and Warbah Islands from Kuwait, since these islands effectively controlled the estuary’s entrance. Kuwait, of course, rejected Baghdad’s claims, but the Iraqis thought that it was vital for Iraq’s national security and the success of their political, economic, and military ambitions to obtain full Iraqi control over this important outlet to the Persian Gulf.

In addition to the Khor Abd Allah waterway dispute, the Iraqis claimed ownership of the entire Rumailah oil field, which lay on both Iraqi and Kuwaiti territory. In addition, Iraq accused Kuwait of pumping from the Rumailah oil field and selling the oil at considerable profit during the Iran-Iraq War. Baghdad demanded that the border be revised in accord with its claims to the entire Rumailah field and that Kuwait pay Iraq \$2 billion for the oil allegedly pumped earlier from the disputed field. Kuwait also rejected these claims, thereby leading to a further estrangement between the Kuwaitis and Baghdad.

Finally, in the broadest sense, the Iraqi authorities capitalized upon popular Arab resentment for the wealthy, conservative monarchies of the Persian Gulf. In this sense, Baghdad was able to frame its financial and territorial disputes with Kuwait within the larger ideological rivalry between revolutionary pan-Arabism and the conservative monarchies of the Arab world.

Although relations between Iraq and Kuwait had been deteriorating for

some time, tensions between the two states began to rise dramatically in late May, 1990. In mid-July, Hussein threatened action if key differences between Iraq and Kuwait were not resolved to Baghdad's satisfaction. Meanwhile, Iraqi forces concentrated along the Kuwaiti border. Then, suddenly, on August 2, 1990, Iraq invaded Kuwait. Within hours the entire country was overrun. Most of Kuwait's ruling family escaped to Saudi Arabia. Initially, the Iraqis claimed that the Kuwaiti opposition had invited Iraq into Kuwait, but Baghdad's inability to produce a cooperative Kuwaiti provisional government ultimately led the Iraqi authorities to reassert their old claim to the whole of Kuwait and simply to annex the entire country. The northern portion of Kuwait was attached to Basra, while the remainder of Kuwait became the nineteenth Iraqi province.

Impact of Event

The Iraqi invasion of Kuwait had an enormous impact upon Kuwait, the Persian Gulf region, and the entire Middle East. First, with respect to Kuwait, following the invasion, the Iraqis looted the entire country of any movable item: furniture, autos, Kuwait's gold reserves, industrial equipment, and even treasures from the Kuwaiti museum. Moreover, approximately half of Kuwait's citizenry, along with substantial numbers of Asian and Palestinian workers employed in Kuwait, fled the country. With respect to those who remained, the Iraqis ruthlessly crushed indigenous resistance. Not only did this produce a large number of brutal incidents of personal arrests, tortures, and executions, but a large portion of Kuwait's male population between the ages of eighteen and forty-five was taken back to Iraq to be held hostage by the Iraqi authorities.

Meanwhile, the international community reacted to the Iraqi aggression against Kuwait. Immediately following the invasion, U.S. president George Bush ordered an economic embargo of Iraq. The West European states and Japan also embargoed the Iraqis and, on August 6, 1990, the United Nations Security Council ordered a global economic embargo against the Baghdad regime. The following day, President Bush ordered the deployment of U.S. military forces to Saudi Arabia, thereby commencing Operation Desert Shield. The military deployment was immediately broadened to include representation from a number of Arab powers and members of the international community. On August 25, the U.N. Security Council authorized the use of military force to enforce the embargo against Iraq. Meanwhile, on August 8, the Iraqis had closed their borders to foreign nationals inside Iraq and Kuwait, thereby preventing thousands of foreigners from leaving either country. On August 28, Baghdad allowed foreign women and children to depart, but it continued to hold foreign men as hostages.



Flames show oil fields set afire by Iraqi troops retreating from Kuwait during the Gulf War. (Department of Defense, Still Media Records Center)

Throughout the autumn, the crisis mounted as the United States and its Desert Shield coalition partners poured troops and military equipment into Saudi Arabia. On November 29, 1990, the U.N. Security Council established January 15, 1991, as the deadline for Iraq to withdraw from Kuwait and threatened use of military force to drive the Iraqis out if the deadline was not met. Efforts by President Bush to secure an eleventh hour negotiated withdrawal and Iraq's December 6, 1990, decision to release the foreign nationals which it had been holding since early August failed to secure a peaceful settlement of the crisis. On January 12, 1991, the U.S. Congress authorized President Bush to use military force to drive the Iraqis from Kuwait, thus clearing the way for the commencement of hostilities following the expiration of the January 15 withdrawal deadline.

On January 17, 1991, at 12:50 A.M. (4:50 P.M., January 16, 1991, Eastern Standard Time), with Iraq still in possession of Kuwait, Operation Desert

Storm began. Over the next five and one-half weeks, Iraqi military targets were pounded by U.S. and coalition air power. On February 23, the United States and the other members of the coalition launched ground operations against the Iraqi military forces. On February 25, Saddam Hussein ordered the withdrawal of Iraqi forces from Kuwait and, late the following day, the Kuwaiti resistance declared that it controlled Kuwait City. On February 27, 1991, President Bush announced the liberation of Kuwait and the defeat of the Iraqi armed forces. He further announced that offensive operations by the United States and its coalition partners would be suspended at midnight.

The war had a devastating impact upon Kuwait, Iraq, and the entire region. Not only was there extensive damage resulting from the air and ground operations during the conflict, but also the Iraqis took actions which will have an environmental impact upon the Gulf region for generations to come. Not only did the Iraqis ignite the Kuwaiti oil fields, but they also released a significant quantity of oil into the Persian Gulf, thereby polluting both the air and the Gulf's waters. Moreover, in their haste to withdraw, the Iraqis left within Kuwait a massive number of mines and other explosives which would require years, if not decades, to disarm. Furthermore, missiles fired by Iraq caused additional damage, particularly in Saudi Arabia and in nonbelligerent Israel, thereby compounding the devastation. Finally, in the aftermath of the war, the weakened but still powerful government of Saddam Hussein brutally crushed Kurdish and other opposition elements which emerged in the wake of Iraq's defeat. The bitter legacy of Iraq's invasion of Kuwait, the human rights violations which characterized Iraq's occupation of Kuwait and Baghdad's policies toward the people of Iraq, and the devastation caused by the Gulf War would influence the attitudes of the peoples of the Gulf region, the policies of the Middle Eastern powers, and the ecology of the area for years to come.

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Howard M. Hensel

Yugoslav Army Shells Dubrovnik

Category of event: Atrocities and war crimes

Time: 1991

Locale: Croatia

During the autumn of 1991, the city of Dubrovnik in Croatia was bombarded by Yugoslav federal forces, an assault which resulted in numerous casualties as well as significant damage to medieval structures in and around the city

Principal personages:

ANTE MARKOVIC (1924-), the prime minister of Yugoslavia

STIPE MESIC (1934-), a Croat who became Yugoslavia's president

FRANJO TUDJMAN (1922-1999), the president of Croatia

SLOBODAN MILOSEVIC (1941-), the president of Serbia

TITO (1892-1980), the post-World War II Yugoslav leader

Summary of Event

The city of Dubrovnik, situated on the Dalmatian coast on the eastern side of the Adriatic Sea, traces its history to the end of the seventh century C.E. The city, originally called Ragusium and subsequently known as Ragusa, was founded by displaced Roman settlers from the Greek city of Epidaurus (located immediately to the southeast) after Epidaurus had been seized by Slavs. Eventually, as the Slavic and Latin communities became integrated, Dubrovnik came under the autonomous control of the Byzantine Empire. Between 1205 and 1358, Dubrovnik was controlled autonomously by Venice. Between 1358 and 1526, it fell under Hungarian protection. Subsequently, Dubrovnik came under the protection of the Ottoman Empire but retained a large measure of independence. Dubrovnik was a leading center of maritime commercial activity in the fifteenth through eighteenth centuries, second in the Adriatic only to Venice. Dubrovnik also emerged as an important intellectual center in the development of Balkan culture. Indeed, throughout its history the city has retained a strong cosmopolitan flavor which has blended Mediterranean influences with the diverse cultural characteristics of the Balkan region.

Beginning in 1272 and continuing through the seventeenth century, the city erected an elaborate series of fortifications. Dubrovnik's main city wall, approximately six thousand feet in circumference, between thirteen and twenty feet thick on the land side, five to ten feet thick on the sea side, and about eighty feet high, surrounded what has become known as the old city. Punctuating the walls are five bastions, two corner towers, twelve square towers, three round towers, and the citadel of Fort St. John (Sveti Ivan), a formidable defensive structure guarding the old harbor. Dubrovnik's medieval character has been preserved within the old city, with many of the buildings dating back to the fourteenth and fifteenth centuries. The physical characteristics of medieval Dubrovnik, combined with its rich cultural and artistic attractions, made the city Yugoslavia's principal historical tourist site, with thousands of visitors flocking to the city annually. In recognition of Dubrovnik's unique historical value, the city was placed on the United Nations World Heritage List in 1979 as a site whose safety and preservation were said to be humankind's collective responsibility.

In 1808, Dubrovnik was taken by Napoleon, but in the settlement at the Congress of Vienna in 1815, the city was awarded to Austria. It remained under Vienna's control until the defeat of the Austro-Hungarian Empire in World War I. After 1918, Dubrovnik was attached to Croatia, within the framework of the newly created state of Yugoslavia, which was dominated by Serbs. Historically, Croatia and Serbia represented two different aspects of their common Balkan heritage. Whereas the Serbs were Orthodox in religious persuasion, the Croats were predominantly Catholic. Linguistically, the Serbs used the Cyrillic alphabet, and the Croats used the Latin alphabet. Eastern Ottoman Turkish influences remained strong in Serbia, whereas Croatia followed the lead of Central Europe.

During the interwar period, tensions mounted among the Serbs, the Croats, and the other nationalities within Yugoslavia. These tensions were manifested during World War II, when, under Nazi sponsorship, Yugoslavia was broken up and an independent Croatia was established. Nazi atrocities, combined with traditional Balkan hatreds, led to persecutions and massacres which, in turn, left postwar Yugoslavia deeply scarred. In the wake of the collapse of Nazi Germany in 1945, Yugoslavia was reestablished, this time under the leadership of the Communist Party, guided by the partisan leader, Marshal Tito. Tito managed to suppress the national hostilities, but, after his death in 1980, these hostilities gradually resurfaced. The collapse of communism in Eastern Europe at the end of the 1980's created the context for the disintegration of postwar Yugoslavia. Croatia and Slovenia elected governments pledged

to assert independence from the Yugoslav state. On June 25, 1991, the Slovenes and Croats declared their independence from Yugoslavia.

Slovenia moved immediately to secure its borders. Following a brief series of clashes with the Yugoslav federal army which left fifty people dead, the fighting subsided and attention shifted southward to Croatia. Approximately 600,000 of Croatia's 4.5 million citizens were ethnic Serbs. They contended that they did not wish to become an ethnic minority within an independent Croatian state. Serbian leaders outside Croatia supported these claims, asserting that Serbs left within an independent Croatia would be persecuted by the Croatian majority. Consequently, even prior to Croatia's formal declaration of independence, and with Serbian support, the Serbs within Croatia began to prepare for an armed insurgency. Following Croatia's declaration of independence, the Serbian-dominated Yugoslav federal army began operations against the rebellious Croats. Simultaneously, the federal army gradually began to coordinate its activities with the Serbian insurgents. Although the Yugoslav federal army cited a variety of goals to justify its military operations against Croatia, ranging from protecting the Serbian minority in Croatia to defending and restoring Yugoslavia, the Croats contended that Serbia was using the federal army and the ethnic Serbs in Croatia as instruments to dismember Croatia and create a Greater Serbia. In any case, by autumn, 1991, the Yugoslav federal army and the Serbian insurgents had captured approximately one-third of Croatian territory. By that time, an estimated three to five thousand people had been killed in the intensifying Yugoslav civil war, with as many as ten thousand wounded and more than three hundred thousand displaced from their homes.

