

# Confronting Genocide in Rwanda:

**Dehumanization, Denial,  
and Strategies for Prevention**

Jean-Damascène Gasanabo,  
David J. Simon, and  
Margee M. Ensign



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Jean-Damascène Gasanabo,  
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editors



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2014

ISBN: 978-958-8416-41-0

**First Edition:**

Bogotá, Colombia, April 2014

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Calle 127C No. 5-28 Of. 527  
Tel: (071) 626 50 46  
Bogotá - Colombia

**Printed by:**

Editorial Códice  
Bogotá - Colombia

This book is dedicated to the victims of the Genocide against the Tutsi.

**Disclaimer**

The views and opinions expressed herein are those of the individual authors concerned and do not necessarily represent the views and/or opinions of the National Commission for the Fight against Genocide (CNLG), Kigali, Rwanda, its staff or its affiliates, under who's auspices the present work has been published.



## *Acknowledgements*

This volume has only been made possible thanks to the help and contributions of many kind-hearted and friendly people.

Many thanks go first of all to all those who responded to the initial call to conference in December 2012, those who presented, researched, debated and confirmed the desire to write up their findings and have them published in this book. In equal measure, thanks are warmly extended to all those who, invited but unable to be present at the initial conference, nevertheless agreed to dedicate their thoughts and research to enriching this work, by providing a chapter to the current volume. Without the authors who devoted time and passion to writing the following chapters it is safe to say that this book would never have arrived on the publishing desk. Honourable mentions go out to those who attended, enlivened and furthered debate at the conference and over the intervening months, but, due to time constraints and burdensome workloads, were unable to submit drafts in time for the finished book.

We also thank the CNLG Scientific Committee members who provided inputs in the preparation of the December 2012 international conference in Kigali.

The staff at the National Commission for the Fight against Genocide also deserve to be acknowledged. Thanks go to those who put time and effort into the organization of the original conference and who continually worked hard over the past two years to bring this project finally to fruition.

Special mention should be made to Professor Margee Ensign for not only contributing to the book, but for her invaluable work in finding a publisher. She also ensured the editing team stuck more or less rigidly to deadlines and, to all intents and purposes, guaranteed the book's publica-



tion in a timely fashion. We are also grateful to acknowledge the support of the Aegis Trust and DFID. These institutions support research, learning and assisted in the publication of this book. Finally, thanks must go to Robert Coates and Luana Schuler for their invaluable contribution behind the scenes. At a very busy time of year, their calm heads, willingness to lend a hand at whatever task was most pressing, and wisdom beyond their young years helped greatly in the publication of this volume.

While we strive to be as all-encompassing as possible in the expression of our gratitude, it invariably occurs that some people worthy of praise are unfortunately overlooked. And so, to avoid any disappointment, we extend our warmest and sincerest thanks to all those who may have helped in some way or other over the entire lifecycle of this volume. You know who you are and know also that we shall be eternally grateful.

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## *Foreword*

Jean de Dieu Mucyo (Executive Secretary, CNLG)

Scholarly works on the topic of genocide are always important and this volume, capably edited by Jean-Damascène Gasanabo and David J. Simon and Margee M. Ensing, comes as no exception. *Confronting Genocide in Rwanda: Dehumanization, Denial and Strategies for Prevention* unites such a wide range of writers from a variety of disciplines to make it a truly necessary contribution to this field of study. Chapters from legal experts, journalists, artists, educational specialists and many more are united in a common struggle: the prevention of, and fight against, Genocide.

We at the National Commission for the Fight against Genocide (CNLG) continually strive to put an end to genocide in our nation, in our region and in our world. By commemorating the Genocide against the Tutsi through ceremonies, monuments and international conferences we ensure that the memory of 1994 never fades, that the victims of genocide are never forgotten and that genocide never recurs. Through research we hope to learn more about the roots of genocide and its prevention so that never again are we unprepared for a repetition of horror.

This book, with its international scope and its unified stance against genocide, is a timely contribution to the global fight against genocide. It comes at a moment of great importance for Rwanda, as the nation prepares to commemorate the 20<sup>th</sup> anniversary of the Genocide against the Tutsi. It is hoped that scholarly works such as this, and periods of remembrance, not just in Rwanda but worldwide, contribute in a meaningful way to the total eradication of genocide from our society.

