

Report on Rwanda  
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## I. Introduction

The crises that followed the 1994 genocide in Rwanda captured the world's attention, generating a morbid display of belated concern from around the globe. United Nations (UN) agencies, governmental bodies and nongovernmental organizations (NGOs) from around the world rushed in to this tiny central African country with their humanitarian toolboxes ready for action, their sudden interest in helping Rwanda fueled by a potent cocktail of collective guilt mixed with much-belated human empathy. As nearly two million Rwandans fled their homes in the days, weeks and months following the genocide, approximately 2.5 billion international aid dollars were funneled into the refugee camps that framed Rwanda's borders.<sup>1</sup> In the years that followed, billions more dollars were spent by international donors toward the project of post-genocide humanitarian intervention and reconstruction in Rwanda. These dollars were critical in alleviating the surface level of the human catastrophe that faced Rwanda in July 1994. They helped to clean up the nearly one million bodies that were rotting in outhouses, roads, rivers and mass graves across the country. They provided basic healthcare services and food aid for thousands of Rwandan citizens. They assisted in the rebuilding of the many houses and buildings that had been destroyed during the months of killing. Finally, they helped to address the economic and political vacuum that was Rwanda in the months following the genocide, a project for which many international governments, agencies and organizations remain in Rwanda up to the present day.

Yet all of these dollars did not mask the fact that approximately 800,000 individuals had been brutally slaughtered in the space of three months, that Rwanda's pre-genocide population of approximately 8 million people had been quite literally decimated in the fastest mass killing in recorded history. They did not mask the fact that all of this had taken place while the

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<sup>1</sup> Elizabeth Neuffer, *The Key to My Neighbor's House: Seeking Justice in Bosnia and Rwanda* (New York: Picador Books, 2001), 249.

“international community” not only turned a blind eye to the violence that was brewing in the early months of 1994 Rwanda, but adamantly refused to take any substantive action to stop the violence once it had started.<sup>2</sup> These dollars did not erase the pain of the hundreds of thousands of women and girls, some as young as two years old, who had been subjected to sexual violence of unspeakable brutality during the infernal months of 1994.<sup>3</sup> Neither did they erase the pain of the many survivors who had seen their entire families slaughtered, many right before their eyes. They did not return parents to the 95,000 children orphaned by the genocide.<sup>4</sup> And, above all, these dollars did not, could not have, dissipated the animosities, structured across ethnic lines, that had provided the fuel for the genocide, and that had made this incomprehensibly gruesome political strategy an achievable reality in 1994 Rwanda.

Perhaps one of the most important aspects of international aid to post-genocide Rwanda, however, one that seeks to address these very animosities at their socio-cultural roots, has been the concerted international involvement in supporting the process of post-genocide reconciliation in Rwanda. In recognition of the central importance of this particular process in the context of contemporary Rwanda, this paper will focus on this one facet of Rwanda’s post-conflict process. Noting the fundamental inseparability of the process of reconciliation from the political intricacies of post-genocide Rwanda, as well as the evident dialectical interaction between post-genocide politics and this process of reconciliation, this paper will explore and analyze some of the many aspects of the relationship between politics and reconciliation in contemporary Rwanda. Before delving into this discussion, however, it is first necessary to understand the various historical processes that led up to the 1994 genocide, and that thus created a situation in which such a process of reconciliation has become not only necessary, but truly pivotal. In this light, this

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<sup>2</sup> It is well documented that the UN, as well as many individual governments, were aware of the plans for the genocide months before it actually began. See Alison Des Forges, *Leave None to Tell the Story: Genocide in Rwanda* (New York: Human Rights Watch, 1999), 18. Also see United Nations, “Report of the Independent Inquiry into the Actions of the United Nations during the 1994 Genocide in Rwanda,” 16 December 1999, <<http://www.un.org/News/dh/latest/rwanda.htm>> (7 April 2004).

<sup>3</sup> Binaifer Nowrojee, *Shattered Lives: Sexual Violence during the Rwandan Genocide and its Aftermath* (New York: Human Rights Watch, 1996), 24.

<sup>4</sup> United Nations Children’s Fund, “Rwanda: Ten years after the genocide,” n.d., <[http://unicef.org/infobycountry/rwanda\\_genocide.html](http://unicef.org/infobycountry/rwanda_genocide.html)> (7 April 2004).

chapter will now turn to an overview of select themes from Rwanda's history, and then to a background discussion of theoretical and comparative conceptualizations of the process that has become known in scholarly parlance as "post-conflict reconciliation."

### *Background to Genocide*

There are three principal ethnic groups in Rwanda – the Hutu, Tutsi, and Twa. Throughout the 20<sup>th</sup> century, the numerical breakdown of these groups was approximately 84% Hutu, 15% Tutsi, and 1% Twa.<sup>5</sup> Although Rwandans of Tutsi ethnicity comprised the bulk of the individuals killed during the genocide, it is generally thought that this breakdown remains largely the same today, and that the many Tutsi refugees that returned to Rwanda after the 1994 genocide replaced numerically the hundreds of thousands of Tutsis who were killed during this time.<sup>6</sup> Given that the Rwandan genocide involved the systematic massacre of one particular ethnic group, it is tempting to attribute the genocide merely to primordial ethnic hatred and thus to relegate it to the realm of ancient and therefore intractable conflicts. Such a simple explanation, however, does not even begin to touch on the complex interplay of political, economic, historical and cultural factors that together gave birth to this mass human tragedy. Thus, in attempting to grasp the causative origins of the genocide, scholars point to everything from ethnic animosity to economic inequality, from colonial history<sup>7</sup> to political opportunism, and from ecological pressure to the vicissitudes of the stringent economic policy reforms that accompanied the World Bank's aid and loan packages.<sup>8</sup>

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<sup>5</sup> Des Forges, 31-37.

<sup>6</sup> The Rwandan refugee diaspora was the result of the events surrounding and following the 1959 "Social Revolution" in Rwanda. During this time, many large-scale massacres of Rwandan Tutsis took place, causing many Tutsis to flee to neighboring countries, particularly Uganda, Burundi and the Democratic Republic of the Congo.

<sup>7</sup> Rwanda was first colonized by the Germans in 1897, and was taken over by Belgium in 1916 during World War I. Belgium officially relinquished its imperial control over Rwanda in 1962.

<sup>8</sup> For further discussions of the many factors that contributed to the 1994 genocide, see Des Forges; Mahmood Mamdani, *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda* (New Jersey: Princeton University Press, 2001); David Newbury, "Understanding Genocide," *African Studies Review* 41, no. 1 (1998): 73-97; Gérard Prunier, *The Rwanda Crisis, 1959-1994: History of a Genocide* (New York: Columbia University Press, 1997); Peter Uvin *Aiding Violence: The Development Enterprise in Rwanda* (West Hartford, Connecticut: Kumarian Press, 1998).

Without denying this complexity, however, it must be stressed that the 1994 genocide in Rwanda was, above all else, a *political event*. The violence of 1994 did not appear in a political vacuum. Rather, it appeared in the context of a civil war in Rwanda that had begun in October 1990 as a result of military incursions into Rwanda's northern region that were led by the Tutsi-dominated Rwandan Patriotic Army (RPA).<sup>9</sup> In light of these ongoing invasions, and in the context of growing demands from moderate political voices to bring an end to the single-party state that had governed Rwanda since 1973, the Rwandan government, under the direction of President Juvénal Habyarimana, was faced with growing threats to its power. This sense of imminent threat was only reinforced by the Arusha Accord signed into law in August 1993. This internationally-monitored peace agreement mandated a transition to a power-sharing government in Rwanda. This new "transitional" government was intended to include a number of different political parties, to incorporate the Rwandan Patriotic Front (RPF)<sup>10</sup> into the Rwandan political structure, and to integrate the armed forces with the RPA.<sup>11</sup>

In this context, the Arusha Accord, along with the menacing presence of the RPA on Rwanda's northern border, provided a clear enemy against which the exclusionary "Hutu Power" movement, once an extremist political party relegated to the "fringe" of Rwandan politics, could move into "the mainstream of respectable politics."<sup>12</sup> This extremist movement forged an alliance with the *akazu*,<sup>13</sup> the group that effectively monopolized the bulk of political power under the Habyarimana regime and that thus likewise balked at the threat of multi-party reforms. In this context, the Hutu

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<sup>9</sup> The Rwandan Patriotic Army (RPA) was a guerrilla army originally formed in Uganda within a diasporic Rwandan population comprised primarily of Tutsi refugees (see Footnote 6). The sons of these early Rwandan refugees in Uganda eventually formed the RPA. See Mamdani, *When Victims Become Killers*, 159-184.

<sup>10</sup> The Rwandan Patriotic Front, or RPF, is the political party that evolved alongside the Rwandan Patriotic Army (RPA).

<sup>11</sup> Des Forges, 123-125; Bruce D. Jones, "The Arusha Peace Process," in Howard Adelman and Astri Suhrke, eds., *The Path of a Genocide* (New Brunswick and London: Transaction Publishers, 1999); Republic of Rwanda, "The Arusha Peace Agreement," n.d., <<http://www.rwanda1.com/government/historyf.html>> (9 April 2004).

<sup>12</sup> Mamdani, *When Victims Become Killers*, 189.

<sup>13</sup> *Akazu*, or "little house," is the term commonly used to denote the group of individuals associated with President Habyarimana. This group exercised significant political power during the period of Habyarimana's rule, and included individuals who had special connections to the President either through regional affiliation or through family ties. It especially included the extended family of the President's wife.

Power movement, led by Colonel Bagasora (also the head of Habyarimana's Presidential Guard), began to exercise unprecedented power within the politics of early 1990s Rwanda. During this time, anti-Tutsi ideologies were actively propagated, fears of "Tutsi power" were revived and nurtured, and massacres against Tutsis began to be organized and implemented on a sporadic basis across the country. Using the Tutsis as a convenient scapegoat both for the heightening political threats and also for growing economic decline, political leaders effectively mobilized the Rwandan population against an ethnically-defined Tutsi threat. It was in this context that the 1994 genocide began, and that Rwandans of Tutsi ethnicity, as well as politically moderate Hutu individuals and their families, were murdered *en masse*.<sup>14</sup>

Although planned, organized and implemented at the highest levels of government, the genocide was nonetheless carried out by hundreds of thousands of ordinary Rwandans who used machetes and other small arms to torture, rape and kill their victims.<sup>15</sup> Scholars speculate about whether this mass participation was supported by fear of the consequences of refusing to engage in the slaughter, by hopes of personal gain, by a culture in which obedience to authority was both culturally mandated and deeply instilled, or simply by raw ethnic prejudice.<sup>16</sup> Whether this mass participation can be attributed to any one of these factors or whether it must instead be understood as a combination of all of them, the fact remains that this killing was, for the most part, structured around ethnicity, and that it was fueled by a discourse of ethnic prejudice.

#### *Ethnicity and Power in Rwanda: a Brief History*

Both as an ascriptive category and as a historical process, ethnicity in Rwanda is ridden with uncertainties. Although generally considered within academic scholarship to be a category that denotes cultural difference, ethnicity in Rwanda is not in fact a cultural marker, for the different ethnic groups in this country share the same language, the same customs, and the same

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<sup>14</sup> For a full discussion of the political background to the genocide, see Des Forges, 47-93; Mamdani, *When Victims Become Killers*, 185-233.

<sup>15</sup> Mamdani, *When Victims Become Killers*, 196.

<sup>16</sup> *Ibid.*, 200; Prunier, 242-248.

culture.<sup>17</sup> Because of this apparent inconsistency between the usual definition of ethnicity and the actual reality of ethnicity in Rwanda, scholars have long debated the origins of ethnic difference in Rwanda, and the question of whether this difference is based in class, better resembles the concept of “caste,” or in fact reflects the distinct historical origins of the three Rwandan groupings.<sup>18</sup>

What is resoundingly clear in examining the history of ethnicity in Rwanda, however, is that, more than anything, ethnicity in Rwanda is about power, a means of structuring access to and exclusion from political and economic power. It is for this reason that, when discussing ethnicity in the Rwandan context, the author finds it most useful to employ anthropologist Mahmood Mamdani’s conception of ethnicity as political identity, a conception based on his argument that ethnic identity must be understood as a direct consequence of the way in which power is organized in relation to the state.<sup>19</sup> Such a “processual approach to ethnicity” is also articulated by Catharine Newbury, a well-known historian of Rwanda, who maintains that ethnicity must be seen as a dynamic process that develops in relation to state power and political processes.<sup>20</sup> These particular interpretations of ethnicity are critical to understanding Rwanda, not only because they allow us to see the concrete political implications and origins of ethnicity, but also because they emphasize that ethnicity, rather than being a primordial, static, and thus insurmountable reality, is in fact a historical *process*. Of equal importance, this approach to ethnicity as “political identity” allows us to extricate ourselves from the highly contested (and ultimately irresolvable) question of the historical origins of the Hutu and Tutsi groups in Rwanda.<sup>21</sup>

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<sup>17</sup> Des Forges, 31-38; Prunier, 1-40.

<sup>18</sup> For a taste of these debates, see Des Forges, 31-38; D. Newbury, 73-97; Mamdani, *When Victims Become Killers*, 41-75.

<sup>19</sup> Mamdani, *When Victims Become Killers*, 22.

<sup>20</sup> Catharine Newbury, *The Cohesion of Oppression* (New York: Columbia University Press, 1988), 14.

<sup>21</sup> There are two main competing interpretations of the nature of ethnicity in precolonial Rwanda. Some claim that in the precolonial era, Tutsi, Hutu and Twa lived in harmony, and that it was European colonialism that introduced and created cleavages between these groups. Others assert that the precolonial period involved the brutal conquest of the Hutu and Twa by the Tutsi “who imposed an oppressive, exploitative rule,” and that colonial rule only intensified these already-deep divisions. However, as historian Catharine Newbury points out, these two stances “reflect political positions more than valid historical reconstruction” and ignore the complex historical processes that have shaped the current form of

In approaching Rwandan ethnicity as “political identity,” this question of origins is relegated to the background and we can instead focus on the development of the *meaning* attributed to these categories, and on how people understand and have understood this distinction over time.

With this theoretical background in mind, it is possible to trace the linkages between ethnicity and power over the course of Rwandan history. This linkage was already evident in Rwanda long before Europeans, first German and then Belgian, established a presence there in 1897.

Nonetheless, there remains a great deal of uncertainty about what ethnic categories actually meant in precolonial Rwanda and on what basis they were structured. Many historians, for example, note that clear physical differences existed between the Hutu and the Tutsi groups,<sup>22</sup> but just as many scholars underline the inconsistency of such physical difference as a marker of ethnic difference in precolonial times. At the same time, while it is generally agreed that Hutu as a group tended to be primarily agriculturists, while Tutsi as a group tended to be cattle-herders,<sup>23</sup> scholars emphasize the need to historicize this occupational pattern as an artifact “created alongside the institutionalized power of the Rwandan state.”<sup>24</sup> Other explanations note that Tutsi as a category tended to denote access to economic power, while Hutu as a category tended to be marked by the lack of access to such power.<sup>25</sup> Whatever the scholarly disagreements, however, there is a general agreement that the precolonial categories of Hutu and Tutsi were fairly flexible, and were characterized by a relatively high degree of intermarriage<sup>26</sup> as well as by socio-cultural processes that allowed individuals to move, over time, between ethnic groupings.

Nonetheless, during the latter half of the nineteenth century, the flexibility of these categories started to diminish, and their political meanings began to increase. During this time, the Tutsi

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ethnicity in Rwanda. See Catharine Newbury, “Ethnicity and the Politics of History in Rwanda,” *Africa Today* 45, no. 1 (1999): 7.

<sup>22</sup> The stereotypical construction of Tutsis envisions them as “extremely tall and thin, and often displaying sharp, angular facial features” (Prunier, 5). Hutus are stereotyped as being shorter, with flatter and broader facial features.

<sup>23</sup> Prunier, 5.

<sup>24</sup> Mamdani, *When Victims Become Killers*, 51.

<sup>25</sup> C. Newbury, *The Cohesion of Oppression*, 11-12.

<sup>26</sup> Mamdani, *When Victims Become Killers*, 53-4; C. Newbury, *The Cohesion of Oppression*, 12.

monarchy,<sup>27</sup> their rule once confined to the central region of present-day Rwanda, began to undertake a major territorial expansion. It was in the process of this expansion that ethnicity in Rwanda began to acquire a distinct rigidity, as well as to acquire the polarized quality that it still holds today. This expansion entailed not only the physical extension of the Tutsi monarchy's rule, but also the gradual consolidation and centralization of its political and economic power. This was accomplished by changes in the manner in which chiefships were allocated by the monarchical administration, by the introduction of new structures of patron-client relations, and by the state-sponsored revision of traditional structures of land ownership.<sup>28</sup>

As Catharine Newbury points out, the collective result of these changes was a pronounced increase in the social stratification between the increasingly oppressed Hutu peasantry and the cattle-owning Tutsi ruling class, and the rigidification of the once-flexible categories of Hutu and Tutsi.<sup>29</sup> In sum, this process involved the "transformation of the Tutsi nobility into a well defined social class," the increasing association of the category "Tutsi" with proximity to power (even though it was only a small Tutsi minority with such access to power), and the institution of a markedly stratified and hierarchical society ruled by a small section of the Tutsi class.<sup>30</sup> It is also important to note, however, that although the central monarchy was predominantly Tutsi, Rwanda's nineteenth-century political structure included not only the central monarchical administration, but also a complex system of overlapping (and multi-ethnic) chiefdoms that together served as a system of checks and balances against the monarchical state.<sup>31</sup>

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<sup>27</sup> The Tutsi monarchy in Rwanda, which can be traced to the 14<sup>th</sup> century, was, during of the 19<sup>th</sup> century, led by the *nyiginya* clan, one of 12 Tutsi clans in 19<sup>th</sup> century Rwanda. For a fuller discussion of this topic, see René Lemarchand, *Rwanda and Burundi* (New York: Praeger Publishers, 1970), 26-30, 499; Jan Vansina, *L'évolution du royaume rwanda des origines à 1900* (Bruxelles: Academie Royales des Sciences d'Outre-Mer, 1999).

<sup>28</sup> Ian Linden, *Church and Revolution in Rwanda* (Oxford: Manchester University Press, 1977), 15-16; C. Newbury, *The Cohesion of Oppression*, 16-17, 38-40, 81-90; Vansina.

<sup>29</sup> C. Newbury, *The Cohesion of Oppression*, 12, 38-72.

<sup>30</sup> Linden, 17-18; C. Newbury, *The Cohesion of Oppression*, 11, 51.

<sup>31</sup> René Lemarchand, *African Kingships in Perspective: Political Change and Modernization in Monarchical Settings* (London: Frank Cass and Company Limited, 1977), 77-8; C. Newbury, *The Cohesion of Oppression*, 95-150.



An understanding of the precolonial past, however, is not sufficient to fully fathom the contemporary nature of ethnicity in Rwanda, for colonization left indelible markings on Rwanda's ethnic structure. By the end of the colonial era, the linkages between ethnicity and power had been fundamentally altered as a result of the many changes wrought by the colonial state. Beginning in 1897 with the establishment of German colonial rule in Rwanda, and continuing until 1962 when Rwanda officially gained its independence from Belgium, Rwanda's colonial administrators (first German, then Belgian) critically reinforced the growing tendency towards ethnically structured social stratification.

The European attitude towards ethnicity in Rwanda revolved around the "Hamitic hypothesis." This then-fashionable "theory" held that all peoples exhibiting signs of "true civilization" in Africa must have been descended from a superior "Caucasoid" race originally from northeastern Africa.<sup>32</sup> In relation to Rwanda, this theory led to the construction of Tutsis as a group that was considered both foreign and also distinctly superior to the Hutu majority.<sup>33</sup> As anthropologist Johan Pottier explains, "Belgian colonists contributed to the ideology of (élite) Tutsi self-consciousness an explanation of 'physical difference' in terms of ancestral migration – for which there was no firm empirical basis – and they made *all* Tutsi superior, *all* Hutu inferior."<sup>34</sup> This stands in stark contrast to the precolonial linkages between Tutsi and power, in which context it was only the Tutsi élite, primarily drawn from the *nyiginya* clan, who were socially constructed as superior to the Hutu.

This perceived racial divide was not purely ideological, but was translated into concrete institutional policies. Implemented by the colonial state in Rwanda, these policies explicitly

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<sup>32</sup> In the case of Rwanda, it was assumed that the precolonial Tutsi monarchy was evidence of foreign descent, for Europeans refused to believe that such a symbol of "civilization" as a monarchy could have its origins in "savage" sub-Saharan Africa. Based on this assumption, the Europeans assumed that the Tutsis as a group must be of foreign descent.

<sup>33</sup> Lemarchand, *African Kingships in Perspective*, 74-5; Mamdani, *When Victims Become Killers*, 35, 80, 88; Prunier, 7; Des Forges, 36; Christopher Taylor, *Sacrifice as Terror: The Rwandan Genocide of 1994* (Oxford & New York: Berg, 1999), 55-94.

<sup>34</sup> Johan Pottier, *Re-imagining Rwanda: Conflict, Survival and Disinformation in the Late Twentieth Century* (Cambridge: Cambridge University Press, 2002), 112.

favored the Tutsi and effectively excluded the Hutu from all positions of power within both the colonial and the monarchical administrations, thus significantly sharpening the polarization of Hutu and Tutsi identities. Starting in 1926, the Belgians implemented a series of reforms under which Hutus were systematically removed from all positions of political power<sup>35</sup> and the control of the existing Tutsi monarchy further centralized and concentrated. Furthermore, Hutus were indirectly excluded from access to political power by the denial of access to education, the gateway to political power under the Belgian colonial administration.<sup>36</sup> These policies of ethnic differentiation were fully and finally codified with the 1933 Belgian introduction of mandatory identity cards. By including ethnic categories, these cards decisively rigidified the once flexible categories of ethnicity in Rwanda and also provided a practical means for the implementation of discriminatory policies and practices. In addition to thus constructing ethnicity as the basis both of political organization and political exclusion, the colonial era was also characterized by increasing economic exploitation along ethnic axes. This was closely linked to the process of political privilege described above, for the increased political power invested in Tutsi chiefs by the European colonial administrations, in combination with the destruction of earlier mechanisms of political accountability wrought by these administrations, effectively allowed the Tutsi chiefs to exploit their newly-enhanced power for their own economic gain.<sup>37</sup>

The result of this colonial reconfiguration of ethnicity was that on the eve of the 1959 revolution that led to Rwanda's independence, "forty-three chiefs out of forty-five were Tutsi as were 549 sub-chiefs out of 559,"<sup>38</sup> and political power in Rwanda continued to remain largely confined within a "closed oligarchy of a few noble lineages" drawn from the ruling Tutsi class.<sup>39</sup> The fundamental outcome of this system of ethnic privilege institutionalized under colonialism, however, was not only increasing political and economic inequality, political oppression, and economic exploitation. More precisely, it was inequality, oppression and exploitation that carried

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<sup>35</sup> Des Forges, 35; Lemarchand, *African Kingships in Perspective*, 77-8; Prunier, 25.

<sup>36</sup> Linden, 152; Des Forges, 35.

<sup>37</sup> C. Newbury, *The Cohesion of Oppression*, 117-121, 131-40, 151-2.

<sup>38</sup> Prunier, 27.

<sup>39</sup> C. Newbury, *The Cohesion of Oppression*, 3.

an increasingly powerful connotation of ethnic polarization:<sup>40</sup> “Just as the Tutsi oligarchy derived an additional sense of corporate solidarity from its exposure to Western education and technology, the Hutu as a group were made all the more conscious of their cultural and economic separateness by the ruthless enforcement of *corvée* labour and other types of [taxes].”<sup>41</sup>

The result of this growing ethnic polarization was the bloody 1959 “Social Revolution” that, first and foremost, targeted the Tutsi ruling élite, secondarily targeted the Belgian colonizers, and that eventually resulted in Rwanda’s independence in 1962.<sup>42</sup> This revolution was driven by a populist fervor, and demanded democratic reforms that would allow for popular participation in the political structure as well as an address to the widespread poverty and general rural discontent that characterized the majority Hutu population.<sup>43</sup> Although the increasing ethnic polarization evident across Rwanda in the late 1950s gave it the “appearance of an ethnic revolution,” the 1959 revolution, as Catharine Newbury explains, is best understood as a revolution of the peasants as a class rather than the Hutu as an ethnic group.<sup>44</sup> Furthermore, although “Hutu consciousness” was certainly a central driving force of the revolution as well as a product of the revolutionary movement,<sup>45</sup> Newbury emphasizes that it was not Hutu leaders who “created” this Hutu ethnic consciousness. Rather, she writes, “it would be more accurate to argue that Tutsi chiefs, through their use and abuse of power, created Hutu consciousness.”<sup>46</sup>

Over forty years have passed since the formal end of the colonial era in Rwanda in 1962, but the patterns of ethnicity as the basis of political organization and the concomitant pattern of deeply embedded ethnic polarization have continued to characterize Rwanda’s political environment over the course of the past forty years. As Mamdani underlines, the 1959 “Social Revolution,” although it succeeded in overturning both Tutsi and Belgian political dominance in Rwanda,

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<sup>40</sup> Ibid., 207.

<sup>41</sup> Lemarchand, *African Kingdoms in Perspective*, 79.

<sup>42</sup> C. Newbury, *The Cohesion of Oppression*, 195; Pottier, 124.

<sup>43</sup> C. Newbury, *The Cohesion of Oppression*, 192.

<sup>44</sup> Ibid., 181.

<sup>45</sup> Ibid., 180-206.

<sup>46</sup> Ibid., 209.

utterly failed either to challenge or to transcend the categories of Hutu and Tutsi as the means of political organization,<sup>47</sup> and instead embraced ethnicity as the basis for revolutionary mobilization.<sup>48</sup> As noted Rwanda historian Gérard Prunier notes, this independence movement, rather than being a true “Social Revolution,” more closely resembled an “ethnic transfer of power,”<sup>49</sup> as illustrated by the Hutu political monopoly that lasted from 1962 up until the 1994 genocide.

In light of this long history of ethnic relations, it is clear that ethnicity in Rwanda is both highly complex and often dangerously potent. As a category that has historically been used to structure access to economic and political power, it is also a category with the power to evoke marked fear in the Rwandan people, both fear of the lack of access to economic resources as well as fear of exclusion from political participation and representation. Furthermore, as it is a grouping that has historically been used to justify and to structure oppression and violence, it also has the power to evoke mortal fear, both fear of individual death and also fear of collective elimination. All of these fears came into play during the months preceding the 1994 genocide. During this time, fears of “Tutsi power” and of a return to a remembered era of oppressive Tutsi rule were intentionally mobilized through the media as a powerful incitement to ethnic hatred and killing.<sup>50</sup> Fears of Hutu massacres at the hands of the advancing (Tutsi-dominated) RPA were manipulated in a similar manner. False rumors were spread about Tutsi attacks on Rwandan Hutus, and government officials and propagandists spread fears about Tutsi infiltration and attacks throughout the Rwandan countryside.<sup>51</sup> In sum, fear was used as a political weapon. It was a weapon with a history, a history that made it strong enough to leave a tenth of Rwanda’s population dead within the space of three months.

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<sup>47</sup> Mamdani, *When Victims Become Killers*, 16.

<sup>48</sup> Mahmood Mamdani, “African states, citizenship and war: a case-study,” *International Affairs* 78, no. 3 (2002): 500.

<sup>49</sup> Gérard Prunier qtd. in Mamdani, *When Victims Become Killers*, 133.

<sup>50</sup> Des Forges, 65-89; Taylor, 151-179.

<sup>51</sup> Des Forges, 78-79, 88-89.

*Reconciliation: in theory, in post-genocide Rwanda, and in comparative perspective*

It was into this scene of mass destruction and death that the Rwandan Patriotic Front (RPF) came into power in the months following the genocide. This party evolved out of the Rwandan Patriotic Army (RPA) that brought an end to the genocide, and has dominated Rwanda's government ever since. A party that was birthed out of the horror of genocide, the RPF, as the leader of the post-1994 Rwandan political administration, has inherited the responsibility of leading Rwanda through its process of post-conflict recovery. In partnership with various international community actors, whose guilty conscience has propelled them into an extremely active role in post-genocide Rwanda, the Rwandan government has been engaged in a massive project of national reconstruction and rebuilding over the course of the last ten years. Not only concentrating on the more tangible goals of economic and political reconstruction, however, this administration has also recognized the central importance of actively initiating and promoting a process of socio-cultural reconciliation as a key element of this fragile recovery stage. No mere "feel-good" matter, this process of reconciliation is understood to be fundamentally critical to Rwanda's future, for if the animosities that provided the socio-cultural fuel for the government-instituted genocide are not actively addressed and transcended, and the newer social tensions created as a result of these 1994 events likewise gone beyond, this recovering country will remain ever vulnerable to future occurrences of mass violence.

Before delving into a discussion of the particular nature of Rwanda's own process of reconciliation, however, it is first necessary to take a step back, and to consider how the concept of "reconciliation" is understood theoretically in the context of post-conflict situations. The term "reconciliation" itself embodies a variety of meanings. A word often associated with Christian concepts of forgiveness and mercy,<sup>52</sup> it is also a term that evokes a psycho-social process of healing and regeneration.<sup>53</sup> In looking specifically at the concept of reconciliation in post-conflict

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<sup>52</sup> For an example of such an understanding of reconciliation, see Miroslav Volf, "The Social Meaning of Reconciliation," *Interpretation* 54, no.2 (2000): 158.

<sup>53</sup> Ronald J. Fisher, "Social-Psychological Processes in Interactive Conflict Analysis and Reconciliation," in Mohammed Abu-Nimer, ed., *Reconciliation, Justice and Coexistence* (Lanham, MD: Lexington Books, 2001), 25-45.

situations, however, one scholar explains that this term generally “refers to the processes by which parties that have experienced an oppressive relationship or a destructive conflict with each other move to attain or to restore a relationship that they believe to be minimally acceptable.”<sup>54</sup> In addition to this basic understanding, reconciliation in post-conflict situations is also often understood to be “the process of healing the traumas of both victims and perpetrators after violence,” which process provides a “base upon which justice and peace can be constructed.”<sup>55</sup>

In sum, as one of many elements within the larger context of post-conflict peacebuilding,<sup>56</sup> reconciliation is seen as the socio-cultural part of this larger process that, in principle, renders the negotiated settlements and resolutions to the earlier violent conflict durable in the long-term.<sup>57</sup> In this context, the central challenge of reconciliation is the reconstruction of a “single political community,”<sup>58</sup> in which all sides of the conflict are incorporated within a single collective.<sup>59</sup> A process that clearly focuses on socio-cultural concerns, it also must necessarily extend to the political and economic arenas of society, for many of the issues so essential to the reconciliation process, such as justice and peace, can only be accomplished by efforts that bridge the gap between culture, the state and the economy.

Within this general definition of post-conflict reconciliation, different scholars nonetheless emphasize different aspects of the reconciliation process. Some scholars highlight its restorative intent,<sup>60</sup> some focus on the mutual harmony and cooperation that must be reestablished between

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<sup>54</sup> Louis Kriesberg, “Changing Forms of Coexistence,” in Mohammed Abu-Nimer, ed., *Reconciliation, Justice and Coexistence* (Lanham, MD: Lexington Books, 2001), 48.

<sup>55</sup> Johan Galtung, “After Violence, Reconstruction, Reconciliation, and Resolution: Coping with Visible and Invisible Effects of War and Violence,” in Mohammed Abu-Nimer, ed., *Reconciliation, Justice and Coexistence* (Lanham, MD: Lexington Books, 2001), 3.

<sup>56</sup> For a broader discussion of the peacebuilding process, see John Paul Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies* (Washington, DC: United States Institute of Peace Press, 1997).

<sup>57</sup> Fisher, 26.

<sup>58</sup> Mamdani, *When Victims Become Killers*, 266.

<sup>59</sup> Mahmood Mamdani, “The Truth According to the TRC,” in Ifi Amadiume and Abdullahi An Na’im, eds., *The Politics of Memory: Truth, Healing and Social Justice* (London: Zed Books, 2000), 182-183; Also see Sophie Albert, “International Law and National Reconciliation in Peacebuilding,” in Michael Pugh, ed., *Regeneration of War-Torn Societies* (New York: St. Martin’s Press, 2000), 177.

<sup>60</sup> Mamdani, “The Truth According to the TRC,” 182.

mutual antagonists and/or between antagonists and victims,<sup>61</sup> others stress the necessity of mutual renunciation of active feelings of hate, fear and desires for revenge,<sup>62</sup> and still others see reconciliation as the locus where efforts to achieve truth, mercy, justice and peace conjoin.<sup>63</sup> Peacebuilding scholar John Paul Lederach's conception of *relationship* as the basis of sustainable solutions to violent conflict encompasses all of these different aspects. In sum, he proposes that reconciliation is a process of "building relationship between antagonists,"<sup>64</sup> a process that is "not pursued by seeking innovative ways to disengage or minimize the conflicting groups' affiliations, but instead is built on mechanisms that engage the sides of a conflict with each other as humans-in-relationship."<sup>65</sup> Lederach describes this process as an encounter in which different groups' mutual concerns about both the past and the future can be openly discussed, and a mutually-shared vision of the future constructed.<sup>66</sup>

Although the idea of "reconciliation" is closely related to the concept of "coexistence," many scholars take care to differentiate these two concepts. Johan Galtung, a scholar widely considered to be the founder of the discipline of "Peace Studies," in fact divides the idea of coexistence into two categories, "passive coexistence" and "active coexistence."<sup>67</sup> Conflict resolution scholar Louis Kriesberg expands on this distinction, pointing out that although coexistence "generally refers to an accommodation between members of different communities or separate countries who live together without one collectivity trying to destroy or severely harm the other," it is "often understood to go beyond this minimal level, to include a sense of mutual tolerance and even respect."<sup>68</sup> While the former, or "passive" version of coexistence does not include the restorative depth implied in the term "reconciliation," the latter, or more "active" form of coexistence is in fact very similar to ideas of reconciliation, yet still suggests a much more passive concept than does the term "reconciliation." It must be noted, however, that when the

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<sup>61</sup> Fisher, 26.

<sup>62</sup> Louis Kriesberg 1997, qtd. in Fisher, 26-7.

<sup>63</sup> Lederach, 29-30.

<sup>64</sup> Ibid., 34.

<sup>65</sup> Ibid., 26.

<sup>66</sup> Ibid., 27.

<sup>67</sup> Galtung, 3.

<sup>68</sup> Kriesberg, "Changing Forms of Coexistence," 48.

term “coexistence” is used in general parlance, it is the “passive” form that is most often being invoked.

Grasping the complexity of these many conceptions of reconciliation is critical to understanding the way that this term is employed in Rwanda, in which context ideas of restoration of inter-group and inter-personal relationships, of healing, justice, cooperation and peacebuilding all come into play. This paper does not purport to privilege any of these definitions as the “true” definition of reconciliation, but instead recognizes that the many explanations of reconciliation cited above are all potentially valid definitions, all of which must, to one degree or another, be part of any truly full and effective reconciliation process. Instead of focusing on these various facets of reconciliation themselves, however, this paper will seek to explore the diverse and often divergent ways that this term is understood and employed by the Rwandan government, the Rwandan people, and the various international actors who interact with post-genocide Rwanda. Nonetheless, this paper does follow the scholars cited above in recognizing an important distinction between “reconciliation” and “coexistence.” Thus, when using the term “coexistence,” this paper intends to point to a more passive and superficial understanding of the post-conflict socio-cultural process than the process referred to when discussing reconciliation.

As is clear in the above discussion, reconciliation represents an extraordinarily complex project, and this intrinsic complexity is reflected in the various methods suggested as means of furthering the process of reconciliation. First, it is clear that there are many different levels of society within which the process of reconciliation must take place, including the individual, the family, the group, and the official or governmental levels.<sup>69</sup> Structural aspects of reconciliation must be addressed (such as implementing human rights safeguards, reducing social inequities, or developing ties across groups), just as institutional projects of reconciliation must be implemented (such as Truth and Reconciliation Commissions, educational institutional reform, and public ceremonies or commemorations). At the same time, the interpersonal level cannot be ignored, which level

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<sup>69</sup> Louis Kriesberg, “Paths to Varieties of Intercommunal Reconciliation,” in Ho-Won Jeong, ed., *Conflict Resolution: Dynamics, Process and Structure* (Aldershot, UK: Ashgate Publishing, 1999), 106.



encompasses such initiatives as small group workshops, post-traumatic therapy, and personal meetings.<sup>70</sup>

The interaction between these different structural, institutional and interpersonal levels is illustrated by conflict resolution scholar Mari Fitzduff in her examination of the case of Northern Ireland. Fitzduff outlines three approaches by which reconciliation is being tackled in this country. The first she discusses is rights/equality work that addresses issues of inequality and discrimination, and that particularly seeks to redress major economic inequities at the level of state policy.<sup>71</sup> The second approach she highlights is “coexistence/diversity work, which addresses issues of cultural and political inclusion,”<sup>72</sup> and that includes diversity initiatives implemented both through symbolic measures such as “Irish-language street signs” as well as through practical initiatives such as those created to institute diversity in the police force.<sup>73</sup> The third approach she discusses is “reconciliation-interdependence work, which addresses issues of dialogue and reconciliation.”<sup>74</sup> Such interdependence initiatives, she notes, have included projects ranging from women’s groups working in dialogue and cooperation initiatives, to community initiatives begun as a means to jointly address larger social needs.<sup>75</sup> Although Fitzduff divides these different reconciliation initiatives into thematic approaches, it is clear that these measures also comprise an address to the tri-level structural, institutional, and interpersonal framework that was outlined above.

In addition to these different levels of reconciliation, there are several different dimensions to this process. As Kriesberg discusses, these different dimensions include “(1) truth, in the sense of shared understandings of it and at least recognition of varying views of it, (2) justice, whether in the form of punishment of wrongdoers or of a new, more equitable system of relations, (3)

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<sup>70</sup> Ibid., 113-118.

<sup>71</sup> Mari Fitzduff, “The Challenge to History: Justice, Coexistence, and Reconciliation Work in Northern Ireland,” in Mohammed Abu-Nimer, ed., *Reconciliation, Justice and Coexistence* (Lanham, MD: Lexington Books, 2001), 257-259.

<sup>72</sup> Ibid., 257-258.

<sup>73</sup> Ibid., 260-3.

<sup>74</sup> Ibid., 257-8.