By the beginning of October, 1991, fighting between Croatian forces and units of the Yugoslav federal army had spread to the area around Dubrovnik. On October 1, the Yugoslav army surrounded the city, laying siege to it and its sixty thousand inhabitants, 90 percent of whom were Croats. Dubrovnik's citizens, joined by refugees from outlying areas, were deprived of electric power, telephone communications, and fresh water. By late October, rationing had been introduced. Families were allocated 1.3 gallons of fresh water daily, with very small supplements sometimes collected from Dubrovnik's cisterns. People were reduced to washing and flushing toilets with water from the Adriatic Sea. Food was also rationed, with a family's weekly ration consisting of one quart of cooking oil, one pint of milk, one pound of potatoes, one pound of bread, two tins of fish, and two tins of meat. The people of Dubrovnik were concerned particularly with the prospect of disease that might result from untreated sewage and a shortage of medicine. Tensions among the population

increased with the duration of the siege, as people spent long hours in basement shelters or in chambers within the walls of the old city.

By mid-October, planes from the Yugoslav federal air force had bombed the marina, and federal artillery had shelled the city, although at that point the old city remained undamaged. By October 23, units of the Yugoslav federal army had moved to positions within three miles of the old city, and the danger to Dubrovnik increased daily. As the Serbian-dominated Yugoslav military continued to increase its pressure on Dubrovnik, international efforts to prevent the situation from further deteriorating also continued. Representatives from the European Community and the United Nations, in addition to their efforts to secure a comprehensive cease-fire in the Yugoslav civil war, appealed to both the Serbs and the Croats to honor the United Nations convention protecting historic sites and to spare Dubrovnik from further destruction. The United States condemned the Yugoslav federal army's attack on Dubrovnik as an irresponsible assault on a civilian center which was devoid of military value. For their part, Yugoslav military authorities denied that their forces had attacked the old city and pledged to keep them from doing so.

In late October, Croatian and Yugoslav army leaders agreed upon a partial evacuation of Dubrovnik, under the supervision of European Community monitors and the Red Cross. Males between the ages of eighteen and sixty, however, would not be allowed to leave the city unless they were joined by ill or elderly relatives. By the end of October, Dubrovnik's population had decreased only marginally, because refugees from outlying areas continued to arrive. The old city had sustained only light damage up to that time. As of October 28, the Red Cross reported that fifty-two people had been killed and slightly more than two hundred had been wounded in the fighting in and around the city.

In early November, 1991, Dubrovnik was subjected to its heaviest artillery and gunboat bombardment. Yugoslav federal shells hit targets inside and immediately around the old city. On November 9, the Yugoslav military intensified its joint bombardment of the old city, the surrounding tourist hotels, and adjacent civilian targets.

Impact of Event

The bombardment of Dubrovnik in early November caused significant damage to the old city and adjacent areas. Approximately fifty people reportedly were killed, and many more were wounded in the land, air, and naval bombardment which continued until November 13. Several of Dubrovnik's tourist hotels were damaged seriously or destroyed as Croatian defenders

attempted to halt the advance of the Yugoslav federal forces. Federal planes attacked Croatian positions in the Napoleonic-era fort, constructed in 1808 on Brdo Srdj (Mount Sergius), which rises above Dubrovnik. Fort St. John, as well as many of the towers along the city walls, was damaged, as were a number of sites within the medieval city itself. Both the fourteenth century Dominican friary and the Franciscan friary at the opposite side of the old city were damaged, as was the seventeenth century Jesuit church. Elsewhere in the old city, such medieval architectural treasures as Dubrovnik's clock tower were hit during the shelling. Even after considering the physical damage to Dubrovnik and the suffering of its people, Croatia's new leaders vowed to defend the city against the Yugoslav federal military attacks. From their perspective, Dubrovnik had become a symbol of Croatian independence and resistance to Serbian domination.

On November 13, the Yugoslav federal shelling tapered off, and in the afternoon, a relief ship was allowed to enter Dubrovnik's harbor. Food, medical supplies, and fresh water were unloaded, and on the following day, more than two thousand refugees were evacuated from the city. This set the stage for subsequent relief efforts. Eventually, a spokesperson for the Yugoslav federal army apologized for the shelling of Dubrovnik, attributing the action to local forces that allegedly acted without permission from the central authorities.

In eastern Croatia, the eighty-six-day siege of the city of Vukovar ended on November 17 with its capture by Yugoslav federal troops and Serbian insurgents. Like Dubrovnik, Vukovar had become a symbol of Croatian resistance to Serbian efforts to suppress Croatia's spirit of independence. Unlike Dubrovnik, Vukovar was reduced to ruins, and extremely heavy civilian casualties were sustained as Serbian forces bombarded the city into submission.

At the end of 1991, as Germany led members of the European Community in formal recognition of Croatia and Slovenia, the Croatian government remained committed to recapturing those territories which it had lost at the outset of its war for independence. An internationally brokered cease-fire among the belligerents had been put in place at year's end, and many hoped that it would become permanent. Most analysts agreed, however, that the crisis in the Balkans was far from being resolved. Although it had been damaged significantly, Dubrovnik had escaped the level of destruction visited upon Vukovar. The fact that the priceless treasures of this historic medieval city were damaged at all, combined with the tragic loss of human life and the wounding of a large number of Dubrovnik's citizens, amplified the need for a common commitment by all of humankind to honor the United Nations agreements governing the protection of the irreplaceable relics of humankind's global heritage.

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Howard M. Hensel

Muslim Refugees Flee Persecution in Myanmar

Category of event: Racial and ethnic rights; refugee rights; religious freedom

Time: December, 1991, through 1992

Locale: Myanmar and Bangladesh

An estimated 250,000 to 280,000 Muslims fled to Bangladesh from the primarily Buddhist nation of Myanmar from the end of 1991 through the spring of 1992 after apparent oppression and denial of basic human rights by the Myanmar military

Principal personages:

KHALEDA ZIA (1945-), the prime minister of Bangladesh

THAUNG TUN, the deputy minister of the Myanmar mission to the United Nations

BOUTROS BOUTROS-GHALI (1922-), the secretary general of the United Nations

Summary of Event

Myanmar, the nation formerly known as Burma, has strong historical connections to Buddhism and the overwhelming majority of its people are Buddhists. Close to 70 percent of the people in Myanmar are of the ethnicity known as Burman, and the dominant Burmans hold political power. Continual conflicts with ethnic and religious minorities, particularly with tribal groups in the northeast, have contributed to keeping Myanmar under repressive military rule for much of its history.

The largest concentration of Muslims in this primarily Buddhist country is in the west, near the border with Bangladesh. In the region commonly known by the older name of Arakan Province, renamed Rakhine Province by Myanmar's military government, at the end of the twentieth century, there were one to two million Muslim Arakanese. They refer to themselves as Rohingyas, and in several districts of the province these Muslims outnumber the Buddhist Arakanese.

Myanmar's Buddhist authorities have long been suspicious of the Muslims. Not only do the Muslims follow a different religious belief, but movement back

and forth across the border has often raised questions in the minds of government officials about the citizenship and loyalties of the Muslims. In 1971, the eastern portion of Pakistan broke away and established the nation of Bangladesh. Although Burma was one of the first states in Asia to recognize Bangladesh, problems soon developed between the two countries over illegal immigration and the smuggling of goods. In 1977 and 1978, the Tatmadaw, the national army of Burma, conducted a massive crackdown on suspected illegal immigrants and over 200,000 Rohingyas fled into Bangladesh. Following mediation on the part of the United Nations, Burma and Bangladesh signed an agreement for repatriation in July, 1979. Although most of the refugees returned, a substantial number remained in Bangladesh.

In 1982, Burma passed a citizenship law that appeared to be designed to deny citizenship rights to many of its ethnic minority groups, particularly the Muslims in the west of the country. Under this law, to qualify for full citizenship individuals in Burma had to prove that their ancestors had lived in the country in 1823. That date was one year before the British colonial government had made Arakan part of Burma, so few Rohingyas could obtain the basic rights of citizenship under the new law.

Burma's military government became even more repressive in 1988. After popular demonstrations in Rangoon, the Burmese leader Ne Win resigned, a civilian government was elected, and the Burmese military staged a coup. A shadowy military junta known as the State Law and Order Restoration Council (SLORC) seized control. This junta, which changed the name of the country to Myanmar, acted primarily on the belief that the nation was falling apart and that therefore unity had to be forcefully imposed and maintained.

One of the actions of the new military government that was especially oppressive for the Muslims was the issuing of identity cards. To travel in the country, to obtain jobs in the civil service, or to enroll children in schools, citizens of what was now Myanmar had to show identity cards with photographs and statements of ethnicity, religion, and place of residence.

During the last two weeks of 1991, Myanmar's new military government undertook Operation Pyatya in Arakan. The government maintained that this was another check for illegal immigrants. According to Muslims, though, Muslim men were being taken away from home for forced labor to the army and soldiers were raping Muslim women. On January 10, 1992, the newspaper *Sangbad* in Dhaka, Bangladesh, reported claims of Muslim refugees that the Myanmar government had issued arrest warrants for ten thousand Muslims under suspicion of participating in an antigovernment insurgency. The newspaper also reported that the soldiers had imprisoned about 2,800 Muslims in

Myanmar and that seven hundred of these detainees had died in crowded warehouses.

From January to February, as many as 45,000 to 60,000 Muslims fled across the Naf River into Bangladesh. In early March, the United Nations High Commission for Refugees (UNHCR) issued an official statement in Geneva, calling the situation along the border of the Southeast Asian nations a serious crisis, in which 5,000 to 7,000 people were fleeing to Bangladesh every day. This was particularly worrisome because Bangladesh, as one of the world's poorest nations, was ill-equipped to help the newcomers. Nevertheless, Bangladeshis and refugees from the 1978 exodus did form some organizations, such as the Rohingya Muslim Welfare Association, to help the refugees. Rabita, a relief organization for Muslims from Mecca in Saudi Arabia, also provided some assistance. The United Nations became involved by airlifting blankets and plastic sheets to the desperate Rohingyas and by establishing refugee camps in Bangladesh.

The Myanmar government rejected criticism of its actions. Thaung Tun, deputy director of the Myanmar mission to the United Nations in New York, declared that there was no religious discrimination in his country. The problem, according to Thaung Tun, was one of illegal immigration. His government's Immigration and Manpower Department had simply carried out routine citizenship checks, and these checks had resulted in about 3,000 illegal immigrants crossing back to their home in Bangladesh. This version of the events was not widely accepted by representatives of other governments.

In the middle of March, Prime Minister Khaleda Zia of Bangladesh visited the United States, complaining that her country could not take care of so many refugees. President George Bush promised the prime minister that the United States would provide \$3 million to help settle the refugees. United Nations secretary-general Boutros Boutros-Ghali met with the Bangladeshi prime minister the day after she met with President Bush and said that the United Nations would help solve the problem.

In April, the government of Bangladesh came to an agreement with the government of Myanmar. Under this agreement, Bangladesh would force the refugees to return. After about 5,000 refugees were pushed back across the border, the UNHCR threatened to close the camps and withdraw its assistance. At the end of 1992, under pressure from the UNHCR, Bangladesh temporarily stopped forcibly repatriating people to Myanmar. In May, 1993, the UNHCR and Bangladesh entered into a formal agreement that Bangladesh would not force Muslim refugees across the border. However, Bangladesh still saw the Rohingyas as uninvited guests that it could not afford. According to some re-

ports, by November, 1993, as many as 50,000 refugees had been forced to return to Myanmar.