The fight is not concerned solely with the crime of genocide but with the prevention of dehumanization and the struggle against genocide denial. These latter problems are equally pervasive in civilised societies and lead to long-term disillusionment, disenfranchisement, discrimination and ultimately destruction. Combating dehumanization and denial in all their forms is as important as the fight against genocide, and it is hoped that the chapters in this volume contribute to meaningful debate, to widespread recognition of these afflictions and to their eventual prevention.

Prevention is the ultimate goal of scholarly debate about genocide. Prevention, as the saying goes, is better than cure. A world without genocide is a world that has successfully fought for its total prevention by educating populations, by researching causes and solutions and by coming to terms with individual and collective responsibility to prevent. It is a world we should all aspire to and a world that perhaps comes a little bit closer with the publication of this volume.

## *Introduction to the Volume*

Jean-Damascène Gasanabo and David J. Simon

Genocide is not a uniquely Rwandan experience. Even before Raphaël Lemkin coined the term—an amalgamation of Greek and Latin, *genus-cide*, killing of a group—to describe and criminalise behaviour so atrocious that it had not yet been named, genocide had been a scourge on humanity. Rwandans, Armenians, European Jewry and Roma populations, Sudanese, Herero, Bosnians, and many more have been the subject of organised and systematic killings. Campaigns of genocide produce unimaginable tolls on human populations: The Herero people in Namibia were almost completely wiped out in an organised attempt to eradicate them from the face of the earth. At Srebrenica, more than 8,000 Bosnian men and boys were murdered in three days. In Rwanda, in 100 days, the genocide against the Tutsi resulted in over one million deaths.

The horror of genocide also lies beyond the numbers. By definition, genocide involves the intentional effort to eliminate a specific group of a society. Political actors, in full possession of their ability to make choices, muster a wide range of tools to implement their plans: divisive ideology, incited hatred, dehumanising propaganda, and specific plans to exterminate groups of individuals. For the capacity of the human will to attempt to achieve monstrous levels of death and destruction, Lemkin's word has become one of the most powerful in the English language – or, indeed, in any language.

It has become a moral imperative of the twenty-first century to devise tools and strategies capable of countering genocidal projects. Education,

1 O'Neill, K. L. Hinton, A. L. (2009) *Genocide: Truth, Memory, and Representation* (Durham, NC: Duke University Press)  
p. 2



research, and an active commitment to ensure that, where there is a threat of genocide, everything possible is done to avert it are constantly needed to prevent genocide. In post-genocide societies, the same type of effort must be marshalled to combat genocide revisionism and negation that has a tendency to run rampant, at both conscious and unconscious levels.

There is a crucial role for scholarly work in these efforts. Academic interest in genocide has been growing exponentially in recent years. Today, as a result of this work, more is now known about the causes of genocide, about the means to fight it and about the rebuilding of societies afterwards. Although the oft-repeated phrase ‘Never Again’ stills rings hollow, what with the risk of genocide worldwide in 2014 running as high as it has ever been<sup>2</sup>, the contributions of scholars offer some promise, albeit it bit-by-bit, to make it less so.

### ***Rwanda’s Genocide and its Legacies***

In April, 1994, the President of Rwanda, Juvénal Habyarimana, was returning from a summit in Dar-es-Salaam where he had reportedly agreed to uphold the Arusha Accords, a peace-brokering deal signed eight months earlier with the Rwandan Patriotic Front (RPF), an army comprised mostly of Tutsi exiles who had returned to Rwanda. His plane was shot down as it approached Kigali and Habyarimana, the Burundian President, Cyprien Ntaryamira, and the French crew were killed.

This event sparked the implementation of the Rwandan ‘Final Solution,’ which had been conceived by a small group of Hutu extremists – the *Akazu*. Almost immediately, extremist militias began to turn on the Tutsi minority and moderate Hutu. Over the next 100 days, extremist elements would use hate radio and propaganda to indoctrinate large swathes of the population to commit – or be complicit in – a genocide against the Tutsi population of Rwanda. A United Nations’ force, present as part of the Arusha Accords and led by General Romeo Dallaire, was too small to intercede. It did not possess the required mandate to take