<sup>75</sup> Ibid., 264-6

remorse and forgiveness, either of which may be expressed independently of the other or that are carefully exchanged, and (4) person and/or group safety and security.”<sup>76</sup> Also important to note in this context is that while both top-down and bottom-up approaches have their place within the process of reconciliation,<sup>77</sup> many scholars warn that reconciliation cannot merely be officially decreed or demanded.<sup>78</sup>

Within this comprehensive framework, however, different scholars suggest a variety of strategies. Many scholars put the acts of apology and forgiveness at the center of the reconciliation process.<sup>79</sup> Other focus on group identity, and the need for both sides in a conflict to “rehumanize” their previously dehumanizing visions of each other.<sup>80</sup> Others focus on the need to fully address and deal with trauma issues, both through “public acts of healing,” such as truth commissions, and through more “private acts of healing.”<sup>81</sup> Still others focus on the need to create a “dialogical framework” in which “all relevant actors” can “communicate and negotiate about their perspectives, grievances, demands and so forth,” especially in situations where history itself is contested.<sup>82</sup>

Justice is not absent from these considerations of reconciliation, but most scholars acknowledge that there are key limitations of criminal justice in post-conflict situations.<sup>83</sup> Thus, in discussing justice in the context of post-conflict reconciliation, many scholars point to “restorative justice,” a

<sup>76</sup> Kriesberg, “Changing Forms of Coexistence,” 60.

<sup>77</sup> Kriesberg, “Paths to Varieties of Intercommunal Reconciliation,” 119-122.

<sup>78</sup> Juan Méndez, “Latin American Experiences of Accountability,” in Ifi Amadiume and Abdullahi An Na’im, eds., *The Politics of Memory: Truth, Healing and Social Justice* (London: Zed Books, 2000), 136.

<sup>79</sup> Fisher, 38-9; Marc Gopin, “Forgiveness as an Element of Conflict Resolution in Religious Cultures: Walking the Tightrope of Reconciliation and Justice,” in Mohammed Abu-Nimer, ed., *Reconciliation, Justice and Coexistence* (Lanham, MD: Lexington Books, 2001), 87-100.

<sup>80</sup> Lisa Schirch, “Ritual Reconciliation: Transforming Identity/ Reframing Conflict,” in Mohammed Abu-Nimer, ed., *Reconciliation, Justice and Coexistence* (Lanham, MD: Lexington Books, 2001), 152.

<sup>81</sup> Joseph V. Montville, “Justice and the Burdens of History,” in Mohammed Abu-Nimer, ed., *Reconciliation, Justice and Coexistence* (Lanham, MD: Lexington Books, 2001), 133-4.

<sup>82</sup> Abdullahi An-Na’im and Svetlana Peshkova, “Social Movements Revisited: Mediation of Contradictory Roles,” in Ifi Amadiume and Abdullahi An Na’im, eds., *The Politics of Memory: Truth, Healing and Social Justice* (London: Zed Books, 2000), 77.

<sup>83</sup> Martha Minow, *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence* (Boston: Beacon Press, 1998); Mica Estrada-Hollenbeck, “The Attainment of Justice through Restoration, not Litigation,” in Mohammed Abu-Nimer, ed., *Reconciliation, Justice and Coexistence* (Lanham, MD: Lexington Books, 2001).

concept that aims “to reconcile conflicting parties while repairing the injuries from the crimes.”<sup>84</sup> In this context, punishment, restitution and compensation are seen not as ends in themselves but as elements within a larger context of reconciliation. One example of such an attempt to grapple with the joint issues of restorative justice and reconciliation is the Truth and Reconciliation Commission (TRC) set up by the post-apartheid South African government. Recalling the focus on truth in the process of reconciliation that was mentioned above, one of the principal goals of the South African TRC has been to develop shared understandings of “the reality of past and present relations,” and to thus provide “a base upon which justice, remorse/forgiveness, and peace can be gradually constructed.”<sup>85</sup> Problematizing the role of truth and of justice in the post-conflict process, however, some scholars question whether the “institutionalized” version of truth uncovered by the TRC is in fact useful to the process of reconciliation.<sup>86</sup> Similar issues relating to truth and justice come up again and again in looking at the process of reconciliation in Rwanda, and will be discussed at length in later chapters of this paper.

In sum, reconciliation is a process that extends to every arena of society. The process of reconciliation, however, is in no sense an “easy ride,” but is a process that is ridden with challenges. Difficulties that emerge in this process include “opposition from élites, backlash from ‘rejectionists,’ persistence of incompatible goals and lack of political progress, re-politicization of peace-building initiatives, [and] lack of human and material resources.”<sup>87</sup> In looking at Bosnia/Herzegovina (BiH), a country emerging from a genocidal conflict that is in many ways similar to that of Rwanda, peacebuilding scholar Barry Hart discusses two of these challenges, the potential politicization of reconciliation initiatives and the key question of resources. Emphasizing that reconciliation in such an extreme situation can only achieve its goals if undergirded by “financial and long-term commitment,” Hart notes that obtaining time, money and local political will for reconciliation initiatives continues to be a central challenge in post-conflict

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<sup>84</sup> Estrada-Hollenbeck, 74; For a similar discussion, also see Wendy Lambourne, “Justice and Reconciliation: Postconflict Peacebuilding in Cambodia and Rwanda,” in Mohammed Abu-Nimer, ed., *Reconciliation, Justice and Coexistence* (Lanham, MD: Lexington Books, 2001), 311-338.

<sup>85</sup> Kriesberg, “Changing Forms of Coexistence,” 61.

<sup>86</sup> Mamdani, “The Truth According to the TRC,” 177.

<sup>87</sup> An Na'im and Peshkova, 77.

BiH. Turning to politics, Hart also notes that “internal political blockages” present another key challenge to the successful implementation of reconciliation initiatives.<sup>88</sup> These issues are not only unique to BiH, but also represent critical issues in Rwanda’s own process of reconciliation.

In addition to these central challenges, other scholars note yet further potential stumbling blocks common to the process of post-conflict reconciliation. Discussing the question of identity so central to any consideration of ethnically-structured conflict, Fisher points out that the process of reconciliation can present a stark threat to individuals’ own identities. “In ethnopolitical conflict,” he explains, “one group’s identity often incorporates the rejection of the other’s identity and legitimacy as a people.”<sup>89</sup> Consequently, he elaborates, the process of reconciliation, or of transforming these divisive constructions of identity, is an inherently challenging process.<sup>90</sup> Another such difficult revolves around the question of memory, and in relation to BiH, Hart stresses the need to prevent the memory of war from “emotionally crippling” the region’s people.<sup>91</sup> Finally, in addition to these concerns regarding identity and memory, Fitzduff discusses the inherent tension in the process of post-conflict reconciliation between actors who privilege structural addresses to reconciliation and those who privilege psycho-cultural perspectives. In her discussion of Northern Ireland, she maintains that the recognition of mutual complementarity between these two approaches has been vital to the effective progression of this post-conflict process.<sup>92</sup>

As with all of these examples taken from other post-conflict societies, the process of reconciliation in Rwanda is an overwhelmingly complex undertaking. While the crux of this process in Rwanda is how to “incorporate a *guilty majority* alongside an aggrieved and *fearful minority* in a single

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<sup>88</sup> Barry Hart, “Refugee Return in Bosnia and Herzegovina: Coexistence before Reconciliation,” in Mohammed Abu-Nimer, ed., *Reconciliation, Justice and Coexistence* (Lanham, MD: Lexington Books, 2001), 296.

<sup>89</sup> Fisher, 35.

<sup>90</sup> Ibid.

<sup>91</sup> Hart, 303-4.

<sup>92</sup> Fitzduff, 268.

political community,”<sup>93</sup> this process necessarily involves a multi-faceted address to issues of justice in all of its forms, to concerns regarding socio-economic security, equality and distribution, to society-wide dialogue about Rwanda’s history, and to the meaning of ethnicity itself. In recognition of all of these factors involved in the process of post-conflict reconciliation, the post-genocide Rwandan government has instituted a variety of policies that collectively aim to address different aspects of this reconciliation process. First, as the present government considers reconciliation in post-genocide Rwanda inseparable from the pursuit of justice for the heinous crimes of the genocide, one of the key reconciliation measures of this administration has been the recent inauguration of the participatory-based *gacaca* courts.<sup>94</sup> The second key element in the RPF government’s strategy of reconciliation is the reengineering of ethnicity in Rwanda. In sum, this process revolves around the goal of “national unity,” and hinges on the idea, propounded by the RPF government, that ethnicity has only ever created violence in Rwanda, and that in order to avoid the violence inherent in this construction, ethnic identity must be replaced with a new unified “Rwandan identity.” To this end, the government has implemented a number of different programs, key among which are *sensibilisation*, or “awareness,” campaigns, as well as various other “civic education” programs, all of which aim to promote the RPF government’s vision of a unified and ethnicity-free Rwanda.<sup>95</sup>

In addition, the Rwandan government, as well as various civil society organizations, have implemented a number of programs designed specifically to aid the survivors of the genocide. Survivor organizations and collectives, trauma counseling units, and other such organizations

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<sup>93</sup> Mamdani, *When Victims Become Killers*, 266.

<sup>94</sup> Pronounced “ga-cha-cha,” the *gacaca* courts are a judicial system combined of traditional Rwandan participatory approaches to justice and of classical legal precepts. Currently in the process of being implemented across Rwanda, the *gacaca* system is a key legal mechanism for bringing the perpetrators of the 1994 genocide to justice, and is envisioned as a means of punishing their crimes while also contributing to national reconciliation. This system will be discussed in detail in later chapters of this paper. See Republic of Rwanda, “Présentation Générale,” n.d., <<http://www.inkiko-gacaca.gov.rw>> (7 April 2004).

<sup>95</sup> Michael Dorsey, “Violence and Power-Building in Post-Genocide Rwanda,” in Ruddy Doom and Jan Gorus, eds., *Politics of Identity and Economics of Conflict in the Great Lakes Region* (Brussels: University Press, 2000); Nigel Eltringham and Saskia Van Hoyweghen, “Power and Identity in Post-Genocide Rwanda,” in Ruddy Doom and Jan Gorus, eds., *Politics of Identity and Economics of Conflict in the Great Lakes Region* (Brussels: University Press, 2000); Pottier, *Re-imagining Rwanda*; Republic of Rwanda, *Nation-wide Grassroots Consultations Report: Unity and Reconciliation Initiatives in Rwanda*, (Kigali: n.d.), 13-14.

abound in present-day Rwanda. Aiming to also actively incorporate other key groups within post-genocide Rwanda in the reconciliation process, the government currently has several programs underway that are purposed towards the reintegration of former prisoners and of members of the pre-genocide armed forces. Although the Rwandan government has not completely overlooked questions of socio-economic justice, this area of reconciliation has tended to be largely, though not entirely, overlooked by the Rwandan government (and also by international donors) in the context of Rwanda's own process of reconciliation.

All of the various initiatives associated with the Rwandan project of reconciliation are, on the surface, overwhelmingly benign. The problem, however, as this paper will seek to expound, is that the concept of reconciliation is not being used towards entirely benign ends. Instead, as this process of reconciliation is necessarily taking place within a political context, it inevitably has both political connotations and political implications that in turn reflect the nature of the political milieu in which the process of reconciliation is embedded. In the case of Rwanda, as the current government is increasingly characterized by authoritarian tendencies, the political meaning of the concept of reconciliation is inescapably intertwined with the increasingly repressive nature of the state. This paper will seek to probe this relationship between politics and reconciliation, and to highlight the political functions of the discourse surrounding the process of reconciliation in Rwanda.

## Chapter One: The Politics of Reconciliation in Rwanda

As Mahmood Mamdani discusses, “the problem of Rwanda is first and foremost one of political power.” Consequently, he posits, “[t]here can be no reconciliation without a reorganization of power.”<sup>1</sup> Thus, in order to shed some light on what must occur for Rwanda’s process of reconciliation to become truly meaningful, and on how such a “reorganization of power” might take place, this paper finds it necessary to first carefully examine the relationship between power, politics, discourse and reconciliation in contemporary Rwanda. Before launching into a discussion of this complex relationship, however, it is necessary to locate the relationship between politics and reconciliation within the existing literature on contemporary Rwanda. Turning thus to analyses of the current political milieu in Rwanda, two principal themes emerge. The first is the overwhelming concentration of political and economic power in the hands of the RPF, and the second is the equally evident authoritarian leanings and practices of the current RPF regime.

As noted in the previous chapter, the RPF has dominated Rwandan politics since it first came to power in 1994, after having brought an end to the genocide by means of the RPA’s military victory. A recent report from leading international conflict monitor, International Crisis Group, however, notes that this dominance has not been confined to the political domain, but has extended well beyond the realm of politics. As of November 2002, the report notes, “13 out of 15 ambassadors are affiliated with the RPF... 7 out of 9 security services are headed up by the RPF... [with the remaining two] supervised by the RPF in junior posts...all of the institutes of higher education are run by RPF members...8 out of 9 Rwandan banks are managed by RPF members...[and] 25 out of the 29 leaders of the top state-run companies in Rwanda are RPF members.”<sup>2</sup> In addition, this report notes that eleven out of twelve governors, the prosecutor-general, and, of course, the President of the Republic, Paul Kagame, are all RPF members.

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<sup>1</sup> Mahmood Mamdani, *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda* (New Jersey: Princeton University Press, 2001), 268.

<sup>2</sup> International Crisis Group, “Rwanda at the End of the Transition: a Necessary Political Liberalisation,” 13 November 2002, <<http://129.194.252.80/catfiles/2555.pdf>> (4 April 2004), 11.

Although ministers are drawn from all political parties, “12 out of 16 ministries have an RPF secretary general, and at the remaining four ministries, the ministers are RPF.”<sup>3</sup>

In explaining this last statistic, the report explains that the practice of appointing a politically diverse ministry while appointing exclusively RPF secretary-generals effectively “amounts to giving the ministers a post but no power, while the pro-RPF secretary-generals wield the real power.”<sup>4</sup> Various other scholars also discuss this pattern, including Gérard Prunier and conflict management expert Michael Dorsey. They note that, although the Rwandan regime feigns a democratic power-sharing arrangement with former opposition parties,<sup>5</sup> this amounts to little more than a “make-believe exercise.”<sup>6</sup> Instead, this structure masks a pattern in which ministers from non-RPF parties are paired up with RPF individuals who, although apparently subordinate to the minister, are in fact invested by the administration with the real keys to political power in their ministry. As Dorsey observes, “non-RPF ministers have showed a common characteristic since 1997 – limited room to manoeuvre.”<sup>7</sup>

As does the International Crisis Group report mentioned above, Dorsey emphasizes that this concentration of power in the hands of RPF members is not exclusive to politics but also extends to the economic sector. He notes that the leadership of such key Rwandan companies as Rwandex (Rwanda’s leading coffee exporter), Rwandatel (Rwanda’s national telephone company), and Sonarwa insurance company are all affiliated with the RPF.<sup>8</sup> As many scholars

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<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> Between 1994 and August 2003, the RPF held power as a “transitional government,” as per the Arusha Accord of 1993. Presidential and parliamentary elections were recently held in Rwanda (in August and September 2003, respectively), making the RPF’s hold on power at least apparently legitimate, but the fairness and freedom with which these elections were conducted were, as will be discussed in Chapter Three of this paper, highly questionable. Thus, although the government apparently holds the stamp of “democratic” legitimacy, the degree to which it commands such legitimacy from the Rwandan population remains unclear.

<sup>6</sup> Gérard Prunier, *The Rwanda Crisis, 1959-1994: History of a Genocide* (New York: Columbia University Press, 1997), 369.

<sup>7</sup> Michael Dorsey “Violence and Power-Building in Post-Genocide Rwanda,” in Ruddy Doom and Jan Gorus, eds., *Politics of Identity and Economics of Conflict in the Great Lakes Region* (Brussels: University Press, 2000), 316.

<sup>8</sup> Ibid., 324-325.



observe, this concentration of combined political and economic power in the hands of the RPF in effect constitutes the creation of a new *akazu* that mirrors the system of power and privilege that existed under the Habyarimana regime, a network that links politicians, military leaders and businessmen in pillaging state resources, misappropriating international aid, and reaping the benefits of the privatization of public companies.<sup>9</sup>

This RPF “monopoly on power”<sup>10</sup> is made possible by the practice of overt authoritarianism. In this light, International Crisis Group reports that “Rwanda has been in the grip of a hazardous authoritarian drift over the last three years.”<sup>11</sup> During this time, the report notes, grass-roots political organizing has been banned,<sup>12</sup> the “domain of public criticism [has been]...whittled away to nothing,”<sup>13</sup> and nearly forty key political leaders, both Hutu and Tutsi, have been forced into exile, ostensibly for challenging the RPF “party line.”<sup>14</sup> In addition, Pasteur Bizimungu, the President of Rwanda from 1994 to 2000, continues to be held in jail on what are widely considered, within the international human rights community, to be questionable charges.<sup>15</sup> A well-known international NGO, Human Rights Watch, corroborates this repressive trend, listing various other opposition party members who mysteriously “disappeared” in April 2003.<sup>16</sup> The RPF

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<sup>9</sup> Rony Brauman, Stephen Smith, and Claudine Vidal, “Politique de terreur et privilège d’impunité au Rwanda,” *Esprit* 266-267 (2000): 151 [translated by Radha Webley].

<sup>10</sup> International Crisis Group, “Rwanda at the End of the Transition,” 11.

<sup>11</sup> *Ibid.*, 10.

<sup>12</sup> *Ibid.*, 11.

<sup>13</sup> *Ibid.*, 10.

<sup>14</sup> *Ibid.*, 11-12; For a similar discussion, also see Human Rights Watch, “Preparing for Elections: Tightening Control in the Name of Unity,” May 2003,

<<http://www.hrw.org/backgrounder/africa/rwanda0503bck.pdf>> (4 April 2004).

<sup>15</sup> Pasteur Bizimungu, President of Rwanda from 1994 to 2000, and both an RPF member and a Hutu, was forced to resign in 2000 by the RPF party leadership acting in accord with the National Assembly. He was replaced as president of Rwanda by Paul Kagame, formerly Vice President of Rwanda and earlier Major-General of the RPA. This move did not entirely change the location of political power in Rwanda, however, for it is widely understood that although Bizimungu held the post of President for the first six post-genocide years, Vice-President Kagame was in fact the most powerful individual in the Rwandan government. Bizimungu was placed under house arrest in 2001 after launching a new political party, and was jailed in 2002 for supposedly “illegal” political activities, accused of “advocating divisionism.” His political party, the Party for Democracy and Regeneration (PDR), was subsequently banned, though there were no laws on the Rwandan books at the time that prohibited the formation of political parties. He continues to remain in jail, now on charges including treason, embezzlement, attempting to form a militia, illegal possession of firearms, and threatening national security. See International Crisis Group, “Rwanda at the End of the Transition,” 30.

<sup>16</sup> Human Rights Watch, 8-9.

government's authoritarian tendencies, however, are not only evident in the arena of national politics, but also extend into the realm of civil society. In this regard, different NGO reports highlight the government's direct intimidation of human rights associations, its consistent attacks on Ibuka, the principle association of Rwandan genocide survivors, and its banning of a small Rwandan NGO "devoted to conflict resolution."<sup>17</sup> They also note the stringent restrictions imposed on the Rwandan press by the RPF administration.<sup>18</sup>

As further evidence of this trend, Human Rights Watch observes that even RPF membership is sometimes gained by force, with at least some individuals saying that they "joined the RPF because they believed they had no choice" and others maintaining that they had been "threatened with sanctions if they chose not to do so."<sup>19</sup> These repressive practices are reinforced by the felt omnipresence of the RPF Intelligence Service that, as Dorsey discusses at length, effectively constrains any potential space for political dialogue.<sup>20</sup> Also contributing to this omnipresence of the state are the five "local defense force" representatives that watch over each of Rwanda's 10,000 local *cellules*<sup>21</sup> in the name of the state, their state legitimization and state-sponsored arms giving them an official stamp of approval for tyrannical behavior.<sup>22</sup> At the same time, beatings, fines, and even arbitrary imprisonment for local government administrators who are not deemed sufficiently obedient are not uncommon.<sup>23</sup> Predictably, such practices, accompanied by the various restrictions on civil society outlined above, have effectively squelched any viable political opposition.

Various scholars note that this concentration of power within the hands of the RPF is not without ethnic connotations. Although not an explicitly Tutsi party, the RPF is nonetheless dominated by

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<sup>17</sup> International Crisis Group, "Rwanda at the End of the Transition," 13; Human Rights Watch, 10-13.

<sup>18</sup> International Crisis Group, "Rwanda at the End of the Transition," 14-15; Human Rights Watch, 11.

<sup>19</sup> Human Rights Watch, 3.

<sup>20</sup> Dorsey, 312.

<sup>21</sup> "Cellules," often translated as "communes," are the smallest political unit in Rwanda, each comprising approximately eight-hundred individuals.

<sup>22</sup> Brauman, Smith, and Vidal, 152.

<sup>23</sup> Ibid.

individuals of Tutsi ethnicity.<sup>24</sup> Given this fact, the political dominance of the RPF represents a clear perpetuation of the ethnically structured political organization of the colonial era.<sup>25</sup> In fact, as Rwanda expert Filip Reyntjens noted as early as 1999, the “tutsisation of the state machinery” is evident in everything from the Tutsi majority in the National Assembly, to the 14 out of 18 Tutsi general-secretaries in Rwanda’s different governmental ministries.<sup>26</sup> It is evident, Reyntjens maintains, in the fact that approximately 80% of Rwanda’s mayors were Tutsi, the fact that out of the fourteen army and police officers in high command, only one was Hutu, and also in the overwhelming preponderance of Tutsi individuals holding key posts within the judiciary.<sup>27</sup> All in all, as of late 2003, 90% of the posts within the administration were held by Tutsis.<sup>28</sup> As Reyntjens stresses, “One does not have to suffer from ethnic fundamentalism in order to see that a regime claiming to fight ethnicity is actually spearheading ethnic policies.”<sup>29</sup>

Such a “Tutsisation” is not only evident in the realm of politics. In the domain of education, for example, as of 1997, 95% of the academic staff at the National University in Butare were Tutsi, as were 80% of their students, 90% of the judges being trained for the Justice Department, and 95% of the army, police, and “Local Defense Units.”<sup>30</sup> Now, just as in the colonial era, the political and economic dominance of the Tutsi as a group is clear. Nonetheless, the current version of Tutsi dominance has an additional twist, for the current system privileges not only Tutsis in general, but particularly Tutsis who grew up in the Rwandan diaspora, and most specifically those diaspora-born Tutsis with Ugandan origins. Dorsey notes that within the army, 25 of the 27 principal posts are held by Rwandan Tutsis from Uganda, 10 by Rwandan Tutsis from Burundi, and 3 by Tutsis born and raised in Rwanda, and that “every one of the unit commanders of the RPA is ‘Ugandan.’” He notes the same Ugandan Tutsi dominance in the

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<sup>24</sup> Dorsey, 316-17, 324, 327.

<sup>25</sup> Ibid.

<sup>26</sup> Filip Reyntjens, “Talking or Fighting? Political Evolution in Rwandan and Burundi, 1998-1999,” *Current African Issues* 21 (Uppsala: Nordiska Afrikainstitutet, 1999): 5-6

<sup>27</sup> Ibid., 5-6.

<sup>28</sup> Danielle de Lame, “Deuil, commémoration, justice dans les contextes rwandais et belge: otages existentiels et enjeux politiques,” *Politique Africaine* 92 (2003): 5.

<sup>29</sup> Reyntjens, 6.

<sup>30</sup> Prunier, 369.

Intelligence Service, noting that such individuals hold all of the key leadership positions in this organization.<sup>31</sup> Not only a matter of overt discrimination, some of this discrimination is accomplished quite indirectly, by subtle structures that favor the Ugandan-diaspora (English-speaking) Rwandan Tutsis. For example, as English is the preferred language at university, the university system indirectly favors these Ugandan “returnees.”<sup>32</sup>

This “Tutsisation,” or the institutionalized revival of a binary “ethnic logic,”<sup>33</sup> also has another side. In sum, the ethnic logic that remains at the heart of official messages is that “every Hutu is a suspect because his ethnic group is guilty for the genocide.”<sup>34</sup> In essence, the RPF administration has effectively used the history of the genocide to summarily criminalize the Hutu as a group, a process in which the genocide itself has been put to the service of the interests of a minority in power who are desperate to maintain that power at whatever cost.<sup>35</sup> The specific ways by which the history of the genocide is manipulated to this end will be discussed later in this chapter. In the meantime, what must be underlined is that now, more than ever, “ethnicity in Rwanda has come to mask social inequalities,”<sup>36</sup> or a social structure in which, as described above, individuals of Tutsi ethnicity hold a disproportionate share of the keys to economic and political power, whether in the domains of education, law enforcement, business, or politics.

Beyond these discussions of the increasingly authoritarian, ethnicized and exclusive nature of contemporary Rwandan politics, another important topic to highlight in the existing literature is the link between politics and discourse in Rwanda. Before looking at different analyses of this linkage, however, it is first necessary to examine the more general question of state-sponsored knowledge construction in present-day Rwanda, as a means of beginning to understand how it is that the RPF administration has exercised and continues to exercise such extraordinary political power.

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<sup>31</sup> Dorsey, 327.

<sup>32</sup> de Lame, 4.

<sup>33</sup> Mamdani, *When Victims Become Killers*, 35; Prunier, 329-331.

<sup>34</sup> Brauman, Smith, and Vidal, 156.

<sup>35</sup> de Lame, 155.

<sup>36</sup> *Ibid.*, 5.

Anthropologist Johan Pottier is one scholar who has examined the issue of knowledge construction under the RPF in great detail. Writing in 2002, he discusses how the RPF has displayed “exceptional skill at converting international feelings of guilt and ineptitude into admissions that the Front deserves to have the monopoly on knowledge construction.”<sup>37</sup> This project of monopolizing knowledge in post-genocide Rwanda, he notes, has included international journalists, academics, diplomats and aid workers, all of whom, as Pottier illustrates, have helped “to popularise and spread an RPF-friendly but empirically questionable narrative.”<sup>38</sup> These narratives, he discusses, are disseminated through academic works, NGO reports, and international mass media outlets ranging from France’s Le Monde to Belgium’s De Morgen, to the United Kingdom’s Guardian. Noting that history has not been taught in schools since the genocide, due to the practical difficulty of rewriting history books that would be considered acceptable in the current political climate, Pottier discusses how the Rwandan government actively works with these academics and journalists as vehicles of knowledge production and reproduction, using them to propagate its own versions of history and knowledge. Focusing on this interaction between Rwandan government discourse and the international community’s reproduction of this discourse, he highlights some of the concrete effects of this internationally-reproduced knowledge, particularly in regard to the ability of the Rwandan government to successfully pursue its own political and military objectives with minimal interference from the international community.<sup>39</sup>

The particular narratives that Pottier examines are the reconstructions both of precolonial and early colonial Rwandan history and of the history of the 1959 “Social Revolution.” In relation to precolonial history, he demonstrates how the RPF administration has revived idealized conceptions of precolonial history, conceptions that “mask the pre-colonial origins of ethnicity in

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<sup>37</sup> Johan Pottier, *Re-imagining Rwanda: Conflict, Survival and Disinformation in the Late Twentieth Century* (Cambridge: Cambridge University Press, 2002), 202.

<sup>38</sup> Ibid., 53.

<sup>39</sup> Ibid., 127-178.

Rwanda, gloss over “significant social complexities,”<sup>40</sup> and attempt to summarily deny the precolonial origins of ethnicity in Rwanda. These discursive manipulations, he explains, allow the RPF administration to claim that “there is only one ethnicity: Rwandan”<sup>41</sup> and also to erase from history the inequalities of the precolonial (Tutsi) monarchy.

Pottier points out that this “academic rewriting encouraged by the RPF”<sup>42</sup> extends to the 1959 social revolution, and that this second revisionist history works to the same end as the first. He discusses how this revisionist history has revived old and now discredited theories that the 1959 pro-democracy movement was the work of only a few “isolated individuals,” and has thus erased both the multi-ethnic nature of this movement and also the fact that the revolution targeted “the Tutsi aristocracy and monarchy, not ‘the Tutsi’” as a group. In sum, Pottier demonstrates how the RPF has essentialized 1959 as an anti-Tutsi movement, and has thus discredited its democratic and egalitarian aims and instead justified both the “victim” status and the perceived legitimacy of the RPF administration.<sup>43</sup> Seen together, Pottier emphasizes, these revisionist histories comprise an intellectual justification for Tutsi minority rule, by discrediting the Hutus’ historical political aspirations, legitimizing Tutsi rule, and denying the saliency of ethnic categories.<sup>44</sup> Furthermore, he stresses, this one-sided rewriting of history poses a potentially dangerous obstacle to the present process of national reconciliation, as reconciliation will remain impossible without a “shared understanding of history.”<sup>45</sup> This point mirrors much of the theoretical discussion of reconciliation in the previous chapter.

Scholars Nigel Eltringham and Saskia van Hoyweghen go one step further than does Pottier in their discussion of knowledge construction in present-day Rwanda, for they point out that this “victim/victimiser” dichotomy effectively constructs all Tutsi as victims of genocide and all Hutu as

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<sup>40</sup> Ibid., 111.

<sup>41</sup> Ibid., 119.

<sup>42</sup> Ibid., 123.

<sup>43</sup> Ibid., 123-126.

<sup>44</sup> Ibid., 111.

<sup>45</sup> Ibid., 125.

killers,<sup>46</sup> which opposition has a clear “implied moral hierarchy.”<sup>47</sup> Eltringham and van Hoyweghen deem this revisionist doctrine the “genocide framework,” or the “narrative where the 1994 genocide is singled out as an event producing the only politically correct categories for identification and guidelines for behaviour.”<sup>48</sup> Such binary categories revolve around the victim/victimiser dichotomy, but are also expressed by such binaries as survivor/*génocidaire*,<sup>49</sup> Anglophone/Francophone, and even the Tutsi/Hutu division that this government apparently rejects.<sup>50</sup> These authors show how this framework has been digested by the international community, and how the dichotomies produced by this framework to justify the RPF’s power make either “the formation of a political counterbalance (in whatever form) or open social debate very difficult.”<sup>51</sup> In their discussion, Eltringham and van Hoyweghen, like Pottier, focus on the interaction between RPF government discourse and international actors in the process of knowledge construction. Nonetheless, they pay especial attention to the words of Rwandan government officials, expressed in public speeches and newspapers, in disseminating these constructions of victimhood.<sup>52</sup>

The “genocide framework,” the discursive use of the “victim/victimiser” narrative, and the revisionist histories discussed above are all closely related to another central aspect of the RPF’s discourse, the emphasis on “national unity.” This narrative adds yet another element to the RPF’s revisionist version of Rwandan history by its insistence, within the context of a long-standing and highly contested debate about the origins of the Hutu and Tutsi peoples, on the “politically advantageous” position that the Tutsi have shared historical origins with the Hutu.<sup>53</sup> As anthropologist Christopher Taylor points out, this understanding of history is entirely the reverse

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<sup>46</sup> Nigel Eltringham and Saskia Van Hoyweghen, “Power and Identity in Post-Genocide Rwanda,” in Ruddy Doom and Jan Gorus, eds., *Politics of Identity and Economics of Conflict in the Great Lakes Region* (Brussels: University Press, 2000), 226.

<sup>47</sup> Pottier, 126.

<sup>48</sup> Eltringham and van Hoyweghen, 221.

<sup>49</sup> “*Génocidaire*” literally means “one who has committed crimes of genocide.”

<sup>50</sup> Eltringham and van Hoyweghen, 226.

<sup>51</sup> *Ibid.*, 239.

<sup>52</sup> *Ibid.*, 223.

<sup>53</sup> Christopher Taylor, *Sacrifice as Terror: The Rwandan Genocide of 1994* (Oxford & New York: Berg, 1999), 81.

of the pre-1959 years when “most Tutsi politicians in Rwanda claimed separate origins whereas many Hutu politicians [in reverse to their current position] claimed a single origin for the two ethnic groups.”<sup>54</sup> During the colonial era, it was to the Tutsis’ advantage to “echo the sentiments of colonialists and claim...a separate origin from the Hutu,”<sup>55</sup> in order to capitalize on the privilege accorded them by the colonial administrators. Now, however, in order to minimize notice of the clear ethnic bias in contemporary Rwanda, it is to the distinct advantage of the Tutsi-dominated RPF to do exactly the reverse, and to claim that Rwandans are, and have always been, a unified people.

In essence, the present discourse of “unity” builds on the idealized history of Rwandan ethnicity to claim that polarized ethnic differentiation is an artificial construct and that in order to further the process of post-genocide reconciliation in Rwanda, a concerted effort at national “de-ethnicization” is necessary. In itself, this idea of “national unity” represents overwhelmingly benign intentions. Nonetheless, many scholars note that this idea of “unity” is increasingly being used as a rhetorical means to justify increasing repression by the present government. It is here in the idea of “national unity” that we begin to see the linkages between discourse and power in Rwanda.

In sum, the rise of the discourse of “unity” serves to justify the state’s repressive measures by claiming that such measures are a necessary means of abolishing all elements “that were diverting the peasants from the path to unity,” or of eradicating all “divisionist” activity and sentiment in the Rwandan population.<sup>56</sup> Taylor elaborates on this pattern, noting the increasingly ethnicized nature of the Tutsi-dominated RPF state that, in a contradictory manner, justifies “disappearances” and property seizures in the name of de-ethnicization.<sup>57</sup> Human Rights Watch, in fact, documents this trend in great detail in a 2003 report, noting that “[d]uring the nine years of transition [since the genocide, the Rwandan government] has used the need for unity to attempt

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<sup>54</sup> Ibid., 77.

<sup>55</sup> Ibid., 75.

<sup>56</sup> Dorsey, 336.

<sup>57</sup> Taylor, 52.



to justify increasingly tight control over political life.”<sup>58</sup> This organization notes that the government recently brought charges against forty-six political figures accused of supporting “divisionist ideology,” and that many of these have been forced to flee the country or have since either been imprisoned or mysteriously “disappeared.”<sup>59</sup> This report also notes that the RPF government’s suppression of the press and of civil society organizations discussed above has all been done in the name of “unity.”<sup>60</sup> The sum result of these repressive measures, as this report discusses, is the expansion and consolidation of RPF power.<sup>61</sup>

International Crisis Group corroborates this linkage, pointing out that the RPF is using this discourse of national unity to justify not only their authoritarian practices but also their authoritarian rule itself. As this organization observes, “[t]he restrictions on civil and political liberties are imposed in the name of stability and the duty to promote unity and reconciliation after the genocide.”<sup>62</sup> In essence, by labeling all political opposition as “divisionist,”<sup>63</sup> the government is able to deny the legitimacy of all such opposition, and also to provide justification to both domestic and international audiences for the continuing arrests and silencing of political opponents.<sup>64</sup> Furthermore, by claiming that ethnicity no longer matters in contemporary Rwanda and that it is thus no longer necessary to pay attention to ethnic balance within the civil administration, this discourse also masks the fact that ethnic discrimination (to the favor of the Tutsi) is rife in post-genocide Rwanda.<sup>65</sup>

The discourse of “unity,” however, does not only draw on precolonial history, but also draws on the recent history of the genocide, particularly in relation to the politics surrounding the process of reconciliation in Rwanda. As anthropologist Danielle de Lame discusses, the Rwandan government is adept at manipulating the politics of memory through commemorative ceremonies

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<sup>58</sup> Human Rights Watch, 2.

<sup>59</sup> Ibid., 8-9.

<sup>60</sup> Ibid., 11.

<sup>61</sup> Ibid., 2-3.

<sup>62</sup> International Crisis Group, “Rwanda at the End of the Transition,” 2.

<sup>63</sup> Ibid.

<sup>64</sup> Human Rights Watch; International Crisis Group, “Rwanda at the End of the Transition.”

<sup>65</sup> International Crisis Group, “Rwanda at the End of the Transition,” 4-18; Prunier, 369; Reyntjens, 5-9.

geared towards political ends.<sup>66</sup> As she hints at, this emphasis on constant commemoration of the 1994 genocide serves as a constant reminder of the consequences of “divisionism,” and the emphasis on reconciliation and justice thus serves to feed into a “ritual usage of history”<sup>67</sup> that supports the RPF government’s claims of “national unity.”

In addition to the performative impact of such commemorations in constructing historical knowledge of the 1994 genocide, and the clear impact of the arbitrary imprisonments and other repressive measures noted in the previous paragraphs in communicating the present government’s messages regarding “unity” and “divisionism,” Dorsey also points to various other means of disseminating these messages.<sup>68</sup> In particular, he focuses on public statements by government officials, and on the rhetorical impact of national newspapers. In addition, he discusses what he deems an “awareness/repression diptych,” where public awareness campaigns are employed by the RPF to disseminate these messages, but, if proven unsuccessful, are followed up by repressive measures designed to forcibly dispose of those “diverting the peasants from the path to unity.”<sup>69</sup>

As is clear from this chapter’s discussion thus far, many scholars and NGO reports highlight the relationship between the reconciliation process and the political environment in Rwanda, such as the quest for “national unity” and also the evident process of authoritarian consolidation. They do not, however, except for some of the brief allusions mentioned above, as well as similar brief allusions by historian Jean-Pierre Chrétien,<sup>70</sup> make a direct link between the discourse of reconciliation itself and this process of political consolidation. Neither do they examine the concrete effects of this discourse within the domain of the international donor agencies who play a critical role in contributing to Rwanda’s post-genocide process of reconciliation. Finally, although various scholars cited above discuss the topic of knowledge construction under the RPF,

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<sup>66</sup> de Lame, 5-6.

<sup>67</sup> Ibid., 2-3.

<sup>68</sup> Dorsey, 312-336.

<sup>69</sup> Ibid., 336.

<sup>70</sup> Jean-Pierre Chrétien, “Le Rwanda piégé par son histoire,” *Esprit* 266-267 (2000): 179-189.

and the interaction between the RPF and international actors in this process, none of those cited, with the possible exception of Dorsey and de Lame, devote significant time to examining the specific platforms upon which this knowledge is constructed amongst the Rwandan population itself. In sum, what is missing from the existing literature is an analysis that takes both one step backward, to examine the larger question of reconciliation as it is discursively constructed in Rwanda and also the dynamics of *how* this reconstruction is effected, and also one step forward, to examine both the domestic and the international effects of this discourse, and of the various revisionist discourses included within it.

This paper will explore just these questions, and will attempt to establish direct linkages between the various political processes outlined in this chapter and the political use of the discourse of reconciliation in contemporary Rwanda. It will examine the ways in which this discourse suppresses the question of ethnicity to the clear political benefit of the (minority) Tutsi-dominated RPF. It will explore the ways in which the RPF's re-configuration of identity constructs in Rwanda *through* the discourse of reconciliation likewise privileges the RPF and bolsters their own hold on power. It will investigate the rhetorical function of concepts of history and of justice in this process. Finally, it will analyze the many ways that this discourse represents the epitome of a process by which the post-genocide Rwandan government has combined constructs of ethnicity with the seemingly irrefutable ideals of "reconciliation" and "justice" in order to garner both the international legitimacy and the aid dollars that are so crucial to the RPF's ability to maintain their hold on political power in Rwanda. Although this paper will necessarily discuss these questions in light of the entire ten-year post-genocide period of RPF rule in Rwanda, it will focus on the period between 2000 (when Paul Kagame, the current Rwandan President, was first appointed to the presidency) and the present day.