Impact of Event

One of the few positive outcomes of the 1992 refugee crisis was that agents of the United Nations were allowed into Myanmar to oversee the resettlement and condition of Muslims in western Myanmar. In late 1993, the United Nations High Commission for Refugees was able to place a small staff of officials in Arakan to contribute to the peaceful return of people from Bangladesh. This was a marked accomplishment for the United Nations, since the government of Myanmar had been usually reluctant to allow any outsiders into the country. Nevertheless, this did not solve the problems of the Rohingyas or end the problem of flight across the border. Under the agreement between the UNHCR and Myanmar, all refugees were to have been returned to their homeland by December, 1995. By that date, however, there were still reportedly as many as 35,000 Rohingyas in Bangladesh and many of those who had returned home had done so unwillingly.

Bangladesh grew increasingly impatient with its refugee burden, while the refugees themselves appeared unwilling to return to Myanmar. In 1996, the government of Bangladesh told officials of voluntary agencies working in the refugee camps that all the agencies would have to leave by March, 1997, and that Bangladesh would take over and resolve the refugee situation without outside assistance. This was extended, however, and voluntary agencies continued to work in the camps. By the end of the 1990's, most of the refugees had returned, but several thousand remained. Moreover, movement across the border continued. During the first half of 1997, for example, as many as 15,000 Rohingyas were reported to have fled into Bangladesh.

Those who had gone back to Myanmar found that their situation had not greatly improved. Newly arrived refugees in Bangladesh reported that despite the United Nations presence in Myanmar, the army continued to demand forced labor, to impose heavy taxes, and in some cases to rape women. The Muslims were also frequently unable to return to their former homes. In Myanmar, the government is considered the owner of all land. Citizens are therefore regarded as tenants, who are given permission to live on government land. Since most Muslim residents are not considered citizens, they have no right to live on land, even if their families have lived on it and farmed it for generations. As a part of the military government's efforts to control Myanmar society, the army has forced many Muslims to relocate in towns and created "model villages" on land that formerly belonged to the Muslims. Buddhists are

then moved into the model villages, giving the army greater power over civilian social structure.

Government ownership of land in Myanmar has also subjected the Muslims to heavy taxation. Farmers must hand over a certain percentage of their harvests of rice and other crops to the government at low fixed prices. The government calculates this percentage on the basis of acreage of land, rather than on the basis of the crops yielded by the land. Because the Muslims farm the poorest and least productive plots, they therefore pay relatively higher taxes than non-Muslims. All families in the province must also pay a chili tax by selling the government chilis at fixed prices, whether or not these families actually grow chilis. Therefore, the Rohingyas are frequently forced to buy chilis in local markets and sell them to the government at a loss. According to officials of the organization Human Rights Watch, the Muslims are forced to pay taxes for fishing, for going to the market, and for almost all other necessary activities of daily life.

Although the 1992 refugee crisis received some international attention, the situation of the Muslims of Myanmar has had relatively little media coverage. They make up one of the smaller minority groups in a country known for massive abuses of human rights and for violent ethnic struggles in many parts of the country.

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Carl L. Bankston III

Brazilian Police Massacre Slum Dwellers

Category of event: Atrocities and war crimes; civil rights

Time: 1993

Locale: Rio de Janeiro, Brazil

When off-duty police massacred street children and slum dwellers in Rio de Janeiro in 1993, they showed to the world the extent of Brazilian police brutality and touched off worldwide protests that led to attempted reforms

Principal personages:

WAGNER DOS SANTOS (1971-), victim of the Candelária massacre who survived to testify against the police

MARCUS VINICIUS BORGES EMANUEL, police officer convicted of murder and other crimes at the Candelária massacre

ELIZABETH CRISTINA DE OLIVEIRA MAIA (1977?-2000) survivor of the Candelária massacre who courageously testified against the police and was later murdered

Summary of Event

In mid-1993, Brazilian police inflicted two massacres on the poor of Rio de Janeiro. Eight street children died in a hail of bullets at the Pius X Square near Our Lady of Candelária Church during the night of July 23-24, 1993. A month later, during the night of August 29-30, a squad of masked policemen attacked the Vigário Geral *favela* (slum) and killed twenty-one residents. These incidents were the most infamous sources for the reputation the Brazilian police have for brutality and corruption. The massacres provoked an outcry within Brazil and international protests by human rights organizations.

At the Candelária Church, members of the Ninth Battalion of military police decided to teach a bloody lesson to several dozen children who lived and slept in the public square. The day before some of the children reportedly had thrown rocks at a police car. When the police returned the following night, they asked for the children's ringleader, Marco Antonio da Silva. Not suspecting what was about to happen, Marco answered. The policemen forced him and two of his friends in a car and drove away. They shot all three youths in the head and discarded their bodies near the Museum of Modern Art before re-

turning to Candelária. The other children screamed and tried to run away, but the police fired at them, too. Besides Marco, seven others died, and several were severely wounded.

The Candelária slaughter showed not only the brutality of the police but the problems caused by street children in Brazil. Like other Brazilian cities, Rio de Janeiro had hordes of children who had been abandoned by their families or who had run away from their homes. One estimate placed the number of such street children throughout Brazil at eight to ten million. These children worked at whatever jobs they could find, but many also committed petty crimes to survive. They stole from merchants, robbed tourists, and were generally considered a public nuisance. Some were addicted to drugs. Packs of children, such as the one at the Candelária Square, harassed the neighborhood and undermined public order.

Many Brazilians felt threatened by such children. At times merchants reportedly hired off-duty police to attack the children and remove them from the area. Sometimes the police murdered children in such raids, although the Candelária massacre stood out because of the large number of youths killed and because it occurred in downtown Rio in front of one of the city's most famous churches. Nonetheless, such killings were commonplace in Brazil. In 1990, an estimated one thousand street children were killed by death squads and other vigilante actions. However, such murders typically occurred in the more remote, slum sections of cities and drew less public attention. In November, 1991, a death squad, perhaps of off-duty policemen, killed six children in Nova Jerusalém, on the periphery of Rio de Janeiro.

With Brazilians still debating what had happened at the Candelária church in late July, late August brought another outrage by the police, this time in the Vigário Geral *favela*. After four policemen had been killed there two days earlier by drug dealers, thirty-three hooded men, reportedly members of the Ninth Battalion of Military Police, returned to take revenge on the slum dwellers. They cut telephone wires to prevent anyone from calling for help and then unleashed a two-hour spree of killing and destruction. The hooded men rampaged through the *favela*.

Eight members of the Gilberto Cardoso dos Santos family died in the massacre, including a fifteen-year-old girl. The slaughter also claimed seven men playing cards in a bar. They died when the police set off a bomb inside the bar and then shot everyone who tried to escape. About to shoot a woman, they allowed her and her family to flee unscathed when her husband, Edmilson Costa, agreed to die in their place. Spraying machine-gun fire around the Corsican Plaza, they destroyed carts used by the slum dwellers to sell fruit,

juice, soft drinks, and other merchandise. A teenage boy and a man died in the hail of bullets in the plaza. Much of the killing was random violence, designed as angry vengeance on the *favela* rather than as an attempt to identify and punish the individuals responsible for the deaths of the policemen's comrades.

As with the Candelária slaughter, the massacre in Vigário Geral showed the extreme violence caused by urban poverty and social tensions, this time heightened by Brazil's growing drug problem. Brazilian shanty towns such as Vigário Geral were rife with petty criminals and networks of drug dealers. Investigators discovered evidence that several members of the Ninth Battalion had gone to Vigário Geral to shake down Flávio Pires da Silva, who ran drugs with a network based in the *favela*. A shootout ensued, and four members of the police were killed.

Impact of Event

The massacres provoked tremendous public outcry, but attempts to punish and reform the police brought only limited success. Testifying against the police was risky. One of the original three Candelária victims, Wagner dos Santos, survived his serious wounds. He was able to recognize the police who had carried out the slaughter. However, he knew that if he identified them, it would put his life in danger again. Even so, he denounced the perpetrators and offered to testify against them in court. For his courage, he suffered two more attempts on his life and was again severely wounded. A children's rights group subsequently hid him in Switzerland until it was time to testify. Wagner returned to Brazil to provide evidence in the trial of Officer Marcos Vinicius Borges Emanuel. Seven of the other survivors also testified but only by deposition, too fearful to participate in open court.

Elizabeth Cristina de Oliveira Maia survived the Candelária massacre and then courageously agreed to testify against the policemen-murderers. On July 16, 2000, she appeared before the Interamerican Human Rights Commission of the Organization of American States, describing her life as a child living in the streets of Rio de Janeiro and what had happened during the bloody night in 1993 at the Candelária church. Governor Anthony Garotinho attended the proceedings and recognized the government's responsibility for the carnage. Garotinho promised to provide pensions for the Candelária survivors and the families of those who had been killed. However, the government failed to protect Elizabeth Cristina. On September 26, 2000, a hooded assassin gunned down the twenty-three-year-old mother of three near her home in the Botafogo district of Rio de Janeiro. She was scheduled to testify in judicial proceedings against some of the accused policemen the following week. The murder not

only prevented her testimony but was also meant to intimidate other potential witnesses into silence.

Even judicial proceedings did not yield completely satisfactory results. In late April, 1996, for example, a jury convicted two military policemen of crimes associated with the Candelária killings, including six cases of murder: the previously mentioned Emanuel and Nelson Oliveira dos Santos Cunha. Emanuel received a sentence of 390 years imprisonment (Brazil has no death penalty), and Cunha 261 years of imprisonment. However, Emanuel, with no previous convictions, only faced a maximum of twenty years in prison and was eligible for parole after four years beyond the three he had already served while awaiting trial.

Both Emanuel and Cunha claimed that the real perpetrator of the massacre was Maurício (“Friday the Thirteenth”) da Conceição, another policeman who had died two years before the trial. Human rights observers were also troubled by Emanuel and Cunha’s protection of their superior, Lieutenant Marcelo Cortés, from prosecution. Emanuel claimed that Cortés had not participated in the massacre but seemed to be taking responsibility to shield higher-ups in the military police command structure. In fact, Wagner dos Santos identified Cortés as a participant in the massacre. As for the Vigário Geral slaughter, the government eventually accused fifty-two military police of participating in the carnage. By 1998, only two had been convicted, and these again were lower-ranking men. On the other hand, Otávio Lourenço “Rambo” Gamba received a sixty-five-year sentence for beating and murdering a young man in 1997, after stopping his car to extort money. In that case, the whole incident was caught on videotape.

Brazilians found themselves trapped between a rising wave of criminal violence on the one hand and police brutality and corruption on the other. Police publicly boasted of the numbers of people they killed, although many, perhaps even a majority, of the alleged lawbreakers had no previous criminal record. The police also enjoyed widespread support from a public dismayed and terrified by street crime. Indeed, its support was perhaps strongest among the poorest citizens whose precarious lives in the slums were especially threatened by gangs of thieves, drug addicts, and other criminals. Yet Brazilians did not trust the police. Public opinion polls showed that large majorities of Brazilians believed that the police were corrupt, sometimes needlessly violent, and often implicated in death-squad activities.

The Candelária and Vigário Geral massacres were only the most visible part of a shocking national phenomenon. In 1991, for example, military police from the same Ninth Battalion had kidnapped and eventually murdered ten

people from the Acari *favela* while trying to find several million dollars reported to belong to a truck hijacker. In 1992, military police in São Paulo ended a riot in an overcrowded prison by shooting 111 prisoners who were unarmed. Because most of their victims were poor and had no political influence, there was little pressure to change police behavior.

