



RESEARCH ARTICLE

TUTSI GENOCIDE AND POLITICAL CONFLICT MANAGEMENT IN RWANDA AFTER 1994.

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Abstract

In the early 1990s, Rwanda experienced one of the most terrible cases of genocide the world has witnessed since the end of World War II. Since genocide is the most aberrant of human behaviours, it cries out for explanation. Why did it occur? This article tries to offer a brief analysis and explanation of that terrible incidence, utilizing the human materialism paradigm. Human beings are conceptualized as rational, emotional, loving and hating, social creatures who are indoctrinated to some degree in ideological, ritual and symbolic systems that influence their thought, behaviour and perception of their nature. One of the most depressing accounts of the slaughters is the Africa Publication, *Rwanda: Not so Innocent-When Women Become Killers*. It describes the general participation of the Hutu in the genocide and followed instruction from the highest level of the political, military and administrative authorities. At an intermediate level, large numbers of people from all occupations were involved, both directly and indirectly. The extremist exhorted the Interahamwe and ordinary Hutu to kill Tutsi and eat their cows. Even though human materialism avoids habitually reductionist characteristics of human nature, it still manages to offer a framework or research strategy for investigating human nature systems and generating hypotheses and theories that facilitate understanding, explanation and predilection. This article shows how the Government of Rwanda post-genocide dealt with these inconveniences in order to create a supra-ethnic Rwanda.

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Introduction:-

Genocide is generally considered as one of the worst moral crimes a government can commit against its citizens or those it controls. The major reason for this study is to show how the government resolved the Rwandan problem after the murder, extermination campaigns, torture, rape, sexual slavery and enforced disappearance in order to restore a climate of peace. Popular belief and media portrayal indicates that most elections in Africa descend into conflict and violence. Straus and Taylor, using a data set of 213 cases of elections held in Sub-Saharan African countries during 1990 to 2007, found that 19 per cent of all elections were classified as serious incidents of violence, that is, involving repression and campaigns of violence. They describe 39 per cent of the cases as less severe violence, constituting harassment rather than a central feature of an electoral period, and no electoral violence reported in 42 per cent of the cases (Straus and Taylor 2009). Using multiparty elections as the primary vehicle of a democratic process and sustainable development in Rwanda, the government tried to make an effort in order to share its experiences with other countries.

Background:-

Belgium altered its policy of discrimination in the late 1950s to favour the Hutu. A variety of causes contributed to this change. Belgium itself had been divided along ethnic lines, with the Francophone Wallon minority historically dominating the Flemish majority. After World War II, newly arrived Flemish missionaries to Rwanda identified with the suppressed Hutu and supported their political aspirations. Belgium set 1962 as the target date for the independence of Rwanda. Foreseeing the inevitable dominance of the Hutu majority, Belgian colonial administrators sided with them, claiming to promote a democratic revolution. In 1957, a group of nine Hutu intellectuals had published the so-called Hutu Manifesto, which complained of the political, economic and educational monopoly by the Tutsi and characterized the Tutsi as foreign invaders. The manifesto called for promoting Hutus in all fields and argued for the maintenance of ethnic identity cards so as to monitor the race monopoly.

Hence, in 1994, Rwanda experienced one of the most terrible cases of genocide the world had ever witnessed since World War II. In the aftermath of the Tutsi genocide, we conceptualize humans as rational, emotional, loving and hating social creatures who are indoctrinated to some degree in ideological, ritual, and symbolic systems that influence their thought, behaviour and perception of their nature.

Statement of the Problem:-

The indoctrination of Rwandan society brought to score the Hutu brutality by killing Tutsi. One of the most depressing accounts of the slaughters is the Africa Rights publication, *Rwanda: Not So Innocent-When Women Become Killers* (African Rights and Leggat 1995), which describes the general participation for the genocide. The genocide would never have claimed so many lives if killers had not adopted a strategy to involve as much of the population as possible: men, women, and even children. The 100 days genocide was no spontaneous outburst. It followed instruction from the highest level of the political, administrative and military authorities. At an intermediate level, large numbers of people from all occupations were involved, both directly and indirectly.

The organizers of the massacre wanted to create a new Rwanda, a community of murderers, who shared a collective sense of accomplishment or guilt. They wanted the new Rwandan underwent an initiation rite by killing their former neighbours. In the process, the organizers took on a new identity and shared responsibility for the killings. What would have been crimes under ordinary circumstances became common behaviour for them and their disciples.

The Hutu extremists exhorted the *interahamwe* (people who fight together) and ordinary Hutu to kill Tutsi and eat their cows. Eating of cows had both symbolic and practical significance. It was symbolic because historically Tutsi supremacy had been built on cattle ownership. Eating their cows meant devouring the basis of Tutsi past domination. Practically, it also meant looting Tutsi homes, farms and businesses.

Much criticism reflects legal rigidity towards the unprecedented challenges confronting post-genocide Rwanda and a limited understanding of the aims of the community courts, referred to as *Gacaca*. *Gacaca* was inevitably imperfect, but also highly ambitious and innovative. While the full impact of the process will not be apparent for many years, *Gacaca* has delivered benefits to Rwandans in the spheres of justice, truth and democratic participation. Other societies confronting the aftermath of mass conflict could learn much from Rwanda's approach to local justice.

Research Questions:-

Specifically, this study attempts to answer:

1. Why the genocide occurred, and
2. How the Rwanda peace building strategy can be a model to resolve interethnic conflict?

Hypothesis

1. Tutsi genocide occurred in 1994 because of segregationist politics introduced among Rwandans, inherited from the colonial system between the Wallon and Flemish;
2. The Rwanda peace building strategy established equitable justice and opportunities among ethnic groups.

Objectives:-

This study had the following objectives:-

1. To help readers to understand why the terrible human tragedy occurred in Rwanda;
2. To show how the post-genocide government dealt with these inconveniences caused by history in order to create a supra-ethnic Rwanda.

Methodology:-

Data for the study was collected by employing documentary survey and interviews. The data were analyzed using qualitative data analysis techniques, and interpreted using historic method.

Conceptual Framework:-

The introduction provides an overview of all sections of the article. The development section describes how genocide occurred in Rwanda and how the post-genocide government resolved the problem. The conclusion confirms the role of the Belgians in creating the genocide and affirms how the government restores peace by offering justice and opportunities equally to all citizens.

The Crime of Genocide:-

On December 9, 1948, in the shadow of the Holocaust and in no small part due to the tireless efforts of Lemkin himself, the United Nations approved the Convention on the Prevention and Punishment of the Crime of Genocide. This convention establishes genocide as an international crime, which signatory nations agree “to prevent and punish”. The Convention on the Prevention and Punishment of the Crime of Genocide (1948) defines genocide as any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, such as:

1. killing members of the group;
2. causing serious bodily or mental harm to members of the group;
3. deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
4. imposing measures intended to prevent births within the group;
5. forcibly transferring children of the group to another group; or
6. The specific “intent to destroy” particular groups.

A closely related category of international law crimes against humanity is defined as widespread or systematic attacks against civilians (Convention on the Prevention and Punishment of the Crime of Genocide 1948).

Etymology:-

The term “genocide” did not exist prior to 1944. It is a very specific term, referring to violent crimes committed against a group with the intention of destroying their existence. In 1944, a Polish-Jewish lawyer named Raphael Lemkin (1900–1959) sought to describe Nazi policies of systematic murder, including the destruction of European Jews. He formed the word genocide by combining “geno” derived from Greek, meaning race or tribe, with “cide”, derived from Latin, meaning killing. In proposing this new word, Lemkin had in mind “a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves”. The next year, the International Military Tribunal held at Nuremberg, Germany, charged top Nazi officials with “crimes against humanity” because of killing the Jews. The word genocide was included in the indictment, but as a descriptive, not legal term (Lemkin 1944). Lemkin defined genocide as follows:

« Generally speaking, genocide does not necessarily mean the immediate destruction of a nation, except when accomplished by mass killings of all members of a nation. It is intended rather to signify a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves. The objectives of such a plan would be the disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups » (Lemkin 1944).

