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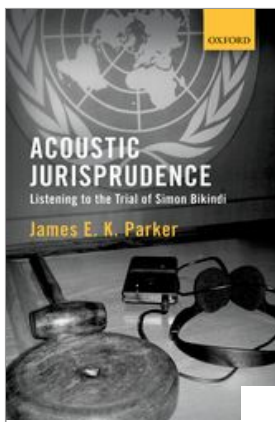
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Acoustic Jurisprudence: Listening to the Trial of Simon Bikindi

James E K Parker

ABSTRACT

Between September 2006 and December 2008, Simon Bikindi stood trial at the International Criminal Tribunal for Rwanda (ICTR), accused of inciting genocide with his songs. Bikindi's trial was unprecedented. Never before had an international court or tribunal been called upon to determine a musician's culpability for acts of genocide. This book explores how the ICTR went about that difficult task. In doing so, however, it takes a particular interest in questions of sound and listening, which it is argued have been seriously neglected in contemporary legal scholarship. One half of the book is addressed to the Tribunal's 'sonic imagination'. How did the Tribunal conceive of Bikindi's songs for the purposes of judgment? How did it understand the role of radio and other media in their transmission? Why? And with what consequences for Bikindi? The other half of the book is addressed to how such concerns manifested themselves acoustically in court. Bikindi's was a 'musical trial', as one judge observed. Recordings of his songs were played regularly throughout. Witnesses including Bikindi himself frequently sang. Indeed, at his appeals hearing Bikindi even sang his final statement. And all the while, judges, barristers, and witnesses alike spoke into microphones and listened on through headphones. As a result, the Bikindi case offers an ideal opportunity to explore what this book calls the 'judicial soundscape'. Though addressed to a single case, the book's most important innovation is to open up the field of sound to jurisprudential inquiry. Ultimately, it is an argument for a specifically acoustic jurisprudence.

Keywords: International Criminal Law, jurisprudence, genocide, Rwanda, sound, acoustics, music, radio, media, Simon Bikindi

BIBLIOGRAPHIC INFORMATION

Print publication date: 2015

Print ISBN-13: 9780198735809

Published to Oxford Scholarship Online: November 2015

DOI:10.1093/acprof:oso/9780198735809.001.0001

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