Others issues related to police violence were also difficult to solve. Street children continued to infest Brazilian cities, and violence against them continued. According to Amnesty International, of the seventy-two people present at the Candelária massacre, forty-four had died violently by mid-2000. Despite public outcry regarding the Candelária slaughter, the killing of street children increased after 1993.

A major obstacle to the elimination of police corruption was low police salaries. They often earned as little as \$300 per month and thus succumbed to the temptation to supplement their incomes by conspiring with drug dealers, participating in merchant-funded death squads, and extorting protection money. The government promised to raise police salaries, but financial problems stood in the way. Human rights organizations such as Amnesty International called for Brazil to institute witness-protection programs to shield people such as Wagner dos Santos and Elizabeth Cristina de Oliveira Maia from police retaliation, but little was achieved.

The Candelária and Vigário Geral massacres highlighted the terrorist behavior of Brazil's police, but the conviction of Emanuel and a few others did little to eliminate police violence and corruption.

The fate of Wagner dos Santos illustrated the ineffectiveness of Brazil's police reforms. On August 27, 1997, military police from the Second Battalion attacked Santos as he was walking to work. According to a report by Amnesty International, police gunshots left him partially paralyzed and brain-damaged. Witnesses also claimed that the attackers planted drugs and a pistol at the scene to frame him and then charged him with attacking the police. In 1998, a Brazilian court began prosecuting him for the apparently trumped-up charges. However, he managed to escape to Switzerland, where he was taken in by a Swiss family and given an opportunity for formal education and employment

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Kendall W. Brown

Nigeria Hangs Saro-Wiwa and Other Rights Advocates

Category of event: Accused persons' rights; indigenous peoples' rights; international norms

Time: November 10, 1995

Locale: Port Harcourt, Nigeria

Ken Saro-Wiwa, a prominent writer, and eight other human rights activists were executed by Nigeria's military government, in violation of internationally accepted standards of due process and in the face of worldwide protest

Principal personages:

KEN SARO-WIWA (1941-1995), playwright, Nobel Peace Prize nominee, and environmental/human rights activist, who was a vocal advocate of the Ogoni people in Nigeria's oil-rich delta region

GENERAL SANI ABACHA (1943-1998), Nigerian military dictator who became president in 1993 and was criticized for many human rights violations. He set up the military tribunal that found Saro-Wiwa and the eight other minority-rights activists guilty

BRIAN ANDERSON (1943?-), chairman and managing director of Shell Nigeria at the time of the executions

Summary of Event

Kenule Beeson Saro-Wiwa (usually called "Ken") and the other activists executed with him belonged to the Ogoni tribe, a relatively small community within Nigeria's ethnically diverse population. The Ogoni live in a 350-square-mile area of the Niger Delta, where most of Nigeria's oil is produced. The region has been identified by the United Nations as the most endangered river delta in the world. Traditionally, the Ogoni were farmers and fishermen who prospered in the fertile wetlands, coastal rain forest, and mangrove habitats. However, in 1958, Shell Oil, which later became the Royal Dutch Shell Company, began oil drilling and removal operations in the region, contaminating the fragile ecosystem. Over time, the fish and crop harvests dwindled, but the oil operations continued to expand after Nigerian independence in 1960. In the years following independence, young intellectuals such as Ken Saro-Wiwa

became concerned that the international corporations were wielding too much power and influence.

Like several other famous Nigerian writers, such as Chinua Achebe, Saro-Wiwa was educated in English at the Government College in Umuahia. After finishing his studies at Ibadan University in 1965, he worked as a teaching assistant at the University of Nigeria at Nsukka, and later lectured at Lagos University.

Although Saro-Wiwa had served as a high-level administrator for the federal side during the disastrous Nigerian Civil War (1967-1970), he was committed to nonviolence. In terms of political philosophy, he argued for cultural decentralization and against the dominance of ethnic majorities.

In 1973 he left the public sector and became a successful business owner. Financially independent, he focused on his writing career and published writings in many genres, including novels, short stories, poems, folklore, plays, children's books, and essays. Saro-Wiwa ridiculed the corrupt military government and the dehumanizing effects of war in his most famous novel, *Sozaboy: A Novel in Rotten English* (1985). His satirical television soap opera, *Basi and Company*, ran for five years and was popular throughout the country during the 1980's. His internationally acclaimed literary works reflected his views about the complexity of postcolonial identity, and the continued manipulation of ethnic tensions by politicians and their corporate allies.

In 1987, President Ibrahim Babangida enlisted Saro-Wiwa to help the government in its efforts to restore civilian rule. Saro-Wiwa became suspicious of the government's intent, however, and resigned to devote himself to the plight of the Ogoni people and the restoration of their environmental and political rights. By writing in English, he could communicate with Nigerians from other ethnic backgrounds, and with a sympathetic international audience. When Ogoni tribal leaders formed the Movement for the Survival of the Ogoni People (MOSOP) in 1990, they appointed Saro-Wiwa as spokesman. In addition to demands for improved environmental and economic policies, the group advocated political autonomy for the Ogoni region, and committed itself to the nonviolent pursuit of their goals. Their Ogoni Bill of Rights stated that thirty billion dollars of revenue had been taken from their land, with no compensation for the people living there and identified both Shell and the Nigerian government as being responsible for the situation. The ecological damage continued at an increased pace, and more than 6.4 million liters of oil were spilled in Nigeria between 1982 and 1992.

Saro-Wiwa was highly effective in his role as a spokesperson, and his activities included the use of film and other media, which were distributed interna-

tionally. Although not all of the Ogoni people agreed with this policy, he began to advocate sabotage of the Shell Oil operations, and continued to be an articulate and effective critic of Nigeria's military government. He became a target of Nigeria's military ruler, Sani Abacha, who seized power in 1993. Although his personal wealth would have permitted Saro-Wiwa to extricate himself from an increasingly dangerous situation, he remained in Nigeria as tensions escalated. Saro-Wiwa sought support from international groups such as Greenpeace. In 1992 he went to Geneva to address the United Nations Working Group on Indigenous Populations and to the United States, where he spoke to a committee of delegates to the United Nations in New York.

Meanwhile, local conditions deteriorated rapidly. Shell Oil ordered Nigeria's military government to protect its operations from the activists, and the military conducted a brutal offensive in Ogoniland, massacring entire villages and displacing thousands of Ogoni. Saro-Wiwa was first arrested and imprisoned from June 21-July 22, 1993. He was re-arrested on May 22, 1994, along with fourteen others, who were all accused by the government of conspiracy in the murders of several moderate Ogoni leaders who had been killed by a mob. The mob's victims included Chief Edward Kobani, who had been a deputy president of MOSOP.

After the arrests, The Rivers State Internal Security Task Force, under the command of Lieutenant Colonel Paul Okuntimo, conducted more raids in Ogoni territory, and engaged in atrocities that were described by Okuntimo as "psychological warfare." International concern over these events mounted, and the fate of Saro-Wiwa and the other detainees was uncertain. Meanwhile, Saro-Wiwa was beaten, deprived of food, and manacled to the wall of his cell. He and his colleagues were held for eight months before being charged. In November, 1994, under the auspices of the Special Tribunal Edict (Offences Relating to Civil Disturbances), the government appointed a special three-member tribunal to handle the matter. This edict permitted the death penalty for "capital offenses committed in connection with civil disturbances, as well as previously noncapital crimes including attempted murder." Because the tribunal was not part of the normal judicial system, its rulings could not be appealed, and merely required confirmation by the military rulers.

In 1995, while in prison awaiting trial, Saro-Wiwa was awarded the Goldman Environmental Prize, a prestigious award given annually to one environmental activist on each continent. On November 2, 1995, his trial began, but it was widely regarded as a farce, and two of the prosecution's witnesses later signed affidavits saying that they and several other witnesses had been bribed, claiming that they had been offered money, government jobs, and contracts

from Shell. One of the presiding tribunal members was an active officer in the armed forces, and defense lawyers were often threatened or denied access to the defendants, who were sentenced to death on October 31. They were executed two days later, despite the frantic efforts of Saro-Wiwa's son (Ken Wiwa), who lobbied Commonwealth leaders meeting in Auckland, New Zealand, and despite last-minute pleas for clemency from international leaders. The executions were carried out in such a way that the deaths were prolonged, and many felt that the event was filmed for the sadistic enjoyment of the military leaders.

Impact of Event

World reaction to the executions was almost immediate, fueled by the embarrassment of governments who had assumed that their efforts at "quiet diplomacy" with the Nigerian rulers were being taken seriously. A coalition of members of TransAfrica, the AFL-CIO, AFSCME, Greenpeace and many other organizations formed to organize an international boycott of Royal Dutch Shell, Chevron, and Mobil. British prime minister John Major called the hangings "judicial murder," and South African president Nelson Mandela called the hangings "a heinous act." The World Bank canceled its support for a \$100 million gas development loan to Nigeria, and many powerful countries, including the United States, withdrew their ambassadors in protest. Nigeria was eventually suspended from the Commonwealth of Nations. The Nigerian dictatorship was nonrepentant, however, and banned mourning for the executed prisoners, and continued its repressive policies at home while conducting a public relations campaign abroad, claiming that Saro-Wiwa and the other activists were indeed guilty of murder. The Royal Dutch Shell company also insisted that the allegations about its role in the deaths were false.

A year after the executions, Saro-Wiwa's son, Ken Wiwa took advantage of a U.S. law that allows aliens to bring suits in the United States for alleged violations of customary international law. In a petition to a New York court, he accused Royal Dutch Shell of colluding with Nigeria's military government, as well as polluting and destroying the Ogoniland ecosystem. Shell requested that New York Judge Kimba Wood declare the petition illegal, but in February, 2002, the U.S. District Court for the Southern District of New York held that most of the plaintiffs' allegations were substantial enough to allow attorneys to interview the defendants, including Brian Anderson (managing director of the Nigerian branch of the oil companies during the time of the persecutions and hangings), and to review documents in the case. Attorneys for the plaintiffs included Earthrights International.

While legal proceedings continued, Saro-Wiwa and his companions be-

came international heroes for the global environmental movement, and foundations were established in his name. At home in Nigeria, a more reasonable government assumed power, and the dialogue continued, while Saro-Wiwa's writings continued to be treasured as literature among a new generation of authors. Many people noticed that the plight of the Ogoni closely paralleled situations in other countries. "Globalization" became identified as an insidious worldwide phenomenon, threatening the well-being of indigenous peoples, environments, and local economies all over the world.

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Alice Myers

Taliban Begins Wholesale Suppression of Human Rights in Afghanistan

Category of event: Atrocities and war crimes; civil rights; religious freedom

Time: Autumn, 1996

Locale: Afghanistan

The Taliban, an organization of fundamentalist Afghani Muslims, completed their conquest of the country of Afghanistan and inaugurated a regime characterized by a suppression of human rights

Principal personages:

MULLAH MAULANA MOHAMMAD OMAR, leader of the Taliban, the organization that established a fundamentalist Islamic regime in Afghanistan in 1996

Summary of Event

In 1989, after a ten-year occupation of Afghanistan, the Soviet Union withdrew its military from the country. Three years later, the Soviet-backed Afghan government collapsed, and Afghanistan lapsed into lawlessness and civil war. A new regime may be said to have been established four years later, when on September 27, 1996, an organization known as the Taliban captured the nation's capital, Kabul. It had already taken the important eastern city of Jalalabad earlier in the month. By the following June, the Taliban controlled two-thirds of the country.

Islamic fundamentalist former students (*talib*) had founded the Taliban (Taliban Islamic Movement of Afghanistan) in 1994 in Kandahar, in southern Afghanistan. The group of founders, graduates of Pakistani Islamic schools known as *madrassas*, was led by a one-eyed cleric, Mullah Mohammad Omar, then in his early thirties. The Taliban sought an Islamic revolution, based on strict adherence to the traditional Islamic legal code known as Shari'a. Their stated aim was the creation of a "pure and clean Islamic state."