The preamble to the Convention on the Prevention and Punishment of the Crime of Genocide notes that instances of genocide have taken place throughout history (High Commissioner for Human Rights 2008); but, it was only after Lemkin coined the term and the prosecution of perpetrators of the Holocaust occurred at the Nuremberg trials that the United Nations defined the crime of genocide under international law in the Genocide Convention.

Causes and Conditions of Genocide:-

Social scientists and other scholars have generally organized their understanding of genocide in terms of the political structure within which it takes place, the context in which genocide occurs, the motives of the perpetrator, the nature of the victims, and the stages through which genocide passes.

Institutions of Government:-

It is clear from empirical and historical research that democide, including genocide (however defined), are facets of totalitarian systems, and to a lesser extent of authoritarian systems. The degree to which people are not democratically free increases the likelihood of some kind of domestic genocide or democide, as in totalitarian systems, for instance, Idi Amin of Uganda and Saddam Hussein of Iraq. Those governments that commit virtually no domestic genocide, or other government domestic murder or extermination campaigns, are the modern democracies that recognise civil liberties and political rights. To predict where genocide is likely to occur, look first at the totalitarian governments, and next at the authoritarian governments (Rummel 1994).

Context:-

Whatever the political institutions of a government, the possibility of genocide sharply increases when it is involved in international or domestic wars. The Holocaust is one clear example. There was the mass murder of Jews before 1939, but not as a government policy to murder all Jews wherever they were or came under German control. Other examples of genocide being executed during military incursions, civil wars, or the fight for independence are the genocide by Angola, Burma, Chile, Congo, Colombia, El Salvador, Indonesia, Iraq, Iran, Lebanon, Myanmar, Nigeria, Rwanda, Sudan, and Syria. War has always been an excuse, cover or stimulus for genocide and mass murder (*ibid*). In these circumstances, people are killed because of their identity, which may be linked to their religion or ethnicity.

Motives:-

There has been considerable research on why a perpetrator should want to destroy a group or, if not destroy the group as such, murder people because of their group membership (Rummel 1994). Motives are often complex and intertwined; but one can usually single out a major motive from the mix.

One such motive is to destroy a group that is perceived as a threat to the ruling power. This was the case with the strong resistance of the Ukrainian farmers to Stalin's program of collectivisation in 1931–32 coupled with the threat of Ukrainian nationalism to communist control. Hence, when what would have been a mild famine hit the region in 1932, Stalin magnified the famine by seizing food, including livestock, as well as shooting birds in trees, and boycotting the import of food to Ukraine. Even visitors to Ukraine were searched and food taken away from them before they entered the Soviet Republic. About 5 million Ukrainians were starved to death (*ibid*).

This was the case when the Rwandan Hutu majority government undertook to murder all Tutsi within their reach at a time when there was turmoil resulting from a major 1991 incursion of the Tutsi expatriate Rwandan Patriotic Front in the northern part of the country.

A second motive is deeply emotional and involves the destruction of those who are hated or despised, or envied or resented. The genocide of Jews throughout history, particularly the Holocaust, was fundamentally an act of religious and ethnic hatred mixed with envy and resentment over their disproportionate economic and professional achievements (*ibid*).

A third motive for genocide is the pursuit of an ideological transformation of society. Such have been the genocides and democides carried out by communist societies, for instance, where those resisting or perceived to be enemies of the ideology are murdered. A fourth motive is purification, or the attempt to eliminate from society perceived alien beliefs, cultures, practices, and ethnic groups. "Ethnic cleansing", "waste disposal" or "prophylaxis" are appropriate terms for this. Examples are the systematic attempt of Mao Tse-tung and Stalin to eliminate unbelievers from their communist societies; the attempt to do the same by Christianity during the Middle Ages; the elimination of Christian groups and Moslem "blasphemers" in many current Islamic countries, such as in Iran and Saudi Arabia; the ethnic cleansing that the Serbians practised in Bosnia-Herzegovina in the 1990s; and the war that the Myanmar (Burmese) military have been carrying out against the Karen and other ethnic groups.

A fifth motive is that of economic gain. Thus, rapacious colonial powers or individuals (such as Belgium King Leopold who personally owned the Congo Free State) mass murdered tens of millions in their colonies who got in the way, resisted the rape of the colony's wealth or were worked to death; and similarly, the mass murder of Indians in America that continues to this day. Thus, many millions were so murdered in the process of capturing, transporting, and maintaining slavery (Hochschild 2006).

The Ten Stages of Genocide (Jean-Damascene, David, Simon, Margee 2015)

The ten stages of genocide are Classification, Symbolization, Discrimination, Dehumanization, Organization, Polarization, Preparation, Persecution, Extermination, and denial.

Classification:-

All cultures have categories to distinguish people into "us and them" by ethnicity, race, religion, or nationality: Germany and Jew, Hutu and Tutsi. Bipolar societies that lack mixed categories, such as Rwanda and Burundi, are the most likely to have genocide. The main preventive measure at this early stage is to develop universalistic institutions that transcend ethnic or racial divisions, that actively promote tolerance and understanding, and that promote classification that transcend the division. The Roman Catholic Church could have played this role in Rwanda, had it not been driven by the same ethnic cleavages as Rwanda society. Promotion of a common language in countries like Tanzania has also promoted transcendent national identity. This search for common ground is vital to early prevention of genocide.

Symbolization:-

We give names or other symbols to the classifications. We name people "Hutus" or "Tutsis," or distinguish them by colours or dress; and apply the symbols to members of groups. Classification and symbolization are universally human and do not necessarily result in genocide unless they lead to the next stage, dehumanization. When combined with hatred, symbols may be forced upon unwilling members of pariah groups: the yellow star for Jews under Nazi rule, the ethnic identity card for Rwandans. To combat symbolization, hate symbols can be legally forbidden (swastikas) as can hate speech. Group marking like gang clothing or tribal scarring can be outlawed, as well. The problem is that legal limitations will fail if unsupported by popular cultural enforcement. Though Hutu and Tutsi were forbidden words in Burundi until the 1980's, code-words replaced them. If widely supported, however, denial of symbolization can be powerful, as it was in Bulgaria, where the government refused to supply enough yellow badges and at least eighty percent of Jews did not wear them, depriving the yellow star of its significance as a Nazi symbol for Jews.

Discrimination:-

Hierarchies dominate social status in the society. The ruling class, caste, or ethnic group excludes "inferior" groups from full rights. Laws are passed segregating and separating disfavoured groups in housing, schools, transportation, hotels and eating places. In Apartheid South Africa blacks were not permitted to live in White neighbourhoods and had to carry "passes" when they left black areas. In segregationist America, the black Olympic champion Jesse Owens could not find a single hotel in New York City where he could stay after winning four Gold medals at Hitler's 1936 Berlin Olympic. Jews were fired from all professorships and civil service jobs in Hitler's Germany in 1933. They were stripped of their German citizenship and were forbidden to marry "Aryans" by the Nuremberg Laws of 1935. In Rwanda, the Hutu Ten Commandments published by the Hutu power newspaper, Kangura, prohibited marriage of members of the Republican Guard with Tutsis. Quotas were imposed to limit Tutsi access to places in Rwandan medical schools and the civil service.

Discrimination is best opposed by laws that outlaw it best opposed by laws that outlaw it, such as the 13th and 14th amendments to the US constitution, and the 19th amendment that gave all American women the right to vote in 1920. Constitution prohibitions must be enforced by laws like the Civil Rights Act of 1964 and the Voting Rights Act of 1965, enforced by independent courts. Laws should create private rights to sue, so that citizens can go directly to court to defend their rights and not depend on government authorities to do so. The international community can impose sanctions, as it did on South Africa, but they take many years to work, and if not targeted, can hit the general population as well as leaders.