### *Sources*

In order to address these many issues surrounding the discourse of reconciliation in Rwanda, this paper will draw on a range of sources. In examining reconciliation as it is conceived within the

official Rwandan government discourse, this paper will look at official government documents related to issues of reconciliation, speeches and conference presentations by key government figures, articles in the quasi-governmental newspaper, New Times, and state-authored responses to contentious NGO reports. Recognizing that actions speak just as loudly as words, this paper will also examine the performative role of official commemorations and memorial sites, the *gacaca* court meetings, and governmental acts of repression (as documented in news reports and NGO analyses) in reproducing the government discourse of reconciliation. In addition, this paper will draw on interviews with state officials (both by myself, by different journalists, and by NGO researchers). In the case of my own interviews, official interview subjects were chosen due to either their prominent positions or representative roles within the Rwandan government, specifically in the areas of justice and of reconciliation.

In looking at non-official conceptions of reconciliation, this paper will draw primarily on interviews (by myself, journalists, and NGO researchers). It will also examine filmed interviews conducted by documentary journalists. In the case of my own interviews in this category, interview subjects fall into three main categories: genocide survivors, *gacaca* judges, and NGO researchers working in Rwanda. In the case of the former two categories, interview subjects were randomly chosen from three different regions of Rwanda, in an attempt to get a representative sample and some geographical diversity. In the case of interviews with NGO researchers, subjects were chosen from key organizations in Rwanda working in the areas of human rights, justice, and reconciliation. Researchers from both Rwandan and international organizations were interviewed.

In looking at the role of the international community in this process, this paper will examine statistical documentations of aid inflows to Rwanda in the past few years as well as looking at some of the specific projects that this aid money is intended to finance. This paper will also analyze statements given by key donor agencies regarding their perceptions of the process of reconciliation in Rwanda, and their own participation in this process. In this regard, speeches by

key donor agency officials, website statements and official reports by donor agencies, as well as journalistic and academic interviews with donor agency officials, will all be considered.

### *Structure*

Following this first chapter's placement of this paper's argument within the context of the existing literature, this paper will be divided into three more chapters and a conclusion. The second chapter will focus on establishing the disjuncture evident in Rwanda between reconciliation in official government discourse and reconciliation in the experience of non-official Rwandan citizens. Focusing particularly on the *gacaca* courts as a lens through which to analyze the topic of reconciliation in general, this chapter will also examine other key themes within the RPF government's reconciliation rhetoric, in an attempt to illustrate the principal discursive features of the "discourse of reconciliation" in Rwanda as well as to introduce some of the key contradictions and inconsistencies within this discourse.

The third chapter of this paper will turn to a deeper analysis of the discourse of reconciliation. This chapter will discuss some key theoretical issues related to the function of discourse and to the theoretical relationship between discourse and power. Drawing on this theory, this chapter will then explore how the discourse of reconciliation is effectively being manipulated by the RPF government towards concrete (domestic) political ends. It will specifically examine the ways that ethnicity, history and justice are conceived within this discursive framework, as well as the political implications of these conceptions. As an illustration of how these various themes come together to support tangible political processes, this chapter will end with a discussion of the August 2003 presidential elections in Rwanda.

The fourth chapter will broaden the focus of the third chapter to consider the use and function of the discourse of reconciliation within the international arena. Specifically, this chapter will highlight the international donor community's monetary response to this discourse, as well as the concrete effects of international aid dollars on Rwandan politics and power dynamics.

Finally, the conclusion of this paper will illustrate how the cooptation of the currently-employed *discourse* of reconciliation is in fact undermining the legitimacy of the *process* of reconciliation itself. The conclusion will compare the process of reconciliation to the various issues discussed in the theoretical and comparative discussion of reconciliation in the introduction to this paper, in order to discuss what is required to make reconciliation in Rwanda a reality in the experience of the Rwandan people. Lastly, the conclusion will discuss the possible ramifications of the RPF government's manipulation of the discourse of reconciliation, and will reflect on the implications of this discursive cooptation for the future of Rwanda.

## Chapter Two – Disjunctures: Reconciliation as Rhetoric

Any understanding of the state-sponsored *discourse* of reconciliation in Rwanda must be understood in relation to the overall *process* of reconciliation in Rwanda. One of the fundamental premises of this paper, however, is that the discourse and the process of reconciliation in Rwanda are characterized by a fundamental disjuncture, that the state's discourse of reconciliation does not altogether reflect the reality of the reconciliation process as it experienced by the general population, even though it is this reality to which this discourse claims to respond. As a means to illustrate the gap between rhetoric and reality in relation to reconciliation in Rwanda, this chapter will seek to illustrate the various narrative disjunctures between the "official" understanding of the process of reconciliation in Rwanda and the understanding of this process from the point of view of ordinary (non-official) Rwandans. Through this discussion, this chapter aims to demonstrate that the version of reconciliation set forth by the government fails to fully incorporate the on-the-ground realities of reconciliation and that it thus fails to serve the social purposes around which it is ostensibly constructed. An understanding of this disjuncture is fundamental to this paper's argument concerning the political function of the discourse of reconciliation in Rwanda, for this understanding opens a space in which to hypothesize that the state discourse of reconciliation serves not purely societal purposes, but in fact serves other (political) aims.

The later chapters of this paper will discuss in detail the RPF government's political use of the discourse of reconciliation. In laying the ground for this discussion, this chapter will simply illustrate the different understandings of reconciliation, according to both official government rhetoric and non-official Rwandan citizens. In this context, this chapter will highlight some of the key features and themes, both rhetorical and pragmatic, around which the official discourse of reconciliation revolves. These include discussions of the newly-implemented *gacaca* courts, the role of truth in the reconciliation process, the role of forgiveness and confessions in this process, and the 2003 provisional release of tens of thousands of genocide suspects from Rwandan prisons. First, however, one important caveat: in discussing "official" discourse, this paper

acknowledges that the RPF government and the rhetoric it produces are neither monolithic nor univocal. However, although there certainly exists a plurality of views and approaches within the state administration itself in regards to the process of reconciliation, there is nonetheless a consistent and identifiable rhetoric regarding the process of reconciliation that emanates from the various government offices and officials both in Kigali, Rwanda's capital, and in smaller government outposts across the country. Thus, when discussing the "official" rhetoric of reconciliation, it is this coherent discourse to which this paper refers. In contrast, when discussing "unofficial" discourse, this paper refers to the diverse views expressed by individuals and groups who do not have specific ties to the state.

### *Reconciliation through national unity and good governance*

Official discourse in relation to reconciliation hinges on the goal of national unity. In this framework, the process of reconciliation is seen as not just "tolerating each other, not just coexistence," but as a new beginning, or the embrace of "renewed good relationships."<sup>1</sup> Emphasizing and encouraging unity is seen as central to this process, and is accomplished both through various symbolic means that will be further discussed in Chapter Three of this paper, and through programs aimed at "correcting" the "divisive" behavior and attitudes that the government considers a central factor in the lead-up to the 1994 genocide.<sup>2</sup> In this context, culture is seen both as the basis of violence and also as the basis of change.<sup>3</sup> Civic education, youth education, and sensitization programs trumpeting values of integrity, solidarity, honesty, and patriotism are thus central to the work of the National Unity and Reconciliation Commission (NURC), the principal governmental body charged with implementing the administration's policy on reconciliation.<sup>4</sup>

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<sup>1</sup> Oswald Rutimburana, Director of Communications and Research, National Unity and Reconciliation Commission, Republic of Rwanda, interview by author, Kigali, Rwanda, 15 July 2003.

<sup>2</sup> Bernard Makuza, Prime Minister, Republic of Rwanda, "Opening Remarks" (speech given at the Conference on Reconciliation and Democratisation Policies, Kigali, Rwanda, 19 June 2003).

<sup>3</sup> Ibid.

<sup>4</sup> Ibid; Rutimburana, 15 July 2003.



In essence, the government aims to forge a “one and indivisible” people and to create a culture based on equality before the law, redefining cultural values and recreating identity in such a way as to generate and to sustain a culture of reconciliation.<sup>5</sup> Although officials note that this process of reconciliation must be founded on “fundamental rights” and “individual freedoms,”<sup>6</sup> they also emphasize that reconciliation in Rwanda is not about *individual* reconciliation but about *national* reconciliation,<sup>7</sup> a process that must be accomplished (and thus also measured) at the community-wide and even nation-wide level. This national process, NURC representative Alphonse Bakusi emphasizes, is about leaving behind one’s own psychology, one’s own history, and coming together under an umbrella of national cohesion.<sup>8</sup>

Another key feature of the Rwandan government’s reconciliation strategy is a focus on “good governance,” based on the premise that “bad governance,” or the abuse of power by the previous post-colonial regimes, was one of the key contributors to the ethnic animosity and discriminatory policies that, together with various other factors, bred the 1994 genocide.<sup>9</sup> In this light, power-sharing and democratization, or the creation of space for popular political participation, are seen as central to the reconciliation process.<sup>10</sup> Also considered central to this process is the eradication, ostensibly already underway, of discrimination in education and the civil service, and also the implementation of the participatory-based *gacaca* courts. The creation of various governmental bodies charged with monitoring “good governance,” such as the National Unity and Reconciliation Commission (NURC) and the National Human Rights Commission (NHRC) are also critical to the government’s overall reconciliation strategy. “Good Governance,” however, as Rwanda’s President Paul Kagame explains, is not just about institutions and state policy, but

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<sup>5</sup> Patrick Mazimhaka, former Presidential advisor, Republic of Rwanda, “Rwandan Experiences” (paper presented at the Conference on Reconciliation and Democratisation Policies, Kigali, Rwanda, 19 June 2003).

<sup>6</sup> Ibid.

<sup>7</sup> Rutimburana, 15 July 2003; Alphonse Bakusi, National Unity and Reconciliation Commission, Republic of Rwanda, interview by Mary Kimani, Kigali, Rwanda, June 2003.

<sup>8</sup> Alphonse Bakusi, National Unity and Reconciliation Commission, Republic of Rwanda (speech given at a monthly meeting of the “Coexistence Network,” entitled “Les premiers indicateurs de coexistence pacifique et de cohésion sociale sur les collines après la libération provisoire des présumés génocidaires,” Kigali, Rwanda, 26 June 2003).

<sup>9</sup> Rutimburana, 15 July 2003.

<sup>10</sup> Mazimhaka, 19 June 2003.

“goes hand in hand with fighting injustice; which involves everyone, supporting justice and truth, resisting any sort of ideology and actions that are likely to divide Rwandan people.”<sup>11</sup> As is clear in this quote, the official discourse considers “good governance” and unity (expressed here as the resistance of societal divisions) to be two sides of the same process. Reconciliation, in other words, is, in Rwandan government discourse, understood as requiring a joint address to these two points.

Although recognizing reconciliation as a process that will necessarily unfold over the course of an extended period of time,<sup>12</sup> Rwandan government officials nonetheless emphasize that this process of reconciliation is not only a collection of goals and intentions, but is a process whose successful fulfillment is already becoming evident in Rwandan society. As Rwandan Prime Minister Bernard Makuza stresses, people are now living peacefully across Rwanda.<sup>13</sup> In this same vein, one NURC official, answering a question about whether reconciliation is in fact possible in Rwanda, claims that “the far we have gone [sic] proves it is possible,” and points to a number of indicators that, he maintains, “prove” the existence of a culture of reconciliation in Rwandan society.<sup>14</sup> Such “indicators of harmonious coexistence,” include equal opportunity for students in schools, the repatriation of a large number of Rwandan refugees, the integration of soldiers from the former army into the present army, the reintegration of orphans into families, the return of illegally occupied properties to their owners, the organization of “free and transparent” local elections, the implementation of *gacaca* courts, the removal of ethnicity from identity cards, the implementation of various commissions to “improve the social welfare of the population,” and the introduction of a competitive merit-based system of employment in the civil service and otherwise.<sup>15</sup> Many of these claims regarding the realization of a process of reconciliation in

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<sup>11</sup> Paul Kagame, President of Rwanda, Republic of Rwanda (speech delivered at the “Evaluation Day of National Unity and Reconciliation,” Kibuye, Rwanda, 23 November 2001), in *Report on the Evaluation of National Unity and Reconciliation*, Republic of Rwanda (Kigali: June 2002), 6.

<sup>12</sup> “Kagame speaks on the eve of the launch of *Gacaca* trials,” interview by BBC, *New Times* (Kigali), 20-23 June 2002, 5.

<sup>13</sup> Makuza, 19 June 2003.

<sup>14</sup> Rutimburana, 15 July 2003.

<sup>15</sup> Republic of Rwanda, *Report on the Evaluation of National Unity and Reconciliation* (Kigali: June 2002), 11-13.

present-day Rwanda are ones that, this paper will illustrate, are either unfounded or ridden with profound contradictions.

This official perspective on reconciliation, for example, although seemingly quite comprehensive, is exposed as both idealistic and simplistic when seen in relation to the various realities of contemporary Rwanda that are highlighted by non-official Rwandans. Striking at the very foundation of this official discourse, many Rwandan citizens in fact refute the primacy of national over individual reconciliation. Instead, many non-official voices support the view expressed by one NGO worker<sup>16</sup> who, based on his experience working with genocide survivors, stresses that while the idea of national reconciliation (*reconciliation supranationale*) is politics, the base of true reconciliation is the local community, the family.<sup>17</sup> Responding to the question of whether reconciliation is even possible in Rwanda, one genocide survivor in Kibuye province, in contrast to the official position cited above, expresses marked distrust about the idea of reconciliation set forth by the government. Maybe there can be “reconciliation by law,” she states, but “not effectively, not for real.”<sup>18</sup> Responding to the same question, another genocide survivor raises the issue of material hardship, emphasizing that he is not against the reconciliation process itself but that he does not understand how he can reconcile with people living in their own homes when he himself is homeless and “living in the bush,” having had his house destroyed during the genocide.<sup>19</sup>

In the same vein, although acknowledging the necessity of building bridges between the two ethnic groups in Rwanda as central to the process of reconciliation, one NGO researcher points out that the key question is not whether this bridge exists, but whether “that bridge [is] accepted

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<sup>16</sup> None of the NGO researchers interviewed for this paper will be mentioned by name, for reasons of confidentiality, and neither will the names of the organizations they represent. All of the NGO researchers interviewed for this paper, however, represent organizations (both national and international) working and conducting research in Rwanda in the areas of justice and human rights, or organizations working with the Rwandan genocide survivor community. Most of the NGO researchers interviewed are Rwandan citizens. This paper will note, however, when it quotes voices of international NGO representatives.

<sup>17</sup> NGO Staff 1, interview by author, Kigali, Rwanda, 21 July 2003.

<sup>18</sup> Survivor 1, interview by author, Kibuye, Rwanda, 24 July 2003.

<sup>19</sup> Survivor 2, interview by author. Kibuye, Rwanda, 24 July 2003.

by the society.”<sup>20</sup> This statement, and the perceived difficulty of effecting the acceptance of such a bridge, is substantiated by a 2002 report from International Crisis Group. This report mentions that many Hutus, rather than supporting this official version of reconciliation, in fact “equate reconciliation, as proposed by the RPF, to submission to the authorities,” which submission they find problematic in light of many serious concerns about the degree to which this administration in fact represents a truly democratic mechanism of “good governance.”<sup>21</sup>

As many survivors and NGO researchers are quick to point out, it is certainly true that most communities are living in peace and that people are coexisting peacefully. Many emphasize, however, that such coexistence does not necessarily point to reconciliation. Unlike the Jewish Holocaust survivors who migrated *en masse* to Israel, to the United States and elsewhere after World War II, Rwandan genocide survivors generally have nowhere else to go and no choice but to remain in their communities and to live alongside the families of their own family’s killers. Such coexistence, they emphasize, is a product of circumstance rather than active choice, and is not equivalent to reconciliation in the true sense of the word. Reconciliation in the greater sense, many lament, in the sense of forgiveness, of healing as a community, will not be possible in one lifetime, but will require enough generations to pass such that the history of the genocide is effectively forgotten.<sup>22</sup>

As one NGO researcher points out, reconciliation really must be seen as a very practical matter. As such, it must address the practical and financial needs of genocide survivors that will allow them to forgive and to move on with their lives.<sup>23</sup> In addition, he notes, it must also take into account the practical task of reintegrating former prisoners (both convicted *génocidaires* and

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<sup>20</sup> NGO Staff 3, interview by author, Kigali, Rwanda, 15 July 2003.

<sup>21</sup> International Crisis Group, “Rwanda at the End of the Transition: a Necessary Political Liberalisation,” 13 November 2002, <<http://129.194.252.80/catfiles/2555.pdf>> (4 April 2004), 17.

<sup>22</sup> NGO Staff 3, 15 July 2003; NGO Staff 1, 21 July 2003; Survivor 4 and Survivor 5, interview by author, Butare, Rwanda, 6 August 2003; Returnee 1, interview by author, Kigali, Rwanda, 7 July 2003; Returnee 2, interview by author, Kigali, Rwanda, 15 July 2003.

<sup>23</sup> This statement refers to the fact that, although there exists a proposal that would allow for compensation for all genocide survivors in Rwanda, it has not been passed, largely due to the lack of funding for such an initiative. As a result, most of the genocide survivors in Rwanda have received very little, if any, financial “compensation.”

provisionally released genocide suspects)<sup>24</sup> back into their communities, prisoners who have to face their shame in front of their own children as well as their children's fear of them, and who may have to deal with such circumstances as finding their wife remarried and the mother of children by another man.<sup>25</sup> Although the government administers a reintegration program for these released prisoners that focuses around "solidarity camps" where prisoners go through a process of civic "re-education" before being fully released back into their communities, such governmental initiatives can clearly do little to address the myriad difficulties these prisoners must face in returning to their families.

Even such an apparently straightforward project as the re-integration of refugees cited above as a key reconciliation indicator, is fraught with difficulties when examined from non-official perspectives. This is illustrated in an example of a 2003 attempt to reintegrate the few remaining Rwandan refugees still living in Tanzanian refugee camps. Although most of the Rwandan refugees living in neighboring countries since the genocide had returned to Rwanda long ago, this group of approximately one-thousand refugees (mostly Hutu) had made lives in Tanzania and had no interest in returning to Rwanda. They were forced to do so, however, after the Rwandan and Tanzanian governments signed an agreement in April 2003 mandating their repatriation. Government representative Sheikh Abdul Karim Harerimana insists that "Rwanda is small, but it can accommodate us all,"<sup>26</sup> and that their practical needs such as housing and land will be taken care of by the government. Many of these forced returnees, however, cite a number of concerns about this process. They claim that Rwanda is "not safe for them," that they "associate Rwanda with insecurity," and that Rwanda is host to a number of bad memories that make them not want to return. The disjuncture here is clear, for the official perspective that views this "reintegration" as an indicator of the process of reconciliation contrasts markedly with the voices from many

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<sup>24</sup> This provisionally released category of genocide suspects will be discussed at length later in this chapter.

<sup>25</sup> NGO Staff 3, 15 July 2003. This issue of prisoners returning to "unfaithful" wives may seem peripheral, but it was brought up so many times in interviews with people discussing the return of prisoners to their communities that the author finds it necessary to include it here.

<sup>26</sup> Cited in Mark Frohardt and David Hoffman, prods., *Justice in Rwanda* (Kigali, Rwanda: Internews Rwanda, June 2003).

individuals who highlight the forced nature of their participation in this process of return.<sup>27</sup> Also disputed in this comparison is the idea of Rwanda as a peaceful and secure country, an idea that was highlighted earlier as a key thread of the official reconciliation discourse.

As begins to become evident in these comparisons, the non-official understanding of reconciliation varies in important ways from the official understanding of this process. The very relevance of “national reconciliation” is critically questioned by non-official Rwandans, as is its utility, both conceptual and actual, in Rwanda’s current milieu. In addition, the difference between coexistence and reconciliation is probed, and the emphasis on national and institutional initiatives as indicators of reconciliation is countered with examples of some of the family and community-based difficulties of reconciliation in practice. In sum, these various non-official perspectives challenge the over-simplification of the government rhetoric regarding reconciliation, in their emphasis on the many issues left unaccounted for in the government rhetoric. This disjuncture is deepened when considered alongside the discussion of the previous chapter that emphasized the distinctly non-democratic structure of the present Rwandan government, as well as the clear discrimination evident within the political structure of Rwandan civil society. As do the non-official perspectives cited in this section, these earlier points also raise critical questions regarding the empirical validity of the various “indicators of harmonious coexistence” cited in Rwandan government officials and documents.

The extent of the disjuncture between the official and the non-official approaches to reconciliation, however, is best seen in relation to a concrete example. For this purpose, we will now turn to an examination of the discursive disjuncture between official and non-official perspectives in relation to the *gacaca* courts. These courts encompass or otherwise interact with many of the key methods of achieving reconciliation that are highlighted by the Rwandan government, such as justice, truth-telling, and forgiveness. Thus, these recently-implemented courts provide a useful lens through which to analyze the topic of reconciliation in Rwanda in greater detail, to more

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<sup>27</sup> Frohardt and Hoffman, *Justice in Rwanda*.

closely examine the official narratives of national unity and reconciliation, and to highlight the disjuncture between these narratives and the opinions expressed by many within the Rwandan population.

*Gacaca and reconciliation in government discourse*

The *gacaca* system, a combination of traditional participatory approaches to justice and of classical legal precepts, is one of the principal initiatives of the Rwandan government's reconciliation strategy. Literally meaning "on the grass," *gacaca* originally referred to a traditional informal method of conflict resolution in Rwanda, one generally employed for relatively minor crimes such as petty theft, marital disputes and land rights. In this traditional context, *gacaca* denoted a system in which the parties involved would come together "on the grass" of the village center, and where village elders would hear the contending parties' different complaints and decide on appropriate consequences for the perpetrator of the crime. "The primary goal [of the traditional *gacaca* system] was to restore social order, after sanctioning the violation of shared values, through the re-integration of offender(s) into the community."<sup>28</sup>

In its present incarnation, however, the *gacaca* system currently being implemented across Rwanda is seen as a key legal mechanism for bringing the perpetrators of the 1994 genocide to justice, and is envisioned by the government as a means of punishing their crimes and of thus eradicating a widespread "culture of impunity." In fact, the RPF has consistently maintained that eradicating the Rwandan "culture of impunity" and building a "state of law" in its place is fundamental to the goal of true national reconciliation,<sup>29</sup> and has consistently emphasized the inseparability of justice and reconciliation in Rwandan society. This is evident in President

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<sup>28</sup> Amnesty International, "Gacaca: A Question of Justice," December 2002, <<http://web.amnesty.org/library/eng-rwa/index>> (4 April 2004), 20.

<sup>29</sup> Jody Lee Ranck, "The Politics of Memory and Justice in Post-genocide Rwanda" (Ph.D. diss., University of California, Berkeley, 1998), 215.

Kagame's statement that "those who carried out the genocide must be brought to justice, which would in turn lead to reconciliation."<sup>30</sup>

In addition to being a critical element of the government reconciliation project because of its perceived ability to effect "justice" in post-genocide Rwanda, however, this quasi-legal system is also envisioned as a means of establishing a record of truth relating to the events of the genocide and of thus fostering renewed trust and solidarity amongst the Rwandan people. In sum, these trials have been envisioned both as a means of practically accomplishing the delivery of justice to the huge number of accused persons still awaiting trials, and also as a key *restorative* mechanism.<sup>31</sup> It is for all of these reasons that the *gacaca* courts are considered by the Rwandan government to be one of the principal means of contributing to the goal of national reconciliation in this country.

No small undertaking, these participatory trials are, when fully operational, to be held weekly in 10,000 local jurisdictions nationwide, and will involve the participation of approximately 250,000 popularly elected judges. In addition, these courts will center around the collective participation of all local community members as witnesses and jurors, for the *gacaca* system revolves around weekly meetings in each of Rwanda's 10,000 jurisdictions. In these meetings, entire communities gather to give and to hear testimony regarding the crimes of genocide committed by members of their communities, and thus to provide the basis for convicting and sentencing these genocide suspects. Although drawing on classical legal precepts, the procedural elements of this system clearly bear little resemblance to classical legal systems.

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<sup>30</sup> Paul Kagame, President of Rwanda, Republic of Rwanda (speech delivered at the official launching of the *gacaca* courts, 18 June 2002), in Flavia Busingye, "Gacaca kicks off," *New Times* (Kigali), 20-23 June 2002, 1.

<sup>31</sup> Paul Kagame, President of Rwanda, Republic of Rwanda, "Annexe: Discours de Paul Kagame à l'occasion du lancement officiel des travaux des juridictions *gacaca*, le 18 juin 2002" (speech delivered at the official launching of the *gacaca* courts, 18 June 2002), in Penal Reform International, "PRI Research Team on Gacaca, Report III," April-June 2002, <<http://www.penalreform.org/download/Gacaca/Apr-Jun2002.pdf>> (4 April 2004), 33 [translated by Radha Webley].



First launched in a pilot phase in June 2002 and expanded in November 2002, the *gacaca* system has been progressively implemented over the last two years.<sup>32</sup> With over 100,000 accused *génocidaires* still in prison and awaiting trials when the *gacaca* system was first implemented, this system represented not only a reconciliatory initiative but a practical necessity, a means of dealing with a massive prison population that posed not only the practical difficulty of having to support this population, but that also violated international legal standards by perpetuating the pre-trial detention period over such a lengthy period of time.<sup>33</sup> A massive logistical undertaking, the *gacaca* system nonetheless has equally ambitious social and reconciliatory goals, leading one senior official at Rwanda's Ministry of Justice to remark that "[gacaca] is the biggest single investment in the reconciliation process."<sup>34</sup>

The *gacaca* system is clearly geared to generate a legal and judicial response to the genocide by trying and sentencing the backlog of genocide suspects in Rwanda. "The name 'Gacaca,'" however, as one NURC report highlights, "implies that it is an institution geared more towards social unification [than] towards punishment."<sup>35</sup> How then does the Rwandan government envision that this innovative system will in fact contribute to the process of unification and of reconciliation in Rwanda? First, as stressed by Rwandan President Paul Kagame on the occasion of the official launching of the *gacaca* jurisdictions, and as repeated *ad nauseum* by other government officials, the Rwandan government views justice as providing the very foundation

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<sup>32</sup> Erin Daly, "Between Punitive and Reconstructive Justice: the Gacaca Courts in Rwanda," *New York University Journal of International Law & Politics* 34, no. 2 (2002): 355-396.

<sup>33</sup> The *gacaca* system is one of three judicial mechanisms set up to address the issue of justice for crimes of genocide in Rwanda, in addition to the International Criminal Tribunal for Rwanda (ICTR), operational since 1995, and the national (classical) court system in Rwanda. The ICTR, although a critical mechanism for ensuring accountability for the crimes of the genocide, has been criticized extensively for its failure to adequately accomplish restorative ends. See Alison Des Forges, *Leave None to Tell the Story: Genocide in Rwanda* (New York: Human Rights Watch, 1999); Elizabeth Neuffer, *The Key to My Neighbor's House: Seeking Justice in Bosnia and Rwanda* (New York: Picador USA, 2001). In addition, given its mandate to try primarily the leaders and organizers of the genocide, the ICTR has only completed 20 trials thus far. At the same time, the domestic Rwandan judicial system has to date only been able to try approximately 7000 of the 120,000+ persons originally detained for crimes of genocide. Amnesty International, "Gacaca: A Question of Justice," 17.

<sup>34</sup> Tharcisse Karugarama, Vice President, Supreme Court of Rwanda, Republic of Rwanda, interview by author, Kigali, Rwanda, 17 July 2003.

<sup>35</sup> Republic of Rwanda, "Opinion Survey on Participation in Gacaca and National Reconciliation" (Kigali: January 2003), 4.

upon which unity and reconciliation can be constructed.<sup>36</sup> As Supreme Court Vice President Tharcisse Karugarama remarks, “If you can’t resolve the issue of justice, you can’t therefore reconcile the society, you can’t stabilize the community.”<sup>37</sup> In sum, the *gacaca* courts are seen as a means of meting out justice in the post-genocide context, which justice is considered critical in providing a basis upon which a reconciled and cohesive society can be constructed.

Second, and perhaps even more important to the government’s vision of the role of the *gacaca* system in the process of reconciliation is the question of participation and its perceived socio-cultural utility in this context. As President Kagame noted in an interview with BBC on the eve of the official launching of the *gacaca* courts in June 2002, “[t]he reason why we think that Gacaca will help in the reconciliation process is that it brings into play the participation of members of the population. They feel that they own the process, they feel that they have been given a forum to speak out. Once they feel they own the process, then it helps them accept the outcomes of the trials.....With Gacaca, the people are being involved in the process. Information and facts will be presented and debated, and that way they are bound to accept the outcomes.”<sup>38</sup> In sum, as the *gacaca* courts require the collective participation of entire communities in the judicial process, the Rwandan government sees these courts as a critical means of not only rendering some abstract form of justice, but of rendering justice in such a way as to diffuse its meaning and reconciliatory benefits throughout the country. Another closely related feature of the state’s vision of the *gacaca* courts is the emphasis on *dialogue*, as evident in the same BBC interview cited above, where President Kagame maintains that “[t]hrough exposure, discussion, and speaking out there is a sense in which this will be a healing process.”<sup>39</sup> This tri-fold linkage between participation, dialogue, and healing features prominently throughout the state discourse on *gacaca* and reconciliation.

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<sup>36</sup> Paul Kagame, “Annexe: Discours de Paul Kagame à l’occasion du lancement officiel des travaux des juridictions gacaca, le 18 juin 2002,” 33; Makuza, 19 June 2003.

<sup>37</sup> Karugarama, 17 July 2003.

<sup>38</sup> “Kagame speaks on the eve of the launch of *Gacaca* trials,” *New Times* (Kigali), 20-23 June 2002, 5.

<sup>39</sup> Ibid.

The final feature of the official *gacaca* formulation is its emphasis on the value of truth. Here, the salient issue becomes the power of truth as a healing mechanism, and the ability of truth to stimulate a healing process in Rwandan society. This message is clear in one common billboard that looms above roadways across Rwanda. Designed as a tool to promote the *gacaca* courts amongst the Rwandan population, this billboard carries the slogan “*gacaca* courts: the truth heals” (“*Inkiko Gacaca: Ukuri kurakiza*”), and is decorated with larger-than-life photographs of Rwandan citizens happily engaged in various aspects of the *gacaca* process.

### *Gacaca = justice?*

Many of these premises so valiantly set forth by the RPF government appear to be contradicted in important ways, however, by non-official perspectives regarding the *gacaca* courts. As is evident above, one of the foundations of the entire *gacaca* system is the assumption that the state-led *gacaca* process will produce a form of justice acceptable to the Rwandan people. However, although surveys show wide support for the *gacaca* process,<sup>40</sup> as well as belief in the ability of the courts to achieve a much-needed form of justice,<sup>41</sup> many genocide survivors question the ability of the *gacaca* courts to render the kind of justice that would be meaningful to them. As one NGO researcher involved in the *gacaca* process explains, there is quite a lot of reticence about *gacaca* evident amongst survivors, especially about the punishments that will be rendered under this system. In general, he notes, there is a feeling in the survivor community that the sentences possible within the *gacaca* system are not sufficient, and that the system of punishment it allows is altogether deficient.<sup>42</sup> This sentiment is echoed by another NGO

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<sup>40</sup> For an example of such a survey, see Johns Hopkins Center for Communications Programs, “Perceptions about the *gacaca* law in Rwanda: evidence from a multi-method study,” April 2001, <<http://www.jhuccp.org/pubs/sp/19/English/19.pdf>> (7 April 2004).

<sup>41</sup> Although such surveys cannot be summarily discounted, it is difficult to ascertain the extent to which their findings reflect the actual perceptions and feelings of the people surveyed. When considering the results of such surveys, it is useful to remember that the survey was conducted in a political environment where freedom of speech is not guaranteed, and where many people are not comfortable publicly voicing opinions that are contrary to the official government position.

<sup>42</sup> NGO Staff 1, 21 July 2003. It is important to note that although the *gacaca* courts do have the power to impose sentences up to and including life imprisonment, they do not have the power, reserved for the formal Rwandan courts that try the highest category of genocide suspects, to impose the death penalty. Also, sentencing under the *gacaca* system, is relatively flexible. By fully confessing to their crimes, genocide suspects can get their initial sentence cut in half, and all suspects tried under the *gacaca* courts

researcher, who notes that survivors have been forced to accept the difficult truth that *génocidaires* will no longer get the death penalty once standard in Rwandan law for murder.<sup>43</sup>

This difficulty in accepting the relatively light sentences of the *gacaca* courts is clear in the following comments, taken from two interviews with different genocide survivors:

*Genocide Survivor, Rwanda, July 2003*

Survivor: They killed us, completely finished us. Some of them were arrested and imprisoned, but recently they were released yet they killed us....We had assumed that they would be killed the same way they killed us. So for us, we don't understand *Gacaca*. We really don't understand how it will work....The people who killed us are being released. Those who are not being released we hear they will be imprisoned for life. There they eat, they live alright and grow old like normal people. We don't see the benefits for us in that process. They should have died the way we died.

Question: So what would make you happy with the justice system?

Survivor: If it's possible the only thing that can make us happy is for them to die the way they killed us. It's the only thing that can really satisfy us.<sup>44</sup>

*Genocide Survivor, Rwanda, 2002*

*Gacaca*. What I think of *gacaca*, those who killed, whose crimes catch up with them must be punished in an exemplary way. But to release them so they return to live among us, for me, that's impossible. They must be made an example so that my children and those of others understand that killing is a bad and reprehensible thing. That's how we'll stop this culture of killing, of killing people. Seeing someone close to you punished for killing, for having shed blood, people will say 'Killing is bad. If I kill, I'll be killed in turn.'<sup>45</sup>

As is overwhelmingly clear from these two survivors' statements, the simple fact that the death penalty is not provided for within the *gacaca* system renders it fundamentally insufficient and even irrelevant in their eyes, and the "justice" this system provides critically lacking. Although these statements could be dismissed as extreme and unrepresentative views, a NURC opinion survey on *gacaca* notes an interesting statistic. The survey finds that approximately 49%, or 1 in

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have the option of serving half of their sentence in their communities doing community service rather than in prison. Due to these factors, as well as to the fact that many of the suspects up for trial under the *gacaca* system have already spent up to nine years in prison, many of the suspects tried under this system will not, return to prison after their trials, but will remain within their communities.

<sup>43</sup> NGO Staff 3, 15 July 2003.

<sup>44</sup> Survivor 6, interview by Mary Kimani, Bisesero, Rwanda, July 2003.

<sup>45</sup> Cited in Anne Aghion, dir., *Gacaca: Living Together Again in Rwanda*, produced by Philip Brooks, Laurent Bocahut and Anne Aghion (Dominant 7/Gacaca Productions in association with Planète, 2002).

2 genocide survivors, view *gacaca* as a “covert means of granting amnesty to the guilty.”<sup>46</sup> A statistic that further underscores the skepticism with which many survivors view the *gacaca* system, this finding is especially surprising given its appearance in a government document, an admission of possible inconsistency within the seemingly monolithic state.

Another way that the *gacaca* system falls short of generating justice for survivors is, at least according to some survivors, its failure to include material compensation. Although NGO researchers working in this area stress that compensation is not the main issue in survivors’ objections to the courts,<sup>47</sup> one survivor in Kibuye province, when asked what justice means to her, states that the only thing she needs is financial and material assistance, that her only expectation from justice is assistance.<sup>48</sup> In light of these various concerns, it is clear that, in ignoring question of socio-economic justice, the *gacaca* system is ignoring at least some survivors’ personal conceptions of the meaning of real justice.

Most fundamentally, however, as evident in the mention of the death penalty in the quotations on the previous pages, many of these survivors are challenging the ability of the *gacaca* courts to effectively counter the “culture of impunity” so often attributed to the pre-genocide Habyarimana regime, and also questioning the ability of these courts to replace this “culture of impunity” with “justice.” This questioning is clear in the following discussion captured on a documentary film about *gacaca*, where genocide survivors, filmed at the time when the *gacaca* system was in its infancy, discuss their perceptions of this new system and its impact on the “culture of impunity” in Rwanda:

Survivor 1: Remember, under the former president, people killed and were jailed for two weeks and then allowed to return home. That’s how it was. Today I have the feeling it’s the same thing again.

Survivor 2: They’d sideline the killer.

Survivor 1: Not for long.

Survivor 2: Then he would come home and do you in.

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<sup>46</sup> Republic of Rwanda, “Opinion Survey on Participation in Gacaca and National Reconciliation,” 26.

<sup>47</sup> NGO Staff 4, interview by author, Kigali, Rwanda, 28 July 2003; NGO Staff 3, 15 July 2003.

<sup>48</sup> Survivor 1, 24 July 2003.

Survivor 1: If he remained free, the aggrieved family would seek vengeance. So they'd protect him, and after two weeks, he was free. He'd come back to the hill, having killed one of yours.

Survivor 2: I think today we're witnessing the same thing. All you have to do is confess and then start killing again.

Survivor 1: And so on....

Survivor 2: In Rwanda, crime will prevail.

Survivor 1: I feel it will never end. You'd confess, get three years, and you're out.

Survivor 2: "You can say: 'I stole and I'm stealing again'<sup>49</sup>

In contrast to the official presumption that the *gacaca* process is geared towards the eradication of the "culture of impunity" in Rwandan society, it is clear from this quotation that the opposite perspective also exists, and that the *gacaca* system, from the perspective of at least a few Rwandan citizens, instead represents the *perpetuation* of such a "culture of impunity." As is also clear from all of these quotations, *gacaca* clearly does not automatically equate with a form of justice acceptable to the Rwandan people, especially to the Rwandan genocide survivors for whom the attainment of justice is especially important.

The survivor community is not the only segment of the Rwandan population that does not entirely support the government's equivalence between *gacaca* and justice. Rather, this sentiment is likewise evident in the feelings of many within the majority Hutu population, particularly in regards to the failure of the *gacaca* system to provide a judicial response to the war crimes perpetrated by the Tutsi-dominated RPA during and after the 1994 genocide. A highly contentious issue, there is little data on the actual number of killings in this category, but reports estimate that between 30,000 and 50,000 people were killed by the RPA in the weeks and months that followed the genocide.<sup>50</sup> Regardless of whether these killings took 10 or 10,000 lives, however, they do not fall within the limited jurisdiction of the *gacaca* courts that confines these courts to trying crimes of genocide. Instead, the RPA crimes are, in legal terms, considered either "war crimes" or "crimes against humanity," not "crimes of genocide," and would thus be tried either by the classical

<sup>49</sup> Aghion, *Gacaca: Living Together Again*.

<sup>50</sup> Amnesty International, "Gacaca: A Question of Justice"; Cordaid, Icco, Kerkinactie, and Novib, "'Tell our government it is OK to be criticised!'" February 2004, <<http://www.bbo.org>> (9 April 2004), 49; NGO Staff 4, 28 July 2003.

