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Toward an Anthropology of War Propaganda

Prior to the Rwandan genocide, the study of war propaganda had all but disappeared as a significant topic of interest for lawyers and social scientists. However, since the trials of war propagandists by international criminal tribunals, the study has been reignited. The reason is due to the manner in which legal actors discussed the effects of war propaganda and pronounced its criminality. They claimed that war propaganda constitutes incitement not only because it attempts to foment dangerously violent ideologies, but also because it actually causes mass violence. In defining war propaganda in this way, tribunals have shifted the crime of incitement from being inchoate to causal. This new precedent has led ethnographers to investigate the manner in which war propaganda has related to mass violence and to challenge the tribunal's purported causal link. Additionally, it has led legal researchers to generate novel theories about war propaganda that are conducive to the new precedent but would still benefit from the frameworks and methodologies of anthropology. [incitement, international criminal tribunals, mass violence, perpetrators, Rwandan Genocide, war propaganda, Yugoslav Wars]

Once burgeoning, the study of war propaganda virtually withered away after Edward Bernays (1928), its champion, surmised that it could never be systematic enough to know, in any precise sense, how war propaganda affects behavior. Half a century later, psychologist Brett Silverstein (1987) challenged Bernays's conjecture, suggesting that scientific advancements made it possible not only to systematize war propaganda, but also to reach a shared consensus about how it works. Two decades later, with the expansion of international criminal tribunals, Silverstein's observation may finally prove to be the case. It is because of tribunals that war propaganda is once again a central topic for international criminal law and cross-disciplinary studies of violence. War propaganda is defined as the intentional act of deliberately shaping perceptions, manipulating cognition, and directing behavior toward mass violence (Dojcinovic 2012:4–5). Mass violence is widely understood to cover ethnic cleansing, war rape, massacres, and genocide (Oberschall 2012:182–185). In legalese, war propaganda that foments these acts is referred to as incitement and has been an inchoate crime (that is, one that prepares a physical crime) ever since the International Military Tribunal (IMT) at Nuremberg. War propaganda has thus been prosecuted on the international stage whenever its authors have intended to bring about mass violence, regardless of whether they actually caused it. However, the International Criminal Tribunal for

the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) have recently claimed that incitement is a crime whenever it causes mass violence. Since this is a dramatic shift in legal precedence, and because proof for the causal link remains unclear (for example, whether the link is one of processes, properties, or states of affairs), legal theorists and social scientists are attempting to systematize war propaganda and analyze its effects.

From the standpoint of contemporary media and genocide studies, the significance of this transition cannot be overlooked. First and foremost, it marks a dramatic shift in theory; instead of assuming the longstanding “hypodermic needle theory” of mass persuasion, which presumes that war propaganda is like a virus that somehow infects societies writ-large (O’Sullivan et al. 1994:99), researchers are now turning to various disciplines to understand the impact of violent messages on individuals, groups, and cultures. It also signifies a fundamental change in purpose; with the aims of preventing mass violence and identifying those who inculcate it, researchers are now just as concerned with practical issues (for example, the forensics of incitement) as with conceptual matters (for example, what constitutes incitement, hate speech, and violent media). This in turn has brought forth a methodological transition; instead of historicizing events from the archive alone (Jowett and O’Donnell 1986), researchers are now undertaking fieldwork to investigate firsthand the relationship between wartime media and violent behavior. Taken together, these changes signify the widespread belief that war propaganda—like any other social phenomenon—can be empirically understood, just as Silvertsein suggested. However, from an anthropological perspective, there are numerous reasons not to dismiss Bernays’s skepticism too quickly.

Perhaps the most obvious point of skepticism concerns the legal shift itself. Although this shift can be attributed to several factors, a few stand out among legal scholars. On the whole, the court rulings at the ICTY and ICTR appear to have been aimed at restigmatizing war propaganda as criminal and prosecutable (Saxon 2012). This was motivated in part by a rekindled sense of moral outrage felt at Nazi war propaganda and atrocities at the closing of World War II (Cassese 2008). But as shown in this article, the IMT convicted Nazi war propagandist Julius Streicher for encouraging genocide, not for causing it. So why restigmatize Serbian and Rwandan war propaganda as causal crimes? The reasons may be more practical than moral. On the one hand, Dan Saxon (2012) suggests that because recent tribunals have lacked the resources to consider all crimes, prosecutors have been forced to focus on acts that connect the accused to physical crimes, which in the case of war propaganda entails causation. On the other hand, Michael Kearney (2012) speculates that because prosecutors have had success using the concept of a joint criminal enterprise, they have been compelled to establish causal links between the accused and the alleged crimes, including war propagandists. Still others suggest that talk of causation has entered the legal repertoire to inflict harsher punishments and thereby prevent such crimes in future conflicts (Akhavan 2001). In any event, the new precedent has recriminalized war propaganda and undoubtedly raised the bar for prosecuting war propagandists henceforward.

Of course, this shift has elevated the concerns of legal theorists and social scientists alike. First, because it will be more difficult to subpoena and prosecute war propagandists in future trials, legal theorists are trying to rationalize the new precedent or find ways of amending it (see Gordon 2012). Second, since tribunals have stressed that mass violence is caused by war propagandists—but have not offered proof for this general claim—ethnographers are examining the effects of wartime media in the cultural contexts where it has allegedly occurred (Li 2004; Mironko 2007; Straus 2007; Yanagizawa-Drott n.d.). Finally, given that tribunals have inadvertently shown the pitfalls of outdated theories, scholars are developing new models of war propaganda (e.g., Benesch 2012; Dojcinovic 2012; Oberschall 2012). These concerns highlight the interdisciplinary motivations for the newfound study of war propaganda and the grounds for anthropological contributions.