Dehumanization:-

One group denies the humanity of the other group. Members of it are equated with animals, vermin, insects, or diseases. Dehumanization overcomes the normal revulsion against murder. At this stage, hate propaganda in print

and on hate radios is used to vilify the victim group. In combating this dehumanization, incitement to genocide should not be confused with protected speech. Genocidal societies lack constitutional protection for countervailing speech, and should be treated differently than democracies. Local and international leader should condemn the use of hate speech and make it culturally unacceptable. Leaders who incite genocide should be banned from international travel and have their foreign finances frozen. Hate radio stations should be shut down, and hate propaganda banned. Hate crimes and atrocities should be promptly punished.

Organization:-

Genocide is always organized, usually by the state, often using militias to provide deniability of state responsibility (the Interahamwe). Sometimes organization is informal (local militias of Interahamwe) or decentralized (terrorist groups.) Special army units or militia are often trained and armed. Plans are made for genocidal killings. To combat this stage, membership in these militias should be outlawed. They are criminal gangs. Their leaders should be denied visas for foreign travel. Their assets should be seized under laws like the Racketeer Influenced and Corrupt Organization Act that has broken the back of Mafia families and drug gangs in the US. The U.N. should impose arms embargoes on governments and citizens of countries involved in genocidal massacres, and create commissions to investigate violations, as was finally done in post-genocide Rwanda.

Polarization:-

Extremists drive the groups apart. Hate groups broadcast polarizing propaganda. Laws may forbid intermarriage or social interaction. Extremist terrorism targets moderates, intimidating and silencing the centre. Moderates from the perpetrators own groups are most able to stop genocide, so are the first to be arrested and killed. Prevention may mean security protection for moderate leaders or assistance to human rights groups. Assets of extremists may be seized, and visas for international travel denied to them. Coups d'état by extremists should be opposed by international sanctions.

Preparation:-

Plans are made by perpetrators for the "final solution": genocide. Meetings are organized by leaders, such as the notorious meeting on 20 January 1942 at the Wannsee House in Berlin where Nazi leaders, led by Heydrich and Eichmann, planned "the Final Solution to the Jewish Question." [Note that even here a euphemism was used to cover plans for mass murder.] Of course, the mass extermination had already begun with the mass murders of Jews by the Einsatzgruppen during the Nazi conquest of Eastern Europe. The Akazu, led by Theoneste Bagasora and President Habyarimana's wife, began meeting in 1992 to plan the Genocide against the Tutsi. In Cambodia, the Khmer Rouge drew up detailed plans for immediate evacuation of all cities, murder of all intellectuals and members of the Lon Nol regime, abolition of money and private property, and conversion of Democratic Kampuchea into an agrarian forced-labour society.

Military preparations are made, including the building up of large stockpiles of weapons, sometimes as simple as 500,000 machetes shipped from China to Rwanda in January 1994 or in Germany the rebuilding of a massive war machine in direct violation of the Versailles Treaty. Genocide may be preceded by acquisition of former territories, like the Rhineland, Sudetenland and building of alliances such as the Anschluss into Austria, and treaties with the Soviet Union to divide Poland.

Persecution:-

Victims are identified and separated out because of their ethnic or religious identity. Death lists are drawn up. Members of victim group are forced to wear identifying symbols. Their property is expropriated. They are often segregated into ghettos, deported into concentration camps, or confined to a famine struck region and starved. At this stage, a genocide emergency must be declared. If the political will of the great powers or regional alliances can be mobilized, armed international intervention should be prepared, or heavy assistance provided to the victim group to prepare for it self-defence. Otherwise, at least humanitarian assistance should be organized and private relief groups prepared for the inevitable tide of refugees to come.

Extermination:-

Begin, and quickly becomes the mass killing legally called "Genocide". It is "extermination" to the killers because they do not believe their victims to be fully human. When it is sponsored by the state, the armed forces often work with militias to do the killing. Sometimes the genocide results in revenge killings by groups against each other, creating the downward whirlpool-like cycle of bilateral genocide (as in Burundi).

At this stage, only rapid and overwhelming armed intervention can stop genocide. Refugee escape corridors should be established with heavily armed international protection. (An unsafe “safe” area is worse than none at all) regional forces should be authorized to act by the U.N. Security Council. For larger intervention, a multilateral force led by a major power such as France, the UK, the US, or NATO must take the lead. It should seek the authorization from the UN Security Council under Chapter Seven of the UN Charter. But if the UN is paralyzed, regional alliances must act anyway. It is time to recognize that the international responsibility to protect transcends the narrow interests of individual nation states. If strong nations will provide troops to intervene directly, they should provide the airlift, equipment, and financial means necessary for major powers working with regional states to intervene.

The mandate of an intervention force must include protection of civilians and humanitarian workers. Enough troops must be authorized and supported for the intervention force to stop the genocide.

The mandate must include a No Fly Zone to neutralize the genocidists air power. This can be accomplished through provision of stinger missiles to fighters against the genocide, or use of cruise missiles to destroy the genocidists airplanes after they have returned from their bombing and strafing runs.

The rules of engagement must include prevention of killing, not just in self-defence, but of all civilians. “observers missions” are too late when genocide is under way.

The major military powers must provide leadership, training, arms, logistics, airlift, communications, and financing to those opposing genocide.

Denial:-

Is the final stage that always follows genocide. It is among the surest indications of further genocidal massacres. The perpetrators of genocide dig up the mass graves, burn the bodies, try to cover up the evidence and intimidate the witnesses. They deny that they committed any crimes, and often blame what happened on the victims. They block investigations of the crimes, and continue to govern until driven from power by force, when they flee into exile. There they remain with impunity, like Idi Amin, unless they are captured and a tribunal is established to try them.

The tactics of denial are predictable:-

- Attack the truth tellers as being morally disqualified because their ancestors or compatriots have also committed crimes.
- Deny or minimize the evidence or statistics.
- Blame natural forces such as famine.
- Blame civil or international war; claim that genocide and civil war are mutually exclusive; when in fact most genocide occurs during war.
- Blame the victims a disloyal minority that had to be eliminated during a time of war.
- Deny that the facts fit the legal definition of genocide. The most notorious revisionist redefinition of the genocide Convention is in the Schabas and Cassese requirement of “specific intent”. In the travaux, the convention framers referred to “specific intent” only twice. They treated intent as that required to prove first degree murder.

Development:-

Social Classes in Rwanda:-

Theoretically, the King owned all land and livestock while his subjects held usufruct rights. Succession to property rights was mainly patrilineal; but the king could dispossess subjects of all their property if they displeased or opposed him. King Rwabugiri’s rule was harsh and his taxes were heavy. Royal tribute was collected by a group of land chiefs, cattle chiefs, and hill chiefs who served the King. All cattle chiefs and most land chiefs were Tutsi while the Hutu and Twa could serve as hill chiefs (Maquet 1961).

The dominance of cattle as a form of disposable wealth meant that the cattle chiefs, all of whom were Tutsi by definition, were able to dominate most of Rwanda. To mobilize an army required capital, which came only in the form of livestock, and the Tutsi controlled the cattle. In some cases, Tutsi royalty elevated politically and economically successful Hutu and Twa to the rank of Tutsi. A Hutu who gained status through wealth or becoming a chief could become a Tutsi through the ‘*Kwihutura*’ ritual, literally meaning a cleaning of one’s Hutuness. If a Tutsi lost his cattle and turned to farming for living and married a Hutu family, that person could become a Hutu.

Some modern scholars such as Reyntjens (1993) and Magnarella (2002) stress that during the pre-colonial period there were no Tutsi-Hutu conflicts as such. Tutsi and Hutu lived together on the same hill and formed alliances against other groups. Although Rwanda was definitely not a land of peace and harmony before the arrival of the Europeans, there is no trace in its pre-colonial history of systematic violence between Tutsi and Hutu amounting to genocide.