Rwandan courts or by the International Criminal Tribunal for Rwanda (ICTR).<sup>51</sup> Upholding the logic behind the *gacaca* law that maintains this distinction, and emphasizing the difference between genocide and other crimes, President Kagame states, “It is necessary to establish the difference between genocide and the other crimes committed during or after the war. One must not elide this difference.”<sup>52</sup>

Such legal distinctions between crimes of vengeance, crimes of genocide, and crimes of war, however, mean little to the general population of Rwanda. This population, in general, does not understand why the *gacaca* courts are trying only “one side” of the conflict, and questions what is being done in regards to justice for the RPA crimes and why they are not being tried under the *gacaca* courts in the same way that the other crimes are being tried. Amnesty International posits that the failure to broaden the jurisdiction of the *gacaca* courts to include these other war crimes has resulted in the widespread impression that the *gacaca* courts represent little more than “victor’s justice.”<sup>53</sup> This impression has led to widespread demoralization in relation to the courts and is responsible, at least in part, for an observed drop in attendance at the weekly *gacaca* meetings.<sup>54</sup> Penal Reform International (PRI), an international NGO with a Rwandan office that conduct research projects and advocacy work on issues related both to prison reform and to the *gacaca* courts, upholds this pattern. They report that “[i]n provinces such as Ruhengeri, Byumba and Umutara a number of inmates refused to file guilty pleas until the government had recognised the human rights violations (revenge and repercussions) presumed to have been committed by

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<sup>51</sup> One NGO worker specializing in research on this topic notes that the present government has been successful in blocking the ICTR from trying RPA cases, and has gone so far as to block witnesses for the ICTR’s other (genocide) trials as a means to force the ICTR to suspend cases against the RPA. Given that the RPF party that dominates the present government was formed out of the RPA, it seems a rather dubious proposition that they will try the RPA cases within Rwanda with any integrity, although this is the course of action they are publicly proposing to take. NGO Staff 4, 28 July 2003.

<sup>52</sup> Paul Kagame, “Annexe: Discours de Paul Kagame à l’occasion du lancement officiel des travaux des juridictions *gacaca*, le 18 juin 2002,” 33.

<sup>53</sup> Amnesty International, “*Gacaca*: a Question of Justice,” 37.

<sup>54</sup> Ibid. For a more recent discussion of this drop in participation, see Cordaid, et al., “‘Tell our government it is OK to be criticised!’”

the [RPF] soldiers and survivors among the Hutu population.”<sup>55</sup> PRI researcher Klaas de Jonge emphasizes that the question of the RPF crimes, often viewed by much of the Hutu population, however incorrectly, as a “double-genocide,” continues to be a major problem and a potential obstacle to the success of the *gacaca* system. Even though these crimes did not constitute a genocide, he insists on the absolute necessity of dealing with and discussing these crimes.<sup>56</sup>

This frustration with the failure of the *gacaca* courts to address RPA crimes is made clear in highlighting the voices of two of the Rwandan refugees in Tanzania whose imminent forced return to Rwanda was mentioned earlier in this chapter. In discussing her views on *gacaca* in light of her own experience, one Hutu woman exclaims, “[w]hat do I understand about *gacaca*? Why doesn’t *gacaca* recognise me, a Hutu, even though I lost 11 children?”<sup>57</sup> Another refugee, a Hutu man, expresses similar sentiments, saying that “[g]acaca only looks at crimes committed by one side and ignores the others.”<sup>58</sup> In sum, not only is the equation of *gacaca* and justice questionable from the perspective of many genocide survivors, but it is equally contentious from the point of view of the “other side,” or the Rwandan Hutu population. Although this system attempts to reconcile the needs of the survivor community with the needs of the Hutu community, it is clear that in attempting to satisfy these two communities whose perceptions of justice stand fundamentally opposed, the Rwandan government’s *gacaca* system has, at least from the perspective of many members of these two groups, failed to satisfy both of these groups’ need for justice.

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<sup>55</sup> Penal Reform International, “PRI Research on Gacaca Report, Report IV, The Guilty Plea Procedure, Cornerstone of the Rwandan Justice System,” January 2003, <<http://www.penalreform.org/download/Gacaca/Jan2003.pdf>> (4 April 2004), 5.

<sup>56</sup> Klaas de Jonge, Penal Reform International (speech given at a monthly meeting of the “Coexistence Network,” entitled “Les premiers indicateurs de coexistence pacifique et de cohésion sociale sur les collines après la libération provisoire des présumés génocidaires,” Kigali, Rwanda, 26 June 2003).

<sup>57</sup> cited in Mark Frohardt and David Hoffman, prods., *Inkiko Gacaca* (Kigali Rwanda: Internews Rwanda, April 2003).

<sup>58</sup> Ibid.



### *Gacaca – participation?*

Regardless of such foundational concerns as to whether *gacaca* in fact represents an acceptable form of justice, another clear difference between the official and non-official perspectives in regards to *gacaca* revolves around the question of participation, a central feature of the *gacaca* initiative. As one NGO researcher stresses, the real indicator of people's response to and embrace of *gacaca* is not what they say to surveyors and pollsters, but whether they show up at the weekly *gacaca* meetings in their communities, which is not happening.<sup>59</sup> As PRI highlights in a January 2003 report, "The *gacaca* programme is actually taking longer than expected, while the participation levels of the population are dropping."<sup>60</sup> Although the government refutes this statement, with the President of the Department of Gacaca Jurisdictions maintaining that "according to their report of end December 2003, participation...remains stable on the whole,"<sup>61</sup> this drop in participation is supported by virtually every NGO research report on *gacaca*,<sup>62</sup> by a series of daily observations published by international NGO Lawyers without Borders,<sup>63</sup> and by the author's own observations of several *gacaca* courts in Rwanda in July and August 2003 that were consistently either canceled for lack of sufficient attendance or functionally inoperational due to lack of active participation from the people present at the meetings.

Although there are certainly a variety of reasons for this drop in participation, such as the difficulty in taking a day off work to attend the meetings,<sup>64</sup> or general feelings of discouragement due to the drudgingly slow operations of the courts,<sup>65</sup> this marked drop points to a fundamental discrepancy in the theoretical underpinnings of the *gacaca* court: Why would the general population in Rwanda, with the exception of survivors, be interested in participating in the *gacaca* process?

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<sup>59</sup> NGO Staff 4, 28 July 2003.

<sup>60</sup> Penal Reform International, "PRI Report IV," 11.

<sup>61</sup> "Annexe 4: Comments of the President of the Department of Gacaca Jurisdictions 6<sup>th</sup> Division of the Supreme Court," in Penal Reform International, "PRI Research on Gacaca Report, Report IV, The Guilty Plea Procedure, Cornerstone of the Rwandan Justice System," January 2003, <<http://www.penalreform.org/download/Gacaca/Jan2003.pdf>> (4 April 2004), 23.

<sup>62</sup> In addition to those made by Penal Reform International, similar observations are found in Amnesty International, "Gacaca: A Question of Justice," Cordaid, et al., 46.

<sup>63</sup> Avocats sans Frontières, "Les 'Juridictions Gacaca' au jour le jour," June 2002 - July 2003, <<http://www.asf.be>> (15 April 2004).

<sup>64</sup> NGO Staff 4, 28 July 2003; Gacaca judge 3, interview by author, Butare, Rwanda, 6 August 2003.

<sup>65</sup> NGO Staff 3, 15 July 2003.

Why would people with family members imprisoned for crimes of genocide have an interest in seeing “justice” done, or, in other words, what do Hutus have to gain from *gacaca*?<sup>66</sup>

It is clear, however, that it is not only the Hutu population in Rwanda that is hesitant to “own” the *gacaca* process, for the survivor community clearly has a number of concerns that have led this sector of the population to also gradually withdraw their own participation in the courts.

Discussing the recent drop in attendance at the *gacaca* meetings in his own community, one man elected by his community to be a *gacaca* court judge explained that people were no longer so eagerly participation because people were either, on one side, afraid of coming and getting accused or, on the other side, afraid of the implications of having to come and accuse their neighbors of crimes of genocide.<sup>67</sup> This analysis was echoed by another *gacaca* judge in the same community who elaborated on the situation, explaining that there were some people from another neighboring province who had been killed in that community during the genocide but, as some of those people’s killers were still free and living within the community, nobody wanted to accuse them.<sup>68</sup> Not only a trend confined to this one locality, another genocide survivor from Kigali queried, “how can people be expected to testify when they are living next door to their neighbor?”<sup>69</sup> Similarly, one NGO researcher noted a trend for people (both survivors and others) to accuse only those who are no longer present in the community (due to exile, prison, or death), but to avoid accusing people that they know to be killers if they are still free and living within the community.<sup>70</sup>

The public nature of the *gacaca* courts is one of the features most celebrated by the government in their attempt to forge a national dialogue on justice and reconciliation. However, as is clear in the above paragraph, the public nature of the court is not considered in such a positive light by many Rwandans. Rather, as is clear in the various examples cited above, underneath this issue

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<sup>66</sup> NGO Staff 4, 28 July 2003.

<sup>67</sup> Gacaca judge 1, interview by author, Kibuye, Rwanda, 24 July 2003.

<sup>68</sup> Gacaca judge 2, interview by author, Kibuye, Rwanda, 24 July 2003.

<sup>69</sup> NGO Staff 2, interview by author, Kigali, Rwanda, 21 July 2003.

<sup>70</sup> NGO Staff 3, 15 July 2003.

of participation lies a multitude of fears and concerns about open and free testimony. The fear of retributive accusations is one salient fear, as is evident in the words of one woman, who notes that “if you think twice about it, you don’t speak....At the presentation, people didn’t want to speak, they thought: ‘If I denounce someone, perhaps I too will be denounced.’”<sup>71</sup> Intimidation is often cited as another key fear. As two women survivors interviewed discussed, people present at the *gacaca* meetings who object to the testimony being tabled have their own ways of intimidating people who tell the truth, and when that is the case, the person who was initially prepared to testify is often discouraged from continuing with their testimony.<sup>72</sup>

In addition, a key concern expressed by many women survivors is the impossibility of testifying about issues of sexual violence, given the extreme social stigma associated with rape in Rwandan culture. One Rwandan woman who works with women victims of violence, herself also a genocide survivor, points out that the intimate nature of the questions that trials require rape victims to answer (such as where? how? what exactly happened?) make it close to impossible for Rwandan women to testify. She adds that such testimony would only traumatize people.<sup>73</sup> As charges of sexual violence comprise one of the most severely punished of all genocide crimes in Rwanda, prisoners do not tend to reveal this information in their own confessions, leaving this hugely significant aspect of the history of the genocide both unaccounted for and unaddressed within the context of the *gacaca* courts.<sup>74</sup>

In addition to issues of security and sensitivity, the drop in participation can also be seen in part as a reflection of the lack of interest, or the failure of the *gacaca* courts to respond to people’s needs. If people feel they have nothing to gain from the form of justice offered by the *gacaca* courts, they clearly will not be keen to actively participate. As evident in the discussion above regarding the lack of equivalence between *gacaca* and justice in many people’s opinions, the *gacaca* courts do not necessarily fulfill either prisoners’ or survivors’ needs. In this light, it is not at

<sup>71</sup> Aghion, *Gacaca: Living Together Again*.

<sup>72</sup> Survivor 4 and Survivor 5, 6 August 2003.

<sup>73</sup> NGO Staff 2, interview by Mary Kimani, Kigali, Rwanda, 21 July 2003.

<sup>74</sup> NGO Staff 3, 15 July 2003.

all surprising that participation in the *gacaca* process has dropped off so markedly. As one survivor posits, “I don’t know why [participation is decreasing] but it depends on everyone’s expectations and needs which perhaps are being left unattended.”<sup>75</sup>

As is clear in this discussion, participation in the *gacaca* courts, either from the perspective of non-official Rwandan citizens or from the observations of researchers observing the courts in action, is remarkably different from the perspective on participation espoused by the Rwandan government. These observations and testimonies do not support the government’s assertion that participation and interest in the courts remains high. Neither do they support the government’s assertion that the *gacaca* system represents a system of justice that the Rwandan population feels it can “own.” Furthermore, they refute the administration’s insistence that peace and security reign in present-day Rwanda. Although the administration’s perspective in this last regard may well be empirically correct, the fact clearly remains that the Rwandan population experiences a fair degree of fear and insecurity, insecurity that is evident many Rwandans’ hesitation to participate in the *gacaca* courts.

#### *Gacaca ® truth ® healing?*

Another key feature of the official *gacaca* discourse is the focus on “truth,” both on the ability of the *gacaca* courts to unearth the truth, and on the value of truth as a critical element in the journey towards a reconciled society. Interestingly enough, the hollowness of the claims that “truth” will emerge from the *gacaca* process is seen even within one survey conducted by the NURC itself. Citing survey results that show that “60% of the population expects false testimonies from one side or the other,” the survey report explains that “[p]risoners imagine that testimonies to indict them will more likely be false, while survivors expect testimonies for prosecution to be more truthful than those for the defense.”<sup>76</sup> In regards to defense testimony, the report states that “there is no expectation that testimonies for defense will be perfectly sincere,” and follows this

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<sup>75</sup> Survivor 2, 24 July 2003.

<sup>76</sup> Republic of Rwanda. “Opinion Survey on Participation in Gacaca and National Reconciliation,” 13.

observation with the trite statement that “[t]his is problematic.”<sup>77</sup> One might add, “to say the least.” Interestingly enough, this low expectation of truth-telling in the context of the *gacaca* courts exists even though there are strict penalties for perjury, perhaps reflecting the difficulty that ascertaining truthfulness in this situation entails.

Voices representing the non-official sectors of Rwandan society only support and elaborate on the NURC survey statistics in regards to the ability of the *gacaca* courts to unearth the truth. In a group discussion following the screening of a documentary film on *gacaca* in a rural Rwandan community,<sup>78</sup> participants generally seemed to look forward to *gacaca* and to the chance to make the historical record straight. However, many of the approximately two-hundred and fifty people present nonetheless expressed fears that not everybody would speak the truth, wondered how lies would be dealt with, and questioned what would happen if *gacaca* did not bring the truth.<sup>79</sup> One NGO researcher notes that various cases exist of people charging others wrongly for different reasons, sometimes for such simple reasons as a man who is in a relationship with a prisoner’s wife and wants to keep her, other times because there would be no land available for the prisoner if he were to be released.<sup>80</sup> One survivor points out that the only people who really know what happened are the people who committed the crimes, people who are naturally reticent to tell the whole truth.<sup>81</sup> Furthermore, as two other survivors summarize in relation to their own community, there remains a general lack of trust in the *gacaca* process itself. Survivors are the only ones who are testifying about what happened, they note, for the “other side” is not willing to say what happened and by whom, and there remains a general lack of truth, especially from

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<sup>77</sup> Ibid., 12.

<sup>78</sup> The film screenings referred to in this section were conducted by Internews Rwanda, an independent media organization whose work in Rwanda focuses on making documentary films on issues related to justice and reconciliation. Internews screens these films in towns, villages and prisons across Rwanda, in order to provide information to the Rwandan public on these issues and to help stimulate a national dialogue on issues related to these central issues. These film screenings are generally followed by a moderated group discussion, during which time participants ask questions of the government officials present, and discuss issues relating to those raised in the films. I interned at Internews Rwanda between June and August 2003, and the discussion of these screenings in this paper are based on my observations of the various screenings I attended and of the group discussions that followed them.

<sup>79</sup> Post-screening discussion following screening of Mark Frohardt and David Hoffman, prods., *Inkiko Gacaca and Justice in Rwanda*, Ngenda, Rwanda, 24 June 2003.

<sup>80</sup> NGO Staff 3, 15 July 2003.

<sup>81</sup> Survivor 1, 24 July 2003.

those prisoners who are confessing. In line with the official rhetoric, these survivors emphasize that people need to tell the truth, for without truth, there will be no reconciliation.<sup>82</sup>

In regards to the potential for truth to heal, in fact, many survivors and NGO researchers voiced views largely in accordance with the official rhetoric. The truth of what happened is essential, remarked one NGO researcher working extensively on issues of *gacaca*, especially the knowledge of where victims are buried. The truth gives rest to survivors, encourages them to grant pardon.<sup>83</sup> One survivor explains that he considers those in his community who tell the truth as his brothers and holds nothing against them, but he estimates that only 1% of the entire community actually tells the truth.<sup>84</sup> In sum, the fundamental difference between the official and non-official perspectives in regards to the “truth” revolves not around the potential of truth to heal, but around the ability of the *gacaca* courts to unearth such truth.

#### *Forgiveness/pardon/confessions ® reconciliation?*

Closely linked to these questions regarding the role of the *gacaca* courts in the process of reconciliation is the issue of prisoners' own confessions, the asking of pardon by accused *génocidaires*, and the granting of forgiveness to these *génocidaires* by genocide survivors. In a ten-page advertising supplement in the 28-page issue of the New Times conveniently published just weeks before the August 2003 presidential election, the Rwandan government highlighted numerous accomplishments of the administration over the course of the previous nine years of its tenure. Within these pages lay the claim that “[t]hanks to the national unity and reconciliation campaign, victims can now forgive their hitherto tormentors and live with them on the same hillsides without fear or anger.”<sup>85</sup> Although acknowledging that there will always be those within the society who are either not ready to forgive, or too stubborn to feel the need to ask for pardon, Supreme Court Vice-President Tharcisse Karugarama supports this emphasis on forgiveness,

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<sup>82</sup> Survivor 4 and Survivor 5, 6 August 2003.

<sup>83</sup> NGO Staff 3, 15 July 2003; This view is echoed by Survivor 1, 21 July 2003.

<sup>84</sup> Gacaca judge 2, 24 July 2003.

<sup>85</sup> “Healing the Wounds, Cementing our Kinship,” advertising supplement, *New Times* (Kigali), 4-6 August 2003, 21.

positing that “[a]s soon as the victims of genocide see punishment for the perpetrators of genocide...they are ready to forgive.”<sup>86</sup> President Kagame insists on the importance of this forgiveness and the necessity for the pardon of *génocidaires*, stressing that “the sins committed must be punished, but also pardoned”<sup>87</sup> In regards to confessions, although prefacing his statement with the admission that some prisoners’ confessions are not accepted by their communities, one representative from the Ministry of Justice notes that confessions are proving to be a great help in establishing the truth of the genocide and thus in leading towards unity and reconciliation.<sup>88</sup>

From various non-official perspectives, however, these issues are fraught with difficulties. Speaking about the issue of forgiveness, one Rwandan Tutsi returnee exclaims, “[f]orgiveness is not possible in Rwanda! How can anybody who has had thirty members of their family killed by someone possibly be expected to forgive them? How is that possible? It is not! Forgiveness and reconciliation is not a reality here in Rwanda. People must go on with their lives, they have no choice. But forgiveness, tolerance, not here, not in my lifetime!”<sup>89</sup>

The asking of pardon on the part of the prisoners is likewise a complex issue. While the Rwandan state is often taking it upon itself to grant this pardon, believing it to be central to the reconciliation process, and although the government is actively promoting the asking of pardon, many survivors feel, as PRI researcher Klaas de Jonge points out, that the asking for forgiveness is simply coming too soon, and find the asking for pardon to be more traumatic than healing.<sup>90</sup> The key issue in regard to the asking for pardon, however, is the issue of whether prisoners request this pardon formally from the government or personally from survivors themselves, from the families of the people they have killed. As one NGO researcher points out, it is often angering and

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<sup>86</sup> Karugarama, 17 July 2003.

<sup>87</sup> Penal Reform International, “PRI Report III,” 33.

<sup>88</sup> Ministry of Justice representative, Republic of Rwanda (speech delivered at monthly meeting of the “Coexistence Network,” entitled “Les premiers indicateurs de coexistence pacifique et de cohésion sociale sur les collines après la libération provisoire des présumés génocidaires,” Kigali, Rwanda, 26 June 2003).

<sup>89</sup> Returnee 1, 7 July 2003.

<sup>90</sup> de Jonge, 26 June 2003.

traumatic to survivors when, instead of asking for pardon personally from survivors and giving them a chance to hear in person what happened to their family members, prisoners instead seek this pardon from the state.<sup>91</sup> Even when survivors are asked directly for pardon, he estimates that the majority of survivors accept the request for pardon because the government says they must, not in fact because they actually accept it in their hearts.<sup>92</sup>

Echoing this idea, a researcher from another NGO stresses that state pardon has no impact whatsoever on reconciliation but rather has a reverse impact, by creating resentment within the survivor community. Reconciliation and pardon, he emphasizes, must start at the base and move up, not the reverse. In addition, he notes that although there have been many genuine requests for pardon, there have also been many insincere ones. In order for such requests for pardon to be effective, he maintains, they must be rightly oriented, and must be done from person to person, coming from the depth of the heart of the prisoner.<sup>93</sup> Regardless of whether prisoners' requests for pardon are genuine or to whom (the state or survivors) they present their requests, however, some survivors note that not many prisoners in their communities actually make even the effort to ask for pardon at all.<sup>94</sup>

In addition to encouraging the asking of pardon, the Rwandan government also actively encourages genocide suspects to give legally-binding confessions, in the aim both of facilitating the easeful and prompt functioning of the *gacaca* courts and also in the aim of further encouraging a public process of truth-telling. "In order to qualify," a PRI report explains, "the confessions must include: a detailed description of the events of the crime, information on collaborators and accomplices, [and] apologies for the crimes committed."<sup>95</sup> Such confessions must be formally presented, usually in written form, and it is the *gacaca* courts that must

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<sup>91</sup> NGO Staff 3, 15 July 2003.

<sup>92</sup> Ibid.

<sup>93</sup> NGO Staff 1, 21 July 2003.

<sup>94</sup> Survivor 4 and Survivor 5, 6 August 2003.

<sup>95</sup> Penal Reform International, "PRI Report IV," 8.



eventually judge whether the confessions are actually true and full.<sup>96</sup> Benefits of confessing for prisoners include a possible early provisional release from prison (as will be further discussed below) as well as a sentence reduction of fifty percent.

However, as PRI notes, confessing in front of victims is often considered an insult in Rwanda and, instead of being grounds for forgiveness, is instead often viewed as a show of force.<sup>97</sup> This report goes on to note that “[t]he observation of the public confessions carried out so far by our team...have confirmed [that]...the attitude of the prisoners is more one of arrogance and strength than one of sincere repentance. This would also explain partly why so few people come to give evidence apart from certain survivors and some prisoners in a hurry to get out of their prison.”<sup>98</sup> The Rwandan government refutes these statements, responding to this PRI report by saying that, in contrast to being a show of force, “in all societies it is recognized that confessing to a fault or breach of the law means that it is already halfway to being pardoned,”<sup>99</sup> and that “[t]he results observed in all the Country’s prisons demonstrate the opposite, as there have been many sincere confessions.”<sup>100</sup> Nonetheless, the fact remains that PRI has extensive research that supports their conclusions. In this light, the government’s insistence on the sincerity of prisoners’ confessions must be questioned, for they give no idea of how they measure sincerity, and nor do they explain why what is the norm “in all societies” is also the norm in Rwanda.

In addition to the questionable cultural appropriateness of the medium of confessions, many Rwandans point out that the prisoners’ confessions are not necessarily the full truth, and express fears that prisoners are getting their sentences cut in half for confessions that are not even full.<sup>101</sup>

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<sup>96</sup> Ibid.

<sup>97</sup> Ibid., 2.

<sup>98</sup> Ibid., 4.

<sup>99</sup> Ibid., 25.

<sup>100</sup> Ibid..

<sup>101</sup> Post-screening discussion following screening of Mark Frohardt and David Hoffman, prods., *Inkiko Gacaca and Justice in Rwanda*, Ngenda, Rwanda, 24 June 2003.

Sometimes even the prisoners' own families refute the truth of their confessions,<sup>102</sup> and many note that prisoners' confessions tend to admit that they witnessed a crime, but do not actually admit to the act of killing itself.<sup>103</sup> This widespread trend relative to the questionable truth of confessions is supported by a PRI study that finds that "[t]he testimonies brought forward by the inmates themselves, especially for crimes as serious as that of genocide are always a problematical source of information. They often include omissions, half-truths and/or outright lies."<sup>104</sup> This report posits that, relative to prisoners' confessions, "the only useful methodological position is to reject all testimonies of the accused which tend to whitewash or claim innocence if they are not confirmed by other sources of information."<sup>105</sup>

It is not only survivors, however, who are frustrated with the question of truth in relation to confessions, but prisoners as well. As one prisoner from Butare province explains, "the court employees sometimes transformed our confessions and forced us to sign things we had not said. For example, if we declared having witnessed people being killed they would write down that we had been the ones doing the killing!"<sup>106</sup> Thus, whether it is survivors' or prisoners' perspectives being analyzed, the truthfulness of prisoners' confessions is clearly a contested issue.

The issue of genuine remorse, however, seems to be as important as the issue of truth in relation to the topic of confessions. Discussing the perceived sincerity of formal confessions, the NURC opinion survey on *gacaca* and reconciliation notes that "90% of survivors are convinced that remorse has nothing to do with confessions."<sup>107</sup> A representative from the Civil Society Support Project for the Gacaca Process (PAPG) speaking at a conference on the topic notes that when prisoners have confessed under strong encouragement from either the church or the prison instead of out of personal conviction, their confessions are not often accepted within their

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<sup>102</sup> PAPG representative (speech delivered at monthly meeting of the "Coexistence Network," entitled "Les premiers indicateurs de coexistence pacifique et de cohésion sociale sur les collines après la libération provisoire des présumés génocidaires," Kigali, Rwanda, 26 June 2003).

<sup>103</sup> Survivor 4 and Survivor 5, 6 August 2003.

<sup>104</sup> Penal Reform International, "PRI Report IV," 9.

<sup>105</sup> Ibid., 9.

<sup>106</sup> Cited in Ibid., 4.

<sup>107</sup> Republic of Rwanda, "Opinion Survey on Participation in Gacaca and National Reconciliation," 14.

communities.<sup>108</sup> Making the link between genuine remorse and reconciliation, another Rwandan participant at this conference notes that people must confess out of personal conviction, not by government or religious mandate, and that the government should not be forcing reconciliation and confession. In order to be true, this conference participant emphasizes, reconciliation must be the result of the collective recognition of the Rwandan people of the need to live together and work through their differences.<sup>109</sup>

Such genuine remorse is clearly a key first step in making these confessions meaningful to survivors and building a foundation for healing and renewed relationships. Such remorse, however, does not appear to be present within many Rwandans' experiences of the confession process. The Rwandan government clearly cannot forcibly impose such genuine remorse upon its citizens, as so doing would be (and is) counterproductive. The government's insistence on so actively pushing confessions, however, must, in light of this central issue, be understood as being associated with reconciliation largely in rhetoric, rather than in the experience of most Rwandan citizens. Altogether, in fact, it is clear that the issues of forgiveness, pardon, and confession are much more complex than the government discourse allows for. Rather than automatically leading to forgiveness, the asking for pardon can just as clearly have opposite results. Furthermore, while the government continues to push its program of confessions within the prisons, it is clear that the veracity of these confessions presents potentially fundamental obstacles, as does the perceived utility of these confessions as tools of reconciliation.

*Provisionally released prisoners – forced coexistence or a step towards reconciliation?*

Inseparable from all of these issues is the recent (April/May 2003) release of approximately 35,000 prisoners suspected of genocide back into their communities of origin. The result of a

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<sup>108</sup> PAPG representative, 26 June 2003.

<sup>109</sup> Anonymous participant (informal remarks given at monthly meeting of the "Coexistence Network," entitled "Les premiers indicateurs de coexistence pacifique et de cohésion sociale sur les collines après la libération provisoire des présumés génocidaires," Kigali, Rwanda, 26 June 2003).

presidential *communiqué* of January 1, 2003,<sup>110</sup> this released group was mostly made up of elderly or ill prisoners, prisoners who were between 14 and 18 years old at the time of their crimes, as well as prisoners who were considered to have fully confessed. This release was based on the legal premise that many of these individuals, after their upcoming trials and sentencing under the *gacaca* courts, would be found to have already served their full prison sentence, and aimed to avoid them spending more time in prison than was their due.<sup>111</sup> It was also intended by the government to be a key step towards reconciliation and towards the rebuilding of Rwandan communities. As Supreme Court Vice-President Karugarama states, speaking just a few months after this release, “the thousands of people who have been released back into community have shown by example that it’s a wonderful idea, because they’re cohabiting very well with the people they’ve found there....stability, understanding, patience in the community,” and welcome receptions have been the overall response of Rwandan communities to the release.<sup>112</sup>

From the perspective of many genocide survivors across Rwanda, however, this release was extremely problematic, as it appears to many survivors that these genocide suspects are being arbitrarily released without any punishment. One survivor states that the prisoner release was taken as a big slap in the face, as if the government had granted a blanket amnesty to all of these provisionally released prisoners rather than dealt them justice. Although she acknowledges that the release was provisional, she maintains that this made little difference to survivors, as the fact remains that these prisoners are once again living next door to them.<sup>113</sup> Similar sentiments are expressed by another survivor who voices his dismay at the then-future possibility of prisoner releases, saying, “[i]f he returns, can I accept him when he killed my 6 children? When he killed

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<sup>110</sup> Republic of Rwanda, “Communiqué,” 1 January 2003, <<http://www.gov.rw/government/070103.html>> (7 April 2004). For a further discussion of this topic, also see “Kagame speaks about the lessons from Rwanda’s experience with international intervention and conflict prevention,” *New Times* (Kigali), 24-26 March 2003, 4.

<sup>111</sup> As many of the genocide suspects in prison had, at the time of this communiqué, already served up to nearly nine years in prison while awaiting their trials, and as many of their eventual sentences would not exceed this number of years, this measure represented a legal effort to avoid detaining these prisoners for longer than was allowed for by law.

<sup>112</sup> Karugarama, 17 July 2003.

<sup>113</sup> NGO Staff 2, interview by author, 21 July 2003.

my brothers and sisters and I am left alone? They forgive him and release him just because he confessed? Without punishing him? So we too can kill and ask for forgiveness. And we'll be released even though we've killed?!"<sup>114</sup>

In addition to this question of how people who have done such catastrophic things could possibly be liberated, Klaas de Jonge discusses some of the other difficulties generated by this release. He explains that there has been clear tension between released prisoners and survivors in their communities, as well as between the released prisoners and their own families.<sup>115</sup> This tension is clear in a statement by one survivor who, although having earlier stated that she has no fears for her security, answers a question about the relationship between the released prisoners and the community by explaining that the problem is that the people who are coming back from prison are saying, openly and publicly, that if there was another war the only thing they would do differently is to make sure to kill everyone the next time.<sup>116</sup> Such an attitude clearly presents a fundamental obstacle to the process of reconciliation, as this lingering commitment to violence critically undermines both the perceived sense of security in Rwanda and also the long-term sustainability of that security.

These attitudes, however, are not unique to this one survivor's village, but are corroborated by a PRI report that finds that "[c]ertain groups of survivors in the hills said they felt quite vulnerable and did not seem to be prepared to understand let alone accept such a measure....The survivors that our team met in the hills...are generally disappointed and worried."<sup>117</sup> The report notes that "Some of the rape victims were 'depressed, desperate, practically' after the communiqué was announced....They are afraid 'we're going to be murdered'....They are disappointed and angry...they feel abandoned by the government which was supposed to do them justice (but) which instead pardons the murderer....Especially since the government has yet to pass the law

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<sup>114</sup> Cited in Aghion, *Gacaca: Living Together Again*.

<sup>115</sup> de Jonge, 26 June 2003.

<sup>116</sup> Survivor 1, 24 July 2003.

<sup>117</sup> Penal Reform International, "PRI Report IV," 15.

on damages...reconciliation is not possible for them.”<sup>118</sup> As Klaas de Jonge explains, based on his work with PRI, even if there is relative security in the country with no acts or threats of aggression evidenced on the part of the provisionally released prisoners, people do not necessarily feel secure, but are scared. As an example, he explains that if a survivor dies after having had contact with a provisionally released prisoner, everyone in the community says that the survivor was killed by the prisoner.<sup>119</sup> In spite of these fears, however, another NGO researcher notes that the prisoner release process has gone relatively smoothly in terms of security problems,<sup>120</sup> a statement echoed by one survivor who explains that although there have been (minor) confrontations, things have been altogether fine in terms of community relations since the release, that people share and life goes on.<sup>121</sup>

It is not only survivors who were and continue to be concerned about this provisional release, but many prisoners, at least initially, were suspicious of its intent. PRI notes that prisoners have generally been “thrilled” about the release.<sup>122</sup> However, during a screening in a prison of a documentary film designed to provide information about the laws surrounding the release, and to highlight the experience of some of the prisoners who had recently returned to their communities, many prisoners watching the film (of the approximately three-thousand prisoners present) expressed great relief. As they explained in the discussion following the screening, it had been a common assumption amongst the prison population that the prisoners being released were being killed *en masse* upon their return to the community.<sup>123</sup>

It is important to note that this prisoner release is closely intertwined with the *gacaca* process not only because it involves the prisoners who will be tried before the courts, but also because the disillusionment experienced by many survivors as a result of this release could potentially cause

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<sup>118</sup> Ibid., 16.

<sup>119</sup> de Jonge, 26 June 2003.

<sup>120</sup> NGO Staff 3, 15 July 2003.

<sup>121</sup> Survivor 4 and Survivor 5, 6 August 2003.

<sup>122</sup> Penal Reform International, “PRI Report IV,” 13.

<sup>123</sup> Post-screening discussion following screening of Mark Frohardt and David Hoffman, prods., *Justice in Rwanda*, Rilima prison, Kigali-Ngali, Rwanda, 25 June 2003.

this group, so crucial to the success of the *gacaca* courts, to withdraw their participation in this court system. This is evident in the summary of a group interview in Gisenyi contained in PRI's 2003 report: "the survivors have shown a high level of discontent, saying publicly that the government might as well free every prisoner...that this act is bringing back the Holocaust that they had just managed to forget. They no longer appear at the *gacaca* sittings."<sup>124</sup> This pattern was also clear in Ruhengeri province where, the same report notes, "certain survivors...are not happy and some no longer wish to accuse anyone in the *gacaca* sittings. They fear the aim of the *communiqué* was to appease the families of the inmates coming up to the election."<sup>125</sup>

Such speculations regarding the possible political motivation behind this release will be addressed in Chapter Three of this paper. For now, it is sufficient to note that, regardless of the government's insistence that such findings as those reported by PRI are neither "objective" nor a reflection of "reality,"<sup>126</sup> the government's insistence on the "stability," "understanding," "patience" and "good receptions" evident within the general Rwandan community after the provisional prisoner release is countered by a variety of different perspectives, particularly from the survivor community, relative to the purpose and meaning of this release. This release represents a critical theme within the larger topic of reconciliation, as it epitomizes the process of two aggrieved parties (survivors and prisoners) having to come to terms both with the reality of coexistence and also the reality of renewing relationships that are perhaps so deeply severed that they now are perhaps fundamentally impossible to renew. It is an especially important theme given the recent government announcement that thousands more prisoners, specifically those who confessed before 15 March 2004, are to be provisionally released in April 2004.<sup>127</sup>

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<sup>124</sup> Penal Reform International, "PRI Report IV," 15.

<sup>125</sup> Ibid., 16.

<sup>126</sup> Penal Reform International, "PRI Report IV," 26-27.

<sup>127</sup> Amnesty International, "Rwanda: Provisional release of genocide prisoners – priority should be accorded to the 'sans-dossiers,'" 3 March 2004, <<http://web.amnesty.org/library/eng-rwa/index>> (25 April 2004).

### *Conclusions*

As has been clear in examining the various themes of this chapter, from the *gacaca* courts to the role of truth in the process of reconciliation, and from the recent provisional prisoner release to the importance or relevance of forgiveness and confessions in this process, the official state-sponsored discourse of reconciliation in Rwanda becomes critically destabilized when seen in comparison to various non-official perspectives on these same issues. The implications of this perspectival disjuncture are two-fold. First, this examination makes clear that the discourse of reconciliation in Rwanda, as it is currently being implemented, demonstrates some of the central challenges common to post-conflict reconciliation processes. In particular, the tendency to privilege a top-down approach is evident throughout this discussion, as are some of the difficulties with such an approach. As was clear in all of the topics broached in this chapter, the Rwandan government is the key actor both driving and steering the reconciliation process in Rwanda. In some instances, in fact, the initiatives that the government introduces are driven *only* by the state, with little or no support from either of the two main “sides” in Rwandan society. As was likewise clear, however, such forcible “reconciliation” initiatives are not in fact producing a process that could rightfully be called reconciliation. Instead of fostering the healing process of recovery, renewed relationships, and mutual cooperation that were discussed in the introduction of this paper, many of these are instead producing marked resentment, and increased tension and distrust between Hutu and Tutsi communities. One could argue that, in a sense, any post-conflict reconciliation process must be state-driven and thus be at least somewhat “top-down” in nature. This paper argues, however, that such a forcible top-down strategy, rather than resulting in a real process of “reconciliation,” is, in Rwanda, resulting in exactly the reverse, and instead of healing animosities is, in many cases, in fact reinforcing them.

This chapter also illustrates the discussion in this paper’s introduction of the difference between coexistence and reconciliation. As government officials assert and many non-official actors confirm, Rwanda is a relatively peaceful country characterized by the general lack of direct acts of violence. Such internal security certainly betrays a willingness, on some level, of the Rwandan



population to forgive their fellow Rwandans. It also betrays a certain commitment to mutual tolerance. However, such elements still very much fall within what Johan Galtung deems “passive coexistence,”<sup>128</sup> as discussed in the introduction of this paper, yet fall short of what can properly be deemed “reconciliation.” Such coexistence is certainly an admirable aspiration. The Rwandan government, however, as noted earlier in this chapter, insists that their reconciliation program is aimed not towards coexistence, but towards a fuller understanding of reconciliation. Nonetheless, the reality of present-day Rwanda, as highlighted throughout this chapter, is that the government’s various reconciliation initiatives are failing to produce such a fuller process of reconciliation. Instead, these initiatives are, at best, only producing a passive version of coexistence and, at worst, are possibly even undermining possibilities for such outwardly peaceful coexistence.

Yet another common challenge of reconciliation highlighted in the introductory discussion is the question of justice, and the often differing meanings of justice from official and non-official perspectives. This point is particularly clear in comparative perspective in looking at the case of the South African Truth and Reconciliation Commission (TRC). In discussing this initiative, Hugo van der Merwe, a scholar specializing on issues of reconciliation in South Africa, acknowledges the role of the TRC in providing a space for victims to tell their stories. He describes the TRC as a space in which open dialogue about past crimes could be held, and as a sort of public ritual in which the past could be confronted. Van der Merwe, however, questions the contribution of the TRC either to the process of justice or to the process of reconciliation,<sup>129</sup> and notes that “differing meanings of justice” between official policymakers and ordinary people were often confusing. The official perspective, he discusses, sees restorative justice “as an arrangement whereby the state took over the moral responsibility for reparations to victims from the perpetrators of these abuses

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<sup>128</sup> Johan Galtung, “After Violence, Reconstruction, Reconciliation, and Resolution: Coping with Visible and Invisible Effects of War and Violence,” in Mohammed Abu-Nimer, ed., *Reconciliation, Justice and Coexistence* (Lanham, MD: Lexington Books, 2001), 3.