The purpose of this article is to (1) provide a critical overview of this transition, (2) to show that ethnographical and anthropological theories deny the simplistic causal link purported by recent tribunals, and (3) to highlight the important role of anthropology in the study of war propaganda. My discussion thus proceeds in the following manner. I begin by identifying the very source of the problem, which is when tribunals asserted that war propaganda is causally connected to mass violence, they begged the question of whether—and how—that connection is proven. An empirical burden was thereafter placed on legal scholars and social scientists to demonstrate that link. After discussing the latest ethnographies and theories of war propaganda, I then briefly outline the contributions and methods that anthropology offers such studies.

The Causal Thesis of War Propaganda

Even though the criminal nature of war propaganda touches upon the long history of speech freedoms and laws in the United States and elsewhere, the present discussion concerns the international legal tradition. For in that tradition war propaganda is an explicit crime when it constitutes incitement to genocide. Since genocide is defined as the act or intent of destroying, in whole or in part, any national, ethnic, racial, or religious group as such, the following constitute the act: killing, causing serious harm to, imposing destructive conditions or birth-preventative policies upon, or transferring members of any targeted group. Accordingly, the following are related crimes: the act of, conspiracy or attempt of, complicity in, and direct or indirect incitement toward committing genocide (see the U.N. Convention on the Prevention and Punishment of the Crime of Genocide, Articles I and II). Because these are inclusive of the human phenomenon of one or more groups collectively destroying or attempting to destroy one another, such as ethnic cleansing, war rapes, massacres, and genocide itself, I will use the term *mass violence* to designate all of these genocidal acts under international law.

Although the above was outlined by the United Nations General Assembly in 1948 and 1951, its legal underpinnings were first established in international criminal law in 1946 at the IMT, specifically in the case of Julius Streicher. As the notorious Nazi publisher of *Der Stürmer*, an anti-Semitic newspaper that repeatedly called for the

eradication of Jews, Streicher represented the quintessential warmonger of the Nazi mission. Streicher incessantly published articles and gave speeches that encouraged the murder and persecution of both Jews and anyone hostile to the Nazi Party. Having shown that Streicher encouraged such mass violence, the IMT convicted Streicher of incitement to genocide. As noted in Taylor (1992), the grounds for his conviction were that *Der Stürmer*: “[I]nfected the German mind with the virus of anti-Semitism and incited the German people to active persecution at a time when Jews were being killed under the most horrible conditions” (Taylor 1992:376–380).

By saying that Streicher “infected the German mind,” the court embraced what was known as the hypodermic needle theory of mass persuasion, which assumed the behaviorist outlook that societies could be straightforwardly “infected” by propaganda (Severin and Tankard 1979). Furthermore, by focusing on Streicher’s intentions, the court defined incitement as an inchoate crime, meaning that it was an offense in virtue of intention alone, not consequence. Because Streicher made public and direct calls for genocide, he conveyed the intention for genocide to take place. This alone was sufficient for the IMT to prove Streicher’s criminality, even though the court was unsure about how exactly his propaganda infected the German population (Gordon 2005:143–144). Over the next fifty years, this precedent would be repeated in several documents regarding the customary and general principles of international law. However, like the study of war propaganda itself, it would be radically transformed by the Rwandan genocide.

In 1994 the international community was stunned by the brutal and rapid extermination of 500,000 Tutsis literally at the hands of Hutus in Rwanda. Later that year, the UN Security Council founded the ICTR—the first international criminal court since the IMT—to hold Rwandans who participated in the genocide accountable for their crimes. Although the genocide was the result of several factors, including long-standing ethnic tensions dating back to the Belgian colonial era (Gourevitch 2000) and the escalating violence of the Rwandan Civil War (Melvern 2000), international observers claimed that one of the main causes was the steady flow of Hutu hate media (Chretien 1995; Dallaire 2003). It appeared that several Hutu journalists, politicians, and entertainers not only persuaded the majority to adopt genocidal policies, but also directly orchestrated the killings via newspaper, radio, and public speeches. The first propagandist to stand trial for such crimes was Jean-Paul Akayesu, a former schoolteacher and politician, who allegedly directed and publicly incited genocide in a speech he gave at Taba, a commune in northern Rwanda. Despite the fact that Akayesu was the mayor of Taba, gave anti-Tutsi speeches, and even directed Hutus to Tutsi locations when the genocide commenced, all of which would have underscored his intentions, the ICTR went beyond the Streicher precedent. The prosecution claimed that there was, in fact, a causal relationship between Akayesu’s propaganda and mass violence in Taba (ICTR, para. 673). What is most remarkable, however, is that the judges themselves outlined a legal criterion to prove this particular claim; if Akayesu’s war propaganda caused genocide, then “there must be proof of a possible causal link” between his speeches and ensuing killings (para. 349). Such proof was then found in the fact that after one of Akayesu’s speeches there were massacres,

which the judges claimed would have been improbable without him (para. 673). However, the judges did not clearly define what they meant by “improbability,” but rather inferred the likelihood of “causation” from circumstantial evidence regarding the timing of Akayesu’s speech and ensuing violence (Benesch 2012:257). At any rate, by convicting Akayesu on such grounds, the ICTR moved away from the Streicher precedent and established a new legal criterion for incitement to genocide, shifting the crime from being inchoate to causal.

To appreciate the legal weight of this shift, let us momentarily step back to the Nuremberg Trials. At Nuremberg, Streicher was said to have incited mass violence because he directly and publicly called for it. Contrast this with the Nazi propagandist Hans Fritzsche, who was acquitted at Nuremberg because his propaganda, although aggressively anti-Semitic, never explicitly called for mass violence. The line of reasoning here is that hate speech, despite being morally deplorable, does not violate the law unless it encourages lawlessness or violence. To illustrate, consider the basic linguistic difference between hate speech and war propaganda. The former constitutes an expression (a locution), while the latter represents a request or command (an illocution) that may or may not have an effect (perlocutionary force). Although Fritzsche expressed anti-Semitism, he did not call on the public to commit violence against Jews. Streicher, on the other hand, made repeated calls for extermination, which was deemed criminal because he intended that the crime of genocide take place, regardless of whether he caused it. The logic here is also reflected in U.S. criminal law, where speech—broadly defined—is permissible unless it directly calls for lawlessness or makes lawlessness imminent (*Brandenburg v. Ohio*). With this in mind, let us return to Rwanda. At the ICTR, Akayesu was found guilty of incitement not because of his intent but rather the effects of his war propaganda. Recall, it was said: “[T]here is a causal relationship between Akayesu’s speeches . . . and the ensuing widespread massacres” (para. 673), meaning that the mens rea is not the illocution but its perlocutionary force. By saying this, the ICTR moved war propaganda from being categorically inchoate to being causal. Albeit seemingly minor, this change has radical consequences: proof of criminal war propaganda is no longer what someone says but rather what their speech does.