Rwanda under Colonialism:-

From 1894 until the end of World War I, Rwanda, along with Burundi, had a similar population size and ethnic composition. Belgium claimed Rwanda thereafter, and in 1924, Belgium became the administering authority under the League of Nations mandate system. Belgium ruled Rwanda and Burundi, and named it the territory of Ruanda-Urundi which was a single administrative trusteeship until independence. By then, the two countries had developed different political systems. Hutu political leaders declared Rwanda a republic and forced the Tutsi monarch, Kigeli, into exile. Burundi, by contrast, remained a constitutional monarchy (Chretien 1995).

During the colonial period, the Germans chose to rule Rwanda indirectly through the existing Tutsi monarch (Mwami) and his chiefs. This had the effect of continuing the pre-colonial transformation by increasing Tutsi chiefly power (Prunier 1997). Mutually advantageous relations were the result. The Germans used the Tutsi King (Musinga) to establish their authority in the northwest of the colony. Musinga also used Germans to strengthen his own position in Rwanda (Louis 1963).

According to sources such as Magnarella (2002), many Europeans believed that Tutsi political and economic success evinced their superior fitness in the struggle for survival. Given that the Tutsi ruled over the Hutu and Twa, the Europeans concluded that they were indeed like the colonialist themselves, a people superior to common Africans. In fact, some Europeans concluded that the Tutsi were not really Sub-Saharan Africans at all, but rather, were a Hamitic people, probably descendants of the ancient Egyptians. Hence, the colonialists developed the "Hamitic myth" which held that Tutsi and everything humanly superior in Central Africa came from ancient Egypt or Abyssinia. The Europeans made it known to the people of Ruanda-Urundi that they regarded Hutu and Twa as inferior to Tutsi. Sixty years of such prejudicial fabrication inflated Tutsi egos inordinately, and crushed Hutu feeling which coalesced into an aggressively resentful inferiority complex (Magnarella 2002).

The Belgians initially favoured the Tutsi over the Hutu, even more than the Germans had. Belgian administrators replaced Hutu chiefs with Tutsi. The replacement policy was extensive and sub-chiefs were Tutsi (Destexhe 1995). Initially, Christian missionaries spread their religion to the more receptive Hutu, since the Tutsi king and aristocracy rejected it. Christian theology had the effect of discrediting the indigenous belief in the Tutsi king's divine nature. By contrast, poor and marginal Hutu regarded the European churches as their new protective patrons. By 1930, however, some of Tutsi realized that to remain part of the elite in a Rwanda dominated by Belgian Christians, they had to be converted. The process of Tutsi conversion accelerated after 1931 when the Belgians deposed King Yuhi Musinga and replaced him with his son Charles Leon Pierre Rudahigwa. The old king had resisted modernization. By contrast, his son dressed in Western clothes, drove a car and converted to Christianity (Prunier 1997). Henceforth, the Christian schools, both Catholic and Protestant, had much higher Tutsi enrolment.

In order to profit from their colonial investment, the Belgians instituted a number of agricultural and infrastructural projects such as coffee cultivation, terracing and road construction. These projects required a huge amount of cheap or free labour. Hence, they redesigned the traditional "corvée" system so that every man had to contribute time and energy to government-designed projects. Those who failed to meet government expectations were often brutally beaten by enforcers appointed by local Tutsi chiefs (Lemarchand 1970).

The people grew to hate the forced labour requirement, brutal punishments and government functionaries, who were usually Tutsi. Nothing so vividly defined the divide between Tutsi and Hutu as the Belgian regime of forced labour which required armies of Hutu to toil *en masse* as plantation chattel, on road construction, and in forestry crews, and placed Tutsi over them as taskmasters (Gourevich 1998). The Tutsi compradors directed the corvée labourers with whips. If the Tutsi supervisors did not get the job done, their white colonial masters whipped and replaced them. Corvée work demands were so great that they could consume more of the natives' time (Prunier 1997). This huge amount of labour, having been forcibly diverted from the production of food, most probably contributed to the famine of 1940–1945. Due to the brutal Belgian regime, land shortages and famine, many Hutus and impoverished

Tutsi fled north to Uganda and west to the Democratic Republic of Congo to seek their fortunes as itinerant agricultural labourers.

The Belgian colonial government conducted a census and introduced an identity card system that indicated the Tutsi, Hutu or Twa “ethnicity” (*ubwoko* in Kinyarwanda) of each person. However, the Belgians decided to classify any individual farmer with fewer than ten cows as a Hutu (Vassal-Adams 1994). The Belgians used ownership of cows as the key criterion for determining which group an individual belonged to. Those with ten or more cows were Tutsi. Those recognized as Twa at the time of census were given the status of Twa. This basis for classification contributed to the physical mix found in each of the various ethnic categories which, taken together, the census determined to be 85 per cent Hutu, 14 per cent Tutsi and 1 per cent Twa (*ibid.*).

The identity “ethnicity” card of future generations was determined patrilineally. All persons were designated as having the ethnicity of their fathers, regardless of the ethnicity of their mothers. This practice, which was carried on until its abolition by the 1994 post-genocide government, had the unfortunate consequence of firmly attaching a sub-national identity to all Rwandans, and thereby rigidly dividing them into categories, which for many people, carried a negative history of dominance, subordination, superiority, inferiority, and exploitation. In their Hutu Manifesto of 1957, Hutu leaders referred to the identity card categories as races, thereby evincing how inflexible these labels had become in their minds.

Independent Rwanda:-

Belgium altered its policy of discrimination in the late 1950s to favour the Hutu. A variety of causes contributed to this change. Belgium itself had been divided along ethnic lines, with the Francophone Wallon minority historically dominating the Flemish majority. After World War II, newly arrived Flemish missionaries to Rwanda identified with suppressed Hutu and supported their political aspirations. Belgium set 1962 as the target date for the independence of Ruanda-Urundi. Foreseeing the inevitable dominance of the Hutu majority, Belgian colonial administrators sided with them, claiming to promote a democratic revolution (Xavier 1994).

In 1957, a group of nine Hutu intellectuals had published the so-called Hutu Manifesto which complained of the political, economic and educational monopoly of the Tutsi, and characterized the Tutsi as foreign invaders. The manifesto called for promoting Hutu in all fields and argued for the maintenance of ethnic identity cards so as to monitor the race monopoly. Tutsi royalty rejected the manifesto and blamed colonial administrators for any interethnic problems (*ibid.*).

Political activists formed a series of Pro-Tutsi, Pro-Hutu, and integrationist parties. However, the political struggle in Rwanda was never really a quest for equality; the issue was only who would dominate the ethnically bipolar state (Gourevich 1998). In November 1959, the Pro-Hutu PARMEHUTU party led a revolt that resulted in bloody ethnic clashes and the toppling of King Kigeri V. At the beginning of 1960, the colonial administrators began replacing Tutsi chiefs with Hutus, who immediately led persecution campaigns against the Tutsi living on the hills now controlled by Hutu. By 1963, other Hutu attacks had resulted in thousands of Tutsi deaths and the flight of many of them to neighbouring countries (*ibid.*)

Rwanda after Independence:-

Belgian authorities organized communal elections in mid-1960. The PARMEHUTU and other Pro-Hutu parties won the vast majority of posts. As a result of the national election held under UN supervision, Gregoire Kayibanda (author of the Hutu Manifesto) became Rwanda’s president. Kayibanda, the son of Hutu farmers, had studied for the priesthood at a Catholic seminary and had been employed as a secretary by a Belgian bishop. By 1960, he had become a leader of the PARMEHUTU. Being married to a Tutsi woman did not deter him from attacks on Tutsi (Nyankanzi 1998).