2 See Genocide Watch (<http://genocidewatch.net/alerts-2/new-alerts/>) and the International Crisis Group’s “Crisis Watch” (<http://www.crisisgroup.org/en/publication-type/crisiswatch.aspx>) for active lists of countries at risk.

proactive, protective measures, even as more than 800,000 people were butchered by machete, club and rifle. Indeed, the Security Council voted, two weeks into the genocide, to reduce – rather than bolster – the already insufficient number of troops in the force. Prominent members of the Security Council engaged in verbal gymnastics to avoid admitting that a genocide was occurring, despite ample evidence of precisely that. Eventually, the RPF, led by Paul Kagame, took over the entire territory including the capital, Kigali, and put a stop to the slaughter. Left behind were thousands upon thousands of dead bodies, homes and farms looted and burned, towns with little infrastructure, and a living population traumatised by what had occurred.

In the aftermath of the genocide against the Tutsi, the government of Rwanda has constantly been striving to rebuild. The prevention of genocide recurrence is necessarily at the top of the government's list of priorities. That task, in turn, requires strategies to promote national unity and to fight against genocide denial. Several policies and programs contribute to the pursuit of these goals. For example, traditional *Gacaca* courts were reintroduced to provide a localized (and more locally legitimate) version of the transitional justice offered through the International Criminal Tribunal for Rwanda in Arusha, Tanzania. Re-education of *génocidaires* and their subsequent reintegration into Rwandan society has been made possible through *ingando* (solidarity) camps and *abunzi* (mediation committees) among others. *Umuganda*, *itorero*, *girinka*, and, more recently, the *NdiUmunyarwanda* initiative, have each encouraged the strengthening of Rwandan unity. A period of mourning is respected every year from the 7<sup>th</sup> April, and memorial sites have been constructed throughout the country. Finally, national commissions have been created to institutionalise commemoration and reconciliation.

The collection of the works in this volume is indebted to the creation of one of these, the National Commission for the Fight against Genocide

3 Community work  
4 Cultural schools  
5 One cow per poor family  
6 Literally 'I'm a Rwandan'

(using the acronym for the French version of the name, Commission National pour la Lutte contre le Genocide, or CNLG). Set up in 2007 by the Rwandan legislature<sup>7</sup>, the mission of the CNLG is:

1. To put in place a permanent framework for the exchange of ideas on genocide, its consequences and the strategies for its prevention and eradication;
2. To initiate the creation of a national research and documentation centre on genocide;
3. To advocate for the cause of genocide survivors both within the country or abroad;
4. To plan and coordinate all activities aimed at commemorating the 1994 genocide;
5. To elaborate and put in place strategies designed to combat genocide and its ideology;
6. To seek assistance for survivors and pursue advocacy regarding compensation;
7. To elaborate and put in place strategies designed to combat revisionism, negation and trivialization;
8. To elaborate and put in place strategies meant to solve genocide consequences such as trauma and other diseases which resulted from genocide;
9. To cooperate with other national or international organs with a similar mission.

In line with these aims, the CNLG hosted a major conference of international and Rwandan scholars on the topic of “Preventing Genocide” in December, 2012. This conference, which coincided with the 64<sup>th</sup> anniversary of the signing of the United Nations’ Convention on the

7 For the full text of the law, please consult Law N° 09/2007 of 16/02/2007 on the Attributions, Organization and Functioning of the National Commission for the Fight Against Genocide [Rwanda], 09/2007, 16 February 2007, available at: <http://www.refworld.org/docid/476643392.html> [accessed 29 September 2013]

Prevention and Punishment of the Crime of Genocide, centred around four core themes of research and discussion: ‘Transcending Classifications,’ ‘Preventing Dehumanization,’ ‘Confronting Genocide Denial,’ and ‘Developing Preventative Mechanisms’, subjects which the Commission had identified as the most important areas of debate. Scholars from Rwanda, USA, Europe and Africa presented intriguing papers on these core ideas. The authors were subsequently invited to contribute to this book. In addition, some authors who had been invited to the conference, but had been unable to attend, were also given the opportunity to enrich this volume with their thoughts and arguments.

### ***Overview of the book***

20 years have passed since the Genocide against the Tutsi tore Rwanda apart. In the intervening years much academic ink has been spilt analysing the causes and the consequences, and providing possible solutions for a nation hoping and trying to rebuild. This volume unites Rwandan and international scholars under the auspices of a Rwandan institution, the CNLG, with the aim not just of furthering the literature surrounding genocide but of contributing in a meaningful way to its complete prevention worldwide.