Several Rwandan war propagandists were thereafter convicted under the Akayesu precedent. First, Georges Ruggiu pleaded guilty to accusations that his calls for violence against Tutsis on the notorious Rwandan radio station RTLM played a “direct link” in the genocide (para. 45). Second, judges claimed that Ferdinand Nahimana, Jean-Bosco Barayagwisa, and Hassan Ngeze “caused the deaths of thousands” by spreading hatred on RTLM (para. 1101). The evidence for such causation was the fact that Nahimana, Barayagwisa, and Ngeze used RTLM to direct genocidaires to locations where they could kill Tutsis (para. 479). However, instead of focusing on the direct link between these propagandists and specific murders, the judges fell back on the hypodermic needle metaphor to describe RTLM as a general “weapon” (para. 1099), which the accused parties used to “spread petrol” across Rwanda and eventually to “set fire to the country” (para. 1078). Although subsequent appeals overturned the decision against Barayagwisa, the decisions against Nahimana and

Ngeze remained unchanged, thereby concretizing and expanding the broad precedent. Finally, in perhaps one of the most controversial decisions in recent international law, the ICTR convicted the Rwandan rapper Simon Bikindi of incitement on the grounds that his music called for the deaths of Tutsis and thus served as war propaganda during the genocide (para. 252).

Hence, the consequences of the Akayesu precedent have been threefold. First, the result among legal actors and expert witnesses has been to embrace what I call the *causal thesis*: war propaganda not only foments violent intentions, but also causes mass violence. For the line from the Akayesu case that will continue to haunt prosecutors is that there must now be “proof of a possible causal link” (para. 349) if a war propagandist is guilty of incitement. Second, the precedent is applicable to all international trials from this point forward. In fact, it has recently been used at the ICTY to bring charges against Radoslav Brđanin, Radovan Karadžić, and Vojislav Šešelj. In the case of Brđanin, for instance, the trial chamber claimed that ethnic cleansings in northern Serbia were linked to the war propaganda of Brđanin and Bosnian Serb leadership (ICTY, para. 80). Likewise, the tribunal claimed that Karadžić’s complicity in genocide is evidenced by his war poetry and that Šešelj’s connection to a joint criminal enterprise is demonstrated by his indoctrination of Chetnik perpetrators. The causal thesis is also being employed at the national level by the Serbian Chief Prosecutor for War Crimes in the investigation of inflammatory news stories propagated by Serbian journalists during the Yugoslavia Wars. Finally, despite establishing a new legal precedent, the tribunals have remarkably not defined “causation.” Instead, they have continued to rely on the hypodermic needle theory of mass persuasion and assumed there is a simple link between the media and social behavior. Besides being empirically unsupported, such an outlook does not require causation but rather presumes it without warrant. Thus, it remains an open question whether—and to what degree—war propaganda actually causes mass violence, as Bernays once lamented.

With that said, I wish to close this section by reemphasizing the legal shift in terms of the philosophy of language. Prior to the ICTR, war propaganda was largely prosecuted as what J. L. Austin (1962) called an “illocutionary speech act”—that is, what the message declared or urged others to do, if not the felicity conditions the message created. Now, after the ICTR, it is being prosecuted as a “perlocutionary speech act”—that is, what the message causes others to do. But just as Austin himself observed, a perlocutionary act achieves its ends if and only if it was intended by the speaker and understood by the receiver. Logically speaking, then, the tribunals cannot simply assert a causal link, but instead must prove that the war propaganda in question had perlocutionary force by demonstrating its influence on the actions of perpetrators.

Ethnographic Challenges to the Causal Thesis

The issue of influence raises an interesting ethnographic question: What do perpetrators say about the impact of war propaganda? Remarkably, the ICTR did not raise this question explicitly, but rather sought to answer the very general question: Why did the

Hutus kill their Tutsi neighbors? To answer that question, the tribunal called upon two researchers of the African Great Lakes region who could serve as expert witnesses to Hutu motives. The first was historian Jean Pierre Chretien (1995), who testified that the Hutus killed because propaganda espoused on RTLM called on them to do so. Because Hutu war propaganda was so successful at spreading mass violence, Chretien claimed, as noted in Mironko (2007), that the two weapons responsible for the genocide were in fact RTLM and machetes—"the former to give and receive orders, the second to carry them out" (125). The second expert witness to testify before the ICTR was human rights activist Allison Des Forges (1999:71) who similarly claimed that RTLM was one of the main sources of violence. According to Des Forges (25), RTLM had long orchestrated the genocide by convincing the Hutu majority that the only solution to escalating tensions with the Tutsis was extermination, which they wholeheartedly embraced when the killings began. These observations were echoed in the ICTR's claims that RTLM functioned as a hypodermic needle—or weapon—that "spread petrol throughout the country little by little, so that one day it would be able to set fire to the whole country" (ICTY, para. 1078).

However, this position began to be challenged by fellow scholars who attempted to understand the purported causal-nexus (i.e. causal relationship) between RTLM and the Rwandan Genocide. The first scholar to do so was Richard Carver (2000), who opined that: "Most [commentaries] on Rwandan hate radio have worked on the simple assumption that since RTLM broadcasted propaganda for genocide and genocide did indeed occur, there must be a causal relation between the two" (190).