Authors such as Magnarella (2002), noted that as a result of a referendum, Rwanda was declared independent on July 1, 1962. President Kayibanda soon established a style of rule which was segregative and authoritarian. Supported by the Tutsi-dominated government in Burundi, Rwanda Tutsi refugees there began launching unsuccessful incursions into Rwanda. These invasions were usually followed by brutal Hutu reprisals against local Tutsi. The Hutu government used a failed 1963 invasion as the pretext to launch a massive wave of repression in which an estimated 10,000 Tutsi were slaughtered and about 130,000 Tutsi fled to the neighbouring countries of

Burundi, Zaire (now the Democratic Republic of the Congo) and Uganda between December 1963 and January 1964. All surviving Tutsi politicians still living in Rwanda was executed (Magnarella 2002).

The Second Republic:-

In July 1973, Major Juvenal Habyarimana, a northern Hutu, overthrew Kayibanda, a southerner, and declared himself President of the Second Republic. Over the next few years, his security forces would eliminate former president Kayibanda and many of his high-ranking supporters as part of a plan to eradicate serious Southern Hutu opposition. Habyarimana's regional supporters filled high-level positions in the government and security forces. Close relatives of the President and his wife dominated the army, gendarmerie and especially, the presidential guard.

Habyarimana's Rwanda became a single-party dictatorship. His party, the Mouvement Révolutionnaire National pour le Développement (MRND), was enshrined in the constitution. He relegated the Tutsi to the private sector. Throughout the Habyarimana years, there would not be a single Tutsi mayor or prefect; there was only one Tutsi officer in the whole army, two Tutsi Members of Parliament (MPs) out of 70, and only one Tutsi minister out of a cabinet of about 25 (Prunier 1997). Regulations prohibited army members from marrying Tutsi. He also maintained the ethnic identity card system of the previous regime.

Up until 1990, when the Tutsi-dominated Rwandese Popular Front (RPF) army invaded from Uganda, Rwanda's main political parties' issue was the north-south divide. Habyarimana had consistently favoured his own region. The north received a disproportionate share of resources, and northerners enjoyed better educational opportunities and were over-represented in government and state companies (Vassal-Adams 1994).

The principal foreign issue concerned refugees. By the mid-1980s, the number of Rwandan refugees in neighbouring countries has surpassed half a million. Habyarimana adamantly refused to allow their return, insisting that Rwanda was already too crowded and had insufficient land, jobs and food for them (Vassal-Adams 1994). However, the surrounding countries were also poor and had insufficient resources to accommodate both their own citizens and a large refugee population.

Rwanda under the War:-

Literature, such as Jefremovas (1995) documented that many Rwandan refugees felt the need to return to their country. Hence, in order to get support, Tutsi refugees in Uganda joined forces with the Ugandan revolutionary, Yoweri Museveni, helping him to overthrow the Ugandan government in 1986. In the process, they received military training, and a few became high-ranking officers in the Ugandan military. Together with some Rwandese Hutu refugees, they formed the Rwanda Patriotic Front (RPF) and committed themselves to return to Rwanda. In 1990 – 1992, RPF troops conducted a number of assaults into Rwanda from Uganda in unsuccessful attempts to seize power. The fighting caused the displacement of the local population. Habyarimana retaliated by heightening internal repression against the Tutsi. His security forces indiscriminately interned and persecuted Tutsi solely because of their ethnic identity, claiming they were actual or potential accomplices of the RPF (Jefremovas 1995). From 1990 to 1992, Hutu ultra-nationalists killed an estimated 2000 Tutsi (Newbury 1995).

The slaughter of Tutsi was not solely the result of RPF threats from the north. Radical indoctrination also played an important role. In April 1990, six months before the RPF's October invasion, President Habyarimana attended a Franco Africa summit in France. French President, Francois Mitterrand, one of Habyarimana's supporters, advised the Rwandan president to permit multiparty politics. Habyarimana quickly did so, thereby allowing a platform for political groups, such as the Coalition pour la Defence de la Republique (CDR), that were even more radically Pro-Hutu and "racist" than his own MRND. Hassan Ngeze, a CDR member and Hutu supremacist, became a major preacher of anti-Tutsi hatred. In one issue of his newspaper, *Kangura* (December 1990), he vilified the Tutsi in his infamous "Ten Commandments of the Hutu 1957", namely:

1. Every Hutu must know that the Tutsi woman, wherever she may be, is working for the Tutsi ethnic cause. In consequence, any Hutu is a traitor who:
 - Acquires a Tutsi wife;
 - Acquires a Tutsi concubine;
 - Acquires a Tutsi secretary.
2. Every Hutu must know that our Hutu daughters are more worthy and more conscientious as women, as wives and as mothers. Aren't they lovely, excellent secretaries, and more honest!

3. Hutu women, be vigilant and make sure that your husbands, brothers and sons see reason;
4. All Hutus must know that all Tutsis are dishonest in business. Their only goal is ethnic superiority. We have learned this by experience, from experience. In consequence, any Hutu is a traitor who:
 - Forms a business alliance with a Tutsi;
 - Invests his own funds or public funds in a Tutsi enterprise;
 - Borrows money from or loans money to a Tutsi;
 - Grants favours to Tutsis (import licenses, bank loans, land for construction, public markets).
5. Strategic positions such as politics, administration, economics, the military, and security must be restricted to the Hutu.
6. A Hutu majority must prevail throughout the educational system (pupils, scholars and teachers);
7. The Rwandan Army must be exclusively Hutu. The war of October 1990 has taught us that. No soldier may marry a Tutsi woman;
8. Hutu must stop taking pity on the Tutsi;
9. Hutu, wherever they are, must stand united, in solidarity, and concerned with the fate of their Hutu brothers. Hutu within and without Rwanda must constantly search for friends and allies to the Hutu cause, beginning with their Bantu brothers; Hutu must constantly counter Tutsi propaganda; Hutu must stand firm and vigilant against their common enemy, the Tutsi;
10. The Social Revolution of 1959, the Referendum of 1961 and the Hutu ideology must be taught to Hutu of every age. Every Hutu must spread the word wherever he goes. Any Hutu who persecutes his brother Hutu for spreading and teaching this ideology is a traitor (*Kangura* 1990).

Genocide Causes:-

Fearing that the reigning instability in Rwanda would threaten the region of the surrounding states, neighbouring countries pressured Habyarimana to honour the Arusha accords; but, despite strong opposition from the ultra-racist Hutu power in Rwanda, Habyarimana's government signed a series of agreements with RPF. These included accords of ceasefire, a power-sharing government, return of refugees to Rwanda, and integration of the armed forces. In addition to allowing thousands of Tutsi to return to Rwanda, the RPF was to constitute 40 per cent of the integrated military forces and 50 per cent of its officers' corps. It would also be allotted only five ministries and 11 MPs in the new 70 member Nation Assembly. The presidency would become largely ceremonial and the final accord was signed on August 3, 1993 (Prunier 1997).

Prunier (1997) notes that for Habyarimana, the Arusha accords amounted to a suicide note. After enjoying exclusive power for 20 years, Hutu leaders could never accept these changes. According to Gourevich (1998), they cried treason and charged that the president himself had become an accomplice. If the accords were to be implemented, many Hutu elitists in government and in the military would lose their privileged positions. A significant number of northern Hutu related to, or allied with the powerful lineage of Habyarimana's wife were among those who would be affected. Within days of the signing, Radio Mille Collines, a new private station devoted to genocide propaganda, began broadcasting anti-accord and anti-Tutsi ideology (*ibid*).

Gourevich captures that on April 6, 1994, however, as Habyarimana's presidential plane neared the Kigali airport on his return from Dar-es-Salam, it was downed by a missile and plunged to earth killing the president and all aboard. The identity of his assassins is not well known, many foreign and national observers believe that Habyarimana was killed by Hutu extremists, in his own military, the FAR, a Hutu institution that may have lost the most from the Arusha agreements. Only a month before, the Hutu power publication, *Kangura*, had run the banner headline "Habyarimana Will Die in March". The same issue carried a cartoon depicting the president as a Tutsi-loving RPF accomplice (Gourevich 1998).