<sup>129</sup> Hugo van der Merwe, “Reconciliation and Justice in South Africa: Lessons from the TRC’s Community Interventions,” in Mohammed Abu-Nimer, ed., *Reconciliation, Justice and Coexistence* (Lanham, MD: Lexington Books, 2001), 189-190.

and took on the task of rebuilding the moral order through symbolic actions.”<sup>130</sup> This view, he notes, was shaped more by political pressures than by “victims’ and local communities’ retributive or restorative needs and demands.”<sup>131</sup> He contrasts this perspective with victims’ needs, which, he discusses, revolve more around “the desire to confront the perpetrator with the consequences of their actions...the desire to have the direct perpetrator confess (face-to-face)...the desire to make peace with those from the other side...the desire to rebuild an environment of trust and interdependence among community members,”<sup>132</sup> and other such interpersonal and individual actions.

While these issues between official perspectives and victims’ needs may not be exactly parallel to the Rwandan case, this example nonetheless illustrates a key thread of this chapter, that of the divergent meanings attached not only to justice (as evident in the example of the *gacaca* courts) but also the different meanings attached to various elements within the larger reconciliation process, such as truth and forgiveness. In fact, these “differing meanings” are simply an alternative way of understanding the tension between top-down approaches and citizens’ needs in the process of reconciliation.

In addition to the various challenges inherent in the process of reconciliation that are highlighted in this chapter, the second key implication of this disjuncture between official and non-official realities of reconciliation in Rwanda in the context of this paper is the analytical space that is opened by the revelation of this disjuncture. In fact, this examination of a consistently manifest gap between the reconciliation needs of the Rwandan people as conceptualized within the state discourse and the needs expressed by many non-official Rwandans themselves allows us to observe, as mentioned in the introduction of this chapter, that the state-sponsored discourse cannot in fact be understood solely as a discourse crafted in response to the perceived needs of the Rwandan people. Too many Rwandan individuals voice too many concerns about the *gacaca*

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<sup>130</sup> Ibid., 200.

<sup>131</sup> Ibid.

<sup>132</sup> Ibid., 200-202.

process, and express too many doubts about the government's emphasis on the role of truth-telling, forgiveness, dialogue, and confessions for these features of the state discourse of reconciliation to be viewed as a considered response to the needs of the Rwandan public. In this light, one must question why the government continues to focus their reconciliation discourse and strategy around these questionable features, and to ponder what purpose these discursive features serve in the context of present-day Rwandan politics. It is these questions that the following chapter will address.

### Chapter Three – The Discourse of Reconciliation as a Tool of Political Power

As discussed in Chapter One of this paper, the discourse of reconciliation is intrinsically embedded within a political context, and thus necessarily has both political meanings and political functions. As also discussed in this first chapter, the RPF government's present monopoly on political power in Rwanda coincides with their manipulation of certain rhetorical constructs, such as their revisionist understandings of history, their employment of a "victim versus victimiser" narrative, and their politically-charged juxtaposition of "unity" and "divisionism." As was discussed in this first chapter, many scholars have linked each of these three discursive mechanisms to the progressive consolidation of political power by the increasingly authoritarian RPF administration. This chapter will expand on this linkage, and will illustrate how these rhetorical constructs of ethnicity and history, as well as rhetorical understandings of justice, in fact inhere within the broader framework of the RPF administration's discourse of reconciliation. This chapter will also demonstrate how this discourse in fact justifies, legitimizes, and strengthens these rhetorical manipulations. Finally, in the spirit of the reports outlined in this first chapter that discussed the political consequences of the RPF government's use of rhetoric, this chapter will discuss the tangible political effects of this larger discourse of reconciliation. Though this discourse clearly has both domestic and international implications, this chapter will focus on the political implications that are manifest in Rwanda's domestic sphere. To this end, this chapter will close with a focus on the recent (August 2003) presidential elections in Rwanda, as an example of the domestic political consequences of this seemingly benign discourse.

#### *Discourse and Power in theory*

Before entering into a discussion of the political implications of the discourse of reconciliation, it is first necessary to clarify the definition of "discourse" employed by this paper. The Oxford English Dictionary defines the prevailing sense of the word "discourse" as "[a] spoken or written treatment of a subject, in which it is handled or discussed at length."<sup>1</sup> In this paper, however, this term is used not only to refer to rhetorical practice, but also to refer simultaneously to the more general

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<sup>1</sup> Oxford English Dictionary (1989), s.v. "discourse."

practice of representation (through language and other means), to the production of knowledge through this practice of representation, and to the production of meaning that results from this process.<sup>2</sup> In sum, the understanding of discourse used in this paper emphasizes the intrinsic relationship between discourse and power, a relationship discussed at length in the work of philosopher Michel Foucault and elaborated by other scholars in the post-modern tradition.

Thus, when discussing the “discourse of reconciliation” set forth by the current Rwandan government, this paper refers simultaneously to the rhetorical means by which this government represents and defines the process of reconciliation, to the ways in which the administration uses this rhetorical representation to endow the concept of reconciliation with particular meanings, and to the ways in which this process produces a very particular body of knowledge about Rwanda’s history, current events, and contemporary issues. Drawing on Foucault, however, this paper also acknowledges the intrinsic linkages between knowledge and power in Rwanda, and understands that the knowledge generated through discourse necessarily has implications in the realm of (political) power. Elaborating on this point, cultural critic and postcolonial theorist Stuart Hall writes that discourse is not only a system of representation, a system of meaning with a “deep and intimate relationship” to knowledge and, most importantly, to power,<sup>3</sup> and that “[n]ot only is discourse always implicated in power...[but that it is] one of the ‘systems’ through which power circulates.”<sup>4</sup> The power that circulates through discourse, however, is not merely a nebulous idea, for Foucault also emphasizes that, as a system of representation and meaning, discourse necessarily “has real effects in practice.”<sup>5</sup> Thus, when discussing the discourse of reconciliation in Rwanda, this paper in no way refers to a neutral system of representation. Rather, based on this understanding of “the deep and intimate relationship which Foucault establishes between discourse, knowledge, and power,”<sup>6</sup> this paper maintains that the “discourse of reconciliation” in Rwanda must be understood as a conduit of power. In fact, this paper rests on the premise that

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<sup>2</sup> Stuart Hall, “The West and the Rest: Discourse and Power,” in S. Hall et al., *Modernity: An Introduction to Modern Societies* (Oxford: Blackwell, 1996), 201.

<sup>3</sup> Ibid., 205.

<sup>4</sup> Ibid., 204.

<sup>5</sup> Ibid., 203.

<sup>6</sup> Ibid., 205.

the “discourse” of reconciliation is in fact an important tool of political power for the Rwandan government. In this light, this paper maintains that the representation, the meanings and the knowledge that are created through this discourse and that then circulate through and reproduce it, have and will continue to have concrete political effects in contemporary Rwanda.

Foucault’s discussion of discourse, however, emphasizes yet another important point that is central to the argument of this paper. As Stuart Hall points out in discussing the distinction between ideology and discourse in Foucault’s work, Foucault’s use of the term “discourse” acknowledges the impossibility of any absolute distinction between truth and falsehood when discussing social, political or moral issues, and instead focuses on the power, and thus the effects of power, that are produced by discourse.<sup>7</sup> As Foucault himself states: “the problem does not consist in drawing the line between that in a discourse which falls under the category of scientificity or truth, and that which comes under some other category, but in seeing historically how effects of truth are produced within discourses which in themselves are neither true nor false.”<sup>8</sup> In other words, discussions of “discourse” in the Foucauldian tradition, rather than attempting to ascertain the empirical veracity of the discourse itself, instead necessarily focus on the constructed truths, and thus the concrete “effects of truth,” that are generated by this discourse.

This is a key distinction in relation to the discourse of reconciliation in Rwanda, for, as was clear in the discussion of the previous chapter, it is inherently problematic to attempt to determine which view of reconciliation, the “official” or the “unofficial,” represents an objective truth, or to ascertain whether the government perspective or the citizens’ perspectives better represent the “reality” of present-day Rwanda. In looking at the RPF discourse of reconciliation as a “discourse” in Foucault’s sense of the word, however, this attempt to establish an absolute truth is relaxed, and we can instead analyze the government discourse of reconciliation on its own terms, focusing

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<sup>7</sup> Ibid., 202-203.

<sup>8</sup> Michel Foucault, *Power/Knowledge: Selected Interviews and Other Writings 1972-1977* (Sussex: Harvester Press, 1980), 118.

on the truths privileged and constructed, the power generated, and the political objectives achieved through this discourse.

One further crucial element in Foucault's discussion of discourse is his conceptualization of domination and repression as processes that cannot simply be instituted by "the ruler" upon "the ruled," but that must necessarily involve the participation of "the ruled" in these very processes. Power relations, Foucault emphasizes, "necessarily extend beyond the limits of the State,"<sup>9</sup> and in order to be effective, channels of state power must involve even the entire society in the reproduction of that power. As anthropologist Achille Mbembe points out in discussing the process of authoritarian rule in the context of Foucault's concept of the "politics of coercion," "[i]f subjection appears more intense than it might be, it is because the subjects...have internalised the authoritarian epistemology to the point where they reproduce it themselves in all the minor circumstances of daily life."<sup>10</sup>

This idea is key in considering the relationship between discourse and power, for the process of knowledge production at the heart of Foucault's concept of discourse in fact derives much of its political potency from the fact that it involves entire societies in the process of knowledge production, in the internalization of the truths produced in this process, and thus in the reproduction of the power that is created through those truths. "What makes power hold good," Foucault explains, "what makes it accepted, is simply the fact that it doesn't only weigh on us as a force that says no, but that it traverses and produces things, it induces pleasure, forms knowledge, produces discourse. It needs to be considered as a productive network which runs through the whole social body, much more than as a negative instance whose function is repression."<sup>11</sup> In other words, the production of state power is never merely a top-down process, but must be understood as involving the participation, whether active or passive, direct or indirect, of society as a whole, even those individuals and groups who are potentially subject to the

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<sup>9</sup> Ibid., 122.

<sup>10</sup> Achille Mbembe, "Provisional Notes on the Postcolony," *Africa* 62, no. 1 (1992), 25.

<sup>11</sup> Foucault, 119.

repressive implications of that power. In sum, in order for discourse to produce power, it must *circulate*, and this process of circulation necessarily involves large-scale participation. Thus, in considering the concept of discourse in the Rwandan context, this paper will also touch on the various channels through which this discourse operates and circulates, and through which the Rwandan government effectively involves the Rwandan public in the process of reproducing knowledge and truths about “reconciliation,” and thus in producing the power generated by these truths.

### *Discourse and Power in practice*

In keeping with Foucault’s definition of discourse, the focus of this chapter will be in analyzing the power implications and political consequences of the discourse of reconciliation in Rwanda. Thus, this chapter will explore such questions as, how does this discourse produce political power for the Rwandan government? How is this power evident in a rhetorical analysis of this discourse of reconciliation? How is it evident in concrete political phenomena? In keeping with the spirit of Foucault’s definition of discourse that privileges the study of effects over intention in analyses of power,<sup>12</sup> this paper will not attempt to demonstrate that the Rwandan government *intentionally* manipulates the discourse of reconciliation as a means of consolidating its power. Rather, this paper will simply seek to illustrate the way in which this discourse in fact contributes to this consolidation of power, regardless of the presence or lack of such an intention. As mentioned above, this chapter will focus on three key aspects of the official discourse on reconciliation: history, ethnicity, and justice. Not merely randomly chosen elements of this larger discourse, these three features of the reconciliation discourse in fact correspond to the Rwandan government’s three principal reconciliation goals: history provides a lens through which to view past incidents of “bad governance” and to frame conceptions of “good governance,” ethnicity is the ever-present background for discussions of unity, and justice represents a means to eradicate the oft-cited “culture of impunity” in Rwanda.

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<sup>12</sup> Ibid., 97.



Before discussing each of these three features of the RPF government's discourse of reconciliation, however, it is first necessary to briefly outline the channels through which this discourse operates, or the platforms upon which knowledge is constructed by this discourse. These different channels of discursive representation are, in effect, the means by which the government disseminates its version of reconciliation amongst the Rwandan polity, and accomplishes the mass reproduction of this discourse. In essence, these channels illustrate the way in which both the government and the Rwandan population participate *together* in the reproduction of this discourse of reconciliation, and thus illustrate Foucault's point that power is not merely a top-down matter but necessarily involves the interaction of state and subject in its reproduction. Some of these channels represent intentional initiatives explicitly undertaken by the Rwandan government to "re-educate" the general population and to communicate the government's messages of unity and reconciliation, while others represent more subtle means of accomplishing this same goal.

One National Unity and Reconciliation Commission report outlines the wide range of intentional governmental initiatives in this regard. All falling under the supervision of the Civic Education Department within this commission, these programs include "solidarity camps" that target different groups within the Rwandan population, such as "local leaders, women, youth groups, opinion leaders and all the grassroots population," as a means of discussing "national problems that affect unity and reconciliation in Rwanda."<sup>13</sup> Other such programs include a "syllabus unit" set up to address civic education by way of schools, debates and conferences, and cultural activities, as well as through community initiatives purposed to address poverty while promoting unity and reconciliation.<sup>14</sup> In schools, the broad aim of such curriculum reform is to "teach the learners to be considerate citizens," and includes "peace education" programs designed to instill in Rwandan

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<sup>13</sup> Republic of Rwanda, *Nation-wide Grassroots Consultations Report: Unity and Reconciliation Initiatives in Rwanda* (Kigali: n.d.), 13-14.

<sup>14</sup> Ibid.

schoolchildren such values as “tolerance, solidarity, cultural diversity and human rights.”<sup>15</sup> Civic education initiatives that target the general (adult) population focus on similar issues, and include programs that promote unity and reconciliation through regular meetings held in villages and towns across the country. Topics covered in these programs range from election education during the pre-election period that covered the basics of voting and democracy,<sup>16</sup> to education about the *gacaca* courts, and to general discussions of unity and reconciliation. The forums for such discussions range from music, dance, poetry and drama events that encourage artistic renderings that can be used to “promote unity and reconciliation,” to solidarity camps, or *ingando*, where released prisoners go through a process of “re-education” prior to being released back into the general civilian population.<sup>17</sup> It must be stressed that this is a massive project – such “civic education” programs, also referred to in Rwanda as *sensibilisation* initiatives, are a prominent and regular feature of Rwandan village life.

Another equally important means of disseminating the government’s reconciliation rhetoric is the media. In fact, although new laws were recently passed that allow for independent radio stations to be set up in Rwanda,<sup>18</sup> as of February 2004 there were still no independent radio or television channels in Rwanda. Rwanda’s FM radio-waves are thus monopolized by the state-owned Radio Rwanda, and are tempered only by foreign channels BBC, Voice of America, and Deutsche Welle. Similarly, the only Rwandan-owned TV station throughout this time was the state-owned Television Rwanda, or TVR. This lack of independent media was justified by the government as a means of preventing divisive ideology being spread through the media, and was set against the

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<sup>15</sup> International Bureau of Education, “Curriculum Development and Education for Living Together: Conceptual and Managerial Challenges in Africa. Final Report of the Seminar Held in Nairobi, Kenya 25-29 June 2001,” 2001, <<http://ibe.unesco.org>> (9 April 2004).

<sup>16</sup> International Foundation for Election Systems, “Workshop on Civic Education for Elections in Rwanda,” May 2002, <<http://www.ifes.org>> (9 April 2004).

<sup>17</sup> Republic of Rwanda, Nation-wide Grassroots Consultations Report,” 13-14.

<sup>18</sup> United Nations Integrated Regional Information Network, “Rwanda: Privately owned radio stations to begin operations in February,” 28 January 2004 <<http://www.irinnews.org>> (8 April 2004).

background of the *Radio Télévision Libre des Mille Collines* (RTLM) radio station that was so critical in promoting the 1994 genocide.<sup>19</sup>

Local newspapers, such as the Kinyarwanda-language Umuseso and the English-language New Times, are not explicitly state-owned. While NGO observers note the relative independence and often critical voice of Umuseso,<sup>20</sup> the New Times has close ties to the RPF party, and is widely understood to be a pro-RPF, pro-government paper. In fact, given that the New Times appears to be owned and controlled primarily by prominent RPF members, it effectively represents a direct means for the dissemination of RPF government rhetoric.<sup>21</sup> Of course, given its relatively limited readership (only a small percentage of the Rwandan population is literate in English), the New Times essentially represents a means of communicating to a largely urban and educated élite, to those Tutsi returnees who grew up in Uganda, and also to the expatriate population living in Rwanda. Billboards and posters that adorn the city streets and country roads of Rwanda are another effective means by which the government communicates messages about reconciliation, as in the example mentioned in the previous chapter of the common billboard that bears the slogan “gacaca courts: the truth heals.”

Other rhetorical mechanisms center on the symbolic, such as the new flag, coat of arms and anthem introduced by the administration on 31 December 2001. These new national symbols were designed to replace the symbols associated with the pre-genocide government with symbols that represent the reconciliatory aims of the present government.<sup>22</sup> The old red, yellow, and green flag, with a black capital “R” at its center, was said by the RPF government to be a

<sup>19</sup> International Crisis Group, “Rwanda at the End of the Transition: a Necessary Political Liberalisation,” 13 November 2002, <<http://129.194.252.80/catfiles/2555.pdf>> (4 April 2004), 14.

<sup>20</sup> Cordaid, Icco, Kerkinactie, and Novib, ““Tell our government it is OK to be criticised!”” February 2004, <<http://www.bbo.org>> (9 April 2004), 53.

<sup>21</sup> British Broadcasting Corporation, “Country Profile: Rwanda,” n.d., <[http://news.bbc.co.uk/2/hi/africa/country\\_profiles/1070265.stm](http://news.bbc.co.uk/2/hi/africa/country_profiles/1070265.stm)> (8 April 2004); International Crisis Group, “Africa’s Seven-Nation War,” 21 May 1999, <<http://www.reliefweb.int>> (8 April 2004); Bjorn Willum, “Foreign Aid to Rwanda: Purely Beneficial or Contributing to War?” (Ph.D. diss., University of Copenhagen, 2001), <<http://www.willum.com/dissertation/index.htm>> (8 April 2004), 117; World Press Organization, “Rwanda,” n.d., <<http://www.worldpress.org/profiles/rwanda.cfm>> (8 April 2004).

<sup>22</sup> Joseph R. Gregory, “World Briefing,” *New York Times*, 19 May 1999.

reminder of the previous government that backed the 1994 genocide. Discussing this flag, one government official remarks that the former flag's colors were inappropriate given that they "were chosen during a time of sectarianism and ethnic hatred."<sup>23</sup> Another official maintains that the color black represented "some form of doom,"<sup>24</sup> and that the color red symbolized the blood spilled by Hutu in the struggle against Tutsi "oppression,"<sup>25</sup> a message clearly contradictory with the aims of the current (Tutsi-dominated) government. In contrast, the new green, yellow and blue flag, marked by a golden sun, was designed to symbolize Rwanda's natural resources (green), economic development (yellow), happiness and peace (blue), and unity (the golden sun and its rays).<sup>26</sup>

At the same time, the former coat of arms, marked by a hoe, sickle, and a bow and arrow, was considered to be reminiscent of the machetes used to carry out the genocide, and was replaced by a coat of arms highlighting neutral images of Rwanda's plants and crafts.<sup>27</sup> Lastly, the national anthem that had once mentioned the three different ethnic groups in Rwanda and that the current government claims "praises some former leaders who committed genocide at certain stages in the country's history,"<sup>28</sup> was replaced by an anthem with more neutral lyrics that celebrated a "beautiful Rwanda."<sup>29</sup> The "Government of National Unity," the name adopted by the government ever since July 1994, also represents such a symbolic communication.

It must be stressed, however, that, whether manifest in through civic education, the media, or national symbols, the efficacy of these channels of knowledge production lies not in the strength of the messages communicated through these channels, but in the active participation of the

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<sup>23</sup> Levi Ochieng, "Rwanda to Change Symbols," *East African* (Nairobi), 3 December 1999.

<sup>24</sup> Ibid.

<sup>25</sup> Reuters, "Reports of changes to the flag," 18 May 1999, <<http://www.flags-by-swi.com/fotw/flags/rw.html>> (9 April 2004).

<sup>26</sup> "Eric Blair's World of Flags," n.d., <<http://www.thelatchbook.com/flags>> (9 April 2004).

<sup>27</sup> Ochieng, "Rwanda to Change Symbols"; Republic of Rwanda, "The Coat of Arms," n.d., <<http://www.rwanda1.com/government/coat.htm>> (9 April 2004); Reuters, "Reports of Changes to the Flag."

<sup>28</sup> Ochieng, "Rwanda to Change Symbols."

<sup>29</sup> Charles Onyango-Obbo, "Volatile Search for United Rwanda," *Nation* (Nairobi), 8 January 2002, <<http://www.allafrica.com>> (9 April 2004).

Rwandan population in digesting and reproducing the knowledge and truths generated through these various means. In this light, equally important as channels of representation are the various regular performative events that overtly involve the Rwandan population in the interactive process of knowledge production and that thus serve to repeatedly remind the Rwandan population of the government's goals in regards to reconciliation. Such events include, for example, the weekly meetings of the *gacaca* courts. Formal conferences on issues related to unity and reconciliation also represent a significant discursive mechanism, although these are relatively limited in their reach, as they target mainly government officials in Kigali, and Rwandan and expatriate staff at NGOs and inter-governmental organizations (IGOs). Posters and banners advertising these conferences decorate the Kigali streets, advertising conferences focused on everything from judicial reform in Rwanda to the role of women in Rwanda's economic development, and from efforts to address post-genocide trauma to the process of reconciliation and democratization in Rwanda.

Government monitoring of civil society organizations also serves to underline the state discourse on reconciliation, as evident in the painstaking government review of NGO reports and activities. This is clear in the comments by the Rwandan government that appear in the annexes following PRI reports,<sup>30</sup> as well as in the comments by the Rwandan government relative to Amnesty International's accusatory reports.<sup>31</sup> Even documentary videos on issues related to the benign topics of justice and reconciliation in Rwanda that are screened around Rwanda by independent media NGO Internews as a means of contributing to the process of reconciliation in Rwanda are subject to intense scrutiny, review, and revision by government officials. These various platforms of knowledge construction provide the Rwandan government with a diverse rhetorical toolbox for disseminating their discourse of reconciliation. The precise means by which the government uses these mechanisms will become more clear as this chapter progresses.

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<sup>30</sup> Joseph Mutaboba, Republic of Rwanda, "Annexe 5: Comments on PRI's report on the Research into Gacaca, of 25 March 2003," in Penal Reform International, "PRI Research Team on Gacaca, Report IV," January 2003, <<http://www.penalreform.org/download/Gacaca/Jan2003>> (4 April 2004), 33.

<sup>31</sup> Republic of Rwanda, "Mise au point au sujet du rapport et différentes correspondances d'Amnesty International," 10 September 2003, <<http://www.inkiko-gacaca.rw/fr/introduction.html>> (9 April 2004) [translated by Radha Webley].

### *Ethnicity*

In turning first to a discussion of the role of ethnicity within the larger discursive framework of reconciliation, it is clear that ethnicity is inextricably linked to the government's vision of reconciliation. The primary way that ethnicity manifests in this context is in the unity/divisionism dichotomy discussed in Chapter One. Structured around the binary opposition of national unity versus divisionism, this dichotomy, as chronicled by the various scholars and NGO reports cited in this first chapter, provides an effective rhetorical means by which the government can deny the legitimacy of all political opposition (by labeling them 'divisionist'), and also by which the government can justify continuing political repression. As was also mentioned in this first chapter, the Rwandan government's employment of a contrived concept of "national unity" to banish ethnicity from acceptable public parlance can be understood as an attempt to mask the ethnic discrimination that is so evident in the RPF-led administration.

Although a potent rhetorical mechanism on its own terms, this dichotomy is given additional strength by its consistent association with the discourse of reconciliation. In fact, the words "unity" and "reconciliation" are rarely mentioned separately from one another, but are generally cited together in official government discourse as the twin features of the road towards reconstruction. The reasoning behind this discursive equivalence is evident in the following excerpt from a July 2003 speech by Prime Minister of Rwanda, Bernard Makuza:

Unity and Reconciliation are core to national recovery. This clearly explains the reason why the government deemed it critical to institute the National Unity and Reconciliation Commission (NURC), whose mandate include [sic] reconciling Rwandans and acting as a strong force against any divisive ideologies among the Rwandan masses....The task of realizing national unity needs fighting divisive ideologies that are based on ethnicity, regionalism, gender or religion. The government...has enacted punitive laws to check those preaching divisive politics.<sup>32</sup>

As is evident in this quotation, unity and reconciliation are twin projects. Thus, when considering the discussions of the unity/divisionist dichotomy outlined in Chapter One, it must be understood

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<sup>32</sup> Bernard Makuza, Prime Minister, Republic of Rwanda (speech given 18 July 2003), in "Sowing the golden seed," *New Times* (Kigali), 4-6 August 2003, 19.

that one of the principal reasons that this dichotomy is able to gain credence in present-day Rwanda, and its power as a discourse able to gain such tangible force, is that the concept of “unity” is so inextricably linked within Rwandan government discourse to the irreprovable goal of “reconciliation.” As discussed previously, the need to transcend ethnic polarization is one of the highlights of reconciliation as it is understood by the present administration. It is only in this context, set against the future goal of reconciliation, and also against the background of previous ethnic polarization and genocide, that the concept of “unity” can be seen as a socially legitimate goal. In effect, the inclusion of “unity” within the larger discourse of reconciliation lends it especial legitimacy, and justifies the goal of “unity” so completely as to silence objections to the potential danger of this rhetorical construct.

Although the Rwandan government adamantly denies “the absurd charge that we derive political capital from divisions, genocide, and fear,” and insists that “[t]he fear of divisions and genocide in our society is real and legitimate,”<sup>33</sup> the political effects of the “unity/divisionism” dichotomy are discussed by various academic and NGO writers, as outlined in Chapter One. Centered around increasing political repression on all levels, these effects include the implementation of “law number 20/2000,” created by the Rwandan government in response to a perceived “divisionist political drift” in Rwandan civil society.<sup>34</sup> This law “legitimises total political control over the activities of civil society, giving the executive branch the means to suspend any association at any time in a totally discretionary manner.”<sup>35</sup>

Other such political consequences of the “unity/divisionism” dichotomy include the 900-page government document of April 2003 that articulated divisionist tendencies in Rwanda and that resulted in the exile or disappearance of nine individuals who were either directly or indirectly

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<sup>33</sup> Paul Kagame, President of Rwanda, Republic of Rwanda (“Inaugural Address,” 15 September 2003), in Government of Rwanda, “‘Rwandans United For a New Era’ – President Kagame’s Inaugural Address,” 15 September 2003, <<http://www.allafrica.com>> (4 March 2004).

<sup>34</sup> International Crisis Group, “Rwanda at the End of the Transition,” 13.

<sup>35</sup> Ibid.

accused of “divisionism in this report.”<sup>36</sup> As early as June 2002, in fact, Amnesty International reported that 20 “prisoners of “conscience,” or those “detained solely for their perceived or actual peaceful political affiliation,” were being held in custody by the Rwandan government. Amnesty International directly links these arrests to President Kagame’s emphatic insistence that the government will not tolerate those that “promote sectarianism or division among the Rwandese people.”<sup>37</sup> More ways in which this discourse of unity operates will become clear later in this chapter, in the discussion of the 2003 presidential elections.

### *History*

As was clear in the first chapter of this paper, the Rwandan government is engaged in a massive reconstruction of history. Anthropologist Johan Pottier has documented at length the tendency of the Rwandan government to idealize pre-colonial Rwandan history, to locate the origins of ethnicity in the colonial era and to thus erase any traces of ethnically-structured pre-colonial social inequalities, and to also discredit the goals of the 1959 revolution. Also discussed in this first chapter, Nigel Eltringham and Saskia van Hoyweghen document similar trends in relation to the history of the 1994 genocide, showing how the government has revived the binary identity constructs of Hutu/Tutsi that are now taboo in present-day Rwanda through various “victim/victimizer” categories, all of which privilege the Tutsi position and legitimize the RPF government. This re-engineering of history, however, has not taken place in isolation from the discourse of reconciliation, but is in fact a critical element in this larger discourse. In this light, an examination of this historical revisionism provides yet another means by which to understand the discursive power of the concept of reconciliation in Rwanda as it is employed by the present administration.

The reconstruction of Rwanda’s history of ethnicity is one key area where the link between historical revisionism and the state discourse on reconciliation becomes clear. As Pottier points

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<sup>36</sup> Human Rights Watch, “Preparing for Elections: Tightening Control in the Name of Unity,” May 2003 <<http://www.hrw.org>> (8 April 2004).

<sup>37</sup> Amnesty International, “Rwanda: Number of prisoners of conscience on the rise,” 19 June 2002, <<http://web.amnesty.org/library/eng-rwa/index>> (4 April 2004).



out, the current government rhetoric seeks to summarily deny the existence of ethnicity in precolonial Rwanda, and to firmly place the origins of ethnicity in Rwanda in the colonial era. This is clear in the following statement by President Kagame:

During colonial era: colonial masters and religious preachers capitalised on “divide and rule policy”. In their sermons, they developed that Rwandan people are divided into distinctive ethnic groups, insisting that one group is naturally more intelligent than others and therefore has to rule over the rest. However, time came to pass when they made up their mind that the group that had been thought of being less intelligent was being oppressed and that it should rise up and liberate itself.... It’s from the colonial rule that sprouted antagonism between Hutu and Tutsi.<sup>38</sup>

This theme is further evident in a statement contained within a NURC report, that “[b]efore colonialists arrived in Rwanda, Rwandans lived in relative harmony; living side-by-side as brothers.”<sup>39</sup> This emphasis on past unity, however, must be understood as a critical element within the present discourse of unity, and in fact cannot be fully understood outside of this contemporary discourse. Not merely an objective re-telling of history, this glorified version of past unity in fact provides a basis both for the claim by the present government that ethnicity has only ever generated violence in Rwandan society, and also for the claim that an ethnicity-free society is both possible and desirable in Rwanda. In this manner, the discourse of reconciliation provides a framework for understanding the present process of historical reconstruction in Rwanda, while this historical reconstruction underwrites the ambitious (and often dubious) claims made by the Rwandan government, in regards to the aims of a national process of reconciliation.

The linkage between historical revisionism and reconciliation is also clear in a presentation on the Rwandan experience of reconciliation delivered by former presidential advisor Patrick Mazimakha at the June 2003 “Conference on Reconciliation and Democratisation Policies” in Kigali. Choosing to begin his presentation by turning to history, he began by discussing the historical roots of the

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<sup>38</sup> Paul Kagame, President of Rwanda, Republic of Rwanda (speech delivered at the “Evaluation Day of National Unity and Reconciliation,” Kibuye, Rwanda, 23 November 2001), in *Report on the Evaluation of National Unity and Reconciliation*, Republic of Rwanda (Kigali: June 2002), 5.

<sup>39</sup> Republic of Rwanda, *Nation-wide Grassroots Consultations Report*, 7

1994 genocide, blithely stating, “I will conveniently begin the history of the genocide in 1959.”<sup>40</sup> In beginning the history of the genocide in 1959, however, Mazimakha erases the decades and centuries of Tutsi domination in Rwanda’s political sphere, and the role that these years of Tutsi domination/Hutu marginalization might have played in leading up to the 1959 revolution. Instead, by beginning the history of the genocide in 1959, Mazimakha effectively privileges the experience of the Tutsi as the victimized and marginalized group in Rwanda, and thus uses history to once again reinforce the victim position, and thus the moral authority, of the (Tutsi-dominated) RPF government. By thus constructing the present government in the position of victim within the context of a historical emphasis on Tutsi suffering, such an understanding of history effectively legitimizes the present RPF-led process of reconciliation as a valid means of overcoming this history.

Also during this same speech, Mazimakha went on to discuss how the task of reconciliation is about forging a “one and indivisible people,” a task he framed against the background of the manipulation of the history of ethnicity by the Hutus in the decades preceding the genocide. In this context, he emphasizes that historical interpretation “needs to be gently reviewed” as part of the process of cultural reconciliation.<sup>41</sup> With these statements, Mazimakha unintentionally highlights the linkage between history and reconciliation in official government discourse. In this discourse, history essentially provides an antithetical framework within which the narrative of reconciliation can be understood. At the same time, the normative goal of reconciliation provides a lens through which history itself can be viewed and understood, and thus allows for blatant historical reconstruction by attaching a normative meaning to the ostensibly objective discipline of history. Seen in this light, the discourse of reconciliation in fact rests on a process of historical reconstruction, while this historical revisionism is itself made possible by its inclusion within the larger discourse of reconciliation.

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<sup>40</sup> Patrick Mazimhaka, former Presidential advisor, Republic of Rwanda, “Rwandan Experiences” (paper presented at the “Conference on Reconciliation and Democratisation Policies,” Kigali, Rwanda, 19 June 2003).

<sup>41</sup> Ibid.

The inseparability of history and reconciliation in the government rhetoric is further underlined in the author's interview with Oswald Rutimburana, Director of Communications and Research at Rwanda's National Unity and Reconciliation Commission.<sup>42</sup> In this interview, Rutimburana repeatedly ignored a series of specific questions about the role of *gacaca* in the current process of reconciliation in Rwanda, insisting instead that, although he would be happy to answer such specific questions at a later time, it was necessary to first discuss in detail the history of Rwanda as a means to understand the present process of reconciliation. Emphasizing that "bad governance" was to blame for the genocide and that "good governance" was thus central to the process of reconciliation, Rutimburana went on to explain in great detail the history of "bad governance" in Rwanda. This history centered around one particularly questionable statement. Revolution, he states, denotes a process that moves from worse to better, but the 1959 events were in fact the reverse, and moved instead from better to worse. Thus, instead of referring to the 1959 events as a revolution, he explained, he would instead call them the "Hutu uprising."<sup>43</sup> In so doing, however, this government official thus erases any positive elements of this revolution. This erasure of 1959 from Rwandan history is also evident in the 1999 renaming of Rwanda's principal airport, from the Kayibanda airport (Grégoire Kayibanda was a key leader of the 1959 revolution and the first president of the post-colonial Rwandan state) to the Kanombe airport, a neutral name taken from the Kanombe suburb of Kigali where the airport is located.<sup>44</sup>

As is clear from this discussion, the use of history by the present Rwandan government focuses on underlining this government's ethnically-understood victimhood, and in erasing any historical events or patterns that might refute such an understanding. This dual focus, as discussed by Pottier and outlined in Chapter One, both boosts the perceived legitimacy of the RPF administration and both morally and intellectually justifies their rule. As the prior discussion reveals, however, the framework of reconciliation, of which good governance is a critical part,

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<sup>42</sup> Oswald Rutimburana, Director of Communications and Research, National Unity and Reconciliation Commission, Republic of Rwanda, interview by author, Kigali, Rwanda, 15 July 2003.

<sup>43</sup> Ibid.

<sup>44</sup> Reuters, "Reports of changes to the flag"; NGO Staff 4, interview by author, Kigali, Rwanda, 28 July 2003.

further strengthens the power and legitimacy of this historical rewriting. In fact, the emphasis on the need for present-time “good governance” in opposition to the “bad governance” of the previous regime provides a historical justification for the binary framework evident throughout the discourse of reconciliation and, in fact, throughout official government parlance. In this context, the present quest for unity is juxtaposed against the consequences of past divisionism, and the victim position and consequent moral authority claimed by the RPF-led government is positioned against the “victimizer” status and consequent moral bankruptcy of the (majority) Hutu population. This historically-understood binary framework thus provides historical justification for the present government to claim both moral authority and moral impunity in contemporary Rwanda, and also provides a violent antithesis against which this moral authority can be understood.

The historical reconstruction currently underway in Rwanda is not limited to precolonial history nor to the history of the 1959 revolution. Rather, historical reconstructions of the 1994 genocide are a crucial part of this process. In sum, representations of 1994 in official government discourse serve to glorify the present RPF-led government as a savior, a government of heroes who ended the genocide and who, on that basis, merit their present position at the top of Rwandan society. This use of history is evident in the following lines taken from a pre-election advertising supplement in the New Times:

When Rwanda was rescued from a genocidal regime by the new leadership in July 1994, she was a divided nation accentuated with a package of all sorts of problems. But the incoming dedicated leaders did not just consider this factor a blockage, but also as an inspiration as it set out to initiate programmes that would build one of the world's most fragile states at the time into an icon of unity and reconciliation.”<sup>45</sup>

As this statement reveals, the history of the genocide is intimately interwoven in government discourse with the constructions of unity, divisionism and reconciliation discussed above. In this framework, history is used to uphold and to reiterate the need for unity, and also to once again legitimize the present government and its role as the leader of Rwanda's process of reconciliation. As with the 1959 history discussed above, the history of the 1994 genocide is also understood in

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<sup>45</sup> “Healing the Wounds, Cementing our Kinship,” advertising supplement, *New Times* (Kigali), 4-6 August 2003, 21.

a binary fashion, with the RPF heroes juxtaposed against a “divided nation” with “all sorts of problems.” At the same time, the rhetorical understanding of 1994 within the discourse of reconciliation effectively labels all those who advocate more complex histories of the genocide as “divisive,” thus pitting the purportedly “progressive” and “future-minded” RPF government against the presumably “regressive” and “violent” opposition.

One consequence of this trend is clear in President Kagame’s statement, “[t]here are those, both Rwandan and foreigners, who do not want Rwanda to move on from before and abandon old cleavages. They call crimes of vengeance ‘genocide,’ which is entirely false. This discourse aims to deny the genocide. They want to keep Rwandans divided. And they forget that it was Rwandans themselves who had stopped the genocide, while the world did nothing.”<sup>46</sup> This statement clearly reiterates the heroic past of the RPF. In addition, however, in referring to those who “call crimes of vengeance ‘genocide,’” and thus referring to those who accuse the RPF of having committed war crimes, this statement also effectively constructs a political environment in which holding the government accountable for its own crimes becomes labeled as a divisionist strategy.

Seen in this light, it is clear that many of the tangible political effects of the historical reconstruction currently underway in Rwanda are the same as those generated by the discourse of national unity discussed above. In addition, various other political effects of historical revisionism emerge from the paragraphs above. First, this revision of history provides justification both for the unity/divisionism dichotomy and also provides moral justification for the RPF’s rule. In addition, it historicizes the goals of unity and of reconciliation in such a way as to create a binary framework in which the entirety of the (majority) Hutu population of Rwanda is collectively delegitimized time and again, both for the violent participation of some Hutu Rwandans in 1959

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<sup>46</sup> Paul Kagame, President of Rwanda, Republic of Rwanda, “Annexe: Discours de Paul Kagame à l’occasion du lancement officiel des travaux des juridictions gacaca, le 18 juin 2002” (speech delivered at the official launching of the gacaca courts, 18 June 2002), in Penal Reform International, “PRI Research Team on Gacaca, Report III,” April-June 2002, <<http://www.penalreform.org/download/Gacaca/Apr-Jun2002.pdf>> (4 April 2004), 33 [translated by Radha Webley].

and again in 1994. As is clear in this discussion, however, these politically-charged meanings are not only a product of historical revisionism, but are a product of the interaction between historical reconstruction, rhetorical constructions of unity and divisionism, and the umbrella discourse of reconciliation. Not separate from this larger discourse, the rewriting of history is in fact embedded within the discourse of reconciliation, which discourse in turn lends contemporary meaning to this historical project.