However, as Carver later pointed out, a correlation does not entail causation. Further, the causal chain leading to mass violence is comprised of several factors that complicate a simple link between wartime media and genocide. These can include genuine threats to the would-be perpetrators, longstanding ethnic tensions, sacred motivations, and eliminationist rhetoric shared among perpetrators. Further still, the tribunals seem to have overlooked—or turned a blind eye to—the fact that a purported causal link requires some kind of demonstrable proof. As Carver once again observed (Mironko 2007):

RTLM broadcast hate propaganda, there was genocide, and therefore one caused another. If we were talking about almost any other issue—violence on television, pornography or whatever—those arguing in favor of a ban would attempt to demonstrate at least a cursory link between the broadcast and the action. [126]

Yet the tribunal did not look for a substantial link but rather asserted it. Hence, Carver rightly concluded that the ICTR committed a leap of logic and evidence in relating Rwandan war propaganda to the Rwandan Genocide.

Such considerations are what motivated four ethnographers to examine the causal link between war propaganda and mass violence in Rwanda. In the first, Darryl Li (2004) investigated the impact of RTLM on its listeners by conducting post-hoc interviews

with Hutu perpetrators and bystanders. Based on those interviews, Li claims that three cultural factors played into the genocide: ideology, performance, and social connections. Most tellingly, these three factors were, in fact, manipulated by RTLM to coordinate the violence (10). In terms of ideology, RTLM framed the genocide as “service” to the state and thereby promoted it by saying that state service was necessary to strike against the Tutsis, who themselves were conspiring to exterminate Hutus. Although the accusation was false, it was enough to prompt Hutus to see their actions as state-sponsored self-defense. With regard to performance, RTLM routinized mass killings by referring to them as national “work,” which reduced them to a necessary service to the state. This was made conducive by RTLM’s announcement of Tutsi locations—and oftentimes the very names of individuals—where Hutus could be sent to do their “work.” In the midst of such coordination, RTLM also maintained genocidal fervor by playing anti-Tutsi music: specifically, it aired the anti-Tutsi music of Hutu musician Simon Bikindi (16–18). Turning to social connections, RTLM prompted Hutus to collect in groups of friends or family in order to pillage Tutsi establishments collectively, and also to persecute Tutsi sympathizers. In such conditions, Hutus participated in mass violence out of a sense of camaraderie with fellow Hutus. With these factors in mind, Li concurred with Chretien and Des Forge by concluding that RTLM was perhaps the central cause of the genocide.

While Li’s findings are important on several fronts, the most important is that it dispelled the often-invoked primordialist explanation of mass violence. This is the view that mass violence, such as the Rwandan Genocide and Yugoslavian ethnic cleansings, is the rekindling of longstanding ethnic tensions that lay dormant in times of peace and security (Gryosby 1994). What Li rightly pointed out is that the primordialist explanations miss the degree to which mass violence must be socially orchestrated and temporally sustained, which cannot be accomplished by ethnic tension alone (Li 2004:10). Still, the shortcoming of Li’s work is that the same can be said for his three cultural factors. It is difficult to see how ideology, performance, and social connections are sufficient conditions for sustained mass violence, especially the kind witnessed in Rwanda. After all, every conflict is preceded by propaganda that stresses one’s duty to fight on behalf of the state and with one’s cohort. What Li appears to overlook, then, is the subtleties that lie behind such cultural factors, which is brought to light by other ethnographic research on violence, such as that of Scott Atran (2010). Based on Atran’s observations of terrorism, which focus on the rhetoric of injustice, inspiration, and camaraderie as influences of violence, the following are alternative explanations to Li’s findings. Hutus were: (1) motivated more by the lie that Tutsis were planning genocide than by ideological service to the state; (2) justified by the notion of “work” rather than inspired by it; and (3) motivated more by peers than war propaganda itself. Furthermore, what Li and other ethnographers must show is that the perpetrators in question were not only influenced by war propaganda, but most importantly would not have engaged in mass violence without such justified reasons for doing so. Thus, while Li’s cultural factors support the tribunal’s decisions, they remain unresolved concerns for ethnographers in Rwanda and elsewhere.

Ethnographer Charles Mironko (2007) also worked in Rwanda after the genocide, where he interviewed hundreds of confessed perpetrators in Rwandan prisons.

Contrary to Li, Mironko found that the impact of RTLTM was minimal. Based on his interviews, Mironko claims that the majority of Hutu violence did not result from the alleged vertical communication of propagandist to perpetrator but rather the lateral communication of perpetrator to perpetrator (128). Mironko draws two interesting distinctions to make this point. On the one hand, perpetrators from rural areas stressed that they followed the lead of soldiers or peers, not RTLTM. In fact, they claimed that RTLTM was something they did not listen to as peasants, since it advocated an urban sensibility that was quite foreign to their own. For those who did listen to RTLTM in rural areas during the genocide, it simply provided information on how to find Tutsis and kill them en masse. Mironko argues that such communication was more like military instructions than war propaganda (134). On the other hand, perpetrators from urban areas claimed that RTLTM was quite enthralling and therefore influential. Still, these same individuals admitted that they were prepared for violence and organized into armed militias long before RTLTM made any hint of anti-Tutsi propaganda. Accordingly, Mironko reached a rather skeptical conclusion about the ICTR's judgments: "RTLTM alone did not cause them [Hutus] to kill" (134).

Before turning to the upshot of the Mironko's study, let us consider another ethnographer, whose work echoes that of Mironko. In two parallel studies, Scott Straus (2006, 2007) reached three conclusions that challenge the alleged influence of RTLTM. First, after interviewing 200 perpetrators, Straus found that few murderers claimed to have been influenced by RTLTM at all. Instead, they stated that the pressure to participate was largely due to social peers who, with soldiers, recruited neighbors and encouraged communal involvement (2007:626). Second, because less than 10 percent of the perpetrators owned a radio and most of the country did not receive steady radio transmissions, the effects of RTLTM could not have been as strong as Chretien and Des Forges presumed (615). Finally, if RTLTM served any direct purpose in the genocide, it was to coordinate attacks by persuading local authorities to organize Hutus and direct them to Tutsi locations.