Within the hour following the crash, and prior to its official announcement over the radio, *Interahamwe* militia men had begun to set-up road blocks in Kigali. The young men checked the identity cards of passers-by, searching for Tutsi, members of opposition parties; this was done in all parts of the country. Some Hutu leaders urged their followers to send the Tutsi back to their country of origin, Ethiopia, by the quickest route, via the Akanyaru River (Lemarchand 1970).

The murderers found that killing the Tutsi was not enough; so, they expended a great deal of time and effort, torturing and mutilating their victims and enjoyed watching them suffer. The psychological need to eliminate the

Tutsi was so great that Hutu extremists hunted down and killed the pregnant Hutu wives of Tutsi men, so that their fetuses would not survive.

In a period of only three months, approximately more than one million Tutsi had been killed. This Rwandan tragedy may have set an historic record for the largest number of people killed in such a short time.

Rwanda after 1994 Tutsi Genocide:-

In order to create a climate of peace among Rwandans, the government established an ambitious, innovative and inevitably imperfect court system known as *Gacaca* pronounced Ga-cha-cha. Derived from the Kinyarwanda word meaning “the lawn” or “the grass”, a reference to the conduct of hearings in open spaces, in full view of the communities where thousands of people from Rwandan towns and villages participated. *Gacaca* is a traditional method of conflict resolution and reconciliation that was controversially revived, transformed and codified into law, to address an extraordinary predicament which threatened to overwhelm the post-genocide Rwandan Government. According to Clark (1990), the objectives of setting up the *Gacaca* courts were to:

1. establish the truth on the genocide;
2. speed up the trials;
3. eradicate the culture of impunity;
4. reconcile and unite Rwandans; and
5. resolve the own problems.

Rwandan Justice without Lawyers:-

Gacaca, the local courts in Rwanda, officially closed on June 18, 2012. Launched in 2001 and after some 10 years of existence, a little over 1 million genocidaires have been prosecuted.

Approximately 120,000 genocide suspects were detained in jails in Rwanda, at a cost of US\$20 million a year. More than 10,000 people had died in detention since 1994. There were few judges and lawyers left in the country to handle huge numbers of prisoners. The judicial infrastructure had been decimated (Clark 2012).

However, a vast genocide caseload, as many as one million cases, has been handled by *Gacaca* in a decade. In 15 years, the International Criminal Tribunal for Rwanda (ICTR), based in Arusha, had completed only 69 trials. *Gacaca* has cost about USD 40 million, while the ICTR has cost more than USD 1 billion. The financial and social cost of sustaining a huge number of suspects in jail with no prospect of trial of any kind was a crucial consideration in deliberations about the creation of *Gacaca*. By clearing the backlog of genocide cases, *Gacaca* has released much-needed funds and people for Rwanda’s reconstruction (Clark 2012).

Gacaca has demonstrated an immense capacity for vigorous political exchange. This was especially visible during the prosecution of local mayors, prefects and other senior government officials after the 2008 reform to the *Gacaca* law. For many participants, the transfer of certain “Category 1” genocide cases from the national courts to *Gacaca* proved politically emboldening. The spectacle of former leaders being held accountable in the courtyards and marketplaces, where previously they had exercised power, was reflected in highly charged hearings (Clark 2012).

In the midst of communal debates at *Gacaca*, locally elected judges have gained a new moral and political standing in the community because of their ability to guide difficult discussions. Many claim that community members come to them for advice on daily matters because they have proved to be adept at mediating disputes and providing wise counsel (Clark 2012). *Gacaca* has produced a sizeable cadre of skilled political practitioners with a deep knowledge of the divisions and concerns within their communities.

Truth:-

The emphasis of these courts on popular participation during trial hearings was conducive to truth-telling and truth-hearing. *Gacaca* has enabled the recovery of truth in the form of facts about the genocide. It has also allowed individuals to tell and hear narratives that help them deal emotionally and psychologically with the past. The gathering of testimony throughout the country provides a rich and diverse repository of historical material regarding genocide crimes.

Justice:-

Gacaca has been remarkably successful in fulfilling the Rwandan government's promise to deliver comprehensive prosecutions of génocidaires without exacerbating the dire overcrowding of jails that necessitated *Gacaca* in the first place. Far from being "mob" or "vigilante" justice, as many legal critics predicted, about a quarter of *Gacaca* cases have resulted in acquittal. Many sentences have been commuted to community service, thereby facilitating the reintegration of detainees into society.

Rwandan Reconciliation and Unity:-

On the question regarding which goals *Gacaca* was set up for, reconciliation was almost always mentioned as one of its key objectives by the survivors interviewed. Most survivors felt that participating and testifying in *Gacaca* had contributed to reconciling with the perpetrators and society at large, or at least partly. Their understanding of the term reconciliation varied from coming or living together again, finding out the truth, to being asked for forgiveness by, and forgiving those who had harmed you, or a combination of all three. Before *Gacaca* was introduced in 2001, the survivors said that Hutu and Tutsi could not even greet each other on the streets without feelings of anger, fear and suspicion. Yet, nowadays they greet one another again, come to each other's rescue in times of need, invite each other into their homes, attend the same meetings, and also intermarry (Nyinawumuntu 2012). It is not uncommon to find places in Rwanda where survivors of the genocide live together with members of the families of the killers of their loved ones. It is also not surprising to find places where perpetrators who have served their punishment are living next to survivors of the genocide. This also has to do with the fact that Rwanda is a small country and yet the most populated one in the whole of Africa.

Nevertheless, there are instances whereby survivors and families of the perpetrators do not live in harmony with each other today. In other cases, despite ownership of land, survivors choose to abandon their place of origin after the genocide because they are afraid to live among the former génocidaires. Where survivors still live in the place where they lived during the genocide, and where they are surrounded by former génocidaires, every day is an even more constant reminder of what happened in 1994 and the people they lost. Although they may prefer to leave the place and live in a community in which there are more survivors like themselves, or in the capital where they can live more of an anonymous life, due to poverty this is usually not a real option (Blewitt 2010).

Rwandan Security Issue:-

One important objective of *Gacaca*, as stated earlier, was that it was expected to help in the process of reconciling and uniting all Rwandans again. Through participation in the *Gacaca* courts, survivors, witnesses and perpetrators came together and testified about what they saw happening during the genocide. In this way, the truth would be known, and animosities amongst and resentment against each other would be reduced. Nevertheless, especially in the early years of *Gacaca*, security issues severely plagued the *Gacaca* and reconciliation process. For instance, some people who lost their friends, brothers, sisters or other relatives during the genocide testified that when *Gacaca* was just starting, the perpetrators or their relatives would come to intimidate them; but fortunately, nothing serious occurred, and later the government stepped in. Besides intimidations and threats, there have also been reports of survivors and witnesses who were killed prior to, or after giving testimony before *Gacaca* because of their anticipated statements implicating the génocidaire (Rwanda Ibuka Report 2008). Although several of the survivors interviewed mentioned that they did not feel safe testifying in *Gacaca*, by the end of 2008, with better security put in place by Rwandan authorities and the truth about what happened and who did what having been more exposed and accepted, most could participate in *Gacaca* without being afraid of the families of the former génocidaires who often still lived there (Brounéus 2008).

Rwandan Forgiveness Issue:-

In those cases where perpetrators would ask the survivors for forgiveness for the crimes they had committed, and sometimes were able to point out where the remains of their relatives could be found, many of the survivors interviewed said that they had been able to forgive them. For instance, a student at the University of Rwanda indicated:

« Many survivors, who lost their family members in the genocide, stated that "Gacaca was good, because it made people who committed the crimes to stand before the people they tried to kill and they narrated everything they did. If they did it sincerely, it would make the survivors' hearts set free. Sometimes a génocidaire would confess and apologize with a sincere heart. Some of them knelt down and you felt you could again be free in your life" » (Student, University of Rwanda, Huye, March 6, 2015).