The Taliban's founding leadership had attended fundamentalist Islamic schools while living in the refugee camps that sprang up along the Pakistan border during the Soviet occupation. The organization was backed by armed forces whose soldiers were mostly the same "holy warriors" who had van-

quished the Soviets with Western (mostly American) military assistance. From the beginning the Taliban went about the task of instituting its version of a proper Islamic social order, especially through enforcement of the Shari'a. In doing so, the regime cast aside the entire extensive range of individual rights and human treatment long regarded as human rights and enclosed the nation in a long reign of cruel and barbaric theocratic rule. In September, 1999, the director of the Voice of America wrote that "Afghanistan has become [a] land of terror, torture, and injustice," including "war crimes, crimes against humanity, genocide, and cultural genocide."

As the Taliban understood the requirements of the Islamic faith, many of the liberties that Afghans had long taken for granted had to be outlawed. Thus the Taliban decreed that Islamic law forbade music; the representation of living things, including photographs and toys such as stuffed animals; most forms of entertainment, including radio, with the exception of its own station, television, and games.

Among the regime's most flagrant, extreme, and widespread abuses of human rights were those directed against women. These abuses so shocked Western norms and sensibilities that the Taliban were soon accused of waging a "war against women." Accordingly, not long after the Taliban took power, girls were no longer allowed to be educated in the schools. The ban on girls' education was partially rescinded, but to little effect. Girls were allowed school until the age of eight, but only in Islam.

Women, with few exceptions, were also barred from all employment and were forced to remain at home. Women were banned from all public gatherings. They were permitted to leave their homes only in the company of male relatives; even then, they were allowed out only for religiously sanctioned purposes and were required to be dressed in the *burqa*, a garment that covered the whole of their bodies, with only a mesh area before the eyes for sight. Since the *burqa* restricts vision, many women were hit by vehicles they could not see approaching. Outside the home, women's shoes were to make no noise; inside the home, windows through which women might be seen were to be blacked out, ensuring their nonvisibility. Women could not be photographed or filmed. The consequences for women of these policies were a regime of brutalization and systematic neglect enforced by beating, rape, arbitrary imprisonment, and execution.

Western journalists were able to document beatings by smuggling video cameras into the country and filming the beatings in the streets. Women found attempting to escape the country with men other than their husbands or male relatives were stoned to death for presumed adultery. In addition,

there was trafficking of women and girls, who were forced into prostitution and marriage. Knowledgeable Western sources said that Afghan women were voiceless, invisible, nonbeings with no right to an independent existence.

Among the worst human rights abuses to women concerned health care. In September, 1997, the Taliban announced that health care was segregated by sex into separate hospitals. This rule became strictly enforced during the following September. In Kabul, health care for 500,000 women was confined to a single poorly equipped hospital, with only thirty-five beds. After a concerted international outcry, the Taliban leadership partially relented, permitting the limited opening of women's wards in a few selected hospitals. However, this dispensation did not resolve the Afghan women's health care crisis, which continued throughout the Taliban's five-year reign of terror. Many women died in childbirth or from infectious diseases left untreated by Taliban edict. The situation was made worse by the restrictions on women to move around freely. In one case, a woman rushing a sick child to a hospital failed to stop when challenged by a teenaged enforcer of the Taliban's "Virtue and Vice" codes, who shot the woman several times.

In addition, not only were few women doctors allowed to work, male doctors were permitted to treat women only with a proper chaperon, if at all. Even then they could not adequately examine these patients since they were prohibited from touching or viewing women's bodies. One dentist reported to Western researchers that he dared examine a woman's teeth only with a lookout posted when her veil was lifted. Dentists and patients risked beatings, and dentists also risked jailing and closure of their practices.

The elimination of the ordinary liberties considered basic to human rights applied to men and boys as well as to women and girls. Like women, men were subject to beatings for infractions of religious law, arbitrary imprisonment, and execution for a long list of offenses. Homosexuals were executed, although homosexuality between men and adolescents continued to be widely practiced. Child labor was widespread; boys as young as ten were coerced into military service.

To enforce its rules and policies, the Taliban regime created a "Department for the Promotion of Virtue and Prevention of Vice." Members of this section of the Taliban government, some in their early teens, roamed city streets with implements used as whips searching for those disobeying rules. These enforcers were videotaped beating women for infractions such as wearing *burkas* of insufficient length, shoes that made noise, and similar petty offences. Men might be arrested for insufficient facial hair and jailed until it grew to the prescribed length. Due process of law or a proper defense of the accused was non-

existent; arbitrary detention was commonplace. While in jail men might be subjected to numerous human rights violations, such as beatings, torture, gang rape, and other abuses and indignities. Others arrested might simply disappear and never be seen again.

In addition to public beatings, torture, and executions, among the draconian punishments meted out by the Taliban were amputations of limbs—a practice that recurred throughout the regime's rule. It was possible for the wealthy, however, to bribe their way out of this punishment, leaving the innocent to pay the price. In one documented instance, after a wealthy man paid a bribe to escape punishment, a man imprisoned on a minor charge was chosen at random as a replacement, driven to the Kabul sports stadium, and subjected to amputation of his hand before a jeering crowd.

Finally, many massacres of innocent civilians by the Taliban have been documented by reliable sources. In September, 1997, Taliban fighters massacred civilian villagers near Mazar-I-Sharif, after failing to capture the city. When they succeeded in overrunning the city nearly a year later, between 2,000 and 5,000 men, women, and children were slaughtered over a period of several days. Among other similar events, some 600 civilians were reported massacred in Faryab Province in late 1997. The total of massacre victims is unknown but was believed to amount to many thousands.

Impact of Event

The opening of the Taliban era had a multitude of serious consequences, both within Afghanistan and beyond its borders. First, the inauguration of Taliban rule led to innumerable human rights violations of the most serious nature, including exclusion from the economic, social, and political life of the nation of half of its population. Henceforth, women were to be confined to their homes except under limited defined circumstances.

The regime's policies led to widespread suffering of millions of men, women and children. Suffering occurred through death by execution, poor nutrition and resulting ill health, outright starvation, and lack of medical treatment. In addition, the population was visited with a wide range of severe, chronic human rights abuses such as mutilation through judicially sanctioned amputations, beatings, rape of men as well as women, arbitrary detention, denial of due process of law, denial of elementary freedoms of social and personal activity, and denial of education. The Taliban was also responsible for the deliberate destruction of irreplaceable cultural artifacts, notably the gigantic sixth century C.E. Buddhist statues blown up in 2001, notwithstanding urgent international calls for restraint and offers to buy the offending objects.



The reign of terror and human rights abuse by the Taliban regime led to a worldwide outcry, replete with expressions of dismay and disgust. In Europe and the United States, knowledge of the Taliban's abuses helped to increase the cultural and political distance between Islam and the West, even though most Muslims do not practice fundamentalism on the Taliban model. In the early twenty-first century, cultural tension between the Islamic world and the West appeared to be moving toward a deep chasm of alienation and distrust. Public confrontation between Muslim and Western countries gave new weight to claims that the two sides are engaged in a "clash of civilizations"—conflict capable of eventuating in international violence of the most serious order.

At the opening of the twenty-first century, the potential for such violence was already realized after the installation of the Taliban led to the migration to

Afghanistan of terrorist leader Osama bin Laden with his many lieutenants and followers. Once established in the country, bin Laden used its territory to train and further organize thousands of members of his formidable terrorist organization, al-Qaeda. Operations of the organization led first to a series of terrorist attacks on American targets in the Middle East and Africa. These operations culminated in the September 11, 2001, attacks on the World Trade Center in New York City and the Pentagon near Washington, D.C., in the United States itself. Thus the export of terrorism must be accounted among the consequences of Taliban rule.

The September attacks led directly to a military assault on Afghanistan by the United States and its allies that began in October of the same year, resulting in the destruction of the Taliban regime. The American action, aided by a number of other nations, inflamed numerous Muslims in the Middle East, Africa, and Southeast Asia. There was no way of predicting the ultimate legacy of the Taliban regime.

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Charles F. Bahmueller

United Nations Tribunal Convicts Rwandans of Genocide

Category of event: Accused persons' rights; atrocities and war crimes;
international norms

Time: September, 1998

Locale: Arusha, Tanzania

With the convictions and sentencing of Jean-Paul Akayesu and Jean Kambanda, the International Criminal Tribunal for Rwanda made history by being the first international criminal court to convict and sentence individuals charged with crimes of genocide

Principal personages:

JEAN-PAUL AKAYESU (1953-), Rwandan Hutu mayor of Taba commune

JUVÉNAL HABYARIMANA (1937?-1994), a former president of Rwanda

PAUL KAGAME (c. 1957-), the president of Rwanda

JEAN KAMBANDA (1955-), a former prime minister of Rwanda

LAÏTY KAMA, the presiding judge in the trial of Akayesu and Kambanda

Summary of Event

Roots of the 1994 Rwandan genocide can be traced back into a centuries-old relationship between the minority Tutsi who were cattle herdsman and the majority Hutu farmers of East Africa's Great Lakes region. During the colonial era, Belgium chose to treat the minority Tutsi as the ruling class, but in Rwanda, unlike neighboring Burundi, the more numerous Hutus managed to gain control of the government at independence. Civil war produced tens of thousands of Tutsi refugees who fled into neighboring countries, and anti-Tutsi policies were adopted by successive Rwandan governments. The exiled Tutsi community in Uganda became active in that country's civil war, and served in the guerrilla army that eventually took power there. Paul Kagame and other Tutsi refugees then decided to invade their homeland and reclaim power from Juvénal Habyarimana, who eventually consented to a negotiated settlement. However, Hutu extremists opposed Habyarimana's reforms and his negotiations with the hated Tutsi's. When he was killed in a plane crash, these extremist elements seized control of the government and began to im-

plement the genocide, which eventually took the lives of between 500,000 and 800,000 Rwandans, mainly Tutsis, but also any Hutu sympathizers. Especially active in the implementation of the genocide were the interahamwe militia, consisting of young Hutu-extremists bent on extermination of the Tutsis. Rwandan hate radio fanned both Hutu fears and hatred of the Tutsi, especially Radio-Television Libre Milles Collines (RTLM), which was assisted by Radio Rwanda, the government-controlled radio system. The world stood by passively as the carnage increased, and so the Tutsi armies began a determined offensive which by the summer of 1994 toppled the Hutus, sending most of them into the neighboring countries of Tanzania and Zaire (now Democratic Republic of the Congo).

As the scale of the genocide gradually became known, the U.N. Security Council decided in November, 1994, to establish a International War Crimes Tribunal for Rwanda (ICTR) along the lines already established for war crimes in Yugoslavia. These two bodies were the first international war crimes tribunals established since the Nuremberg and Tokyo trials after World War II. Rwanda, not content to rely on such an international body, vowed to seek justice for the perpetrators of genocide in its national courts which could, unlike the international tribunal, seek the death penalty for those most responsible for criminal acts of genocide.

Both the Rwandan government and the ICTR began arresting suspects in the mid-1990's, but the Rwandan government was far more aggressive, arresting tens of thousands of suspects and proceeding more rapidly toward trials. In January, 1997, the Rwandan courts handed down death sentences to two Hutus accused of killings, and by the end of 1997 more than two hundred of the 120,000 Hutus charged with responsibility for the slaughter had been sentenced to death or imprisonment. Acquittals were rare. On April 24, 1998, thirty-three persons convicted of genocide were executed by firing squad.