While the ethnographic work of Mironko and Straus directly challenge the ICTR's claims, there is still good reason to question their conclusions. Despite their large samples of perpetrators, they appear to make questionable inferences about causation based on perpetrator reports. First, both assume that if RTLTM was not the direct causal link in the genocide, it was not a causal factor at all. However, this of course assumes that the causal nexus between war propaganda (the cause) and mass violence (the effect) is limited to immediate links in the causal relationship, which is untenable. To illustrate, consider the following: If P commands Q to direct R in the kicking of S, then by virtue of transitivity, P, Q, and R were all part of the causal link in S being kicked. Likewise, if RTLTM urged local authorities to direct soldiers in recruiting Hutus to carry out genocide, and provided the proper mindset for doing so, then RTLTM and the involved parties were part of the causal nexus. Second, Mironko and Straus are surprisingly uncritical of the reports they receive from perpetrators. What people say and do are often dissimilar. As Alex Hinton's (2005) fieldwork illustrates, genocidaires are rarely forthright about their wartime participation, and the causes of their genocidal behavior is never due to one historical event, but rather a host of cultural processes such as sociopolitical transformations, political ideologies, military

hierarchies, and maintaining face among fellow soldiers. Additionally, provided that perpetrators want to save face in post-conflict settings, it would behoove them to deny being easily persuaded by the radio, but rather to have been begrudgingly pressured (or even better—forced!) by local authorities to participate. Finally, the fact that RTLM served as a news source in Rwandan culture, and did not offer counter messages to the escalating violence, is enough to conclude that it is not exempt from influence. Regardless, many questions remain unresolved. To what degree did RTLM influence the violence? Was it simply a means to coordinate violence cadres?

To answer these questions, let us turn to the final researcher. In light of the above ethnographies, David Yanagizawa-Drott (n.d.) developed a causal model of RTLM's impact on mass violence by measuring regional radio coverage and the number of individuals prosecuted for genocidal violence therein. Similar to Straus (2007:615), Yanagizawa-Drott found that no more than 20 percent of the country possessed radio sets during the genocide. However, Yanagizawa-Drott argued that radio sets must have been shared, for wherever there was radio coverage, there was mass violence: "Complete village radio coverage increased violence by 65 to 77 percent, and a simple counter-factual calculation suggests that approximately 9 percent of the genocide, corresponding to at least 45,000 Tutsi deaths, can be explained by the radio station" (33).

This finding not only represents the strongest quantitative evidence to date regarding the ICTR's claims, but a robust method for ideographic and nomothetic instances of war propaganda and mass violence. Respectively, the model shows that wherever Hutus had radios there was a significant increase in killings, and media-range is a statistically significant predictor of mass violence. There is nevertheless an important shortcoming here, as Richard Wilson observes (n.d). Presumably, most regions of poor radio coverage were geographically isolated such that their population sizes and threat of violence were minimal. If so, the two correlations may be just that: coincidental occurrences without any causal connection. Thus, the idiographic and nomothetic questions of influence remain open for future researchers to answer.

To conclude, the above studies entail several points for the present discussion. First, they show that more ethnographic research is necessary to understand the role of war propaganda in contexts where mass violence has occurred. Second, and most importantly, their contradictions and shortcomings illustrate that the causal link between war propaganda and mass violence is far more difficult to establish than tribunals have presumed. Specifically, they reveal how challenging it is for ethnographers to parse how wartime media and other influences, such as peers, affect violent outcomes. Third, they also suggest that there is a difference between war propaganda that incites violence and war propaganda that coordinates murder, suggesting that there may need to be more legal distinctions than simply war propaganda as incitement. Lastly, they demonstrate that the strongest evidence may be correlational, not causal. With this final point in mind, it is quite likely that future studies will continue to provide correlational data and deny the simplistic causal link asserted by tribunals, rather than supporting it.

New Theories on the Causal Thesis and Directions for Anthropology

Recognizing that tribunals have taken a logical and empirical leap with the Akayesu precedent, legal theorists and social scientists have felt compelled to outline the conditions under which war propaganda makes mass violence possible (Benesch 2008, 2012; Dojcinovic 2012; Gordon 2012; Oberschall 2010, 2012; Pauli 2010). The starting point for most of these theories is that war propaganda serves one of two social purposes. On the one hand, it is often employed to justify—or excuse—the use of militaristic force by one society against another, if not military campaigns involving mass violence of some kind. On the other hand, it is often aimed at persuading young males in violence cadres to undertake ethnic cleansing, war rape, massacres, or genocide. Because the latter connects war propagandists to campaigns that involve war crimes, it is the form that has occupied the attention of tribunals and most legal theorists. Perhaps no other theorist has been more preoccupied with war propaganda that encourages mass violence than the legal scholar Susan Benesch. According to Benesch (2008), without more precise data on the motivations of perpetrators, the propagandistic conditions that encourage violence cadres can only be inferred from legal and historical cases such as the Holocaust, Rwandan Genocide, and the Yugoslavia Wars. All other things being equal, in each of these cases, it appears that seven conditions contributed to the levels of carnage (Benesch 2008, 2012). These include the repetition of authoritative messages that exploited economic threats, used culturally relevant information, and repeatedly demonized or justified violence against a vulnerable group. To make these conditions applicable to other instances of war crimes and future trials of such, Benesch reduced them to a seven-pronged test (shortened here for the sake of brevity):

1. Did the perpetrators understand the propaganda as a call to violence?
2. Did the war propagandist who delivered such messages carry cultural authority?
3. Did the propagandist exploit cultural, economic, or ethnic threats to encourage violence?
4. Did the propaganda dehumanize the targeted group?
5. Was the targeted group vulnerable to the violence cadres?
6. Was the marketplace of ideas no longer functioning?
7. Was the propaganda repeated?

