

CARNEGIE COUNCIL *for Ethics in International Affairs*

Global Ethics Corner: Genocide Denial in Rwanda: Dealing with the Past or Subverting Democracy?

[Global Ethics Corner](#)

Video

Do laws that make it a crime to deny the existence of genocide help to lessen the chances of renewed conflict? Or, do they stifle freedom of speech--and risk eliminating political dissent? These are the questions currently debated in Rwanda.

Audio

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Transcript

Do laws that make it a crime to deny the existence of genocide help to lessen the chances of renewed conflict? Or, do they stifle freedom of speech—and risk eliminating political dissent?

These are the questions currently being debated in Rwanda.

The recent trial of Victoire Ingabire—a staunch government critic—has drawn attention to a controversial law that criminalizes what it calls "genocide ideology."

Passed in 2008, the law places hefty fines and prison sentences on a wide range of alleged transgressions. These span the gamut from incitement of hatred and the denial of genocide to statements that poke fun at genocidal actions.

Advocates of the law argue that it represents a genuine effort to deal with the past. They accuse individuals like Ingabire of denying the extent of the tragedy inflicted upon Rwanda's Tutsi minority. By drawing attention to Hutu victims, they say Ingabire and others fuel ethnic divisions.

Critics make a different case. They say the law's vague terminology can lead to censorship, and offers the government too much leeway in selecting potential transgressors. Rather than redress the past, they say it serves as a legal instrument for an authoritarian government bent on eliminating opposition.

The Ingabire trial is a case in point. Far from denying genocide, critics say Ingabire drew attention to the complexity of the genocide, which resulted in both Tutsi and Hutu victims. By arresting Ingabire, the government was not dealing with the past—it was eliminating its most credible opponent.

As Ingabire's trial gets underway, what is your take on Rwanda's "ideology law"? Does it help to stem genocide or is it a veiled attempt to eliminate opposition?

How do you distinguish between laws that deal with the past and laws that subvert a democratic

future?

By *Marlene Spoerri*

For more information see

Josh Kron, "Rwanda Lays Out Charges Against Ex-Presidential Hopeful" *The New York Times*, September 9, 2011.

"Law and Reality: Progress in Judicial Reform in Rwanda", *Human Rights Watch*, July 24, 2008.

"Rwanda (2011)," Freedom House.

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