Although many of the interviewed survivors spoke about their ability to forgive as this helped them therapeutically to move on with their lives and that of others, often children and orphans they were caring for, not all survivors have been able to forgive, nor is this something that can be forced on them.

In addition, in those cases where the perpetrators did not admit to all of the crimes they had committed or did not sincerely apologize for their crimes and tell the survivors what happened to their relatives and where to find their remains, survivors said that they were not able to forgive and reconcile with them. Sometimes this meant that survivors felt that *Gacaca* had brought them partial reconciliation, namely for those crimes that the accused confessed to and apologized for, but not for the crimes he or she was believed to be responsible for, but did not confess to and seek forgiveness for.

Yet, if the perpetrators would have told the truth and asked the survivors to forgive them, they would have done so, as some survivors expressed. Although it has been very important for survivors, in order for them to be able to live with the perpetrators again, that the latter tell them the truth and seek for forgiveness, a high number of survivors expressed the point that even without having been asked for forgiveness, and even in cases where the perpetrators were unknown to the victims, they had already forgiven them. Many of those interviewed expressed that they felt it was better to forgive the perpetrators, often agreeing with teachings about forgiveness in some of the churches and non-governmental organizations (NGOs) that supported them. Many say they forgave the perpetrators after accepting Jesus Christ in their life. In addition, many mentioned that they simply felt that they had no other option, having lost everyone and life had to continue.

Other survivors stated that those who killed their people can never bring them back to life. For the survivors to have a relationship with perpetrators is to forgive them. They say that it has been rightly held that forgiveness can never be forced upon a person for personal healing or reconciliation purposes, and may even create further trauma if done so (Saunders 2011).

Nevertheless, it seems that having taken that decision, the survivors who had forgiven the perpetrators were able to continue living in a more harmonious way than before. Additionally, in comparison to those who had not forgiven and were still holding a severe grudge towards the perpetrators, and living their lives more in the past than in the present and future, it seems that reconciliation could occur at two levels that of the individual and that of society at large.

Others explained how religion helped them and others in the process of forgiving, as opposed to others who were not so active in their faith. Those who were able to pray and to get closer to God were able to understand *Gacaca* quickly, but those who did not, found it harder to understand. Mary K. Blewitt, who lost many of her relatives in the genocide and founded an organization in the United Kingdom to support genocide survivors, however, expressed the following:

« Whereas national reconciliation may be possible, expecting individual survivors to reconcile is unfair. I will personally never forgive the killers of my family. Forgiveness is a Christian notion I subscribe to, but in this case, forgiveness without justice is a betrayal of my family. Forgiveness is between me and my God; it's not a matter of national policy. Individuals should not feel pressure and live under scrutiny because they don't want to forgive » (Blewitt 2010).

Blewitt refers to the many difficult circumstances that survivors who live in Rwanda still live with today due to the genocide, and calls for more attention to survivors' social, economic and political needs, before reconciliation for individual survivors can ever be reached. Indeed, interviews with the same group of genocide survivors in 2008 and 2012 showed that the growth in their material status and mental well-being, influenced by the support and teachings of the government, NGOs and churches, had contributed to their increasingly positive evaluation of justice and reconciliation processes such as *Gacaca* (De Brouwer 2012).

Rwandan Re-traumatization and Healing Issues:-

Without denying the positive impact of the *Gacaca* process on the reconciliation process overall, it cannot be ignored that for all survivors interviewed, the process of truth-telling and truth-hearing caused severe re-traumatization. The genocide survivors could hardly bear to hear the terrible things that had happened to their

beloved ones. Some genocide survivors recounted how they participated in *Gacaca*, where they heard how their relatives were killed by the killers; all were disturbed by having to recount and relive their own terrible testimonials.

Rwandan Reparation Issue:-

Some interviewed survivors stated that what *Gacaca* did not consider is something which is traditionally seen as important in their life, namely the issue of compensation. When one loses a person, normally the perpetrators go to the victim's family and give them something, often money, to cover expenses, to compensate those who lost their beloved ones. However, this was not considered in *Gacaca* for people who lost their relatives. *Gacaca* only provided for reparation in cases concerning property crimes.

The fact that reparation was only provided for in regard to property crime cases, and furthermore, proved to be largely unavailable, makes the reconciliation process difficult to some extent. Despite *Gacaca* court orders, many survivors did not receive any reparation for their material losses during the genocide, or only partly in most cases because the perpetrators were too poor to pay the survivors back. At the same time, a few survivors said that, despite their poverty, they were not overly concerned with the issue of compensation because it could never bring their families back.

Rwandan Own Problems and Own Solutions, and Lessons for the Region:-

Considering the necessity for the Rwandan society to find, by itself, solutions to the genocide problems and its consequences, the preamble to the 2004 Organic Law reads: "This phrase was motivated by the thought that the genocide in Rwanda was committed by Rwandans against Rwandans, and therefore, had to be dealt with by the Rwandan people for the Rwandan people". Although it cannot be said that Rwandans had a burden of proving their capacity to solve their own problems, *Gacaca*, it was felt, would be an innovative way of dealing with the genocide crimes by involving all those who had experienced the genocide, as a large majority of the population had. For this reason, Rwanda chose not to make use of the assistance of foreign judges who had offered in helping to deal with the caseload (Haveman 2012).

The decisions and judgments of the ICTR in Tanzania have, by far and large, not reached the majority of Rwandans. The ordinary courts in Rwanda would not have been able to deal with all genocide cases and would, for many, have been too far and costly to attend as well. Thus, the *Gacaca* proceedings were clearly a response to dealing with the problems emanating from the 1994 genocide.

By choosing *Gacaca*, the Rwandan government did not only aim for justice by prosecuting the perpetrators, but also for reconciliation and unity among Rwandans, as the country was in ruins and people were afraid of and hostile towards each other. *Gacaca* therefore offered an opportunity for all levels of the Rwandan population to participate in finding solutions to the problems that resulted from the genocide, which provided ownership to its citizens and empowered them (National University of Rwanda 2012).

According to Clark (2010), it was rightly because the *Gacaca* courts were run by its citizens at the local level, that citizens had substantial freedom to run the courts free from political or legal interference, or any other direction from Kigali. Therefore, although the *Gacaca* had initially been implemented by the governments in a top-down approach, the *Gacaca* were overall run by the population in a bottom-up approach. In fact, due to this approach, some important unforeseen side effects emerged, including that it empowered many who had otherwise been marginalized in national life [before the genocide], especially women, who have played central roles as judges, participants and witnesses. This fact has generally been ignored entirely (Caplan 2011). On the question posed to the survivors interviewed, as to whether they could think of a better or alternative method to deal with the genocide crimes than *Gacaca*, all said that they could not have thought of any better alternative. This, despite some of its flaws and initial hesitations on its impact, was initially set up as among *Gacaca* achievements (National University of Rwanda 2012).

Rwandan Democratic Participation and Gender Inclusiveness:-

Gacaca has opened new spaces for political debate and spawned new forms of democratic participation. In a country where the national political arena remains tightly controlled, this poses a major challenge to a government which did not fully anticipate the ramifications of allowing the population to shape the day-to-day running of *Gacaca*. Most debates about democracy in Rwanda focus on the national level, particularly the process of presidential and parliamentary elections, media regulation and reform of state institutions. Developments at the sub-national level may prove to be just as, if not more, important for Rwanda's future political trajectory.

Gacaca has demonstrated an immense capacity for vigorous political exchange. This was especially visible during the prosecution of local mayors, prefects and other senior government officials after the 2008 reform to the *Gacaca* law. For many participants, the transfer of certain Category One genocide cases from the national courts to *Gacaca* proved politically emboldening. The spectacle of former leaders being held accountable in the courtyards and marketplaces, where previously they had exercised power, was reflected in highly charged hearings.