For Benesch, when all seven factors are evident in cases involving mass violence, it can be said that the war propagandist in question contributed to the mass violence.

In many regards, Benesch's criteria are nothing new for propaganda and genocide studies (e.g., Bernays 1928; Bloxham and Moses 2010). Benesch borrows from both traditions and attempts to synthesize them with legal theory. However, from the vantage point of anthropological linguistics, Benesch does something more. If we grant that war propaganda is a kind of perlocutionary speech act, Benesch's criteria identify the potential felicity conditions that allow war propaganda to incite violence. According to Luke Fleming and Michael Lempert (2011), felicity conditions are those circumstances in which speech acts achieve their affect. These include the

dynamics of the message, the context of its delivery, and the relationship of speakers and receivers. “Such felicity conditions precede, condition, and otherwise constrain the performativity of language; without them the performative utterance wouldn’t count as an act” (6). Thus, Benesch identified the performative conditions that confer power to figures to cause—or more accurately, declare—the practice of violence. The question is: Has Benesch identified the right conditions?

This is an empirical question for ethnographers privy to linguistics to answer, especially with regard to the cultural context of warfare. But if asked whether Benesch’s conditions reflect what we currently know about perpetrators, the answer remains tenuous. Based on the research of those who engage in violence (e.g., Hinton 2005; Mironko 2007; Rosaldo 1980; Straus 2006, 2007), perpetrators are not often influenced by war propaganda *per se*, but by several cultural factors such as hierarchies, social ideologies, and peers. What is more, in such cases, war propaganda may function less like a cause to violence and more like the “green light” for it, which would better reflect the intention thesis behind the Streicher precedent. This latter point is supported by recent studies of terrorism. For instance, research on jihadists finds that many perpetrators are recruited into terrorist cells through incendiary websites that the perpetrator himself sought out (Davis 2007). Likewise, many would-be soldiers in Serbia circulated stories among themselves to justify violence against ethnic groups long before war propagandists called for such violence (Judah 2000). Finally, it takes considerable indoctrination to coerce most persons into undertaking violent acts. In fact, people appear to engage in violence due to situational conditions more than linguistic ones (Browning 1992; Zimbardo 2007). Hence, without further ethnographic data, we do not know whether Benesch’s conditions actually influence the actions of perpetrators.

On the social science side of things, perhaps no other scholar has complemented Benesch more than Anthony Oberschall (2010, 2012). As an expert witness at the ICTY, Oberschall has composed an outstanding report addressing the influence of war propaganda and the efficacy of Vojslav Seselj’s wartime media during the Yugoslav Wars. In that report and elsewhere, Oberschall identifies three types of war propaganda that Seselj and other warmongers used to manipulate communities into supporting mass violence and to direct violence cadres into committing atrocities. First, propagandists draw on believable threats in their society to convince communities and combatants that killing adversaries is necessary and justified. Second, propagandists exploit an “information processing model of mass persuasion” to frame mass violence (2010: 11). Put simply, they use narratives, norms, and mental schemas from their culture not only to put the public into a state of fear or outrage, but also to frame the would-be perpetrators as positive and the soon-to-be victims as negative (11–14). Third, the propagandist draws on cultural discourses of in-group innocence, purity, and heroism to make the perpetrators feel victimized but justified in their violence. Accordingly, Oberschall provides three criteria to match Benesch’s (again shortened for brevity):

1. Did the propagandist manipulate information to justify violence?
2. Were narratives, norms, or schemas exploited to make the public and combatants unusually paranoid or bellicose?

3. Was talk of victimization used amidst cultural discourses to bolster support for brutalities?

Whenever these are affirmed, Oberschall claims that the war propagandist, such as Seselj, can be said to have played an important part in orchestrating mass violence (44).

Yet this raises the question: How likely is it that Oberschall's report will be used to convict Seselj of incitement? The answer is that it is quite unlikely. The problem is that Seselj was only one of several Serbian leaders and organizations to hold forth the same war propaganda that encouraged mass violence in northern Serbia. As a result, Oberschall's report on the social science of war propaganda is unlikely to prove Seselj's individual responsibility for mass violence. However, its excerpts on Seselj's speeches and hate media may expose an immediate and direct relationship between what he said and the violent actions of perpetrators (viz. ethnically cleansing the village of Hrtkovci). Nonetheless, it remains an open question for future research to determine how judges and lawyers at the tribunals interpret reports such as Oberschall's.

In terms of forensic evidence, Predrag Dojcinovic (2012), a criminal researcher for the ICTY, has put forth a cognitive linguistic theory for discovering when war propaganda influences a perpetrator. To connect specific war propaganda to a particular crime, Dojcinovic begins with an interpretation of speech acts that is congruous with Austin's (1962). He claims that "any approach to the analysis of textual propaganda today should begin with the premise that, as physical and intentional manifestations of behavior, words, in fact, are actions" (73). From this premise Dojcinovic infers that propaganda is like an object of sorts that leaves a mental fingerprint on those it affects. A mental fingerprint is the usage of a phrase or set of words by perpetrators that originate with a war propagandist (95). For instance, in Seselj's propaganda campaign, a variety of phrases and words were coined to justify ethnic cleansings, such as the infamous line, "Karlobag–Karlovac–Virovitica" (the conceptual borderline for an expanded Serbian state). Whenever a perpetrator used this phrase to discuss why he or she participated in mass violence, Dojcinovic infers an evidentiary feedback loop—proof of causation. After all, perpetrators would not use such language unless the propagandist—in this case Seselj—influenced them. Indeed, there is some support for Dojcinovic's theory insofar as the ICTR established Ruggiu's guilt on the grounds that Rwandan genocidaires used his phrase *inyenzi* (cockroaches) when referring to Tutsis. What is more, there are scores of media studies showing that perpetrators inspired by certain music lyrics will repeat those lyrics during or soon after an offense (Hansen and Hansen 1991). Still, whether perpetrators of war crimes employ such mental fingerprints remains another inquiry for future research.