Action in the ICTR, which was headquartered in Arusha, Tanzania, was slower in part because of the logistical and practical aspects of indicting and extraditing those accused of genocide and the time-consuming process of gathering evidence and hearing from Rwandan witnesses in a court sitting outside of Rwanda. The ICTR was also hampered by mismanagement and charges of corruption in the early phases of its work. In October, 1995, Jean-Paul Akayesu, mayor in charge of Taba commune during the period of genocide in 1994, was arrested and detained in Zambia. In February, 1996, he was indicted for genocide and for crimes against humanity (extermination) because in his capacity as the chief of police and justice in Taba, he had ordered and directly participated in beatings and killings of Tutsis, had incited others to murder,

and had failed to prevent or punish murders. He was also charged with murder, torture, cruel treatment, rape, and other inhumane acts upon personal dignity. He pleaded innocent to all charges, claiming that the interahamwe militia had taken over in Taba, outnumbering his police force ten to one, thus denuding him of effective authority.

The court acknowledged that Akayesu had attempted to help Tutsis up to mid-April, 1994, but that after that time the evidence gathered and testimony heard by the court demonstrated that he was deeply implicated in the killing of Tutsis. On September 2, 1998, the ICTR, Judge Laïty Kama presiding, handed down its first guilty verdict, finding Akayesu guilty of genocide. The verdict marked the first time that rape was defined as a genocidal act. A month later, Akayesu was sentenced to life in prison and his subsequent appeals were denied.

The case of Jean Kambanda marked yet another milestone for the ICTR and for international criminal court decisions. Kambanda served as the interim prime minister of the government of Rwanda from April 8, 1994, to July 17, 1994. As the head of the Council of Ministers he bore legal authority and responsibility over the formation of national policy and administration of government and of the armed forces. Thus, unlike Akayesu whose authority was limited to mayoral duties, Kambanda exercised widespread powers. As prime minister he knew about, failed to oppose and in fact incited and encouraged the massacre of Tutsis. He gave orders to have the genocide carried out, and he cooperated and collaborated with the interahamwe to that end. His government armed the militia and attempted to prevent Tutsis from fleeing the massacres. He also actively promoted the RTLM broadcasts that incited the genocide. He was an eyewitness to massacres and did nothing to stop them.

Kambanda pleaded guilty, freely admitting his responsibility for the planning, promotion and execution of the genocide. He was the first major Hutu figure to admit guilt. Arrested in July, 1997, he was found guilty and sentenced to life imprisonment for commission of genocide, conspiracy to commit genocide, direct and public incitement to commit genocide, complicity in genocide, and crimes against humanity. He became the first person ever to be sentenced for the crime of genocide, in his case as the head of a government. His sentencing by the ICTR, Judge Laïty Kama presiding, occurred a month before that of Akayesu.

Afterward, the ICTR docket remained busy as several other individuals indicted for various war crimes, crimes against humanity, and genocide awaited trial. New arrests and indictments continue to be made, enough, coupled with the existing docket of suspects, to keep the ICTR busy for many years to come.

Impact of Event

The actions taken by the ICTR represented the first occasions on which any international tribunal had sentenced individuals for the commission of acts of genocide. They demonstrated a willingness on the part of the international community to bring to justice those individuals responsible for the commission of horrendous and inhumane acts of brutality. They served as a harbinger of international intentions to punish such acts in the future. Afterward, the ICTR continued to pursue several trials against more than sixty suspects and convicted and sentenced several additional individuals. In 1999 a Rwandan military officer was sentenced to fifteen years in prison for his role in a 1994 massacre. In the same year, a former governor and a businessman were found guilty of genocide for promising Tutsis safe haven and then leading a brutal massacre in which the victims were shot and hacked to death.

In Rwanda itself, justice was swifter and more deadly. In 1998 alone, Rwandan courts tried 864 people for involvement in the genocide. More than a hundred thousand individuals were detained inside Rwanda, hundreds were tried and sentenced, and dozens executed. In the end, however, only a small percentage of the thousands suspected of being guilty of promoting or participating in the genocide were expected to be punished.

Still, there is evidence that various governments throughout the world would not stand by passively. The United States, against long-standing practice, extradited Elizaphan Ntakirutimana, who had fled to Texas, for trial by the ICTR, a trial that began in September, 2001. Even more unprecedented was a trial of four Hutu defendants instituted in Belgium. Charged with complicity to commit genocide, the four defendants pleaded not guilty, but the government of Belgium brought charges under human rights treaties and domestic law on the principle that bringing perpetrators of genocide to justice must be done regardless of borders. After an eight-week trial, the four were found guilty of participating in the Rwandan genocide.

Prosecutors acted under a 1993 Belgian statute that permitted prosecution of any resident, regardless of nationality, for crimes against humanity wherever committed. This legal action was unprecedented in that citizens of one country were for the first time asked to sit in judgment of citizens from another country for crimes alleged to have happened in another country. Normally, governments extradite accused foreign nationals accused of crimes to the country seeking extradition, rather than try them for crimes committed abroad. In a related incident, Fulgence Niyonteze, who sought asylum in Switzerland, was tried there for war crimes, found guilty, and sentenced to life in prison. Thus, whether by trial abroad, trial at home in Rwanda, or by extradi-

tion to and trial by the ICTR, slowly, number of individuals culpable of war crimes, genocide and crimes against humanity were brought to justice.

After the experience of the genocides perpetrated in Yugoslavia and Rwanda, the international community moved to establish an international criminal court (ICC) to deal with such cases from around the globe and to obviate the need for the establishment of ad hoc tribunals for particular situations. The Rome Treaty establishing the ICC was opened for ratification in 1998, and was to enter into force in the year 2002 with the sixtieth ratification. However, the ICC mandate is controversial, and the U.S. government has refused to ratify it, preferring instead to deal with potential war criminals under its own domestic statutes or through ad hoc tribunals established under the authority of the U.N. Security Council.

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Robert F. Gorman

China Suppresses Falun Gong Religious Group

Category of event: Civil rights; religious freedom

Time: July, 1999

Locale: People's Republic of China

On April 25, 1999, about ten thousand members of Falun Gong, a quasi-religious group silently demonstrated outside the quarters of the senior Chinese leadership in Beijing. On July 20, 1999, mass arrests of Falun Gong members began; two days later the movement was outlawed

Principal personages:

JIANG ZEMIN (1926-), general secretary of the Chinese Communist Party and president of China

LI HONGZHI (1952-), founder of Falun Gong, a former Chinese grain store clerk and trumpet player

ZHU RONGJI (1928-), premier of China

Summary of Event

Falun Gong (or Wheel of the Law; sometimes called Falun Dafa) is a quasi-religious movement that was founded in 1992 by Li Hongzhi. As well as the mystical teachings of Li Hongzhi, its broad ideology contains elements of Taoism and Buddhism together with the meditation and exercise techniques of Qigong, a traditional Chinese martial art. In Qigong meditation and breathing practices are believed to tap and enhance the practitioners' inner strength. The three guiding principles of Falun Gong are truthfulness, benevolence (sometimes translated as "compassion"), and forbearance.

Falun Gong is controversial because of Li Hongzhi's claim that he has the power to implant the wheel of law in the abdomen of his followers. Many adherents of Falun Gong believe that they can sense the wheel turning within their own bodies. Li also promotes "racial purity," by which he apparently means racial segregation, and he is reported to have claimed the ability to become invisible and walk through walls. In China, Falun Gong classes and exercise areas sprang up rapidly after 1992, and Li's first book, *Zhuan Falun*, became a bestseller when it was released in 1996.

The Chinese government viewed Falun Gong as a threat. Many Chinese revolutionary movements like the Taiping and Uighur rebellions have sprung from religious or quasi-religious societies. Falun Gong was quickly removed from the government's list of approved martial arts. Li Hongzhi moved to the United States in 1998 and took up residence in New York City. Despite the opposition of the Chinese government the movement continued its growth, although its public manifestations became greatly reduced, especially in Beijing. Falun Gong established a network of internet sites through which lectures and videos were distributed.

The organization claimed a worldwide membership of 100 million people, of whom 80 million were said to reside in China. The Chinese government admitted that there were as many as 2.1 million Falun Gong members in the country. Independent experts estimate that there were tens of millions of Falun Gong adherents in China. However many there actually were, the movement had clearly become a significant ideological group in China, and the Chinese government was prepared to marshal great force against it.

On April 25, 1999, Falun Gong attracted worldwide attention by holding a massive demonstration in Beijing. Without prior announcement or notice, more than ten thousand people appeared at Zhongnanhai, the compound in which leadership of the Chinese government and Chinese Communist Party live and work. This was the largest demonstration of any kind occurring in China since the prodemocracy demonstrations of ten years earlier. It did not resemble an ordinary political rally. The demonstrators surrounded the former royal palace and stood quietly, either in meditation or exercising the slow movements of the Qigong exercises. By contrast to the prodemocracy movement, few of the demonstrators were students. Many were elderly, and they included a sprinkling of Communist Party members and government officials. After some hours Zhu Rongji, the premier of China, came out to speak with the demonstrators. They asked that the government's Religious Affairs Bureau recognize Falun Gong as a legitimate organization—that it be added to the five officially recognized religions of China (Roman Catholicism, Protestantism, Buddhism, Islam, and Taoism) and that the martial arts exercises be restored to the list of officially approved martial arts. Premier Zhu listened to the demonstrators but made no promises.

Between April and July, 1999, the government decided that a mass-based religious or ideological organization might have dangerous revolutionary implications. A series of anti-Falun Gong measures of increasing intensity began. On April 27 the government announced that it was willing to listen to Falun Gong grievances but warned against any attempts to destabilize society. On

June 6 about one hundred followers were arrested and questioned by the security police. Mass arrests began on July 20, 1999. Thousands of Falun Gong were arrested throughout the country; in some places there were far more detainees than jail space, and the followers were held in custody in sports stadiums. On July 22, 1999, Falun Gong was declared an illegal organization. A campaign in the official media began in which Falun Gong was charged with causing 1,500 deaths. Simultaneously, Li Hongzhi was accused of being an agent of the United States Central Intelligence Agency. On July 28 an international arrest warrant was issued for Li's arrest for "seeking to overthrow the government." Although Interpol refused to serve the warrant, the U.S. State Department urged Beijing to exercise restraint in its treatment of Falun Gong followers. However, mass arrests continued. On October 7, it was announced that a Falun Gong supporter had died in jail. On October 21, eleven of the senior leaders of Falun Gong were arrested. On October 25, the Chinese parliament adopted a law calling Falun Gong "an evil cult." There were a number of show trials. In November four followers received sentences of two to twelve years in prison. In December, four of the senior leaders were sentenced to terms of seven to eighteen years. Early in 2000 it was announced that fifteen more supporters had died while in custody. It is believed, though not verified, that they were shot. Many Falun Gong supporters were also imprisoned in mental hospitals and treated as psychiatric patients.

Impact of Event

The Chinese government's campaign against Falun Gong continued without remission after July, 1999. It was reported that President Jiang Zemin himself was fearful of Falun Gong and was directly concerned. A high-ranking committee of the Chinese government, the 6-10 Office, has been established to root out Falun Gong from every level of Chinese society. The 6-10 Office reports directly to the Politburo. Under its orders, enormous numbers of practitioners have been persecuted: there have been more than 100,000 arrests. Many of the people arrested have been sent to forced labor camps or "reeducation centers" in which hundreds have died as a result of torture or mistreatment. In October, 1999, an official of the Chinese government admitted that more than 1,600 persons had died while in custody.

According to the National Organization for Women in the United States, women practitioners of Falun Gong have frequently been the victims of rape and sometimes of forced abortion. More than half of the inmates of Chinese forced labor camps are Falun Gong followers. The suppression tactics of the government have not, however, prevented Falun Gong members from staging

protest after protest, often on the anniversary of earlier demonstrations or on Li Hongzhi's birthday (May 11). During 2001 five members of the sect set themselves on fire in protest. At least three of them survived and were sentenced to long prison terms. The Chinese government has been particularly sensitive to public demonstrations at Tiananmen Square in Beijing. Scores of blue-jacketed security police, readily visible to visitors, are constantly on duty in the Square. Most of the demonstrations since early 2001 have been by foreign adherents of Falun Gong who are immediately arrested by the security police.