The essays and chapters contained within the following pages offer unique and pertinent insights into the four key areas of study: ‘Transcending Classifications,’ ‘Preventing Dehumanization,’ ‘Confronting Genocide Denial,’ and ‘Developing Preventative Mechanisms’. Each section is comprised of two to five chapters. The sections roughly correspond with the panels presented at the December 2012 conference, and thus the chapters within each section represent a kind of dialogue between the themes that have been identified.

The first section deals with the idea of ‘*Transcending Classifications*’ beginning with the roots of group-oriented (and thus classification-driven) violence behind the genocide in more detail. In his Chapter “Why Do People Commit Genocide and What Can We Do To Stop It?”

Dr Gregory Stanton expounds his theory of the ten stages of genocide. Using this methodology he explores the social and political forces that can push individuals to murder fellow human beings, to kill their close friends, family and neighbours. He also explores the ways in which, with a thorough knowledge of the intimacies of genocide, it can be prevented before it occurs. Boubacar Boris Diop's Chapter "Denial through Silence, Africans faced with the Genocide against the Tutsi" analyses the discourses of denial in relation to the 1994 genocide. Through an exploration of recurrent themes of denial and revisionism in works from French and African scholars, Diop shows that the time for acceptance based on precise study has not yet come.

The next section deals with the topic of *'Preventing Dehumanization.'* In "The Politics of Dehumanization: Beyond *Inyenzi*," David J. Simon argues that name-calling, typically a focus of dehumanization-oriented scholarship, should be considered part of a wider, more generalised effort to undermine the targeted groups. Regarding the victims as less than human is not the only goal of dehumanization. It also serves to strip them of any protection they may deserve as citizens.

Turning to the role of education in spreading the ideas of dehumanization, as well as those of anti-dehumanization, Jean-Damascène Gasanabo analyses history textbooks from both before and after the genocide against the Tutsi. In "Dehumanization and Anti-dehumanization in Schools," he argues that history teaching can spread messages of hate and division by portraying undesirable social groups in certain, biased ways, as "Other." This is what happened during the early Rwandan Republics from independence in 1962 to the genocide against the Tutsi in 1994. Comparing these early textbooks with post-genocide manuals, he found that the study of history can also be a powerful means of encouraging reconstruction and unity in divided societies. In his contribution entitled "Speech in Pre- and Post-Genocidal Environments: Strategies for Preventing Critical Mass," Gregory Gordon argues that, to prevent genocide occurring, during times when genocide risks start to appear, but in which genocide itself is not imminent, an emphasis should be on fighting words with words. Later, though, salutary speech loses all

preventative measures and the only solution appears to be punishment. Charles Mironko's chapter, "Dehumanization of Rwandan Tutsi Revisited," draws on interviews to show that dehumanization can go both ways; one group can be incited to kill another, one group can begin to accept being killed by another. The justification for this mental state comes from the dehumanization and portrayal of one group as inhuman: as insects, fleas, cockroaches etc. Mironko also suggests that to overcome dehumanization, the solution lies in schools and with education.

The third section addresses '*Confronting Genocide Denial.*' In "Human Rights: The Problem of Good Intentions," Wandia Njoya examines the fundamental problems with trying to counter denial. Usually, the response to denial is to bring the goodwill or faith of the denier into question. When the denial or trivialization is in fact rooted in the image the Western world has of itself as a democratic, fundamentally good construct, the path to genocide denial can therefore be paved with good intentions. Examining the actual language of genocide and of genocide denial, Jean-Pierre Karegeye debates how religious language of good and evil can be twisted to dehumanise groups. "When Genocide becomes a Moral Obligation: On the Perversion of Religious Language" reflects on the use of moral and religious categories during mass crimes. Under this analysis, genocide stems from the logic of good and evil which allows killing without committing a crime. To fight against both genocide and denial, the rationalities that justified genocide in the first place must be deconstructed. For Koulsy Lamko, art is a place where creativity, emotional regeneration, self-confidence and the unveiling of testimonials can all create memory and help combat genocide denial. In "L'expression artistique : levier dans les strategies contre le déni de génocide," he considers how art can help against the myriad forms genocide denial and revisionism can take. Since the genocide against the Tutsi has not escaped the scope of deniers, this analysis of the mechanisms at work and how to overcome them offers an important way forward.