It should be stressed that Benesch's, Oberschall's, and Dojcinovic's theories are improvements upon the hypodermic needle theory, but they nevertheless face their own shortcomings on three fronts. First, they are highly abstract and have not been formally subject to historical, ethnographic, or experimental analysis. Second, while

they are aimed at determining the guilt of war propagandists, there is little evidence that they have been taken seriously by tribunals. Third, despite being critical of the new precedent, they do not consider the possibility that it will be repealed or altered in the near future. That is, they aim unblushingly at aiding prosecutors under the new legal criterion for incitement. Yet given the notable shortcomings of the causal thesis, tribunals could repeal the new precedent. In any event, the tribunal has three options: repeal the Akayesu precedent, abide by it but also incorporate perpetrator testimony in judgments, or establish a new crime such as direct incitement to war crimes (Gordon 2012).

Conclusion

As this article highlights, the recent legal shift has brought about a new study of war propaganda that current ethnographies challenge, yet it is also open to several anthropological contributions. I conclude here by outlining three in particular:

1. **Legal ethnographies.** One of the most fascinating studies in recent legal anthropology is Richard A. Wilson's (2011) ethnographic research at the ICTY and ICTR. By studying the culture of legal actors, Wilson discovered that tribunals often write the history of armed conflicts, which in turn is shaped by the manner in which lawyers and judges think about witness testimony and evidence. A similar kind of ethnography is imperative to the study of war propaganda. Such "studying up" is needed to determine the outlook of legal actors regarding the new precedent on war propaganda, the types of evidence for proving causation in international courts, and the value of social-scientific reports on war propagandists or perpetrators.
2. **Perpetrator Ethnographies.** Ethnographic data on perpetrators are necessary for understanding the confluence of cultural factors that influence mass violence. Such data promise to answer several open questions that have emerged in light of the legal shift on incitement and new theories of war propaganda. These include data on felicity conditions, the narratives that are most persuasive to particular societies, and whether perpetrators show evidence of mental fingerprints. Because research among perpetrators is rare, ethnographers who brave this new terrain are likely to make significant contributions to propaganda studies and human rights.
3. **Anthropological theories of war propaganda.** The new theories of war propaganda would be more robust if complemented by ethnographic research. The latter is especially important because the work in the anthropology of violence can fill the missing gaps in the new theories of war propaganda. These include the manner in which war propagandists gain their authority (Mamdani 2001); how violence is culturally conditioned prior to wartime media (Feldman 1991); how marginalized groups become social targets well before violence cadres are formed (Taussig 1984); and how the language of myths, sacred texts, and history are reinterpreted by leaders to inculcate violent ideologies (Malkki 1995).

In addition to these contributions, anthropology and media studies provide several noteworthy methodologies for future research. These include the post-hoc collection of cultural memories from perpetrators, bystanders, and victims regarding wartime experiences (e.g., Hinton 2005), the participant observation of media production and media reception (e.g., Abu-Lughod 1997), and the study of cybernetic systems or the human use of technology in the production of violence in the digital era (e.g., Weber and Bookstein 2011). Furthermore, because conflict in the 21st century now involves the use of the Internet, the study of war propaganda and mass violence will undoubtedly be advanced by cyber anthropology and digitalized ethnographies.

While international law has rekindled the study of war propaganda, anthropology is especially poised among the social sciences to have a far-reaching impact on the subject matter. It is undoubtedly true that the difficulties of understanding war propaganda and its effects are many. Yet the frameworks and methodologies of anthropology promise to balance such conceptual difficulties and legal developments with scientific and humanistic modes of inquiry that are sure to advance future debates about war propaganda and mass violence.

Note

Thanks to Anthony Oberschall and the anonymous reviewers for their suggestions, questions, and insights, and to Candace Alcorta, Richard Sosis, and Richard A. Wilson for their critical reading and constructive comments.

References Cited

- Abu-Lughod, Lila
1997 The Interpretation of Cultures after Television. *Representations* 59:109–133.
- Akhavan, Payam
2001 Beyond Impunity: Can International Criminal Justice Prevent Future Atrocities? *The American Journal of International Law* 95:7–31.
- Atran, Scott
2010 *Talking to the Enemy: Faith, Brotherhood, and the (Un)Making of Terrorists*. New York: HarperCollins.
- Austin, J. L.
1962 *How to Do Things with Words: The William James Lectures Delivered at Harvard University in 1955*. J. O. Urmson and Marina Sbisa, eds. Oxford: Clarendon Press.
- Benesch, Susan
2008 Vile Crime or Inalienable Right: Defining Incitement to Genocide. *Virginia Journal of International Law* 48(3):486–528.
2012 The Ghost of Causation in International Speech Crime Cases. *In Propaganda, War Crimes Trials and International Law: From Speakers' Corner to War Crimes*. Predrag Dojcinovic (ed.). Pp. 254–268. New York: Routledge.