Political reaction in the West, and particularly in the United States, to the Chinese campaign against Falun Gong has not been vigorous. Although the Department of State in its annual report on international religious freedom has condemned the Chinese government annually for its persecution of Falun Gong, there have been few practical repercussions in American policy toward China. Increasing trade and other economic and diplomatic considerations have been given a higher priority than human rights by the government of the United States, despite the fact that the State Department's conclusions are echoed in official reports from Amnesty International, Human Rights Watch, the Center for Religious Freedom, Freedom House, and the United Nations Office of the High Commissioner on Human Rights.

Even the revelation that China has been attempting to suppress Falun Gong practices outside China by clandestine as well as diplomatic means has not brought about significant pressure against the Chinese government. In part this is surely because Falun Gong, in addition to its ethical and health-oriented teachings also has an esoteric and mystical element which—to Western eyes—gives it a cultlike quality. Moreover, Li Hongzhi's views on racial purity run counter to Western thought. Thus it is hard for Western governments to endorse Falun Gong or to appear to be supporting its ideology. Many Western counties, including the United States, supported Beijing's bid for the 2008 Olympic Games. The result of Western concerns with trade and diplomacy and Western reservations about the content of Falun Gong, is that China has been essentially free to do what it pleases with adherents of Falun Gong.

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Robert Jacobs

Hague Court Convicts Bosnian Croats of 1993 Muslim Massacre

Category of event: Atrocities and war crimes; international norms; religious freedom

Time: January 14, 2000

Locale: The Hague, Netherlands

In convicting five Bosnian Croats for the massacre of more than a hundred Bosnian Muslims in a small Bosnian village, the International Criminal Tribunal for the former Federal Republic of Yugoslavia served notice that all national communities would be held accountable for human rights violations committed during the breakup of Yugoslavia

Principal personages:

ANTONIO CASSESE, Italian jurist, first president of the International Criminal Tribunal for the former Yugoslavia (ICTY), and presiding trial judge in the case

VLADIMIR SANTIC (1958-), commander of special-purpose military police unit known as the “Jokers,” sentenced to twenty-five years in prison for organizing the massacre

DRAGO JOSIPOVIC (1955-), sentenced to fifteen years for principal role in carrying out murders and other acts of “ethnic cleansing”

DRAGAN PAPIC (1967-), the sixth defendant, acquitted because guilt could not be proved beyond a reasonable doubt

TITO (1892-1980), creator and first ruler of the independent communist state of Yugoslavia, which he held together from after World War II until his death

Summary of Event

Created in 1918 as the United Kingdom of the Serbs, Croats and Slovenes out of remnants of the defeated Austrian-Hungarian Empire, and renamed Yugoslavia in 1929, Yugoslavia was once viewed as a prime example of a major principle over which World War I had been fought: national-self determination. Yugoslavia was a union of the Slavs, the word itself meaning “southern Slav state.” However, within itself Yugoslavia was far from united. Rather, it was

composed of numerous contentious national groups, each with its own culture and often with historical grievances against the other communities in the state.

The Serbs, who long fought the Austrians to create a Greater Serbia, were the dominant group. They resided primarily in the Serbian region in eastern Yugoslavia, but were scattered throughout as minorities in Yugoslavia's other regions. In western Yugoslavia the majority national group were the Croats, who had little love for the Serbs. To the north was Slovenia, the only region almost ethnically homogeneous (97 percent Slovene, 1 percent Serb). South of Slovenia and lying between the dominant Croatian and Serbian regions of Yugoslavia was Bosnia-Herzegovina, Yugoslavia's most ethnically mixed region. There, a large Bosnian Muslim population shared the land with a large Croatian community in Bosnia's west and an even larger Serbian population in its east.

Ethnonational conflict troubled Yugoslavia throughout its history, forcing its government in Belgrade to reorganize the country into federal units called republics in the 1930's to appease Croatian separatists. This led to bloody Serbo-Croatian conflict during World War II, when occupying German forces



gave the Croatians a measure of self-rule in return for their collaboration in governing Yugoslavia. The Croatians frequently used their power to settle old scores with the Serbs, killing hundreds of thousands during the war, but at a high price. In the course of the war, Yugoslavia's heavily Serbian resistance, led by Marshal Tito, killed nearly as many Croat collaborators as Germans—numbers also measured in the hundreds of thousands.

Despite World War II's exacerbation of Serbo-Croatian tensions, the emergence of a Soviet-controlled empire in Central Europe after the war forced Yugoslavia's large Serb, Croat, and Bosnian Muslim communities and smaller Montenegrin, Macedonian, and Albanian communities to live together or risk Soviet control. Consequently, Marshal Tito was able to establish a more or less durable government over Yugoslavia's federal republics from 1945 until his death in 1980. Thereafter, cracks began to develop in the Yugoslav federation; however, as late as 1984, when the Winter Olympics Games were held in Sarajevo, the face that Yugoslavia presented to the outside world was one of cosmopolitan, multinational harmony. Less than a decade later, with the weakening and then collapse of the Soviet Union, Yugoslavia violently fell apart.

The process began in June, 1991, when Slovenia and Croatia unilaterally declared their independence from Slobodan Milosevic's Serb-dominated regime in Belgrade. A brief conflict occurred in Slovenia during the summer of 1991, but because Slovenia had such a small Serbian population, Belgrade quickly abandoned its efforts to retain control there and shifted its focus to Croatia, where approximately 20 percent of the population was Serbian. The war raged in Croatia throughout the winter and into the spring of 1992, when the cease-fire obtained in March by United Nations mediators essentially ended it. Action then shifted to Bosnia-Herzegovina, which had voted in February, 1992, for independence even though its nearly 40 percent Serbian plurality strongly opposed secession.

Ethnic conflicts spanning generations—even centuries—religious conflicts, and civil wars threatening the physical existence of a state are normally distinguishable from other forms of political conflict by the unusually high level of violence and the numbers of atrocities they spawn. In the former Yugoslavia, all of the wars were perceived by Belgrade as civil wars testing the survival of the Serbian-ruled state, and all were fought against groups with long histories of resistance to Serb rule. In Bosnia, a religious dimension further inflamed the three-cornered conflict that eventually pitted the largely Catholic Croats, Greek Orthodox Serbs, and Bosnian Muslims against one another. Perhaps for these reasons, from the beginning the conflict in Bosnia was especially ferocious.

For most of its first year the war in Bosnia pitted Bosnian Serbs, with assistance from Belgrade, against Bosnia's Croats, who received aid from Croatia, and Muslims, who through most of the war lacked outside assistance because of a United Nations arms embargo that effectively cut them off from the help of outside Muslim states. Throughout, the war was ugly. Neighbors turned against one another; the cosmopolitan veneer of Sarajevo vanished as its main arteries became "sniper's alleys."

Fighting was particularly fierce because it was carried out not only by regular armies but also by numerous local, paramilitary and vigilante groups, often with personal local grievances. These units, like the feared "Jokers" involved in this case, declared their war on anyone and often went out of their way to be savage in order to terrorize the survivors among a local minority into leaving their area. Even so, the incident that gave rise to the January conviction of the five Croats accused in this case of crimes against humanity was particularly odious. It was also part of a Croatian campaign of ethnic cleansing that significantly escalated the civil war in Bosnia.

Until 1993, Bosnian Croats and Muslims were nominal allies in a war for independence against the Serbs. Then, in January, an armed Croat-Muslim conflict erupted when the paramilitary Croatian Defense Council (HVO) under the command of General Blaskie launched a four-month-long military action against Muslims living in the Lasva River Valley region of central Bosnia. One of the most violent parts of that campaign was the April 16 assault on the predominantly Muslim village of Ahnici-Santici, which was first shelled then assailed on a house-by-house basis. It was that action which led to this case, one of five growing out of the Lasva River campaign.

Five defendants in the case—Vladimir Santic, the leader of the Jokers who spearheaded the operation, Drago Josipovic, the Kupreskic brothers (Zoran and Mirian) and their cousin Vlatko—were charged in November, 1995, and later convicted of systematically burning the village's 172 Bosnian homes while sparing Croatian dwellings, killing 116 Muslim inhabitants (including thirty-three women and children), and driving the remaining Muslims from the village. In delivering the tribunal's opinion in January, 2000, its presiding judge Antonio Cassese described the massacre at Ahnici as "one of the most vicious illustration's of man's inhumanity to man."

Impact of Event

The April, 1993, attack on Ahnici was in many ways a microcosm of the most savage aspects of the civil war in Bosnia. It was vicious, and it quickly became a part of the public record in a war that was graphically covered by the interna-

tional news media from its beginning. Indeed, it was perhaps the brazenness as much as the nature of the acts against human rights that transpired during the war that propelled the United Nations into establishing the International Criminal Tribunal for the former Yugoslavia (ICTY) on May 25, 1993, only a few weeks after the events at Ahnici.

Similarly, the ICTY's handling of the Ahnici case was exemplary of its professional and impartial work in processing the cases that came before it, and it is in the impartiality that it showed in reaching its conclusion in the Ahnici case that the immediate significance of that decision is to be found. Before the wars in Croatia and Bosnia were finally over, atrocities involving massacres, ethnic cleansing, and the use of rape as a tool of war had been committed by all sides. Nevertheless, two factors suggested that it would only be the Serbs who would be held accountable. First, because they were better armed, and their paramilitary units more numerous, the greatest number of acts of atrocity were committed by Serbs, including the now infamous massacre at Srebrenica. Second, it was the Serbian attacks during the summer of 1995 on three of the six "safe haven" cities the United Nations had created in Bosnia that prompted NATO to take the long-deferred, decisive military action against the Serbs artillery which—in turn—ultimately forced Bosnian Serbs and Belgrade to recognize Bosnia's independence. The fact that the notables indicted immediately after the war for war crimes were all Serbs and that the cases initially decided by the ICTY all involved alleged Serbian acts against humanity seemed to confirm the widely held belief among Serbs that they were being unfairly targeted by the international community.

The Lasva Valley cases in general, and the decision in the first of these, the Ahnici village case, in particular objectively rebutted that thesis. In Ahnici, not Serbs but Croats were charged with violating the customs of war and with crimes against humanity for persecuting people on racial and religious grounds and committing inhuman acts. Moreover, the majority of the defendants were convicted for their actions despite the fact that they were only following orders from their superiors. Indeed, the heaviest sentence, twenty-five years, was given to the Jokers' commander in part because he passed on those orders, and all were held accountable even though Judge Cassese acknowledged in handing down the sentences that "the major culprits . . . who ordered and planned" the atrocities (General Blaskie and his staff) were not in his courtroom at the time. (Blaskie had been tried separately and was awaiting the outcome when the Ahnici verdict came in.)

In the longer term, the Ahnici village case was significant in other ways as well. The meticulousness with which the case moved through the ICTY's legal

process underscored the fairness of the international tribunal's work, and in doing so it helped lay a foundation for the creation of the permanent International Criminal Court established as of July 1, 2002, by international ratification of the Rome Statute. Eight men were initially indicted for the Ahnici massacre, but before the case went to trial two of the indictments were dismissed, in one instance because one of the defendants died while awaiting trial but in the other because of insufficient evidence to warrant trial. Likewise, when the verdicts came down, one of the defendants, Dragan Papic, was acquitted because the evidence linking him to the war crimes was weak. Most revealing, the guilty verdicts were only reached after a proceeding which stretched over 111 trial days and entailed hearing the testimony of 160 witnesses and sifting through 717 exhibits. Finally, each of those judged guilty was entitled to appeal. All would eventually do so, with the Kupreskic trio having their verdicts reversed on the basis of the insufficient nature of the evidence presented against them. The appeals of the other two were only partially allowed, however, and their sentences only modestly reduced—from twenty-five to eighteen years for Santic, and from fifteen to twelve years for Josipovic.