Two additional contributions in this section address how contemporary debates and media portrayals can spill over into the realm of denial. Linda Melvern, in "The Eighth Stage," examines the wildly-

fluctuating death toll of the genocide against the Tutsi. Scholars have argued about how many actually died, with figures quoted including half a million, 800,000 (the most widely-cited figure) to a million and more. Melvern suggests that the arguments that rage about the figure are another form of denial or revisionism, a way of distorting the reality and of trivialising a dark chapter in Rwanda's history. Hollywood's *Hotel Rwanda* is the subject of Jonathan Beloff's contribution. He asks "Who is the Real Hero of *Hotel Rwanda*?" Beloff attempts to tell the real story of the Hotel des Milles Collines through interviews with witnesses, and identify where the Hollywood story implicates a measure of genocide revisionism. He also addresses how educators can teach the genocide perpetrated against the Tutsi alongside the film *Hotel Rwanda*.

The final section addresses '*The Development of Preventive Mechanisms*.' Early prevention has many more benefits associated with it than costly remedial efforts post-genocide. The situation in Rwanda and the Great Lakes since 1994 has been proof enough of this. In their chapter, Frank Okuthe-Oyugi and Dr. Pamphile Sebahar reflect on the formation of extremist groups, discrimination and the culture of impunity. They show how the missed opportunity to prevent these factors early led to the current situation. In contrast, they note, there have been several mechanisms set up recently to end conflict in the region and prevent genocide. Okuthe-Oyugi and Sebahar analyse these institutions, the challenges they face, and how to overcome them.

Meanwhile Kä Mana looks at the often-strained relationship between Rwanda and the Democratic Republic of the Congo. He deplores the short-term views of sanctions in the region and stresses the importance of a long-term view with an understanding of moving towards a long-lasting peace between the two neighbours. Mana argues for an approach that would foster a pan-African partnership, ensuring education and culture and an Africa where mutual happiness and respect are essential values. Margee Ensign focuses on the innovative programs and policies that act locally. She relates the capacity of the decentralization process in Rwanda and of *Imihigo* -- or performance-based governance -- to cater to the poorest sectors of society. Ensign assesses the impact these government policies

have had on increasing participation and accountability, and evaluates progress in political participation and human development in Rwanda. Zachary D. Kaufman surveys the culture of impunity that had developed in Rwanda throughout the decades leading up to the genocide against the Tutsi in 1994. Looking back over the past nineteen years, he argues that the methods of transitional justice that have been implemented have played a role in preventing future genocides in Rwanda, and elsewhere, by fostering a culture of accountability.

Martin Ngoga concludes the section with a chapter on “Justice after Genocide: A Retrospective.” The Rwandan government has faced an enormous challenge with administering justice following the 1994 genocide against the Tutsi. Balancing the dual goals of individual accountability and social justice has been difficult, but an analysis of Rwanda’s experiences with *Gacaca* courts and other national jurisdictions illustrates how these local solutions have transcended many traditional limitations of international criminal justice approaches.

### *Moving forward*

It is becoming an academic cliché to return to the failure of the proclamation ‘Never Again,’ but it is theme that recurs and will continue to recur until there is some truth in the statement and some pride in a humanity incapable of mass racial killing. Enlightenment and education are therefore needed; they are the tools that come most easily to hand. A dedicated and sustained commitment to research and education, particularly in the anti-genocide domain, will instil capacity for prevention whilst combating denial, trivialization and revisionism. A harmonious human race, united in brother- and sisterhood may seem to be a pipe dream; yet, in the real world, we can at least imagine a world in which mass slaughter based on arbitrary group affiliation is a waning feature of the human condition, rather than a persistent or growing one. This book offers a step in the right direction by providing tantalising debates and possible solutions that could lead to lasting peace, not just in Rwanda or the Great Lakes region, but throughout the world. These debates will



not be – and should not be – a final collection of research ideas. Rather it is hoped that they will serve as a springboard to further study. New generations should be drawn into this area, to take the ideas presented here and develop them further – along with their applications.