- Bernays, Edward
1928 Propaganda. New York: IG Publishing.
- Bloxham, Donald, and Dirk Moses, eds.
2010 The Oxford Handbook of Genocides. New York: Oxford University Press.
- Browning, Christopher
1992 Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland. New York: HarperCollins.
- Carver, Richard
2000 Broadcasting and Political Transition: Rwanda and Beyond. *In African Broadcast Cultures: Radio in Transition*. Richard Fardon and Graham Furniess, eds. Pp. 188–197. Oxford: James Currey.
- Cassese, Antonio
2008 International Criminal Law. New York: Oxford University Press.
- Chretien, Jean-Paul
1995 Rwanda: les Medias du Genocide [Medias of Genocide]. Paris: Karthala.
- Dallaire, Romeo
2003 Shake Hands with the Devil: The Failure of Humanity in Rwanda. New York: Arrow Books.
- Davis, Benjamin
2007 Ending the Cyber Jihad: Combating Terrorist Exploitation of the Internet with the Rule of Law and Improved Tools for Cyber Governance. *Communication Law Conspectus* 115:119–186.
- Des Forges, Allison
1999 Leave None to Tell the Story: Genocide in Rwanda. New York: Human Rights Watch.
- Dojcinovic, Predrag
2012 Word Scene Investigations: Toward a Cognitive Linguistic Approach to the Criminal Analysis of Open Source Evidence in War Crimes Cases. *In Propaganda, War Crimes Trials and International Law: From Speakers' Corner to War Crimes*. Predrag Dojcinovic, ed. Pp. 71–117. New York: Routledge.
- Feldman, Allen
1991 Formations of Violence: The Narrative of the Body and Political Terror in Northern Ireland. Chicago: University of Chicago Press.
- Fleming, Luke, and Michael Lempert
2011 Introduction: Beyond Bad Words. *Anthropological Quarterly* 84(1):5–14.
- Gordon, Gregory
2005 A War of Media, Words, Newspapers, and Radio Stations: The ICTR Media Trial Verdict and a New Chapter in the International Law of Hate Speech. *Virginia Journal Law* 45(139):1–60.
2012 Formulating a New Atrocity Speech Offense: Incitement to Commit War Crimes. *Loyola University Chicago Law Journal* 43:281–316.
- Gourevitch, Phillip
2000 We Wish to Inform You That Tomorrow We Will Be Killed with Our Families. New York: Picador.

Gryosby, Steven

- 1994 The Verdict of History: The Inexpungible tie of Primordality Huth—A Response to Eller and Coughlan. *Ethnic and Racial Studies* 17(1): 164–171.

Hansen, Christine, and Ranald Hansen

- 1991 Schematic Information Processing of Heavy Metal Lyrics. *Communication Research* 18(3): 373–411.

Hinton, Alex

- 2005 *Why Did They Kill? Cambodia in the Shadow of Genocide*. Berkeley: University of California Press.

Jowett, Garth, and Victoria O'Donnell

- 1986 *Propaganda and Persuasion*. 4th edition. London: Sage Publications Inc.

Judah, Tim

- 2000 *Kosovo: War and Revenge*. New Haven, CT: Yale University Press.

Kearney, Michael

- 2012 Propaganda in the Jurisprudence of the International Criminal Tribunal for the Former Yugoslavia. *In Propaganda, War Crimes Trials and International Law: From Speakers' Corner to War Crimes*. Predrag Dojcinovic, ed. Pp. 231–253. New York: Routledge.

Li, Darryl

- 2004 Echoes of Violence: Considerations on Radio and Genocide in Rwanda. *Journal of Genocide Research* 6(1):9–28.

Malkki, Lisa H.

- 1995 *Purity and Exile: Violence, Memory, and National Cosmology among Hutu Refugees in Tanzania*. Chicago: University of Chicago Press.

Mamdani, Mahmood

- 2001 *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda*. Princeton, NJ: Princeton University Press.

Melvern, Linda

- 2000 *A People Betrayed*. New York: Zed Books.

Mironko, Charles

- 2007 The Effect of RTLM's Rhetoric of Ethnic Hatred in Rural Rwanda. *In The Media and the Rwandan Genocide*. Allan Thompson, ed. Pp. 125–135. London: Pluto Press.

Oberschall, Anthony

- 2010 Volislav Seselj's Nationalist Propaganda: Contents, Techniques, Aims and Impacts, 1990–1994. An Expert Report. The Netherlands: the United Nations International Criminal Tribunal for the former Yugoslavia.
- 2012 Propaganda, Hate Speech and Mass Killings. *In Propaganda, War Crimes Trials and International Law: From Speakers' Corner to War Crimes*. Predrag Dojcinovic, ed. Pp. 171–200. New York: Routledge.

O'Sullivan, Tim, Brian Dutton, and Philip Rayner

- 1994 *Studying the Media*. London: Edward Arnold.

Pauli, Carol

- 2010 Killing the Microphone: When Broadcast Freedom Should Yield to Genocide Prevention. *Atlanta Law Review* 665:1–43.

- Rosaldo, Renato
1980 *Ilongot Headhunting 1883–1974: A Study in Society and History*. Stanford, CA: Stanford University Press.
- Saxon, Dan
2012 Propaganda as a Crime Under International Humanitarian Law: Theories and Strategies for Prosecutors. *In Propaganda, War Crimes Trials and International Law: From Speakers' Corner to War Crimes*. Predrag Dojcinovic, ed. Pp. 118–142. New York: Routledge.
- Severin, Werner Joseph, and James W. Tankard
1979 *Communication Theories: Origins, Methods and Uses*. New York: Hastings House
- Silverstein, Brett
1987 Toward a Science of Propaganda. *Political Psychology* 8(1):49–59.
- Straus, Scott
2006 *The Order of Genocide: Race, Power, and War in Rwanda*. New York: Cornell University Press.
2007 What Is the Relationship between Hate Radio and Violence? Rethinking Rwanda's "Radio Machete." *Politics and Society* 35(4):609–637.
- Taussig, Michael
1984 Culture of Terror: Space of Death. *Comparative Studies in Society and History* 26(3):467–497.
- Taylor, Telford
1992 *The Anatomy of the Nuremberg Trials*. New York: Little Brown and Company.
- Weber, Gerhard, and Fred Bookstein
2011 *Virtual Anthropology: A Guide to a New Interdisciplinary Field*. New York: Springer.
- Wilson, Richard A.
2011 *Writing History in International Criminal Trials*. New York: Cambridge University Press.
N.d. "A Possible Causal Link?" Re-examining the Causation Requirement in Direct and Public Incitement to Commit Genocide. Submitted for journal review.
- Yanagizawa-Drott, David
N.d. Propaganda and Conflict: Evidence from the Rwandan Genocide. Unpublished MS, Economics, Harvard University.
- Zimbardo, Phillip
2007 *The Lucifer Effect: Understanding How Good People Turn Evil*. New York: Random House Inc.

Case Cited

Brandenburg v. Ohio, 395 U.S. 444 (1969).