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Joseph Rudolph

Terrorists Attack the Pentagon and World Trade Center

Category of event: Atrocities and war crimes; international norms

Time: September 11, 2001

Locale: New York City; Washington, D.C.; Somerset County, rural Pennsylvania

The use of hijacked jetliners as flying bombs directed against densely populated civilian targets was the largest-scale act of terrorism on U.S. territory and raised the scale of terrorist violence to an unprecedented level

Principal personages:

MOHAMMAD ATTA (1968-2001), mastermind of the terrorist plot, one of the nineteen terrorist hijackers

OSAMA BIN LADEN (c. 1957-), leader of al-Qaeda network of terrorists

Summary of Event

Around the beginning of the business day in the eastern United States, two American Airlines jetliners and two United Airlines jetliners were hijacked after taking off from Boston and Washington, D.C. Three of the four planes were deliberately smashed into targets in order to kill as many people and to do as much damage as possible; the fourth plane crashed in a rural area of Somerset County in western Pennsylvania, eighty miles southeast of Pittsburgh. It was later established that the fourth plane went down after passengers, having learned via cell phones that the first planes had been deliberately flown into buildings, attacked the hijackers.

It also became known later that the fourth plane had been assigned to hit the White House, the presidential mansion in Washington, D.C., symbol for many of American democracy. The planes that hit their intended targets were flown into the two towers of the World Trade Center (WTC) in Lower Manhattan, New York City, and the Pentagon, the headquarters of the American military, near Washington, D.C. Both of the World Trade Center towers collapsed, killing more than 2,800 people; the Pentagon attack resulted in 189 deaths; and the crash in rural Pennsylvania killed forty-four more persons. Thus more than 3,000 persons lost their lives in the attacks.

Terrorist acts in the public sphere are generally regarded as illegal attempts to kill, physically harm, or intimidate civilians to further a political end. However, international law recognizes no political ends that justify deliberate attacks on civilians. The notion of terrorism concerns the means used in attempts to attain political ends; it does not concern the legitimacy of the ends themselves. Such judgments constitute a separate issue. Just as “just” wars may be fought with unjust means, so may “just” causes be fought with vicious and morally untenable tactics. To believe otherwise is to believe that end can justify means—a doctrine that sets loose the ill-winds of nihilism, since it destroys the legitimacy of all complaints against limitless tactics.

Because the Pentagon was not, strictly speaking, a civilian target, an attack on it might be characterized as an act of war, rather than a terrorist act. However, the airline passengers and crew who died in the attack were innocent civilians who were deliberately killed, and the plane itself was a civilian plane, making its hijacking itself a terrorist act. Moreover, the Pentagon attack was part of the same plan of attack as the assaults on the Trade Center, which were purely terrorist acts. The Pentagon attack thus also involved terrorism, even if it were to be considered primarily an act of war. Acts of war, however, are generally considered to be those undertaken by politically organized societies, namely national governments, and the participants in the act were not—so far as is known—acting on behalf a government, but rather for the shadowy network of organizations known as al-Qaeda. Thus characterization of the September 11 attacks as “acts of war” is suggestive, but not precise.

Impact of Event

The September 11 terrorist attacks were notable for the fact that they were not carried out in retaliation for some unmet concession demanded of the American government or some private entity. Their apparent aim was simply to maximize death and destruction as an end in itself and to terrorize American society at large and, presumably, America’s allies. No specific set of demands was ever issued, before or after the attacks. Moreover, no organization openly took responsibility for the attacks, though subsequent videotaped statements by Osama bin Laden left no doubt in the minds of fairminded observers that he and his organization were behind the carnage.

The military, political, and economic consequences of the attacks were of great significance. The United States, assisted by various allies, led by the British, attacked and subdued Afghanistan, home to al-Qaeda. The Taliban, the radical Islamist political movement that governed that country, was brought

down, and a moderate regime was chosen to replace it by popular representatives. Numerous antiterrorist covert and overt operations were set in motion in dozens of countries throughout the world, often—but not always—with the cooperation of the nations involved.

In the months that followed the attacks, U.S. stock markets fared badly. Falling swiftly, they recovered to some degree but then sagged badly. Some of this downturn was attributed to the direct economic effects of the attacks, which included temporary suspension of all airline services in the United States, interruptions in mail services, and the destruction of businesses and financial institutions in the World Trade Center itself. Although other factors were at work, investor fears of further attacks also played a role in the markets' decline. Airlines took tremendous financial hits, as many people were reluctant to fly after the airlines resumed operations. With the decline of air travel, the travel and hospitality industries, catering to both business and recreational travel, was badly damaged.

At the same time, the attacks elicited a strong upswell of overt American patriotism, as millions of Americans were jolted into the realization of what they owed to their country. Pride in citizenship—which had been out of fashion in many quarters since the Vietnam War—again came into vogue. In important ways American democracy appeared to be a beneficiary of the attacks. Internationally, for a time, solidarity with the American cause was seen throughout nearly the whole of the industrialized world. A notable exception was neighboring Canada, whose government's concern for terrorism on American soil was, at best, tepid and fragmentary.

As weeks turned to months after the attacks, however, traditional, well-ingrained European anti-Americanism began to reemerge. Russia, however, which had been fence-sitting in its attitude to the West, in light of its having been badly wounded by terrorism itself, now moved decisively into the camp of its one-time historic rival. In Central Asia, America gained several allies, as countries such as Uzbekistan opened their doors to U.S. military installations, but at a price. Elsewhere in Asia, China proclaimed its solidarity with the United States on the terrorism issue, though perhaps with unspoken reservations.

The fact that both governmental and nongovernmental objectives—both civilian and military—were attacked showed that there was no intention to discriminate among those who were to be killed and property that was to be destroyed. The terrorists made no attempt to protect the human rights of any segment of society. No humane value structured any portion of the actions, which may be accordingly described as nihilistic in character.



Section of the Pentagon building struck by the hijacked airliner. (Department of Defense, Still Media Records Center)

To understand the attacks at a deeper level, the background to prohibitions against attacking against civilians need exploration. International laws of war, which are recognized by most of the world's nations, require that any combatants planning attacks do everything possible to ensure that no civilian targets are selected. While the terrorists did not act on behalf of a state that had ratified the War Conventions that articulate these international laws, clearly, their actions took no heed of civilized requirements for making war.

Although the terrorists' primary intended victims were Americans, those who planned the WTC attack failed to discriminate between American and non-American victims. Consequently, hundreds of non-Americans from dozens of countries around the world were incinerated in the assaults on Lower Manhattan. The planners of the attacks either did not investigate the nationalities of those who likely to die in their attacks because they were not interested, or because such matters did not occur to them. Either possibility illustrates the perpetrators' stark indifference to the first and most fundamental human right—the right to life, especially of innocents.

International military convention has long prohibited attacks on civilians. Such formal international "conventions" (treaties signed and ratified by states,

which become obligated to their terms upon ratification) attempt to protect innocent human life, under the implicit or explicit grounds that human life is valuable for its own sake. Such conventions assume that human beings have a right to life and therefore ought not to be arbitrarily attacked.

Moral rules regarding military behavior have a long history in Western civilization. Initially the creation of ancient Greece, such rules were developed in the Middle Ages, when a lively moral discourse emerged on just and unjust wars and the means of fighting them. Moral rules surrounding war underwent further philosophical and legal development from the seventeenth through the nineteenth centuries. Under the pressure from the horrors of modern war, the rules became more formally institutionalized and widely known in the twentieth century.

During World War II, respect for civilian life during wartime broke down on all sides. Nazi-ruled Germany and Japan became notorious for their military and police forces' indiscriminate murder, rape, and pillage of civilians. The Allied powers, as well, knowingly targeted civilians in such incidents as the firebombing of Tokyo and the militarily unnecessary obliteration of German cities such as Dresden, Hamburg, Leipzig, and Berlin.

After World War II, revulsion at the spectacle of civilian slaughter highlighted the idea of a natural or human right to life. Such a right was written into what was asserted as universally valid international law when the Universal Declaration of Human Rights, enacted by the United Nations in 1948, partially through the influence of Eleanor Roosevelt, widow of American president Franklin D. Roosevelt.

Passage of the Universal Declaration and a large range of human rights conventions beginning in the late 1940's was a reaction to the events of the previous two decades, as well as recognition of the menace of humankind's growing capacity for almost instant massive human annihilation. However, for a long time, the political movement supporting human rights did not foresee the formation of organizations uncontrolled by any formally organized state.

In the 1950's the anticolonial Algerian National Liberation Party (FLN) used terrorist tactics to gain its political ends against the French in Algeria as well as in France itself. The 1960's and 1970's, however, saw the rapid rise of a multitude of terrorist organizations, such as the Bader-Meinhof gang in West Germany; Japan's Red Army Faction; the revived and revitalized version of the Irish Republican Army; Al-Fatah, Yassar Arafat's anti-Israel organization; the Red Brigades in Italy, and numerous other groups throughout the world.

Terrorism grew apace in the 1980's, when states such as Libya and Iran began sponsoring terrorist activity. Outstanding among the acts that form a

background to the September 11 attacks is the terrorist bombing of a Pan American World Airways jetliner that crashed near Lockerbie, Scotland, killing 259 persons aboard and eleven on the ground in 1988. Two of the worst terrorist incidents aimed at American targets outside the United States were committed on August 7, 1998, when 224 civilians—mostly Africans—were killed by terrorist bombs exploding at the U.S. embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania. These and other incidents of terrorism spelled out the weakening of international human rights norms among those involved in a variety of political struggles.

Another terrorist act on American soil stands as a prelude to September 11 and a warning that terrorists would be as heedless of basic human rights in the United States as they were elsewhere in the world. This was the bombing at the World Trade Center of February 26, 1993, when four Islamic militants detonated a bomb in the Twin Towers' underground parking garage. The explosion killed six people and injured more than 1,000 but failed to threaten the buildings' structure, although it did send smoke into all 112 stories of the WTC's two towers. The incident proved that American landmarks had become the targets of foreign terrorists and that acts posing significant risks to basic human rights could be expected in the future. This fact was underlined when in July, 1993, it was found that some terrorists involved in the February WTC incident were close associates of participants in an aborted plot to blow up a number of New York City targets, including the Holland and Lincoln Tunnels and the United Nations Building.

Significant consequences of the attacks are not difficult to find. The quest for greater protection against attack on the most basic human right—the right to life—gave rise to important changes in the American society. The open society of which Americans had been justly proud became slightly less open and promised to become even less so in the future, as tighter visa restrictions were enacted and tougher efforts were made to monitor foreign visitors. In this and other ways, American democracy was injured by the attacks. Certain legal protections for some categories of U.S. resident aliens may, within constitutional limits, be restricted.

Perhaps as significant as these changes in American domestic society, is a new sense among the American public of deep animosity toward America's enemies and the public's willingness to sanction extreme measures to subdue them, such as sending "hit squads" around the world to ferret out and destroy terrorist infrastructures. Public support of the war in Afghanistan, as well as future wars on terrorists and those that abet them, is a further result of the impact of the savage September 11 attacks.

In the end, the September 11 attacks represented a qualitative change for the worse in terrorist activity. Future terrorists may be expected to consider these attacks as a benchmark to be emulated with respect to numbers killed, dire economic consequences, and the sheer level of terror unleashed within the country attacked and upon its allies and sympathizers around the world.

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Charles F. Bahmueller

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