In the midst of communal debates at *Gacaca*, locally elected judges have gained a new moral and political standing in the community because of their ability to guide difficult discussions. Many claim that community members come to them for advice on daily matters because they have proven adept at mediating disputes and providing wise counsel. *Gacaca* has produced a sizeable cadre of skilled political practitioners with a deep knowledge of the divisions and concerns within their communities.

Gacaca in Rwanda:-

Within 17th century Rwanda, prior to colonisation, the extended lineage or family which encompassed several households was the main unit of social organisation within Rwandan society. The status of people within families was based upon the age and sex of the person. Only aged married men, without living parents, were independent while all others, especially women, were dependent upon what the men dictated. The family lineage controlled arranged marriages, ancestral traditions and ceremonies, the payment or retrieval of debts, and was the primary source of security for the people (Bert 2008).

Ruling over these lineages were kings (*Mwami*). Within Rwanda, kings ruled over many different sections of Rwanda. The king, within Rwandan society, embodied power, justice, and knowledge, and was the mediator of any major dispute within their region. However, before disputes were brought to the kings, they were heard locally by wise men in what is referred to as *Gacaca*.

The name *Gacaca* is derived from the Kinyarwanda word *umugaca* meaning, “a plant so soft to sit on that people prefer to gather on it”. Originally, *Gacaca* gatherings were meant to restore order and harmony within communities by acknowledging wrongs and having justice restored to those who were victims.

However, with the colonisation of Rwanda and the arrival of Western systems of law, Rwandan society soon began to change as a whole. With this implementation and usage of Western legal systems, Rwandans began to go to courts to deal with their disputes. In turn, kings and wise men soon began to lose their legitimacy within Rwandan society. With this loss of legitimacy, *Gacaca* courts began to dwindle in numbers (Bert 2008).

Gender Aspects of Gacaca:-

The impact of *Gacaca* on local leadership has been especially important for women, who were often among the most active and voluble participants during genocide hearings. Women were excluded from any official role in the traditional version of *Gacaca* which dealt with family disputes and day-to-day infractions. In the modern incarnation of *Gacaca*, almost 40 per cent of judges were female.

In October 2003, women won 48.8 per cent of seats in Rwanda’s lower House of Parliament (Inter Parliament 2003). Having achieved near-parity in the representation of men and women in its legislature, this small African country now ranks first among all countries of the world in terms of the number of women elected to parliament.

The percentage of women’s participation is all the more noteworthy in the context of Rwanda’s recent history. Rwandan women were fully enfranchised and granted the right to stand for election in 1961 upon independence from Belgium. The first female parliamentarian began serving in 1965. However, before the civil war in the early 1990s and the genocide in 1994, Rwandan women never held more than 18 per cent of seats in the country’s parliament (Inter Parliamentary 1995).

The 1994 genocide in Rwanda, perpetrated by Hutu extremists against the Tutsi minority and Hutu moderates, killed, traumatized survivors, and destroyed the country’s infrastructure, including the parliament building. Lasting approximately 100 days, the slaughter ended in July 1994 when the Tutsi-dominated RPF, which had been engaged in a four-year civil war with the Hutu-dominated regime of President Juvenal Habyarimana, secured military victory. Once an opposition movement and guerilla army, the RPF is now in power in Rwanda today.

During the nine-year period of post-genocide transitional government, from 1994 to 2003, women's representation in parliament (by appointment) reached 25.7 per cent and a new gender-sensitive constitution was adopted. However, it was the first post-genocide parliamentary elections of October 2003 that saw women achieve nearly 50 per cent representation.

The dramatic gains for women are a result of specific mechanisms used to increase women's political participation, among them a constitutional guarantee, a quota system, and innovative electoral structures. Increasing women's political participation through such efforts describes those mechanisms and attempts to explain their origins, focusing in particular on the relationship between women's political representation and the organized women's movement, significant changes in gender roles in post-genocide Rwanda, and the commitment of Rwanda's ruling party, the RPF, to gender issues. It will also briefly introduce some of the achievements and challenges ahead for women in Rwanda's parliament.

Unifying Impact and Challenges of Gacaca:-

Over time, *Gacaca* became a forum where communities could discuss sensitive and contentious issues beyond its official mandate to prosecute genocide cases. The discussion of crimes allegedly committed by the RPF, the current ruling party in Rwanda, against Hutu, was controversially forbidden by the *Gacaca* law. Nonetheless, the author attended numerous hearings in remote villages where Hutu participants debated, at great length, the failure to address RPF crimes. Judges tolerated rather than actively encourage these discussions, and did not record any of the testimonies in their court notes for fear that the transcripts would attract the attention of the authorities in Kigali.

A major challenge for *Gacaca* has been overly lofty expectations about what it could achieve. Many outsiders have never understood the complexity of the process or its diverse objectives, many of which evolved with time. International criminal tribunals focus on the punishment of leading malefactors and deterrence. It is doubtful that this objective can ever be achieved by legal mechanisms alone. More importantly, much more than deterrence is necessary to produce lasting peace among all Rwandans.

The pursuit of reconciliation was enshrined from the outset in the *Gacaca* law. In 2008, in response to extensive discussion in hearings over many years, the law was revised to require suspects to request forgiveness as well as confess and express remorse. Reconciliation and forgiveness are, at best, a distant prospect in most of Rwanda. However, these are not one-off acts and *Gacaca* constitutes an important starting point. Other societies confronting the aftermath of mass conflict can learn much from the substantial political and social dividends of Rwanda's approach to local justice as well as its flaws and pitfalls.

Conclusion:-

Despite the country's significant problem, the government after the genocide needed all Rwandans to live together in peace; they chose the system in which all people have the same rights and opportunities. This is why the government that was formed after the horrendous human tragedy, on July 18, 1994, was composed of the RPF and moderate political parties. The government pledge to implement the Arusha peace agreement on power sharing previously reached by the Habyarimana regime and the RPF on August 3, 1993. The new government ensures no reprisals against Hutu wishing to return to Rwanda. The government also takes its responsibility for a national reconciliation and emphasized that the Arusha accords constitute an appropriate framework for reconciliation.

The new Rwandan government was a coalition of ministers from the RPF and other political parties. Both Tutsi and Hutu were among the top government officials. The government publicly committed itself to building a multiparty democracy and discontinuing ethnic classification. Cooperation among different ethnic groups is a *sine qua non* for everlasting peace in the region. Peace is an important factor which contributes more to sustainable development.

Later on, the government elaborated the new constitution in 2003, which stressed on rebuilding peace and security among Rwandans. In order to reach the objective of peace and security, a strong nation is needed, without cast or stratification. In order to restore peace, *Gacaca* community courts play an important role, consume less money than the International Criminal Tribunal Courts (ICTC) and take on more cases than the ICTR. By clearing the backlog of genocide cases, *Gacaca* has released much-needed funds and people for Rwanda's reconstruction, which is a good example for other countries to imitate.

From this perspective, the government chose the way of constructing the citizenship with laws, emphasizing that all people are equal and have equal rights, and rejected the institutionalization of ethnicity. These orientations present

many political advantages, foremost of which is to train leaders and the population to put forward the merit system and national identity (Rwandity).

Recommendations:-

For Government of Rwanda:-

1. Facilitate the return home of all members of the former Rwanda army.
2. Sensitise Rwandans to regularly commemorate the Tutsi genocide.
3. Reinforce genocidaires to respond to their crimes.

For International Organizations:-

1. Help the Government of Rwanda to establish perpetual peace among its citizens.
2. Respect the commemoration of Tutsi genocide.
3. Contribute to the effort of disarmament of FDLR wherever they are.

For other Countries:-

1. Copy the Rwandan system of resolving the problem (*Gacaca*);
2. Adapt the Rwandan system of eradicating discrimination among its citizens.

Notes

1. Means people who work together

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