This historical reconstruction, however, is not merely accomplished on a rhetorical plane, but is also accomplished through the performative medium of commemorations that, like many of the other discursive channels discussed in this chapter, involve the active interaction of the Rwandan government and the Rwandan citizenry (as well as the international public) in the production of knowledge about history, ethnicity, and reconciliation. Discussing the role of memory in the Rwandan context, one scholar points out that “[t]he RPF’s legitimacy rests on its overthrowing the genocidal regime. Therefore the duty to remember is also a legitimacy producing act which allows the RPF to maintain its hold on power as an army that is unelected, whose leadership is largely Ugandan born or raised, and is composed primarily of the minority Tutsi ethnicity.”<sup>47</sup> As this scholar notes, the RPF “have set about to memorialize the genocide in specific ways which works to create a dichotomous memory of Tutsis as victims and Hutus as perpetrators.”<sup>48</sup> Seen in this light, commemorations only further reinforce the victim/victimizer dichotomy discussed above and are in fact a critical channel through which the government discourse on reconciliation circulates, both in Rwanda and abroad. This point is underscored by the state-sponsored advertising supplement in the New Times that was referenced earlier in this section. Emphasizing the fact that “[t]he country has also set aside one full week of genocide,” this article goes on to stress that “[c]ommemoration is expected to be an important tool of education towards national unity and reconciliation.”<sup>49</sup>

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<sup>47</sup> Jody Lee Ranck, “The Politics of Memory and Justice in Post-genocide Rwanda” (Ph.D. diss., University of California, Berkeley, 1998), 236.

<sup>48</sup> Ibid., 209.

<sup>49</sup> “Healing the Wounds, Cementing our Kinship,” 21.

Much of this governmental emphasis on commemorations is evident in the state's creation of several national holidays associated with the genocide, days that are used to commemorate the dead and to celebrate the present peace. One such day is the "Day of Liberation" on July 1 that marks the day the RPA took Kigali, thus toppling the genocidal regime and bringing an end to the genocide. Perhaps the most important of these commemorative holidays, however, is April 7, the day marking the anniversary of the beginning of the genocide. Set aside every year since the genocide as a national day of mourning, the commemorative activities of this day were especially prominent during April of this year, as 2004 marks the tenth anniversary of the genocide.

Extending the day of mourning to a full week of mourning (April 7-13) and setting aside \$7 million for activities to mark the anniversary, the Rwandan government hosted representatives from around the world for a variety of anniversary ceremonies. These events centered around the April 7 ceremonial reburial of genocide victims' remains in a massive genocide memorial site in Kigali, and included an address by President Kagame to a gathering of approximately 20,000 people.<sup>50</sup> Other activities during this week included an International Conference on Genocide, the initiation of various long-term activities such as exhuming the remains of genocide victims and renovating genocide memorials around the country, and a peaceful protest march followed by a ten-minute period of silence.<sup>51</sup>

Such commemorative activities are not merely performed on an annual basis, however, but their meaning is kept alive year-round in the many genocide museums and memorial sites that dot the hills of Rwanda. Some of these are quite simple, such as cemeteries marked by rows of wooden crosses and perhaps a small plaque recognizing the Rwandans who were killed at that site. Many other memorial sites have been constructed out of churches, which churches were the sites of some of the most heinous massacres of the genocide, and which are now maintained as memorials. In one such memorial at Nyamata, for example, just an hour's drive outside of Kigali, rows and cases of skulls and bones, both inside the church and in vaults on surrounding grounds,

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<sup>50</sup> Nasra Bishumba, "Rwanda to Spend \$7m On Memorial," *Monitor* (Kampala), 25 March 2004, <<http://www.allafrica.com>> (9 April 2004); Hirondele News Agency, "Commemoration Ceremony Begins by Burial of Remains," 7 April 2004, <<http://www.allafrica.com>> (9 April 2004).

<sup>51</sup> Bishumba, "Rwanda to Spend \$7"; Hirondele, "Commemoration Ceremony Begins."

remind visitors of the horror that was suffered there. Similarly, the bullet holes dotting the corrugated iron roof remind these same visitors of the manner in which this suffering was inflicted.

The Gisozi memorial site in Kigali, however, is Rwanda's principal memorial site, and has recently been upgraded for the occasion of the tenth anniversary, at the cost of \$2.5 million. It features five concrete tombs holding the remains of approximately 250,000 genocide victims. In addition, it includes a "series of rooms where Rwanda's history is carved into wooden sculptures depicting the colonial era, the build-up to the genocide, the mass killings and its aftermath....graphic photos and film clips [that] show the levels of violence in 1994, with images of people being decapitated, bodies twitching on the road and the wounded struggling to rise," bones and skulls interred under glass, as well as a display of photographs of the deceased.<sup>52</sup> The performative impact of such commemorative museums, memorials and events is clear. Not only do these various commemorative mechanisms comprise means for the Rwandan government to communicate their discourse of reconciliation to the general population on a mass level, but they also provide a central circumstance in which the Rwandan population and the RPF government can interact together in this process of producing knowledge and thus meaning about the history of the 1994 genocide.

The emphasis on reproducing a national emphasis on the history of the genocide is clear in all of these commemorative activities and museums. Given the gruesome history that is Rwanda's recent reality, this emphasis is certainly understandable, and can be seen as a means of expressing a commitment to avoid any such future incidents of mass violence. As Foucault notes, however, "the control over memory is also a form of power,"<sup>53</sup> and, as anthropologist Danielle de Lame maintains, every commemorative ceremony in Rwanda since 1995 has been dictated by political considerations.<sup>54</sup> "For the most part," de Lame elaborates, "these rituals reactivate pain

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<sup>52</sup> United Nations Integrated Regional Information Network, "Rwanda: 'Our Never Again Means Never Again,' Kagame Vows," 8 April 2004, <<http://www.allafrica.com>> (9 April 2004).

<sup>53</sup> Foucault 1977, cited in Ranck, 237.

<sup>54</sup> de Lame, 6.



and prevent wounds from healing.”<sup>55</sup> She goes on to assert that “the mass rituals take on an obligatory character” and serve to reinforce an official version of the facts of the genocide. In sum, she argues that these commemorations serve to symbolically reproduce the separation between one side of the population, the one-time (Tutsi) refugees, who understand this history as the commemoration of a victorious return to the homeland, and another side of the population, the (Hutu) majority, who understand it as the commemoration of defeat.<sup>56</sup>

This dichotomous pattern is particularly clear when looking at the way that commemoration becomes interwoven with the unity/divisionism doctrine and the process of historical reconstruction, and thus contributes to the political implications of the larger discourse of reconciliation. In a 2001 NURC report, the Commission cites several “indicators of division,” including, among others, that “[s]ome people are not keen to participate in the re-burial ceremonies of genocide victims and in different activities organised during the national mourning week.”<sup>57</sup> The report goes on to explain that

[t]his is a clear indication that some people have not understood that the 1994 atrocities are a common tragedy for all Rwandans. The fact of considering that these atrocities regard only one ethnic group of the population shows that the other group was not concerned by what happened in Rwanda. This created an atmosphere of mistrust amongst Rwandan people; which is hampering unity and reconciliation process.<sup>58</sup>

Seen alongside the various binary patterns discussed above, the statement that “the other group was not concerned by what happened” further reinforces the “victimizer” half of the victim/victimizer dichotomy. In particular, this understanding constructs all Hutus, or at least all those who may not have reason to identify with the commemoration events, as opposing “unity,” against “reconciliation,” and thus necessarily “divisive.” The important thing to note here, however, is not that these people are perceived by the general population as being divisive, for it is impossible to make such an assumption on the basis of this statement. What *is* clear from this statement, however, is that the *government* perceives such people as divisive. This is a critical

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<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

<sup>57</sup> Republic of Rwanda, *Report on the Evaluation of National Unity and Reconciliation*, 14.

<sup>58</sup> Ibid.

point, for it illustrates one mechanism by which the Rwandan government is able to maintain its authoritarian and repressive rule. In effect, the knowledge that one's actions are perceived as "divisive" in an environment where perceived divisiveness repeatedly leads to "disappearances" and arbitrary imprisonments will likely serve to instill fear, and thus to indirectly support the political status quo by discouraging any potential political opposition.

### *Gacaca justice*

As demonstrated in the previous chapter, justice is inextricably linked to the process of reconciliation in Rwanda, and *gacaca* justice in particular is a critical element of this discourse. As President Kagame emphasized during his inaugural address in September 2003, "[w]e introduced the Gacaca courts, a traditional community court system, designed to deliver justice and bring out truth, [and] in so doing [to] enhance the reconciliation of our people. No form of the so-called international standards of justice could satisfactorily address this unique situation."<sup>59</sup> As President Kagame makes clear in this statement, it is only in the context of the process of reconciliation that the newly-implemented *gacaca* system has a function, and this system cannot fully be understood outside of this context. In this light, it is important to also acknowledge how critical the *gacaca* system is to the *discourse* of reconciliation as a whole, and to recognize the various important ways in which this system supports the production of political power generated through this discourse.

The first key way in which the *gacaca* system and the larger discourse of reconciliation interact to produce political power is, as with the commemorative ceremonies discussed above, through the performative impact of these courts. In fact, in analyzing the performative aspect of this system, it becomes clear that these courts are critical in underscoring both the RPF government's claim to political power and also their hold on that power. This link is evident in the following statement about the *gacaca* courts in a 2003 *New Times* article:

Imagine a community of eighty thousand people, are [sic] largely illiterate, poverty stricken (surviving on one dollar a day), a quarter of whom are

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<sup>59</sup> Paul Kagame, "Inaugural Address."

traumatized persons who have escaped insanity by hairs breadth, the other three quarters genocide perpetrator.s [sic] Welcome to Mumusinze hills in Gitarama.<sup>60</sup>

Here, the key phrase is “three quarters genocide perpetrators.” With 84% of the Rwandan population of Hutu ethnicity, this phrase effectively labels all, or almost all, Hutu Rwandans as genocide perpetrators, as opposed to the twenty-five percent of the population that are considered survivors. This introduces yet another key dichotomy with its roots in the “genocide framework,”<sup>61</sup> that of survivor versus perpetrator. This conceptual distinction, however, while clear throughout this particular article, does not only exist in verbal rhetoric, but is derived from an oppositional distinction that is dramatized on a weekly basis in the meetings of the *gacaca* courts in local communities. In other words, the *gacaca* courts can be seen as a forum for the politically-loaded label of “perpetrator” to be dramatically ascribed to the Rwandan Hutus as a group. As with the commemorative ceremonies above, the fact that this opposition is present in at least some observers’ minds and is also propagated in official, or, in this case, quasi-official government discourse, only further reinforces the disenfranchisement of those “three quarters” of the Rwandan population. Performatively emphasizing the victim/victimizer dichotomy and reinforcing the legitimacy of the (Tutsi-dominated) state versus the illegitimacy of the majority of the population, this construction once again reinforces the marginalization of Rwandans of Hutu descent in the present political system and simultaneously warns them against contesting this marginalization.

Another important point in regards to the performative function of the *gacaca* system is the real sense in which this system not only reinforces the ostensible collective guilt of the Hutu majority, but also underlines the moral authority of the state. This is clear in the following statement by a Rwandan genocide survivor, commenting on a recent *gacaca* meeting where it was determined that certain prisoners had no evidence against them and could be let free:

Much could have been said there, but it was impossible to speak, because it wasn't a real trial. *Why get into a debate with the authorities, when it is their*

<sup>60</sup> Saad Ngabo, “Gacaca: Rwanda’s cherished social experiment,” *New Times* (Kigali), 3-5 March 2003, 5.

<sup>61</sup> Nigel Eltringham and Saskia Van Hoyweghen, “Power and Identity in Post-Genocide Rwanda,” in Ruddy Doom and Jan Gorus, eds., *Politics of Identity and Economics of Conflict in the Great Lakes Region* (Brussels: University Press, 2000).

*mission to root out injustice?* Neither witnesses nor prisoners could speak. Even we, we could say nothing. We couldn't freely express our opinions. I, for instance, would have had questions on how to see things. But it was impossible...  
(emphasis mine)<sup>62</sup>

In essence, this statement highlights the veritable power of moral authority and legitimacy in the Rwandan context, and illustrates how the *gacaca* courts serve to dramatically reiterate the point that the government's mission is, as this survivor states, "to root out injustice." This performative rhetorical emphasis, as is clear in this testimony, acts as a powerful silencing mechanism.

The second key way in which the Rwandan government's conceptions of *gacaca* justice interact with the discourse of reconciliation to generate political effects is in the degree to which the privileging of this quasi-legal judicial mechanism in fact legitimizes the abrogation of various internationally recognized human rights. This phenomenon and its consequences is evident in analyzing a document published by the Rwandan government that refutes several key findings of a 2002 Amnesty International report on the *gacaca* process in Rwanda, "Gacaca: A Question of Justice."<sup>63</sup> As have many legal scholars and human rights organizations, this report outlines a number of ways in which the *gacaca* courts could potentially violate international human rights law. Most fundamentally, this report questions the ability of the *gacaca* system to guaranteed accused *génocidaires* the right to a fair trial. Specifically, it questions the ability of this system to guarantee these individuals the right to due process, the right to legal counsel and to adequate time and opportunity to defend oneself, and the right to equality before the law. In addition, this report voices concerns about the degree to which this system will potentially violate the right to be tried by an independent and impartial body, and, perhaps most importantly, the right to be presumed and treated as innocent.<sup>64</sup> All of these rights are enshrined within the International Covenant on Civil and Political Rights, a human rights treaty that Rwanda has both signed and ratified.

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<sup>62</sup> Cited in Anne Aghion, dir., *Gacaca: Living Together Again in Rwanda*, produced by Philip Brooks, Laurent Bocahut and Anne Aghion (Dominant 7/Gacaca Productions in association with Planète, 2002).

<sup>63</sup> Amnesty International, "Gacaca: A Question of Justice," December 2002, <<http://web.amnesty.org/library/eng-rwa/index>> (9 April 2003).

<sup>64</sup> Amnesty International, "Gacaca: A Question of Justice," 30-40.

In responding to these concerns, however, the government document issued by Rwanda's Department of Gacaca Jurisdictions adamantly affirms the foundation of the *gacaca* system in Rwandan tradition and its consequent legitimacy, and implies that the necessity to conduct trials for the burgeoning prison population supersedes other human rights concerns.<sup>65</sup> Stressing the veritable uniqueness of Rwanda's situation, this document emphasizes that "[i]t must not be forgotten that the problem for which Rwanda seeks to find responses has no *parallel* on this planet, and that it is absolutely necessary to find original solutions."<sup>66</sup> "How can one manage such a situation," the report queries, "when one knows that the classical system and even international justice purposed towards this end have not *been able to* bring a satisfactory response"<sup>67</sup> to the magnitude of the 1994 genocide and the huge number of suspected *génocidaires* still in prison? In essence, this report seeks to emphasize the exceptionalism of Rwanda's situation, and to use this exceptionalism as a justification for any potential human rights violations of the state-sponsored *gacaca* system. This is clear in the following statement:

One can never speak of respect for human rights while one blindly applies laws simply because they exist, but without taking into account the reality and the specificity of *every society*. One cannot speak of *respect for human rights* while one is content simply to have respected certain principles *provided for within international texts, but only when one is face to face* with a situation where people run the risk of passing their entire life in prison and where others wait indefinitely for *rehabilitation without ever obtaining it*. 'Justice delayed is justice denied.'<sup>68</sup>

In this argument, the Rwandan government attempts to use cultural relativism as a means of justifying potential human rights violations, and also draws on human rights principles themselves (particularly the right to a fair trial) to argue for potential exceptions to human rights standards. The government's insistence, however, that the only alternative to the potential human rights violations wrought by these courts is to leave people to "wait indefinitely for rehabilitation," or reconciliation, is especially important to the argument of this paper. In essence, this line demonstrates how reconciliation discourse itself, in combination with conceptualizations of justice, is used by the government to justify its own human rights violations, whether potential or actual.

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<sup>65</sup> Republic of Rwanda, "Mise au point," 2-3.

<sup>66</sup> Ibid., 3.

<sup>67</sup> Ibid..

<sup>68</sup> Ibid.

Given the discussion in Chapter Two of this paper, it is particularly interesting that one of the additional justifications that this document gives for the *gacaca* system is that *gacaca*, rather than being a government invention, is in fact a system reflecting the collective choice of the Rwandan people.<sup>69</sup> Also interesting in light of this earlier discussion is the government reports' emphasis on the many "indicators" that the *gacaca* courts "constitute an important step toward reconciliation," indicators such as the many confessions received, the many people who have asked for pardon, and the ability of the *gacaca* meetings to provide a circumstance in which different segments of the Rwandan population can come to together to discuss mutual problems.<sup>70</sup> Given this earlier discussion, it is clear that many of these "indicators" represent questionable assertions, assertions that are even more questionable when used as justifications for human rights violations.

In an environment where "respect for human rights" is repeatedly hailed as the foundation of "good governance" in Rwanda and as the essence of reconciliation,<sup>71</sup> this exceptionalist stance seems not only incongruous, but also potentially dangerous. Once again, the RPF government's own reconciliation discourse, in this case expressed through human rights language, is revealed to be internally consistent only insofar as its internal inconsistencies are consistent with the political objectives of the ruling RPF party. As is clear throughout this paper in the various examples of the government's responses to perceived instances of "divisionism," violations of human rights by the civilian population, whether real or perceived, are entirely unacceptable within the Rwandan political framework. In fact, the government suppresses the civilian population even *in anticipation* of human rights violations. This government report stands in stark contrast to this supposed commitment to human rights, instead betraying the idea that yes,

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<sup>69</sup> Ibid., 4.

<sup>70</sup> Ibid., 4-5.

<sup>71</sup> For examples of the linkage between human rights, good governance, and reconciliation in Rwandan government discourse, see Paul Kagame, President of Rwanda, Republic of Rwanda, "Remembering, Reconciling and Rebuilding" (speech given at the University of Denver, Colorado, 14 April 2004), in Government of Rwanda, "News from Rwanda," n.d., <<http://www.rwanda1.com>> (16 April 2004); Republic of Rwanda, "Commission Nationale pour l'Unité et la Réconciliation: Structure, Fonctions et Programmes de la Commission pour l'Unité et la Réconciliation Nationale (URC), Rwanda" (Kigali: n.d.).

respect for human rights must be maintained, but only, “of course,” with exceptions. Creating room for such exceptions, however, becomes dangerous when the state is the only one allowed those exceptions, and especially when the state holds the sole power to permit its own exceptions.

In essence, the implications of the state response to the Amnesty International report are two-fold. On one hand, the government uses this report to justify their own abrogations of human rights. On the other hand, however, especially as seen within the larger discourse of reconciliation discussed in this paper, the government’s exceptionalist stance serves to morally justify, and to create political space for, their *denial* of the human rights of Rwandan citizens (such as the right to freedom of association, the right to free speech, and the right to the freedom of the press). This is effected through the report’s emphasis on the legitimate need for exceptional state practices in exceptional situations. Thus, the discursive role of the *gacaca* courts within the discourse of reconciliation generates two key political implications. First, it provides a performative mechanism for reproducing binary understandings of Rwandan society that privilege the power and legitimacy of the RPF government. Second, this system, by representing an exception to the rule of international human rights law, opens space for this government to capitalize on this exceptionalist position by denying the human rights of their own citizens.

*Discourse and power in focus: the 2003 presidential elections in Rwanda*

...the analysis should not concern itself with power at the level of conscious intention or decision...it should refrain from posing the labyrinthine and unanswerable question: ‘Who then has power and what has he in mind? What is the aim of someone who possesses power?’ Instead, it is a case of studying power at the point where its intention, if it has one, is completely invested in its real and effective practices....Let us not, therefore, ask why certain people want to dominate, what they seek, what is their overall strategy. Let us ask, instead, how things work at the level of on-going subjugation...

- Michel Foucault, *Power/Knowledge*, 97.

As Foucault emphasizes in the above passage, and as discussed earlier in this chapter, an analysis of power is better conducted at the level of actual practices than on the level of conscious intention. This emphasis on the effects of power generated through the discourse of reconciliation in Rwanda has been the aim of each of the previous sections of this chapter. However, in order to tie together all of the themes discussed in this chapter, and to clearly demonstrate how they all interact to produce political power for the RPF administration, this chapter ends with a discussion of the August 2003 Presidential elections in Rwanda, the first multi-party elections in Rwanda's history. These elections provide a clear and concrete illustration of the political implications of the "unity/divisionist" framework, of the government's discursive emphasis on reconciliation altogether, and of the place of history and of justice in this process.

One newspaper article that appeared in the New Times in July 2003, entitled "The Parmehutu ideology or the refusal to live together," provides a perfect example of the connections between revisionist history, doctrines of unity and divisionism, the discourse of reconciliation, and the political context of the then-upcoming presidential elections.<sup>72</sup> This article explicitly juxtaposes the idealized version of history outlined above against the doctrine of "living together again" so central to the official reconciliation discourse. At the same time, it also emphasizes the need for unity (which it locates both in an idealized past and in the objectives of the RPF) in the face of divisionism (which it traces in the ideology of the Parmehutu political party from the years leading up to the 1959 revolution, through the genocide, and eventually to presidential candidate Faustin Twagiramungu, a former member of the Democratic Republican Movement, or MDR party).<sup>73</sup> This

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<sup>72</sup> Servilien Sebasoni, "The Parmehutu ideology or the refusal to live together," *New Times* (Kigali), 7-9 July 2003, 8.

<sup>73</sup> An explicitly pro-Hutu party, Parmehutu (Parti du Mouvement de l'Emancipation Hutu, or Party of the Movement for the Emancipation of Hutu) was one of the key parties that drove the 1959 revolution. Created in 1959, the MDR joined forces with Parmehutu to form an MDR-Parmehutu coalition that effectively controlled the political administration of Rwanda during the years of the "First Republic" (1962-1973). These parties were abolished in 1975 under President Habyarimana's single-party regime. The MDR was reestablished in 1991 during the beginning of power-sharing discussions in Rwanda, by which time it was no longer directly aligned with any one ethnic group. In July 1993, however, the MDR divided into "MDR-Power," a party that embraced Hutu Power ideology and that was critical in the organization and implementation of the genocide, and a second branch (led by Twagiramungu) that denounced the genocide, maintained an alliance with the RPF, and whose members were targeted as "political moderates" during the genocide. The current MDR is descended from this latter branch of the



article clearly seeks to discredit Twagiramungu, the man considered to represent the principal opposition to incumbent Paul Kagame in the August elections. Thus, this article provides a stellar illustration of how historical revisionism and reconciliation discourse were jointly employed by RPF adherents during the months leading up to the elections as a means of triumphing the RPF and denigrating the opposition.

The idealization of history is evident in a number of statements within this article, such as “[o]riginally, Rwanda was an egalitarian country: the people of Rwanda were the children of the same father....”<sup>74</sup> and “When Rwanda was a monarchy, the citizen took pride in obedience and owed his property and happiness to his docility and to his master’s benevolence.”<sup>75</sup> Tracing the history of Rwanda through the colonial era and then through the post-colonial decades, however, the story told in this article is reminiscent of a biblical fall from grace, with colonialism representing the serpent in its “introduction” of ethnicity to Rwanda, and the post-colonial decades representing the progressive deterioration of a once Edenic utopia, which deterioration is told as a narrative that began in 1959 and continued through the 1994 genocide. In this context, Grégoire Kayibanda, the first president of postcolonial Rwanda and early leader of the Parmehutu party, is depicted in a manner reminiscent of Eve, and his implementation of ethnically exclusionary policies in postcolonial Rwanda as the biting of the apple that doomed the future of this utopianized nation.

What is important for the purposes of this paper, however, is not only the exaggerated degree to which this article employs history as a means of de-legitimizing the Parmehutu party, but the degree to which this de-legitimation of Parmehutu and even of the entire history of Rwanda is painted as the legacy that Twagiramungu would bring to Rwanda if elected to office. Although

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party, and has continued to be an ally of the RPF and a consistent participator in the RPF-led government over the past decade. The recent attempts to target the MDR as “divisionist” are an anomaly in the history of its relationship with the RPF. Human Rights Watch, 4-6; Catharine Newbury, *The Cohesion of Oppression: Clientship and Ethnicity in Rwanda 1860-1960* (New York: Columbia University Press, 1988), 190-200.

<sup>74</sup> Sebasoni, 8.

<sup>75</sup> Ibid., 9.

Twagiramungu's present MDR party embraces wholly different goals than did Parmehutu, this article repeatedly elides this difference, claiming that "since 1973, the Parmehutu ideology has been adopting...various labels," including, among several others, MDR. This linkage of Twagiramungu to past violence is most clear, however, in the photos that accompany the article. Here, photos of Grégoire Kayibanda, Juvénal Habyarimana (president of Rwanda's "Second Republic" from 1973-1994), and Twagiramungu are placed side by side.

The first key point that stands out about this image is that the portrait of Kayibanda on this page, however, is far from neutral. Rather, it is an image taken from a December 1993 cover of Kangura newspaper, a paper now largely considered to have been critical in disseminating genocidal propaganda. In this image, Kayibanda's photo is framed within a poster that includes an image of a machete as well as words questioning what arms should be used to defeat the Tutsi "once and for all."<sup>76</sup> When placed alongside portraits of Habyarimana and Twagiramungu, the implication of this image is clear: Kayibanda and the Parmehutu party instituted policies of ethnic violence in Rwanda, Habyarimana's rule represented a continuation of these policies, and the 1994 genocide was the end result – vote for Twagiramungu, and you are voting for violence. This point is underlined by the other visual images on the pages of this story that recall the violence of the genocide, including one image of dozens of human skulls piled on a floor. Twagiramungu is not only depicted as being pro-violence, however, but he is also depicted as being anti-reconciliation. This is clear by the phrase that appears directly after the point in this article that links Parmehutu ideology to the MDR party, in which the author claims that "there is today a resurgence of the Parmehutu ideology in the form of "rejection of coexistence."<sup>77</sup> The power of the rhetoric exemplified in this literary example is supported by empirical examples detailing the government repression aimed to squelch Twagiramungu's campaign. Human Rights Watch discusses how this revisionist history of the MDR party was at the heart of the parliamentary decision in early 1993 to dissolve the MDR and to conduct an inquiry into

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<sup>76</sup> For a discussion of this image and a translation of the words within it, see Des Forges, 73.

<sup>77</sup> Sebasoni, 9.

“divisionist” elements remaining within this party.<sup>78</sup> Amnesty International provides a number of examples of disappearances and arrests that preceded the presidential elections, all of which took place in the wake of the dissolution of the MDR party by the Rwandese Parliament on 15 April 2003. This event followed the Rwandan parliament’s overwhelming approval of “the parliamentary commission report that accused the MDR of propagating a ‘divisive’ ideology”<sup>79</sup> and of being “against national unity.”<sup>80</sup>

Linking the dissolution of the MDR directly to the upcoming elections, Amnesty International also chronicles various other incidents of blatant political repression that continued to plague Twagiramungu’s campaign, even after he abandoned his MDR affiliations and decided to run as an independent. They note that police seized the opposition candidates’ campaign leaflets on the charge that they “were intended to sow ethnic division,”<sup>81</sup> report that eight people were arrested in September “because of their alleged support” for Twagiramungu and on charges of “encouraging racial divisions.”<sup>82</sup> These arrests followed reports of twelve earlier arrests of Twagiramungu supporters in August who were accused of convening an “illegal meeting,” and reports of an attack on a Twagiramungu supporter the week before the election in which his candidate’s T-shirt was “torn to pieces.”<sup>83</sup> In total, the US Department of State estimates that “more than 300 persons were detained during the presidential campaign period in July; almost all were alleged supporters of Twagiramungu.”<sup>84</sup> The use of the language of unity and divisionism clearly undergirded these arrests, as is clear in the words of Fatuma Ndagiza, executive secretary of the National Unity and Reconciliation Commission. During the week preceding the election, Ndagize

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<sup>78</sup> Human Rights Watch, 1-8.

<sup>79</sup> Amnesty International, “Rwanda: Escalating repression against political opposition,” 22 April 2003, <<http://web.amnesty.org/library/eng-rwa/index>> (4 April 2004).

<sup>80</sup> Amnesty International, “Opposition silenced in run-up to elections in Rwanda,” n.d., <<http://web.amnesty.org/library/eng-rwa/index>> (4 April 2004).

<sup>81</sup> Amnesty International, “Rwanda: Run-up to presidential elections marred by threats and harassment,” 22 August 2003, <<http://web.amnesty.org/library/eng-rwa/index>> (4 April 2004).

<sup>82</sup> Amnesty International, “Detention without charge/Incommunicado detention/Possible prisoners of conscience,” 29 August 2003, <<http://web.amnesty.org/library/eng-rwa/index>> (4 April 2004).

<sup>83</sup> Grace Matsiko and Geoffrey Kamali, “Kagame Opponent Defects in Presidential Elections,” *New Vision* (Kampala), 25 August 2003.

<sup>84</sup> United States Department of State, “Rwanda: Country Reports on Human Rights Practices – 2003,” 25 February 2004, <<http://www.state.gov>> (22 April 2004).

accused Twagiramungu of “spreading negative and divisive ideologies geared at planting seeds of ethnic hatred amongst Rwandans,” accusations that were dismissed by Twagiramungu as weapons of intimidation designed to undermine his credibility.<sup>85</sup>

One observer of the attack mentioned above (Footnote 83) notes that, “[h]ow can our people hold our [campaign] placards when they are watched by the state agents? They have to fear for their lives.”<sup>86</sup> Candidates noted consistent harassment for their supporters and campaigners, and also noted that all of the stadiums in the country had been booked months in advance by the RPF (long before campaign preparations were legally allowed), effectively preventing any other candidates from holding campaign speeches.<sup>87</sup> One news report notes that “[t]he general view in Kigali is that, owing to the country’s history of repression and violence, ordinary Rwandans fear to openly show their political stand.”<sup>88</sup> The reality of this fear of being accused of divisionism, the circularity of this discourse of unity/divisionism, and the degree to which the Rwandan population itself becomes involved in reproducing this discourse, is clear in an interesting case from 2003, where a man in Rwanda’s Butare province reported his wife to the police, accusing her of “divisionism.” As a result of these charges, this woman was held in prison for nearly six weeks.<sup>89</sup>

Against the vision of the “divisiveness” of the opposition so actively cultivated by his RPF party, President Kagame highlighted unity in his own campaign, as clear in his official campaign slogan: “unity, democracy and development.”<sup>90</sup> Reporting on 22 August (3 days before the election), Amnesty International notes that President Kagame “has been running a campaign whose central message in recent days has been the denunciation of the other candidates’ ‘ethnic

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<sup>85</sup> United Nations Integrated Regional Information Network, “Polls Threaten to Renew Ethnic Divide, Says Government,” 19 August 2003, <<http://www.allafrica.com>> (4 March 2004).

<sup>86</sup> Matsiko and Kamali, “Kagame Opponent Defects in Presidential Elections.”

<sup>87</sup> Michael Wakabi and Shyaka Kanuma, “Opposition Cries Foul in Election Campaigns,” *East African* (Nairobi), 11 August 2003.

<sup>88</sup> Wakabi and Kanuma, “Opposition Cries Foul.”

<sup>89</sup> United States Department of State, “Rwanda: Country Reports on Human Rights Practices – 2003.”

<sup>90</sup> United Nations Integrated Regional Information Network, “Focus on Ethnicity in the Presidential Election Campaign,” 22 August 2003, <<http://www.allafrica.com>> (4 March 2004).

divisiveness.”<sup>91</sup> Along the same lines, another NGO report reports that, in the run-up to the elections, celebrations were organized across Rwanda “to praise the accomplishments of the past 9 years (national unity and reconciliation).”<sup>92</sup> “These meetings,” this report goes on to note, “were not only used to promote the RPF but also to discredit other political parties and critics as enemies and extremists willing to abuse democracy to advance their divisionist agenda.”<sup>93</sup> Although Amnesty International describes “divisive” ideology as “vague terminology used by the government to disenfranchise the political opposition in an election year,” it should be clear from the above discussion in this chapter that this unity/divisionism dichotomy has roots in RPF discourse that long precede 2003. The 2003 presidential elections merely represent the height of this dichotomy and of its meaning in Rwanda’s political sphere.

In amongst this rhetorical quagmire of unity, divisionism and history as means of framing and supporting Kagame’s campaign, conceptions of justice also came into play. In this vein, even such a measure as the recent prisoner release that was justified under the rubric of reconciliation carried political implications in the context of the 2003 elections. In effect, this measure can be seen as a means of feigning an address to the perceived needs of the Hutu populations in Rwanda, and of thus garnering political support from this 84% of the population. Some of the statements by the “general population” cited by Penal Reform International in favor of the January 2003 release underline the possible political motivations of the release, and frame it within the context of the upcoming elections. Students from a secondary school in Cyangugu remark that “[t]he President’s decision is very encouraging, unity and reconciliation are possible. Kagame is preparing the elections. The mobilisation has started well. We are prepared to support him.”<sup>94</sup> A farmer in the same region says to “[t]ell [the President] that Cyangugu has ended the elections already. We did not expect such a decision....Tell him he is already elected.”<sup>95</sup>

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<sup>91</sup> Amnesty International, “Rwanda: Run-up to presidential elections marred by threats and harassment.”

<sup>92</sup> Cordaid, et al., 32.

<sup>93</sup> Ibid.

<sup>94</sup> Penal Reform International, “PRI Report IV,” 15.

<sup>95</sup> Ibid.

As hinted at in the previous chapter, this perceived relationship between the prisoner release and the presidential elections is also evident in the speculation of genocide survivors. PRI notes that “[i]n Kibuye, certain survivors...say that the decision to free the prisoners taken by the President is merely the first step in his electoral campaign.”<sup>96</sup> In Ruhengeri, the report notes that other survivors “fear the aim of the communiqué was to appease the families of the inmates coming up to the election.”<sup>97</sup> Although this issue of the prisoner release is justified in government discourse as a necessary legal step on the path to justice,<sup>98</sup> PRI’s report concludes,

[i]t is probable that legal reasons alone could not explain the decision of the government to take such wide-reaching measures....It is probably that political, economic and financial reasons were also taken into consideration. People interviewed in the hills also recalled that elections were to take place soon, and that this Presidential decision favoured ‘reconciliation’ between the Government and the general population.<sup>99</sup>

Although the prisoner release represents only one aspect of the government’s attempt to secure post-genocide justice, it is nonetheless one of the single most significant initiatives of the Rwandan government thus far in regards to the broad question of justice. Consequently, the perception evident within both Hutu and Tutsi communities that this initiative was tied to the upcoming elections represents a telling statement. In fact, it points back once again to the larger theme of this chapter, to the idea that discourses of justice, along with the other discursive mechanisms discussed in this paper, can provide a context for understanding how a man representing a minority within a minority in a country where ethnicity is a key aspect of political identity, can successfully maintain his hold on political power.

In the end, incumbent candidate Paul Kagame won the election with 95% of the vote. Although no serious objections to the elections were heard from international observers (this general trend of silence will be further discussed in the following chapter), the EU observers did report that the

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<sup>96</sup> Ibid., 15-16.

<sup>97</sup> Ibid., 16.

<sup>98</sup> For an example of such a justification, see “Annexe 4: Comments of the President of the Department of Gacaca Jurisdictions 6<sup>th</sup> Division of the Supreme Court,” in Penal Reform International, “PRI Research on Gacaca Report, Report IV, The Guilty Plea Procedure, Cornerstone of the Rwandan Justice System,” January 2003, <<http://www.penalreform.org/download/Gacaca/Jan2003.pdf>> (4 April 2004), 24.

<sup>99</sup> Penal Reform International, “PRI Report IV,” 11.

process was marked by “numerous election irregularities.”<sup>100</sup> As Colette Flesch, head of the EU delegation, states, “I would consider the election to be free and democratic but as far as we can judge, optimal conditions were not probably entirely met.” She points to the fact that “Kagame’s representatives controlled the voting stations, intimidating the electoral officials and voters,” and she also highlights incidents of ballot stuffing.<sup>101</sup> A report by a consortium of Dutch NGOs, however, maintains that, “although the EU was not willing to publicly declare that the elections had not been free, fair, nor transparent,”

*They were not free*, as many people were intimidated, some even detained and questioned on the election days. *They were not fair*, as they took place in a climate of fear in which opposition candidates did not stand the slightest chance of winning. *And they were not transparent*, since during the counting of the votes no independent observers were allowed to witness the process (emphasis mine).<sup>102</sup>

In addition to various examples of direct intimidation of voters and opposition candidates, this report also cites, as an example of the questionable fairness of the elections, the fact that several voting stations in Rwanda reported tallies of 100% in favor of the RPF, although people who had voted at those stations maintained that they had not in fact voted for the RPF.<sup>103</sup>

Regardless of the degree to which the RPF directly tampered with the election process, however, or the degree to which direct intimidation and threats were present at polling booths across Rwanda on 25 August 2003, it is clear that the election process was critically influenced by the RPF’s discursive maneuvers. Through the employment of politically-charged constructs of ethnicity (as either unity or divisionism), of history, and of justice, the RPF government was able to discredit the opposition, to justify their direct repression of the opposition’s campaign, to legitimize the candidacy of incumbent Paul Kagame, and to instill fear in the population of either supporting or voting for opposing parties. In an environment where one party (and, moreover, the party holding the keys to the country’s police, military and political power) is repeatedly

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<sup>100</sup> United Nations Integrated Regional Information Network, “Supreme Court Confirms Kagame Winner of Presidential Elections,” 3 September 2003, <<http://www.allafrica.com>> (4 March 2004).

<sup>101</sup> Grace Matsiko and Geoffrey Kamali, “A Look At Kagame’s Landslide Win,” *New Vision* (Kampala), 3 September 2003.

<sup>102</sup> Cordaid, et al., 40.

<sup>103</sup> Ibid.

associated with unity, legitimacy and moral authority, where opposing parties are consistently deemed illegitimate, divisive, and violent, and where divisive and violent actions are seen to warrant random disappearances and arrests, can these elections really be deemed “free”?

### *Conclusions*

There can be no possible exercise of power without a certain economy of discourses of truth which operates through and on the basis of this association. We are subjected to the production of truth through power and we cannot exercise power except through the production of truth.

- Michel Foucault, *Power/Knowledge*, 93.

In effect, this chapter’s analysis of the discourse of reconciliation, and of the role of ethnicity, history and justice in the construction of this discourse, contextualizes both the unity/divisionism framework and the victim/victimizer opposition discussed by various scholars in reference to Rwanda. In addition, this chapter also clarifies that these two rhetorical mechanisms are in fact interwoven throughout the RPF government’s larger discourse of reconciliation, and in fact comprise principal features of this discourse. In sum, the state-sponsored discourse of reconciliation is both strengthened by these rhetorical features and, in turn, also adds discursive and thus political potency to these constructs themselves.

As illustrated throughout this chapter, this discourse of reconciliation provides a mechanism by which the present Rwandan government can both justify its active and overt engagement in the business of knowledge production, and by which it can use this knowledge, or produced “truths,” to underpin its own political legitimacy, authority and power in important ways. In this context, ethnicity (or, rather, the erasure of ethnicity) becomes a potent tool for silencing political opposition, masking clear widespread ethnic bias and discrimination, and creating an aura of moral legitimacy around the current administration. Here, history likewise becomes a means of boosting the moral authority and legitimacy of the current government, a means of delegitimizing Rwandan Hutus as a group, and also a more subtle strategy (as compared to overt and violent acts of political repression) of discouraging political opposition. At the same time, concepts of *gacaca* justice become, in this context, a performative mechanism by which to reinforce the moral



legitimacy of the RPF state versus the moral illegitimacy of the majority Hutu population, and also a rhetorical strategy for legitimizing human rights violations. In sum, while the state-sponsored discourse of reconciliation hails the socio-cultural necessity of “unity,” this discourse in fact rests on the construction and maintenance of a series of binary oppositions that, although perhaps not crafted by means of overt ethnic markers, are nonetheless pointed and potent reminders of the salience of ethnicity in present-day Rwanda.

As emphasized throughout this chapter, however, it must be understood that the state is not the only actor in the production of knowledge, truth and power through this discourse of reconciliation. Rather, although clearly state-sponsored, this discourse involves the participation of even the entire Rwandan population in its reproduction. This is illustrated in this chapter’s discussion of various forms of commemorations, and of the weekly meetings of the *gacaca* courts. It is also clear in the examination of the state’s various civic education programs and “solidarity camps,” and in the “celebrations” that preceded the 2003 elections. In sum, the discourse of reconciliation not only affects and influences the Rwandan public, but the Rwandan public, whether knowingly or not, is in fact a crucial actor in the reproduction of that very discourse.

Another key dialectical relationship evident in this process is the relationship between the production of knowledge and the production of power. As discussed in the quote from Foucault cited at the beginning of this section, the possession of power allows for the production of truth while, at the same time, the production of truth serves to reinforce this very power. In the case of Rwanda, the discourse of reconciliation illustrates exactly this dialectical process. In the present historical moment in Rwanda, we are witnessing a situation where the authoritarian tendencies of the Rwandan state are tending to produce a “certain economy of discourses of truth,”<sup>104</sup> which discourses are in turn undergirding exactly these authoritarian tendencies. In sum, what is evident in the Rwandan case is a process of authoritarian *consolidation*. In this process, the discourse of reconciliation, throughout its multiple and dialectical arenas of operation, is producing and

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<sup>104</sup> Foucault, 93.

reproducing the truths and knowledge necessary for the continued “exercise of power”<sup>105</sup> by the RPF government, and is thus providing the means for this administration to perpetuate its own rule. In effect, discourse in this context (whether revolving around justice, ethnicity, or history) provides a means for creating the moral authority and legitimacy that might otherwise be gained through, for example, the institution of representative forms of governance that include real mechanisms of power-sharing rather than mere façades of such mechanisms. This chapter has examined this process on a national level, looking at the various ways that the discourse of reconciliation contributes to the perpetuation of the current government’s authoritarian rule. The following chapter will broaden the scope of analysis to consider these same issues, but in an international context.

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<sup>105</sup> Ibid.

## Chapter 4 – Discourse and Power: the International Ramifications

In the parking lot outside the Ministry of Justice in Kigali stand a row of nearly identical and almost brand-new SUVs. On any given day, there are roughly between ten and twenty of these formidable vehicles parked in this line of power. Walking to the Ministry of Justice with a colleague one day in July 2003, I was struck with the sight of this scene, so out of place in a town where such icons of wealth are the exception rather than the rule, and where, just outside the gates of this ministry parking lot, dozens of less privileged Rwandans lined up on the dusty curbside to catch the crowded “taxi-van” buses that would ferry them home at the end of the workday. Noticing that all of the license plates on these SUVs ended with the letters “VP,” I turned to my colleague, naïvely asking her whether this “VP” was short for VIP. No, she answered, it stands for “véhicules projets,” or “project vehicles.” All of these vehicles, she told me, are associated with specific government projects that have been funded by international donors for use in one or another specific development project. We both laughed at my mistake, realizing that VIP was probably a much more accurate description of these vehicles’ true purpose than was “véhicules projets.” For, more than being merely a practical means of carrying out government-sponsored and donor-supported projects, these vehicles were, more than anything, tangible symbols of power. Whether labeled as VIP or VP, this line of vehicles betrays the intimate relationship between the Rwandan government and the international donor community, and between aid dollars and political power. This connection between state power and international aid is the topic of this chapter.

### *Background*

In 2002,<sup>1</sup> a total of 356 million development aid dollars (USD) flowed into Rwanda, comprising over 20% of Rwanda’s gross national income.<sup>2</sup> This aid came from both bilateral and multilateral donors, and was structured as both direct aid and project aid to support development projects

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<sup>1</sup> Statistics for 2003 are not yet available.

<sup>2</sup> Organisation for Economic Co-operation and Development, “Rwanda,” n.d., <<http://www.oecd.org/dataoecd/63/19/1878421.gif>> (17 March 2004). The aid dollars discussed in this chapter represent moneys given in the form of grants, not loans, and do not include the hundreds of millions of dollars lent to Rwanda through the World Bank and the International Monetary Fund.

ranging from agricultural development to education, from healthcare to human rights, and from governance to reconciliation.<sup>3</sup> Amongst bilateral donors, the United States and the United Kingdom are Rwanda's largest supporters, with the United States' 2003 development assistance to Rwanda estimated at over \$29 million,<sup>4</sup> and the UK's 2003 assistance totaling approximately \$65 million.<sup>5</sup> Other significant bilateral donors include Sweden, Belgium, France, the Netherlands, Switzerland, and Canada.<sup>6</sup> Multilateral donors include, among others, the European Union, different UN agencies (including the UNDP, UNICEF, and the UNHCR), and the International Committee of the Red Cross.<sup>7</sup>

The sheer volume of this aid to Rwanda represents a marked exception to the rule of the international donor community's activities in Central Africa, a region that holds little strategic interest for international governments and that thus receives aid primarily on the basis of its critical humanitarian need. Between 1997 and 2002, Rwanda received an average of \$322 million in aid, its aid allotment only twice during those six years dropping below \$300 million.<sup>8</sup> In contrast, Rwanda's neighbor, the Democratic Republic of Congo (DRC), a country with a population nearly seven times that of Rwanda, received only \$132 million in aid dollars in 1999, \$184 million in 2000, and \$263 million in 2001. The year 2002 provided a marked exception to the DRC's stringent aid regime, for emergency assistance during this year brought the DRC's aid inflow up to \$807 million, still only just more than twice Rwanda's share.<sup>9</sup> Similarly, Rwanda's southern neighbor Burundi, with a population just one million less than Rwanda's 8 million, claimed only \$93 million in aid dollars in 2000, \$137 million in 2001, and \$172 million in 2002, only half of, or

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<sup>3</sup> Sophie da Câmara, "The European Union's Political and Development Response to Rwanda" (ECDPM Discussion Paper 27. Maastricht: ECDPM), 2001, <[http://www.oneworld.org/ecdpmpubs/dp27\\_gb.htm](http://www.oneworld.org/ecdpmpubs/dp27_gb.htm)> (4 March 2004).

<sup>4</sup> United States Agency for International Development, "Rwanda," n.d., <<http://www.usaid.gov/pubs/cbj2003/afr/rw>> (1 December 2003).

<sup>5</sup> Department for International Development, "Rwanda," n.d., <<http://www.dfidrwanda.org.rw/faq.htm>> (17 March 2004).

<sup>6</sup> United States Agency for International Development, "Rwanda."

<sup>7</sup> da Câmara, 12.

<sup>8</sup> da Câmara, 9; Organisation for Economic Co-operation and Development, "Rwanda."

<sup>9</sup> da Câmara 15; Organisation for Economic Co-operation and Development, "Congo, Dem. Rep.," n.d., <<http://www.oecd.org/dataoecd/18/31/1901167.gif>> (15 April 2004).

less than half of, Rwanda's share during each of those same years.<sup>10</sup> These figures for Burundi and the DRC do not reflect a lack of need, for both countries were plagued by conflict throughout the 1990s, a circumstance which continues up until the present day. In addition, both of these countries report per capita incomes less than half that of Rwanda,<sup>11</sup> a clear illustration of their undeniable need for economic assistance and aid. In terms of its annual aid flows, Rwanda clearly represents an exception to the rule in this region.

In part, this privileging of Rwanda by international donors reflects Rwanda's historical position as a favorite of the donor community, for pre-genocide Rwanda of the 1980s and early 1990s was considered by this community to be a model of "third-world" development. International donors looked favorably upon the Habyarimana regime's ostensible ability to balance rural and egalitarian considerations with industrial growth,<sup>12</sup> and during this time, development aid accounted for a significant fraction of Rwanda's gross national product (GNP). In 1989-90, for example, official aid dollars comprised 11.4 percent of Rwanda's GNP, less than their current share of Rwanda's GNP but still well above the average for Africa.<sup>13</sup> Foreign aid inflows to Rwanda in 1989 totaled approximately \$350 million, and between 1990 and 1993 totaled well over \$500 million per year.<sup>14</sup>

This aid responded to discourses of rural development that were popular during that time period within the development community and that featured prominently in the rhetoric of the Habyarimana administration.<sup>15</sup> In addition, this aid also represented a response to the image

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<sup>10</sup> Organisation for Economic Co-operation and Development, "Burundi," n.d., <<http://www.oecd.org/dataoecd/62/25/1877766.gif>> (17 March 2004).

<sup>11</sup> Organisation for Economic Co-operation and Development, "Rwanda."

<sup>12</sup> Alison Des Forges, *Leave None to Tell the Story: Genocide in Rwanda*. (New York: Human Rights Watch, 1999), 45; Catharine Newbury, "Rwanda: Recent Debates over Governance and Rural Development," in Goran Hyden and Michael Bratton, eds., *Governance and Politics in Africa* (Boulder, Colorado: Lynne Rienner Publishers, 1992), 193, 217; Peter Uvin, *Aiding Violence: The Development Enterprise in Rwanda* (West Hartford, Connecticut: Kumarian Press, 1998), 40-50.

<sup>13</sup> Uvin, *Aiding Violence*, 40-41.

<sup>14</sup> Ibid., 41.

<sup>15</sup> Stefaan Marijsse, "Basic Needs, Income Distribution and the Political Economy of Rwanda," European Association for Development Institute General Conference (Budapest: Nov 11-14, 1981), 2; Dudley Seers, "The Meaning of Development," *International Development Review* XI (1969): 2-6.

projected by this administration of a stable and effective state committed to development goals in the face of “forbidding obstacles” such as high population growth, environmental pressure, and incessant poverty.<sup>16</sup> As development scholar Peter Uvin discusses at great length, however, the international donor community demonstrated a consistent tendency during these years to maintain an apolitical stance in regards to their actions in Rwanda, and to ignore the political considerations that shaped both the structure of aid projects as well as the impact of development aid on internal politics in Rwanda. This tendency, he maintains, significantly contributed to the strengthening of “processes of exclusion” and structural violence in Rwanda, and to a situation in which racist prejudice could develop and eventually heighten to genocidal proportions.<sup>17</sup>

In addition to the historical reasons behind Rwanda’s current favored position within the world of aid recipients, however, the extent of Rwanda’s current aid inflow also reflects an ideological shift that has taken place within the development community over the course of the past decade. In essence, this shift has involved the creation of a new framework for economic development that recognizes the need to address the particular socio-political needs of post-conflict countries, and to use international aid as a means “to promote peace and reconciliation in recipient countries.”<sup>18</sup> Working within this new framework, international donors in recent years have transitioned from their former exclusive focus on “traditional” development projects such as agricultural and infrastructure development to a “new post-conflict agenda” that includes, and even privileges, such unconventional foci as “governance and representation, justice and security, prejudice and reconciliation.”<sup>19</sup>

This chapter will argue, however, that there is yet a third factor at play in Rwanda’s privileged position as a favored recipient of international aid. Although the generous response of the international donor community to Rwanda in recent years certainly reflects a diverse range of

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<sup>16</sup> Uvin, *Aiding Violence*, 43-44.

<sup>17</sup> Ibid., 48-50, 136-139, 153, 226-228.

<sup>18</sup> Peter Uvin, “Difficult Choices in the New Post-Conflict Agenda: the International Community in Rwanda after the Genocide,” *Third World Quarterly* 22, no. 2 (2001): 178.

<sup>19</sup> Ibid.

factors, two of which were noted above, this chapter argues that one other key factor in this equation is the Rwandan government's consistent adherence to the seemingly irreprovable rhetoric of reconciliation. Not only does this discourse earn the Rwandan government a certain legitimacy within the international community, but it also earns it a position of perceived moral authority in its role as the leader of the post-genocide process of reconciliation in Rwanda. Both of these factors are key in attracting the hundreds of millions of aid dollars that flow into Rwanda each year.

The relationship between the discourse of reconciliation and international aid dollars, however, is not only one-way. Rather, as is evident from the fact that aid dollars represent one-fifth of Rwanda's national income, the influence of international aid in Rwandan politics cannot be ignored. Some of these dollars directly fund the government's reconciliation program through support of such initiatives as the *gacaca* process and such institutions as the National Unity and Reconciliation Commission, and thus underwrite the questionable rhetoric described in previous chapters. Even the dollars that do not directly support the Rwandan government's reconciliation project, however, indirectly support its political power, both by financially underwriting the political status quo, and by strengthening its ability to provide basic services for the Rwandan people and to thus maintain its perceived domestic legitimacy. As Uvin points out, "the usual aid system biases towards governments...are even stronger in post-conflict work. Donors, when doing post-conflict work, all deal mainly with governments. They hear its voices most clearly, meet its representatives most often, strengthen its capacities above all others, and are constrained by its power most seriously."<sup>20</sup> In this light, this chapter will look at how the international donor community hears the "voices" of the Rwandan government through the rhetoric of reconciliation, and how the aid dollars allotted by this donor community in turn strengthen the political power and capacities of the Rwandan government.

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<sup>20</sup> Ibid., 186.

*Making connections: how do we get from reconciliation discourse to aid dollars?*

The international donor community's extensive engagement with Rwanda represents a response to numerous factors. First, many of Rwanda's donors cite the clear and pressing human need evident in this impoverished post-conflict country as a key reason behind their generous contributions to Rwanda's economic development. These same donors also highlight their humanitarian motivation to create the bases for peace and stability both in Rwanda and in the larger Great Lakes region, and to avoid the repeat of such a humanitarian catastrophe as the 1994 genocide.<sup>21</sup> Many observers also posit that embedded in these aid dollars is the desire of international community actors to assuage their guilt for their collective failure to intervene in and to stop the 1994 genocide.

The aid activities of international donors in Rwanda, however, are conducted on the premise that the Rwandan government represents a legitimate and well-intentioned governing authority. This is where the linkage between international aid and the Rwandan government's discourse of reconciliation begins to become clear, for the various rhetorical elements contained within this discourse of reconciliation in effect provide the Rwandan government with the means to claim both legitimacy and positive intentions. In essence, the government's goal of "national reconciliation" provides a direct response to the international community's concerns about regional peace and stability, as well as a response to humanitarian concerns about good governance, equality, and conflict prevention.

As Uvin discusses, there are two fundamentally distinct positions that characterize different international donors' attitudes towards Rwanda, both of which revolve around these donors' assessment of the current Rwandan government. The first perspective, Uvin notes, is wary of the authoritarian symptoms of the present government. It is "troubled by [the government's] continued, if not increasing, dominance by the RPF; the weakness of systemic checks and balances on the

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<sup>21</sup> Department for International Development, "Rwanda Country Assistance Plan – Draft," May 2003, <[http://www.dfid.gov.uk/Pubs/files/cap\\_rwanda\\_draft.pdf](http://www.dfid.gov.uk/Pubs/files/cap_rwanda_draft.pdf)> (4 March 2004); United States Agency for International Development, "Rwanda."



government; the increasing 'Tutsification' of important government positions; the co-optation or repression of independent forces in civil society; and the allegations of major human rights violations."<sup>22</sup> This view is common among international human rights organizations, and is becoming more and more evident in the views of international development NGOs working in Rwanda.<sup>23</sup>

The other perspective, he notes, reflects a more optimistic perspective. It maintains that "the government is multi-ethnic...is trying to improve the quality of its governance; allows for a largely free press and broad-based civil society; and more generally, given the reality of the genocide and continued civil war, has been remarkably willing to try to live up to high standards of governance."<sup>24</sup> It is this latter perspective that both reflects and is reflected in the Rwandan government's discourse of reconciliation. As discussed in the previous chapter, this discourse emphasizes the history of the genocide as the context for exceptionalist behavior on the part of the government in relation to human rights, and stresses the transcendence of polarized ethnicity as the basis for national reconciliation. The following paragraphs will illustrate the presence of these same rhetorical features in the words of the international donor community, in order to demonstrate how central this discourse is in providing a context for the markedly generous monetary response of international donors to Rwanda.

As early as 1996, national reconciliation featured prominently in the discourse of the international donor community in relation to Rwanda. In a 1996 World Bank press release that documented the collective pledge of \$617 million to Rwanda from various international donor governments and agencies, "national reconciliation" was cited as one of six principle objectives in Rwanda, in addition to national security, property rights, refugee repatriation, the consolidation of democracy,

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<sup>22</sup> Uvin, "Difficult Choices," 179.

<sup>23</sup> Such international human rights organizations include Amnesty International, Human Rights Watch, and International Crisis Group, whose reports and views have been referenced throughout this paper. In addition, the emergence of this perspective in the international development NGO community is seen in two recent reports from European NGOs: Cordaid, ICCO, Kerkinactie, and Novib, "Tell our government it is OK to be criticised!," February 2004, <<http://www.bbo.org>> (9 April 2004); Christian Aid, "It's time to open up," March 2004, <<http://www.christianaid.org.uk/indepth/403rwanda/rwanda.pdf>> (21 April 2004).

<sup>24</sup> Uvin, "Difficult Choices," 179.

the repair of the judicial system, and the rebuilding of institutional capacity.<sup>25</sup> This emphasis was echoed more recently by James Wolfensohn, President of the World Bank, speaking before the Rwandan parliament in Kigali in July 2002. In discussing the World Bank's work in Rwanda and his experience there during that particular trip, he stated that "the thing you become aware of as a stranger to the country...is the crucial importance of reconciliation and the remarkable work which your country is engaged in under the leadership of your President to reunify the country and give it internal strength."<sup>26</sup> Not only does this statement highlight the centrality of reconciliation in the World Bank discourse vis-à-vis Rwanda, but it also betrays the clear support by the World Bank for the RPF government (as epitomized in the person of President Kagame), as well as the rhetorical association of this government with the active promotion of the process of reconciliation in Rwanda.

The centrality of reconciliation in international donors' relationships to Rwanda, the positive connotations that the term carries within the international donor community, and the perception that the Rwandan government is actively promoting this process, are also evident in statements by the British Department for International Development (DfID). Clearly showing the importance the UK government places on reconciliation in Rwanda, DfID's website states that "[t]he aim of the DFID programme in Rwanda is to support...objectives on peace, reconciliation, poverty elimination, economic reform and open, accountable government."<sup>27</sup> Furthermore, a 2003 DfID country assistance plan for Rwanda states that "we find clear evidence" of the Rwandan government's commitment to democratization and reconciliation.<sup>28</sup> United States documents betray the same trend. A 2004 "Fact Sheet" published by the United States Department of State, in fact, outlines the various US aid activities in Rwanda, activities that include programs to

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<sup>25</sup> The World Bank Group, "Donors Pledge \$617 million to Rwanda," 27 June 1996, <<http://web.worldbank.org>> (16 March 2004).

<sup>26</sup> James D. Wolfensohn, "Conflict Resolution, Regional Cooperation and National Development – The Future of the Great Lakes Region," (address delivered before the National Assembly, Kigali, Rwanda, 15 July 2002), n.d., <<http://web.worldbank.org>> (29 November 2003).

<sup>27</sup> Department for International Development, "Rwanda."

<sup>28</sup> Department for International Development, "Rwanda Country Assistance Plan."

“promote justice and reconciliation” alongside those designed to “improve health...[and] increase food security and economic growth.”<sup>29</sup>

This emphasis on reconciliation, however, is not only clear in general statements by international donor agencies, but is likewise evident in their actual actions in Rwanda. The United States Agency for International Development (USAID) notes that it “actively coordinates activities related to national unity and reconciliation” in Rwanda, in cooperation with other international donors, such as Sweden, Switzerland, Belgium, Germany, and the United Kingdom, among others.<sup>30</sup> Similarly, the UNDP focuses its development activities on “governance, reconstruction and reconciliation and justice.”<sup>31</sup> In the same vein, Sweden “concentrates its interventions in areas such as peace, stability and reconciliation,” among others.<sup>32</sup> Returning to the British involvement in Rwanda, DfID’s stated initiatives in Rwanda include “supporting the Government of Rwanda’s reconciliation and democratisation agenda... *gacaca* policy development; progress towards a free and independent media; the Constitutional Commission and the National Unity and Reconciliation Commission.”<sup>33</sup>

Specific projects funded by these donors include \$3.6 million pledged by the US since 1999 in support of the *gacaca* process, support that provided books and materials for this process, as well as training and awareness programs. This funding illustrates the US intention to focus aid programming in Rwanda on “unity and reconciliation” through this “traditional” system.<sup>34</sup> Other projects include \$8.75 million given by the US to provide “training, technical support and material needs” for Rwanda’s judicial system, as well as US funding for programs focused on the reconciliation and healing of Rwandan communities.<sup>35</sup> Such projects also include those sponsored by the US that emphasize a “decentralization of governance” by encouraging “local

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<sup>29</sup> United States Department of State, “United States Leads Support for Rwandan Reconstruction and Reconciliation,” 1 April 2004, <<http://www.allafrica.com>> (5 April 2004).

<sup>30</sup> United States Agency for International Development, “Rwanda.”

<sup>31</sup> da Câmara, 13.

<sup>32</sup> da Câmara, 12.

<sup>33</sup> Department for International Development, “Rwanda.”

<sup>34</sup> United States Department of State, “United States Leads Support.”

<sup>35</sup> Ibid.

governments to take more responsibility for day-to-day-decisions on important issues such as education and health care,” as well as other USAID projects designed to “strengthen government and strengthen the democratic process” through training programs for parliamentarians.<sup>36</sup> Other significant reconciliation projects include the construction of the elaborate genocide memorials referenced in the previous chapter. One such project, financed by British NGO Aegis Trust, focuses on the further construction of memorials both in Kigali and also elsewhere throughout Rwanda. This work is based on the premise that, as project coordinator James Smith maintains, “[r]econciliation doesn’t mean anything to people if you ignore their pain,” and the concomitant idea that “[w]ithout a proper remembrance...there cannot be reconciliation.”<sup>37</sup>

More such examples of donor projects in Rwanda will be discussed later in this chapter, but for now, it is sufficient to note that this range of projects mirrors the Rwandan government’s own definition of reconciliation discussed in previous chapters. Justice and reconciliation are repeatedly tied together both in these donors’ words and in the projects they fund, as are unity and reconciliation. Similarly, donor projects betray a clear emphasis on the importance of democratic governance, on the centrality of the history and memory of the 1994 genocide, and on the idea of healing as critical to the process of reconciliation. Not only do these projects betray international donors’ abstract affinity with these various elements within the Rwandan government’s own definition of reconciliation, but they also reflect a willingness on the part of international donors to support the Rwandan government in its various initiatives designed to respond to this particular definition. In this light, the Rwandan government’s elaborate discourse of reconciliation clearly represents, whether intentionally or unintentionally, a way for the Rwandan government both to establish its own legitimacy before international donors and to consistently reiterate to them its deserving position as a recipient of international aid.

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<sup>36</sup> United States Department of State, “Senior USAID Official Travels to Rwanda for Genocide Commemoration” (by Charles W. Corey), 1 April 2004, <<http://usinfo.state.gov>> (21 April 2004).

<sup>37</sup> BBC News, “Genocide education centres for Rwanda,” 3 September 2002, <<http://news.bbc.co.uk/2/hi/africa/2231950.stm>> (9 April 2004).

In particular, however, the words and actions of these international donors specifically reflect the conception and consequences of ethnicity and history in the Rwandan government discourse. This pattern is clear the DfID country assistance plan referenced above, in relation to the emphasis on (ethnic) unity. This report acknowledges that “[t]he Government of National Unity has...been subject to international and national criticism over present limitations on human and political rights in Rwanda.”<sup>38</sup> It goes on to emphasize, however, that “[w]e recognize the realities of political and social fragility in Rwanda and concern within Government that movement in these areas may risk derailing the process of national reconciliation and reconstruction.”<sup>39</sup> This last statement is particularly telling, for it clearly reflects an agreement with the Rwandan government’s perspective outlined in the previous chapter, which perspective privileges the goals of unity and reconciliation over the attainment of human rights.

This country assistance plan goes on to say that DfID’s engagement in Rwanda depends on the Government of Rwanda’s commitment to “*progressively* securing” (emphasis mine) human rights for its citizens, and allowing a free, fair and transparent environment for civil society and the media.<sup>40</sup> Furthermore, it insists that “should these commitments be put into question, we will look again at the scale and nature of our programme.”<sup>41</sup> This report fails to acknowledge, however, that these rights had already, at the time this draft was written in May 2003, been clearly violated. In fact, later in this same report, DfID discusses the possibility that the Rwandan government could fail to manage the transition process according to their expectations (by, for example, failing to open up space for political parties and for independent media), but explains that such a possibility represents a “low” risk.<sup>42</sup> This is at the same time that the “disappearances” and arbitrary arrests discussed in the previous chapter were taking place, along with concerted attempts to quash the freedom of civil society and independent media organizations. This example thus not only mirrors the Rwandan government’s use of the goals of reconciliation and

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<sup>38</sup> Department for International Development, “Rwanda Country Assistance Plan.”

<sup>39</sup> Ibid.

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

unity as justifications for exceptionalism in relation to human rights, but also illustrates how this discourse can potentially blind international actors to the documented reality of the Rwandan situation.

Such blindness is similarly evident in the United States' relationship to Rwanda. In a recent trip to Rwanda to participate in the commemoration of the tenth anniversary of the genocide, USAID deputy administrator Frederick W. Schieck stated that one sign of progress in post-genocide Rwanda is "the fact that Rwanda has implemented a new democratic constitution that embodies human rights and civil liberties protections."<sup>43</sup> Schieck acknowledges that the real test will be in adhering to that constitution and notes that "the donor community can use its leverage to ensure a constitution is followed."<sup>44</sup> He fails to acknowledge, however, that such leverage is already called for in the case of Rwanda, even while the US State Department 2003 Country Report for Rwanda on human rights practices outlines a number of human rights violations and infringements of civil liberties.<sup>45</sup> This example clearly raises the question of why the US State Department publishes such reports if other arms of the government do not use this information in crafting their own policy. It also, however, along with the British example discussed above, reflects a refusal of these governments' development agencies to acknowledge the human rights violations of the Rwandan government, and a concomitant refusal to account for these factors in their actual aid policy.

As with "unity," so with history, for the Rwandan government's emphasis on the memory of the genocide is also clear in the words of different international donor representatives. James Wolfensohn, for example, in the same speech referenced above, mentions having been to a genocide memorial where he "looked at some of the exhibits and where I read the explanatory materials which begins by indicating that the objective of that memorial is not only to remind people of what happened but to build a future of education for your people and for

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<sup>43</sup> United States Department of State, "Senior USAID Official Travels to Rwanda."

<sup>44</sup> Ibid.

<sup>45</sup> United States Department of State, "Rwanda: Country Reports on Human Rights Practices – 2003," 25 February 2004, <<http://www.state.gov>> (22 April 2004).

reconciliation.”<sup>46</sup> This quote illustrates the way in which history and reconciliation become intimately entangled not only within the domestic Rwandan discourse of reconciliation, but also in the international reception of this discourse. It is absolutely undeniable that the history of the genocide is central to present-day Rwanda. However, the implication of the international donor community’s concurrence with the Rwandan government’s *particular interpretation* of the history of the genocide is the tendency of this community to support the Rwandan government in justifying their abrogation of human rights.

This tendency is clear in a statement, cited by Peter Uvin, from a “highly placed manager of a North American foreign aid agency.” This “highly placed manager” maintains that “if you are going to understand what is happening in Rwanda today, you have to understand genocide and the enduring consequences of genocide. It permeates, affects and influences human behaviour so totally that it is remarkable that the survivors and the government have been able to exercise the degree of restraint the [sic] have been exhibiting.”<sup>47</sup> “From this perspective,” Uvin observes, “Kagame is a visionary, charismatic and optimistic man; whatever violence occurred under his reign is the result of ‘strategic initiatives gone wrong’”<sup>48</sup> Although Uvin notes that this perspective is most evident in the position of the US and the UK vis-à-vis Rwanda, he notes that it is a position “shared by many other donors.”<sup>49</sup> It is, for example, evident in the words of Doug Jackson, the president of Denver-based NGO Project Cure that is currently preparing a \$10 million shipment of medical supplies to Rwanda. In a newspaper article written in advance of President Kagame’s April 2004 visit to Denver, Jackson responds to the allegations of political repression voiced by many human rights groups by insisting that “restricting speech advocating ethnic violence should be expected so soon after the genocide.”<sup>50</sup> He goes on to “credit Kagame with an incredible job of reconciliation in the past 10 years.”<sup>51</sup> This perspective is closely mirrored in

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<sup>46</sup> Wolfensohn, 15 July 2002.

<sup>47</sup> Uvin, “Difficult Choices,” 179.

<sup>48</sup> Uvin, “Difficult Choices,” 179.

<sup>49</sup> Ibid.

<sup>50</sup> cited in Ann Imse, “Views divided over Rwanda’s president,” *Rocky Mountain News* (Denver), 12 April 2004, (13 April 2004).

<sup>51</sup> Ibid.

Kagame's speech given a few days after these statements at the University of Denver, where he states that "*against incredible odds*, we have managed to lay a firm foundation for our cultural, social, economic, and political transformation" (emphasis mine).<sup>52</sup>

Like the discussion of unity and human rights in the DfID report noted above, these statements by the international community that highlight the history of the genocide, and that stress the necessity of taking that history into account when considering the actions of the present government, all reveal the adoption by many international donors of the "genocide framework" so central to the Rwandan government's larger discourse of reconciliation. By representing the support of the international donor community for the Rwandan government's claims in this regard, the adoption of this rhetoric by international donors thus serves to add further legitimacy to the Rwandan government's justifications for their own human rights violations. In sum, by echoing the Rwandan government conceptions of unity and history so central to the state-sponsored discourse of reconciliation, international donors' support for the reconciliation process in Rwanda indirectly serves to support the current government's increasingly authoritarian policies, and thus to invest this government with additional political power.

*A circular process: from aid dollars to political power*

These last examples provide a good segway to the next section of this chapter – the relationship between aid dollars and the consolidation of authoritarian political power in the hands of the current Rwandan government. As mentioned earlier in this chapter, aid dollars do not only represent a response to and reproduction of the Rwandan government's discourse of reconciliation, but also represent the resources that make the government's comprehensive reconciliation program practically possible, including the potential of this reconciliation program to increase political repression. Some of these aid dollars provide direct support and funding for the government's reconciliation initiatives through various project grants. Perhaps most importantly,

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<sup>52</sup> Paul Kagame, President of Rwanda, Republic of Rwanda, "Remembering, Reconciling and Rebuilding" (speech given at the University of Denver, Colorado, 14 April 2004), in Government of Rwanda, "News from Rwanda," n.d., <<http://www.rwanda1.com>> (16 April 2004).



however, these dollars represent a symbolic ascription of legitimacy to the Rwandan government, which legitimacy holds currency in both domestic and international arenas. Lastly, these dollars also represent substantial financial support for the RPF government and significant investment in the state's infrastructure and administrative capabilities. Both of these latter factors are critical in indirectly supporting the current government's hold on power.

In turning first to the ways in which these aid dollars directly support reconciliation initiatives in Rwanda, it is clear, in looking at the myriad projects funded by international donors, that these donors' support is critical in enabling the Rwandan government to effectively implement this far-reaching program. Such funded projects range in size and in scope from a \$10 million grant from the Netherlands government in 1996/1997 to support human rights monitoring, to a \$46,000 grant by the European Community to support the National Unity and Reconciliation Commission. They include a \$533,000 grant in 2000 by the Swiss government to support justice, human rights and reconciliation, a 2000-2001 grant for \$58,000 by the United Kingdom to support the opening summit of the National Unity and Reconciliation Commission, as well as a series of grants between 2001 and 2002 by the Swedish government to support the *gacaca* process and justice initiatives in general that totaled over \$2 million.<sup>53</sup> In fact, Uvin states that, as of 2001, "donors [had] funded more than 100 justice-related projects, costing more than \$100 million."<sup>54</sup>

Another development scholar, Sophie da Câmara, notes that part of the reason that so much aid money is funneled into such projects as the Human Rights Commission, the National Unity and Reconciliation Commission, the *gacaca* project, and the judicial system, are that they represent politically neutral means to support Rwanda's post-genocide processes of reconstruction and reconciliation. "Due to the political environment," she states, "few donors are treading into areas like support to political parties, independent media and pluralist civil society. *Most reconciliation or*

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<sup>53</sup> Accessible Information on Development Activities, "Snapshot for Rwanda," n.d., <<http://aida.developmentgateway.org>> (17 March 2003).

<sup>54</sup> Uvin, "Difficult Choices," 182.

*human rights programmes tend to respect the political status quo*" (emphasis mine).<sup>55</sup> This tendency to maintain an ostensibly apolitical stance is common within the international development community, and is echoed in the words of James Wolfensohn. "We are not a political organization geared to enter into the political fray of either the reconciliations you need outside this country or, more, the reconciliations inside," he stated in his 2002 address to the Rwandan parliament. "We can help technically," he continues, "we can help with funding, but we are not on the front line of peacemaking."<sup>56</sup>

As is clear in Wolfensohn's words, many, if not most international donors tend to see their role as intentionally apolitical, and thus confine their interventions to funding projects that are seemingly neutral in a political sense. What is not acknowledged in this stance, however, is the power of money, and the necessarily political implications of *any* financial support. If one acknowledges, however, that economics and politics are inextricably linked,<sup>57</sup> and that aid money will thus necessarily generate political consequences, it is clear that by financially supporting these seemingly apolitical reconciliation initiatives, donors are in fact supporting the acts of political repression that are justified and legitimized by the Rwandan government's discourse of reconciliation. In addition, by their concerted respect for the political status quo in Rwanda, these donors are indirectly supporting the perpetuation of an authoritarian political structure that permits and perpetrates such acts of repression. In sum, simply by working within and thus supporting the current system (whether voluntarily or out of political necessity), international donors, even in their support of apparently neutral reconciliation initiatives, are in fact supporting an increasingly repressive political regime. Thus, while the state-sponsored discourse of reconciliation presents the process of reconciliation in Rwanda as a much-needed and wholly well-intentioned avenue for international intervention and thus provides an apparently neutral space within which the international donor community can take cover, the reality of the situation is much different. Although international donors certainly take cover under this discourse and seek to maintain their

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<sup>55</sup> da Câmara, 18.

<sup>56</sup> Wolfensohn, 15 July 2002.

<sup>57</sup> Karl Polanyi, *The Great Transformation: Political and Economic Origins of Our Time* (Boston: Beacon Press, 1944).

neutrality through their ostensibly apolitical support of the reconciliation process, this very support in fact represents their political alignment with (and thus support of) the Rwandan government.

Many international donors, it must be acknowledged, try to limit their direct support of the Rwandan government by funneling aid moneys through NGOs rather than directly funding the Rwandan government.<sup>58</sup> Nonetheless, it must be emphasized that this strategy does not in fact escape the problematic situation outlined here, for all NGOs, whether international or Rwandan, are constrained by the Rwandan government in important ways. All NGO projects undertaken in Rwanda are required to receive state approval, and such approval is routinely denied for projects deemed to threaten the interests of the Rwandan state in one or another fashion, such as, for example, those that aim to strengthen civil society networks in Rwanda or those that aim to institute processes of transparency in the *gacaca* process.<sup>59</sup> The result of such limitations is that, in effect, NGOs are only able to implement projects that are in accordance with the aims of the Rwandan state in one way or another. This clearly represents a situation in which NGO activities, albeit indirectly, in fact reinforce the political objectives of the Rwandan state.

It is not just direct funding of reconciliation initiatives, however, that buttresses the power of the Rwandan government. Rather, each of the hundreds of millions of dollars of development aid that flow into Rwanda each year in fact supports this process, regardless of whether these dollars are destined for reconciliation projects or other development initiatives. As is clear from the discussion in the previous section of this chapter, the discourse of reconciliation provides the Rwandan government with a certain legitimacy within the international donor community that allows the government to attract such sizable support from the international community. In a dialectical manner, however, these aid dollars also in turn provide the Rwandan government with additional legitimacy, which legitimacy holds currency not only within the international community but also on a domestic level within Rwanda. As anthropologist Peter Geschiere notes in reference

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<sup>58</sup> Uvin, "Difficult Choices," 181.

<sup>59</sup> NGO Staff 4, interview by author, 28 July 2003, Kigali, Rwanda; NGO Staff 6, interview by author, 29 June 2003, Kigali, Rwanda.

to Cameroon, a regime's "access to development aid only [reinforces] the concentration of power at the national level,"<sup>60</sup> an observation that certainly holds true in Rwanda.

Here, development aid (whether provided directly through donor agencies or indirectly through NGOs) provides the RPF administration with the infrastructure support and economic strength that it needs to stay afloat as an administration and to maintain its partisan hold on power. In this context, various grants by international donors to the Rwandan government can be understood as supporting, whether directly or indirectly, the continuing consolidation of the RPF's hold on state power in Rwanda, and as providing this government with the tools it needs to enforce its hold on power. These include \$9 million granted to Rwanda by the United States for "increased rule of law and transparency in governance," \$7+ million provided by the United Kingdom between 1999 and 2002 to support the Rwandan Revenue Authority (their national tax-collection department), and \$5 million given by Sweden between 2002 and 2004 for general budget support.<sup>61</sup>

Such international legitimacy, however, also more subtly supports the RPF state, in a similar fashion to the situation described by Anna Simons in her discussion of Somalia. Simons observes that,

Siad Barre's government was best able to achieve such local control and to successfully stage manage an authoritative face by ceaselessly interjecting itself on the international front...the more Siad Barre and his government could be seen hosting and being hosted by representatives of other governments on state-controlled television, the more legitimate and powerful the regime (and even Somalia itself) seemed.<sup>62</sup>

Likewise, in Rwanda, international donors' support of the government can be seen as reinforcing the perceived legitimacy of the Rwandan state on a domestic level, thus providing the government with a certain domestic license to carry on the consolidation of its authoritarian rule.

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<sup>60</sup> Peter Geschiere, *The Modernity of Witchcraft: Politics and the Occult in Postcolonial Africa* (Charlottesville and London: University Press of Virginia, 1997), 135.

<sup>61</sup> Accessible Information on Development Activities, "Snapshot for Rwanda."

<sup>62</sup> Anna Simons, "The Beginning of the End," in Carolyn Nordstrom and Antonius Robben, eds., *Fieldwork under Fire: Contemporary Studies of Violence and Survival* (Berkeley, Los Angeles, and London: University of California Press, 1995), 53.

One tangible example of the many dialectical meanings of legitimacy for the Rwandan government is the August 2003 presidential election. As discussed in the previous chapter, the discourse of reconciliation provided the RPF with a means to construct Kagame's bid for the presidency as both legitimate and well-deserved, in contrast to the opposition candidate who was constructed by the government as both illegitimate and unworthy. These elections, however, were also critical in cementing the legitimacy of the RPF government in the eyes of the international community. Although there were a few voices of reservations in regards to these elections from within the international community, international observers as a whole endorsed them, and none of the observers went as far as outright denouncing the elections.

This international endorsement and its implications in this context are especially clear in an article about a trip to Rwanda by a Belgian government delegation in October 2003. During this trip, Belgian Development Cooperation Minister Marc Verwilghen announced that the Belgian government would contribute \$15 million to support Rwanda's health and education sectors (in addition to their usual \$23.6 million annual contribution). During this same trip, Belgian foreign affairs minister Louis Michel "praised Rwanda's recent presidential and parliamentary elections, which he described as a 'significant step in the democratisation process,'" further adding that "I'm satisfied that these elections reflected the will of Rwanda and that the outcomes go unchallenged."<sup>63</sup> The link in this article between the Belgian endorsement of the elections and their above-normal contribution is clear. Whether this \$15 million was a direct response to the "successful" elections or not cannot be assessed from this account, but what can be inferred is that this contribution would not have been given if the elections had been deemed "unsuccessful" by the Belgian delegation.

The Rwandan government depends on international aid for its very existence, and the elections represented an opportunity to consolidate their perceived legitimacy within the international community. As two Ugandan reporters speculate, "[i]t could be possible the RPF decided to hold

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<sup>63</sup> United Nations Integrated Regional Information Network, "Belgium Pledges 13 Million Euro for Health, Education Sectors," 9 October 2003, <[http:// www.allafrica.com](http://www.allafrica.com)> (4 March 2004).

the elections to cleanse its international image.”<sup>64</sup> Using Foucault’s method of analyzing power without regard to the intentions behind that power, it is clear that, whether or not this bolstered legitimacy was the RPF’s actual intention in carrying out the elections, it was certainly the result. This legitimacy, however, as Simons points out in the quotation above, also holds political currency on the national level for it serves to discursively reinforce the power and legitimacy of the Rwandan state to this state’s own citizens.

### *Conclusions*

This chapter highlights a serious pitfall in the work of the international donor community in Rwanda. International aid dollars are critical to meeting many Rwandan citizens’ needs for basic human survival, and to providing funding for the infrastructure necessary for Rwanda to rebuild as a nation in the wake of the 1994 genocide. It cannot be denied that aid dollars have a justifiable, legitimate and necessary role in Rwanda. However, although the \$300+ million that is given each year to Rwanda is given in the name of furthering peace and stability, and of contributing to the process of reconciliation in Rwanda, it is clear that the effects of this aid in actual practice in fact feed into the many insidious processes and practices that are conducted by the Rwandan government under the cover of the discourse of reconciliation. In addition to providing the Rwandan government with discursive cover for its repressive policies, this rhetoric also constructs a discursive space in which international donors can avoid facing the potentially destructive implications of their aid dollars. Altogether, this process tangibly manifests as the bolstering of the RPF-led authoritarian state in Rwanda, and the consolidation of the RPF’s power both in concrete and in symbolic terms.

Although the quote by Peter Uvin in the beginning of this chapter (Footnote 20) highlights the seriousness with which international donors are constrained by recipient governments, this paper maintains that this constraint is not inevitable, for international donors are clearly in a position to use their dollars to effect substantive and necessary political reform in Rwanda, and to make the

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<sup>64</sup> Grace Matsiko and Geoffrey Kamali, “A Look At Kagame’s Landslide Win,” *New Vision* (Kampala), 3 September 2003.

concept of reconciliation a real (rather than merely rhetorical) process in Rwanda. Rather than submit to be constrained by the Rwandan government, international donors must instead recognize their responsibility and ability to actively use their financial leverage to help counterbalance the RPF government's increasing accumulation and mis-use of political power. Such an intention was evident in the Dutch government's withdrawal of election aid to Rwanda in August 2003. Just weeks before the election, a Kenyan newspaper reports, the Dutch government "had frozen aid to help pay for Rwanda's first elections...because of concerns about the disappearance of opposition politicians ahead of the vote." The Dutch government is, however, unique in its protestations. As this same news article goes on to note, "[t]he Netherlands is the first major Western donor to openly signal unease over human rights in the central African nation during the election campaign."<sup>65</sup> To this author's knowledge, no other donor has since (or before) frozen aid in such an open objection to the Rwandan government's policies. Instead, the international donor community's response to Rwanda has been characterized either by silence or by superficially positive assessments.

The international donor community's failure to voice such objections, and to instead continue to funnel aid into the political quagmire of the Rwandan state, reflects a key ethical dilemma that Uvin points out in his discussion of post-conflict aid to Rwanda. Having outlined a number of difficulties in post-conflict aid, some of which have been discussed in this chapter, Uvin posits:

[G]iven the difficulty of understanding post-conflict dynamics and the even greater difficulty of correctly predicting the impact of one's actions upon them, error is very likely. At the same time, the cost of error is extremely high and entirely borne by locals; foreigners will simply take the first plane out when things go wrong. In other words, the new post-conflict agenda allows donors to make life and death decisions that are often bound to be wrong; yet those suffering the consequences of these errors are never those making the decisions. Under such conditions, the entire process by which difficult and dangerous ethical choices are made for other people must be seriously reformed.<sup>66</sup>

Some of these decisions so fraught with difficulty are those that require donors to privilege one process over another when confronted with conflicting objectives, such as the choice between

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<sup>65</sup> "Dutch Halts Rwanda Election Fund Over Missing Dissidents," *East African Standard* (Nairobi), 16 August 2003, <<http://www.allafrica.com>> (4 March 2004).

<sup>66</sup> Uvin, "Difficult Choices," 185.

“democracy and governance...reconciliation and formal justice, economic efficiency and political imperative, short-term security and human rights, or the alleviation of suffering and political stability.”<sup>67</sup> These complex decisions, and the “cost of error” associated with them, do not mean that development aid is either a fruitless or an impossible project. Rather, they point to the need for international donors to acknowledge the power of their dollars, and to take due account of this power when constructing aid policies in Rwanda.

The problem in this case is not a lack of information. Most international aid agencies have country offices in Rwanda and are in a position to be well aware of the effects, both direct and indirect, of their money. Given, however, that aid agencies appear to not make this connection, one must wonder why, and question these agencies’ interests in and commitment to Rwanda. On the level of interests, one could speculate that concerns about stability in Rwanda and in the Great Lakes region override many donors’ stated concerns about human rights, democratic representation, and a real process of reconciliation. This perspective, however, is complicated by the tension between short-term and long-term stability. Although the RPF government may, in the short-term, represent a certain stability in the eyes of many international donors, this paper’s discussion of the lack of popular representation and participation in the process of governance highlights the long-term uncertainty of the present political situation.

This point is evident in a report by the Dutch NGO consortium referenced earlier, whose lobbying efforts were critical in influencing the Dutch government’s decision to withdraw election aid to Rwanda:

Since September 11<sup>th</sup>, stability seems to have become the one and only objective of Western foreign policy, including in the Great Lakes region and in Rwanda. Stability is referred to as an important motivation for diplomats to keep supporting the current Rwandan regime without questions. However, it is our analysis that stability without legitimacy, based on political and economic exclusion and abuse of power, is not sustainable. A short-term choice for stability might well prove to be a longer-term choice for chaos....one of the most important prerequisites for stability in Rwanda in the medium and longer term, is

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<sup>67</sup> Ibid.



popular confidence in those who rule the country and in gradual progress towards democracy.<sup>68</sup>

In other words, repression may work as a political strategy for some time, but it cannot work forever. In this light, one must question international donors true commitment to Rwanda – are concerns of short-term stability trumping considerations of long-term stability? Is guilt overpowering the perspicacity of the international donor community? Or are donors simply unwilling to make the effort necessary to hold the Rwandan government accountable?

It is not possible to speculate on an answer to these questions given the parameters of this paper and the limitations of the research conducted for it. This paper argues, however, that regardless of any possible reasons or justifications, the international community can have no excuse that can possibly be justified in light of the above quote by Peter Uvin (Footnote 66). The actions of international donors have real consequences in the lives of real people in Rwanda, and it is thus these donors' ethical responsibility, as willing actors in the Rwandan context, to take responsibility for their actions and for the effects of their actions, and thus to at least make the effort to use their power to ensure that the effects of their funding are synchronous with the intentions behind it. In sum, this would require these donors to use their financial leverage to hold the Rwandan government accountable to international human rights standards. It would require them to use this leverage to ensure that the "democracy" they support is substantiated by real political reform. It would require them to challenge the constructs of ethnicity, conceptions of justice, and uses of history that are contributing to questionable political processes in Rwanda. In sum, it would require focused political will on the part of donor governments and consequent effort on the part of these governments' aid agencies. Whether this effort is made is absolutely critical to Rwanda's future.

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<sup>68</sup> Cordaid, et al., 4, 37.

### Conclusions: Reconciliation Undermined

In the above chapters, this paper examined the disjuncture between official conceptions of reconciliation and many non-official perspectives and experiences of this same process. In addition, this paper examined the political functions and implications, both on national and international levels, of the state-sponsored discourse of reconciliation in Rwanda. The question that remains to be asked, however, is what does all of this mean for the future of Rwanda? And, specifically, what are the implications of this argument in terms of the unfolding of the process of reconciliation in Rwanda?

In attempting to answer these questions, it is useful to consider Peter Uvin's discussion of the discourse of development under the Habyarimana regime that was referenced in the previous chapter. In his seminal work on the topic, *Aiding Violence: The Development Enterprise in Rwanda*, Uvin discusses the many structural inequalities and exclusionary processes that were contained in, created by, and reproduced through the discourse of development that was propagated by this single-party regime. He highlights the disjuncture between the images of the Rwandan government and the Rwandan development process that were projected by the Habyarimana state and digested by the international community, and the actual realities of development (or, rather, underdevelopment) that were the experience of many Rwandan citizens during that time. In sum, Uvin argues that, by ignoring the inconsistencies, contradictions and hollow elements that lay both within the government's development rhetoric and also between this rhetoric and the on-the-ground reality of 1980s and 1990s Rwanda, international donors in fact contributed to and underwrote a process of increasing structural violence, a process that eventually led up to the 1994 genocide.<sup>1</sup>

Keeping in mind both this historical precedent and also the discussions of this paper's previous chapters, it is clear that a remarkably similar process is underway in Rwanda in the present moment, in relation to the state-sponsored discourse of reconciliation and its politically-charged

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<sup>1</sup> Peter Uvin *Aiding Violence: The Development Enterprise in Rwanda* (West Hartford, Connecticut: Kumarian Press, 1998).

effects. Here, the RPF government is insisting on adhering to its own particular version of “reconciliation,” regardless of the relevance or true efficacy of this version in the context of the real process of reconciliation in Rwanda. At the same time, the RPF government’s discourse of reconciliation is serving to legitimate a variety of repressive processes and policies, to provide cover for the institutionalization of political and economic structures of inequality and ethnically-structured privilege, and to strengthen the structure of the very state that is instigating these repressive processes and practices.

This process of legitimation is taking place not only domestically, but also internationally. As discussed in Chapter Four of this paper, this process involves a variety of actors within the international donor community who, by endorsing and supporting this discourse of reconciliation, are actively participating in what, as this paper has argued, must be understood as the underwriting of increasingly violent political processes in contemporary Rwanda. The resonance with Uvin’s argument is clear. Rather than mitigating violence as it is purposed to do, the process of reconciliation in Rwanda has been replaced by a discursive version of reconciliation that is not only failing to meet the objectives of “reconciliation” but is in fact contributing to processes whose inevitable results are the very opposite of reconciliation’s conflict-resolution aims. In sum, the *discourse* of reconciliation is undermining the *process* of reconciliation.

Some of the ways in which this undermining operates are illustrated by returning to the discussion in the introduction of this paper that highlighted some theoretical benchmarks and comparative perspectives relative to the process of reconciliation in post-conflict countries. In returning to this discussion, it is clear that the process of reconciliation in Rwanda is failing in many key ways to incorporate (or, in many cases, to even address) many of the central features that scholars emphasize must be at the heart of this process. It is likewise clear that Rwanda is meeting many challenges common to other post-conflict countries during this turbulent process. As an example, one of the key recurring elements noted in this introductory discussion is “the

tension between top-down and bottom-up approaches”<sup>2</sup> in the process of reconciliation. One theme that should be evident in this paper’s discussion of reconciliation, however, is the Rwandan government’s consistent emphasis on approaching reconciliation as a process that can be tackled from a purely top-down or institutional perspective. As noted in this earlier discussion, however, many scholars warn against the shortcomings of such a narrow approach<sup>3</sup> and emphasize that in addition to institutional projects of reconciliation, this process must also include due attention to structural and interpersonal levels.<sup>4</sup>

Clearly, some of this top-down institutional focus is inevitable in a state-sponsored discourse such as the discourse that has been analyzed in this paper, for the state is intrinsically representative of such a top-down perspective. Nonetheless, what is evident in this paper’s discussion is the absence of space in the Rwandan government’s discourse of reconciliation for an address either to key structural issues such as ethnically-structured inequalities or human rights safeguards, and also the absence of space for bottom-up civil society initiatives that could balance the state’s various top-down programs. Unlike the various addresses to structural inequality, discrimination, and diversity that Mari Fitzduff discusses in her treatment of Northern Ireland,<sup>5</sup> the RPF government’s discourse of reconciliation in fact serves to reinforce the distinct privilege of the Tutsi as an ethnic group, as highlighted throughout this paper’s previous chapters. Furthermore, as was also argued throughout this paper, this discourse also serves to undermine basic human rights safeguards in Rwanda, by justifying the government’s own abrogation of these rights in its ostensible efforts to further the process of “reconciliation.” These patterns clearly contradict these scholars’ emphases on the necessity of structural reform during the process of post-conflict reconciliation.

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<sup>2</sup> Hugo van der Merwe, “Reconciliation and Justice in South Africa: Lessons from the TRC’s Community Interventions,” in Mohammed Abu-Nimer, ed., *Reconciliation, Justice and Coexistence* (Lanham, MD: Lexington Books, 2001), 204.

<sup>3</sup> Juan E. Méndez, “Latin American Experiences of Accountability,” in Ifi Amadiume and Abdullahi An Na’im, eds., *The Politics of Memory: Truth, Healing and Social Justice* (London: Zed Books, 2000), 136.

<sup>4</sup> Louis Kriesberg, “Paths to Varieties of Intercommunal Reconciliation,” in Ho-Won Jeong, ed., *Conflict Resolution: Dynamics, Process and Structure* (Aldershot, UK: Ashgate Publishing, 1999), 113-118.

<sup>5</sup> Mari Fitzduff, “The Challenge to History: Justice, Coexistence and Reconciliation Work in Northern Ireland,” in Mohammed Abu-Nimer, ed., *Reconciliation, Justice and Coexistence* (Lanham, MD: Lexington Books, 2001), 257-263.

In regards to space for bottom-up approaches in the process of reconciliation, it is likewise evident that, regardless of the presence or absence of such civil society initiatives in Rwanda (a topic this paper has not attempted to broach), the Rwandan government's discourse of reconciliation serves to undermine (if not totally, then certainly effectively) possibilities for such initiatives. Furthermore, by thus discouraging civil society, this discourse also undermines the ability of civil society groups to effect structural reforms such as those discussed in the previous paragraph. Thus, through its consistent suppression of the press and of civil society associations, actions justified in the fight against "divisionism" that features so prominently in the larger discourse of reconciliation, the Rwandan government is not only failing to encourage bottom-up initiatives but is, in effect, squelching possibilities for a more balanced process of reconciliation to develop.

This pattern is clear in noting a 2002 incident in which the Rwandan government attacked and shut down a small Rwandan NGO, *L'Association Modeste et Innocente* (AMI), a Catholic organization that promoted human rights and that aimed to provide a "forum for discussion and action for national peace and reconciliation."<sup>6</sup> The government targeted the organization's magazine, *Ubuntu*, for using a term meaning "convalescence," or "renewal," a term that has become politically incorrect due its use by political opponents of the current RPF regime whose party was banned under the justification of "divisionism." In the end, the Rwandan government effectively shut down this organization, by accusing some of AMI's members of "national security offences."<sup>7</sup>

This pattern is also evident in the government's consistent attacks, often conducted in the name of "divisionism," against two of the main human rights associations in the region, the League of

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<sup>6</sup> International Crisis Group, "Rwanda at the End of the Transition: a Necessary Political Liberalisation," 13 November 2002, <<http://129.194.252.80/catfiles/2555.pdf>> (10 April 2004), 14.

<sup>7</sup> Amnesty International, "Rwanda," in "Amnesty International Report 2003," 2003, <<http://web.amnesty.org/library/eng-rwa/index>> (4 April 2004); International Crisis Group, "Rwanda at the End of the Transition," 14.

People's Rights in the Great Lakes Region (LDGL) and the League for the Promotion and Defense of Human Rights (Liprodhor).<sup>8</sup> In order for the Rwandan government to be able to suppress these organizations that, according to various NGO reports, are wholly credible and well-intentioned organizations,<sup>9</sup> it is necessary to have an environment where political concerns take precedence over human rights, an environment where potential "divisionism" is a legitimate accusation to use against civil society organizations without any investigation into the legitimacy of such claims. It is exactly this kind of environment that is produced by the current discourse of reconciliation in Rwanda.

The reasons for these failures to address issues of human rights and structural equality, or to allow civil society to flourish, are clear. In essence, such initiatives would not work to the advantage of those in power. Those in power, the RPF, disproportionately represent foreign-born individuals of Tutsi ethnicity. As discussed throughout this paper, this ethnic bias is clear in a number of facets of the governmental discourse of reconciliation. In this light, the failure to emphasize, or even to allow, a holistic address to reconciliation can be understood as a successful political strategy (whether or not reinforced by actual intention) of the currently dominant group in Rwanda to consolidate and to perpetuate its hold on political power. In sum, it is a strategy whereby Rwanda's élite power-holders have effectively co-opted the discourse of reconciliation. This highlights three of the common challenges to reconciliation discussed in this paper's introduction: the difficulty of "opposition from élites"<sup>10</sup> to the reconciliation process, the tendency towards the "re-politicization of peacebuilding initiatives,"<sup>11</sup> and the presence of "internal

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<sup>8</sup> Human Rights Watch, "Preparing for Elections: Tightening Control in the Name of Unity," May 2003, <<http://www.hrw.org/backgrounder/africa/rwanda0503bck.pdf>> (10 April 2004), 14; International Crisis Group, "Rwanda at the End of the Transition," 13; United States Department of State, "Rwanda: Country Reports on Human Rights Practices – 2003," 25 February 2004, <<http://www.state.gov>> (22 April 2004).

<sup>9</sup> Amnesty International, "Rwanda"; Cordaid, Icco, Kerkinactie, and Novib, "'Tell our government it is OK to be criticised!,'" February 2004, <<http://www.bbo.org>> (9 April 2004); Human Rights Watch, 10, 14; International Crisis Group, "Rwanda at the End of the Transition, 13; Cordaid, et al.

<sup>10</sup> Abdullahi An-Na'im and Svetlana Peshkova, "Social Movements Revisited: Mediation of Contradictory Roles," in Ifi Amadiume and Abdullahi An Na'im, eds., *The Politics of Memory: Truth, Healing and Social Justice* (London: Zed Books, 2000), 77.

<sup>11</sup> Ibid.

political blockages,”<sup>12</sup> all of which hinder the local political will that, in his discussion of Bosnia and Herzegovina, Barry Hart deems absolutely essential to the successful implementation of a post-conflict process of reconciliation.<sup>13</sup> In the Rwandan case, the élites are also the holders of political power, a factor that, perhaps, makes the tendency towards politicization of the reconciliation process especially potent.

In such a framework in which the ruling élite largely control the way in which the process of reconciliation unfolds, it is inevitable that many of the central aspects of reconciliation discussed in the introduction are ignored. In sum, these aspects of the reconciliation process are those that would include allowing other (non-élite, non-powerholding) individuals and parties to participate on an equal basis in the process of reconciliation. These aspects include dialogue, open discussion of mutual concerns, and the construction of a “mutually-shared vision of the future.”<sup>14</sup> They include the development of shared understandings of truth and history based on mutual participation by the different parties involved in the conflict, understandings that must go beyond one-sided interpretations and that cannot privilege only one side of the conflict. As has been discussed at length throughout this paper, understandings of truth and history are certainly being created in Rwanda, but these narratives cannot properly be deemed either “shared,” “two-sided,” or “mutual,” for they fail either to incorporate the interests or to represent the views of a large percentage of the Rwandan population.

In essence, what is missing from this process in Rwanda is a commitment to *relationship*, what John Paul Lederach deems the very crux of the reconciliation process. As noted in the introduction, Lederach emphasizes that reconciliation is not a process that involves disengaging or minimizing the “conflicting groups’ affiliations,”<sup>15</sup> but one that instead involves the engagement

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<sup>12</sup> Barry Hart, “Refugee Return in Bosnia and Herzegovina: Coexistence before Reconciliation,” in Mohammed Abu-Nimer, ed., *Reconciliation, Justice and Coexistence* (Lanham, MD: Lexington Books, 2001), 296.

<sup>13</sup> Ibid.

<sup>14</sup> John Paul Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies* (Washington, DC: United States Institute of Peace Press, 1997), 27.

<sup>15</sup> Ibid., 26.

of the different sides of the conflict as “humans-in-relationship.”<sup>16</sup> Such a two-way process is clearly not to the advantage of the élite individuals and groups who currently control the process of reconciliation in Rwanda. In addition to pointing to the necessity of two-way mutual participation in the process of reconciliation, however, this point can be understood, in the Rwandan context, to signal the counterproductive nature of the Rwandan government’s discourse of reconciliation that, as one of its primary features, seeks to entirely erase ethnic markers. In essence, in creating the “single political community”<sup>17</sup> that is clearly essential in the process of reconciliation, the Rwandan government is forgetting that this community must include and incorporate the different sides of the conflict on an equal basis. Rather, the Rwandan government is doggedly adhering to its exclusivist stance and is adamantly refusing to take into account voices from all “sides” of Rwandan society. The state-sponsored discourse of reconciliation is thus serving to undermine this central element of the reconciliation process.

Instead of allowing a full process of reconciliation to unfold, the RPF government is effectively rewriting its definition of reconciliation, in practice if not in rhetoric, to match what Johan Galtung deems “passive coexistence.” As discussed in the introduction, this variation of “reconciliation” describes a situation where different groups within a country “live together without one collectivity trying to destroy or severely harm the other.”<sup>18</sup> With the relative security and present peace currently evident in Rwanda, the Rwandan government can be seen to be relatively successful at creating a circumstance of effective coexistence. Settling for this lesser version of reconciliation, however, entails settling with a process that stops short of the comprehensive social process of a full reconciliation process that, at its crux, is purposed to “provide a base upon which justice and peace can be constructed.”<sup>19</sup> In sum, coexistence describes a process focused on present peace, while reconciliation goes one step further to describe a process focused not only on present, but

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<sup>16</sup> Ibid.

<sup>17</sup> Mahmood Mamdani, “The Truth According to the TRC,” in Ifi Amadiume and Abdullahi An Na’im, eds., *The Politics of Memory: Truth, Healing and Social Justice* (London: Zed Books, 2000), 182-183.

<sup>18</sup> Louis Kriesberg, “Changing Forms of Coexistence,” in Mohammed Abu-Nimer, ed., *Reconciliation, Justice and Coexistence* (Lanham, MD: Lexington Books, 2001), 48.

<sup>19</sup> Johan Galtung, “After Violence, Reconstruction, Reconciliation, and Resolution: Coping with Visible and Invisible Effects of War and Violence,” in Mohammed Abu-Nimer, ed., *Reconciliation, Justice and Coexistence* (Lanham, MD: Lexington Books, 2001), 3.



also future peace. This raises a critical question in regards to the Rwandan situation. Coexistence, one could argue, is enough. Relative peace and security could be seen to be all one could ask for in a situation such as Rwanda. Nonetheless, especially in light of the previous chapter's discussion of stability, one must question how long such coexistence can be expected to be sustained if far-reaching efforts towards sustainable reconciliation are not undertaken.

It is pertinent to recall here yet one more potential difficulty in the process of reconciliation that was cited in the introduction, that of "backlash from 'rejectionists.'"<sup>20</sup> Not merely a theoretical stumbling-block, this is a very real question in the case of Rwanda. Exclusionary social policies and repressive government practices are widely understood to be factors that play significant roles in laying the grounds for civil conflict,<sup>21</sup> a pattern evident in even the brief history of Rwanda that was discussed in this paper's introduction. Thus, to the degree that the Rwandan government's discourse of reconciliation encourages or allows for such exclusionary policies and practices, this discourse can be understood not only as subject to potential backlash, but also as a contributing factor in the development of such backlash. This theme is emphasized by Nigel Eltringham and Saskia van Hoyweghen, who stress that although they do not argue that "perpetrators of genocide should be given a voice," the current situation in Rwanda, where "a significant part of the population is currently excluded from social debate on the basis of its ethnic identity" effectively comprises "a situation which will backfire."<sup>22</sup> Warnings of "backfire" are also voiced by International Crisis Group, who maintains that "[t]he government's repression of critical voices creates a vicious circle by radicalizing the opposition both inside and outside Rwanda."<sup>23</sup> International Crisis Group discusses how this repression is feeding resentment among diverse groups of Rwandans excluded from the current political structure of present-day Rwanda, including non-RPF Tutsi politicians and individuals, Hutu élites and intellectuals, as well as Hutus

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<sup>20</sup> An Na'im and Peshkova, 77.

<sup>21</sup> Ted Robert Gurr and Barbara Harff, *Ethnic Conflict in World Politics* (Boulder: Westview Press, 1994), 79-80.

<sup>22</sup> Nigel Eltringham and Saskia Van Hoyweghen, "Power and Identity in Post-Genocide Rwanda," in Ruddy Doom and Jan Gorus, eds., *Politics of Identity and Economics of Conflict in the Great Lakes Region* (Brussels: University Press, 2000), 239.

<sup>23</sup> International Crisis Group, "Rwanda at the End of the Transition," i.

as a group, and is thus strengthening the power of the Rwandan opposition to the present government, both armed and unarmed, that lives in exile.<sup>24</sup>

Similar concerns, in fact, were voiced as early as 1995 by Jean-Damascène Ntakirutimana, once Chief of Staff to former Prime Minister Faustin Twagiramungu. Ntakirutimana defected from Rwanda in June 1995, just prior to the resignation of Twagiramungu himself, which defection and resignation were largely due to these politicians' opposition to the increasing RPF monopoly within the government. Speaking to *Le Monde*, Ntakirutimana stated:

Much as I can condemn the genocide of last year, I still cannot accept the revanchist style in which the Rwandese Patriotic Front (RPF) runs the country today....For thirty years the Hutu had power and today it belongs to the Tutsi assisted by a few token Hutu among whom I figured for more than year....The RPF denies that there is any ethnic problem today with the same energy it used in denouncing the ethnic imbalance of the old regime....It was necessary to find a new system and some of us believed that the RPF victory would enable us to achieve a real change. But the RPF has simply installed a new form of Tutsi power....The radicals from the two sides reinforce each other and what the RPF is doing today boosts up the position of the Hutu extremists in the refugee camps.<sup>25</sup>

Such concerns, whether from 1995 or from more recent years, are not purely hypothetical. In April 2004, during the same week that the tenth anniversary of the genocide was being commemorated across Rwanda, approximately 250 Hutu rebels based in exile in the Democratic Republic of Congo attacked a village inside Rwanda's western border. 16 rebels were killed in the attack.<sup>26</sup> In attacks in late 2003 in the Rwandan provinces of Gikongoro and Gitarama, this time not by rebels-in-exile but allegedly by genocide suspects, four genocide survivors are reported to have been killed in order to prevent them from testifying before the *gacaca* courts. Five individuals were sentenced to death in February 2004 for one of these murders.<sup>27</sup> In light of these

<sup>24</sup> Ibid., 17-23.

<sup>25</sup> Cited in *Le Monde*, 15 June 1995. Reprinted in English translation in Gérard Prunier, *The Rwanda Crisis* (New York: Columbia University Press, 1997), 367.

<sup>26</sup> Robert Walker, "Hutus 'attacked Rwanda village,'" *BBC News*, 11 April 2004, <<http://news.bbc.co.uk/go/pr/fr/-/2/hi/africa/3618601>> (11 April 2004).

<sup>27</sup> United Nations Integrated Regional Information Network, "Genocide Survivor Group Denounces Killings, Harassment of Witnesses," 16 December 2003, <<http://www.allafrica.com>> (11 April 2004); United Nations Integrated Regional Information Network, "Rwanda: Genocide Survivors Flee Province Over Killings," 12 January 2003, <<http://www.allafrica.com>> (11 April 2004); United Nations Integrated Regional Information Network, "Rwanda: Five Sentenced to Death Over Killing of Genocide Survivor," 1 March 2003, <<http://www.allafrica.com>> (11 April 2004).

recent incidents, the degree to which the discourse of reconciliation is working against rather than towards a sustainable peace is clearly not merely an academic issue, but an issue that could, potentially, critically influence the prospects for future peace and stability in Rwanda.

Given all of these factors, the question remains of what is required to make reconciliation not only a rhetorical narrative but a real process in present-day Rwanda. Clearly, the RPF political monopoly in Rwanda – on knowledge construction, on the discourse of reconciliation, and on the international funds that flow into Rwanda each year – is critically inhibiting the potential of the discourse of reconciliation to become a true *process* of reconciliation in the context of post-genocide Rwanda. Just as clearly, any real process of reconciliation must involve real steps, not simply rhetorical smokescreens, towards power-sharing, inter-ethnic dialogue, and mutual participation in the post-conflict process of reconciliation and reconstruction. Given, however, that the Rwandan government is and must be a critical actor in the process of national reconciliation in Rwanda, and given that this government is currently dominated by a group of individuals that is clearly reluctant to relinquish its own monopoly on power and to embrace such a multivocal process, the salient question becomes how to extricate the process of reconciliation from the hegemonic hands of the RPF. In other words, how is it possible to get away from a situation where one group of interests continues to exclusively dominate the political environment of Rwanda.

This is surely no easy task. Those in power are rarely eager to relinquish that power. Nonetheless, it is not an impossible task. The key factor in this equation, however, is international leverage. As Human Rights Watch points out in their 2003 report, although President Kagame repeatedly insists before the international community that “Rwanda will chart its own course regardless of foreign criticism...he and other authorities have on many occasions shown significant regard for the opinion of others, at home and abroad.”<sup>28</sup> As noted in the same report, the “great effort invested in trying to justify the dissolution of the MDR,” such as the parliamentary inquiry that

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<sup>28</sup> Human Rights Watch, 15.

justified attacks on certain members within the Rwandan government with the accusation of “divisionism,” “is itself an indication of sensitivity to that opinion.”<sup>29</sup> In the same vein, the Rwandan government’s emphasis on maintaining at least the outward appearance of democracy, as seen during the 2003 elections, as well as their use of the discourse of reconciliation itself, can also be understood as further demonstrations of their desire and need to maintain their legitimacy before both domestic and international audiences.

Due to the repressive nature of the Rwandan state, domestic actors in Rwanda are clearly inhibited in their efforts to effect change within current Rwandan politics, whether to address the contradictions in the process of reconciliation or to address the closely linked questions of political participation and human rights. International actors, however, are not so tightly constrained by such considerations, at least not to the same degree as are Rwandan citizens themselves. International action thus holds a unique potential to bring about change during this critical time in Rwanda’s politics, and to contribute towards the breaking of this turbulent cycle of power and violence in Rwanda.

One Nigerian columnist elegantly summarized these factors in an April 2004 opinion piece. Highlighting the indefensible nature of any discrimination or injustice, whether on the part of the oppressor or the oppressed, the majority or the minority, this columnist emphasizes the need for the international community to recognize that a true commemoration of the genocide must include what he deems “sober reflection” about the causes that led to the genocide in the first place. Emphasizing the necessity of power-sharing and stressing that the “root of the problem [in Rwanda] is political power,” he states that,

The present arrangement whereby the Tutsis are hanging on to power by force of military conquest will neither guarantee peace nor stability. It will only be a question of time before the Hutus build up a sufficient force to mount a bold assault on Rwanda in order to gain national power.... Genocides do not just happen. They flow from years of bitter resentment against certain people. Today, millions of Hutus are in exile. That unhappy circumstance will breed up a generation of dreamy-eyed Hutu youths who will have deep longing for their homeland. As the days go by, they will take up arms to fight against the forces

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<sup>29</sup> Ibid.

that impede their return home....Is Rwanda cursed to witness cyclical nightmare? Yesterday, it was the Tutsis who ran away into exile, regrouped, gathered strength and came back to win power. Tomorrow, will it be the turn of the Hutus to do the same? The answer to this question depends on what the rest of us decide to do today about what is happening in Rwanda.<sup>30</sup>

The action this columnist calls for from the international community is the implementation of dialogue about power-sharing reforms in Rwanda's political structure. International NGOs have already recognized the necessity for such action, as evident in the "recommendations" included in every critical NGO report about Rwanda. These recommendations focus on the need for the international donor community to use their leverage vis-à-vis the Rwandan government in order to demand political reforms in Rwanda, and to call on these donors to make their funding contingent on these reforms.<sup>31</sup>

Beyond these NGO voices, however, donor agencies and states who consider themselves committed to Rwanda's process of reconciliation must themselves begin to take notice of the contradictions evident within this process. If there is to be real change in Rwanda, if the discourse of reconciliation is to become a real process of reconciliation, and if that process of reconciliation is in fact to create the socio-cultural base for peace and stability in Rwanda, these international donors must, in addition to taking notice of these contradictions, begin to act in response to them. They must, as these NGOs call them to do, demand immediate steps towards real political reform in Rwanda, steps that allow for inclusive and truly democratic participation in the political process. They must demand an end to the repression of political opposition, civil society and the press. They must make it clear that their dollars, so key to underwriting the RPF government's claim to power, are contingent upon the timely adherence to these demands. If, instead, these donor states and agencies choose to remain committed to policies that can only be said to reflect intentional blindness on their part, they are simply privileging an empty discourse in lieu of a real process of reconciliation. Moreover, by so doing, they are in fact contributing to the undermining

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<sup>30</sup> Idang Alibi, "Rwanda: Preparing for Another Genocide," *Daily Trust* (Abuja), 22 April 2004 <<http://www.allafrica.com>> (23 April 2004).

<sup>31</sup> Christian Aid, "It's time to open up," March 2004, <<http://www.christianaid.org.uk/indepth/403rwanda/rwanda.pdf>> (21 April 2004), 29; Cordaid, et al., 37, 41, 44, 47, 55; Human Rights Watch, 16; International Crisis Group, "Rwanda at the End of the Transition," iii.

of that real process. In this light, such negligent action on the part of the international donor community must be understood as action that may be fueling potential fires of future conflict in Rwanda.

As this paper is being written in April 2004, the tenth anniversary of the beginning of the Rwandan genocide has just passed. Dozens of heads of state and other representatives from countries around the world traveled to Rwanda this month to pay their respects to a nation whose welfare they neglected unforgivably ten years ago. News media around the world have focused on commemorating the 1994 genocide. The United Nations has taken this anniversary opportunity to articulate a five-point "action plan" for the prevention of genocide,<sup>32</sup> and donor states and agencies have reiterated their commitment to Rwanda's recovery. The true proof of whether such remorse and commitments are to prove real, however, or whether they are once again to prove to be merely hollow words, lies in the actions of these governments and international organizations that are, as I write, making such promises. In this moment, the words "never again," when referring to Rwanda, do not mean simply "committing" to *future* action for the prevention of genocide in this nation. Instead, such commitment must entail *present* action to effect the healing and recovery of this country that is only just emerging from one of the most brutal mass slaughters in recorded history, in order that Rwanda need never again face the violence that countries around the world find themselves commemorating this month. Critically analyzing the Rwandan government's discourse of reconciliation and addressing the contradictions inherent in Rwanda's current political milieu are, of course only the first steps. Nonetheless, they are steps that affect, like the process of reconciliation itself is intentioned to address, the very heart of the post-conflict recovery process.

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<sup>32</sup> United Nations News Service, "10 Years After Rwanda Genocide, Annan Unveils Plan to Stop Future Massacres," 7 April 2004, <<http://www.allafrica.com>> (23 April 2004).

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#### Appendix A: Interview methodology

The interviews for this project can be divided into three main categories: non-official Rwandan citizens, NGO researchers, and government officials.

Interview subjects from the first category were randomly chosen from three main regions of Rwanda (Kigali, Kibuye, and Butare). In traveling to these different areas to observe the proceedings of the gacaca courts in these areas, I would, upon arrival in each of these areas, ask to speak to people representing two specific categories, survivors and gacaca judges. As I did not wish to confine my discussions with these individuals to a particular set of questions, or to limit their responses in any way, I generally allowed these interviews to stay fairly flexible in format. However, my questions for these interviews did revolve around the same general set of questions. These questions included: what has been your experience of the gacaca courts? What do you think has worked and has not worked with these courts? In your experience, what is the relationship between these courts and the process of reconciliation? What does reconciliation mean to you? Do you think reconciliation is possible in Rwanda? What has been your experience of the recent prisoner release? All of these interviews were conducted through a translator.

Interview subjects from the second category of NGO researchers were all conducted without a translator, in either English or French. Individuals in this category represented NGOs, both Rwandan and international, working on research and advocacy in the different key areas of human rights, justice, development, and survivors' issues. These interviews generally centered around the same questions as outlined in the previous paragraph, but asked these researchers not only to reflect on their own experiences, but to answer these questions in light of their research.

Interviews with government officials were likewise conducted without a translator. Again, my questions for these individuals revolved around issues of gacaca and of reconciliation, and focused on the relationship (both intended and observed) between these two processes. I asked these officials to reflect on any limitations they had observed in the gacaca process over the past year, and to reflect on the (potential or observed) obstacles to the process of reconciliation and to

the success of these courts. I also asked these individuals to discuss the recent prisoner release, and to comment on how this release had been received in communities around Rwanda.