Clearly, the fight against genocide is not the responsibility of a sole individual, institution or organization. Indeed, it concerns us all. Everybody has a responsibility to join the struggle against ideologies of hate and divisive propaganda, against dehumanization, genocide denial and racial killing. Governments of course have a role to play in this, leading the way and providing forums for debate and discussion, but civil society shares the burden of responsibility. The world we live in is a web of interconnections enhanced by social-media networks and instantaneous communication. A mass audience is within reach, capable of having crucial discussions about genocide, and these debates must take place. Universal consciousness of genocide would lead to early warnings, and the possibility of pre-emptive action, but also to a more resilient society. Ultimately, a future free from the scourge of genocide will depend on human beings' desire: their desire to know, their desire to prevent and their desire for peace.

### *About the Authors*

**G**regory H. Stanton is Research Professor at the Institute for Conflict Analysis and Resolution at George Mason University, as well as the founder and president of Genocide Watch, an international organization devoted to preventing genocide. In 1995, Stanton received the prestigious W. Averell Harriman award given by the American Foreign Service Association to one Foreign Service Officer each year for “extraordinary contributions to the practice of diplomacy exemplifying intellectual courage,” based on his dissent from U.S. policy on the Genocide against the Tutsi. Stanton served as the President of the International Association of Genocide Scholars from 2007 to 2009.

**Boubacar Boris Diop** is the author of many novels and works of criticism. His book *Murambi, the Book of Bones* (Indiana University Press) confronts the legacy of the Genocide against the Tutsi, and is perhaps one of the most significant literary treatments of the tragic events of 1994. Diop was a Visiting Professor at Rutgers University in 2004 and 2008 and a Writing Fellow at the University of Witwatersrand in Johannesburg in 2010. He is currently teaching at the University Gaston Berger in Saint-Louis, Senegal. Beginning in September 2014, he will take up a position at ETH (Swiss Federal Institute of Technology) as a visiting professor and teach on the topic of *Fiction romanesque et devoir de mémoire: des écrivains africains face au génocide des Tutsi du Rwanda* (Works of fiction and the duty to remember: African authors faced with the Genocide against the Tutsi in Rwanda).

**Dr. David J. Simon** is a lecturer in the Department of Political Science at Yale University, as well as the Associate Director of Yale’s

Genocide Studies Program and the Director of that program's Genocide against the Tutsi Project. He also serves on the Yale Council for African Studies, including as the Director of Graduate Study for 2012-13. He frequently serves as a consultant for the United Nations Office for the Prevention of Genocide and the Responsibility to Protect. Dr. Simon's work addresses international efforts to prevent mass atrocities, as well as the political challenges of post-conflict situations, particularly in Africa. He holds a bachelor's degree from Princeton University and a doctorate in political science from the University of California, Los Angeles.

**Dr. Jean-Damascène Gasanabo** has a PhD in Education from the University of Geneva. He is currently Director General in charge of the Research and Documentation Centre on Genocide within the National Commission for the Fight against Genocide (CNLG). Prior to that, he served as Consultant for UNESCO Headquarters in Paris and in Somalia. He also headed the Support Department in charge of Research and Communication at Geneva Call, a Geneva-based NGO. His main publications include "Rwanda - Enseignement de l'histoire nationale de 1962 à 1994. Quelle construction de l'image de l'autre ?" (Saarbrücken, Editions Universitaires Européennes, 2010) and the UNESCO report "Fostering Peaceful Co-existence through Analysis and Revision of History Curricula and Textbooks in Southeast Europe" (Paris, UNESCO, 2006).

**Dr. Gregory Gordon** is Director of the University of North Dakota's Centre for Human Rights and Genocide Studies, and teaches in the areas of criminal and international law. He earned his B.A. (*summa cum laude*) and J.D. at the University of California at Berkeley. After a judicial clerkship and private practice, he worked with the ICTR as Legal Officer and Deputy Team Leader for the landmark "media" cases, the first international post-Nuremberg prosecutions of media executives for incitement crimes. For this work, he received a commendation from Attorney General Janet Reno for "Service to the United States and International Justice." Professor Gordon subsequently worked with the U.S. Department of Justice, serving, in sequence, as a street-crime, white-collar, organized-crime and then human-rights prosecutor. His scholarship on ICL and speech has been published in leading international academic publications and he has been

featured on C-SPAN, NPR, the BBC, and Radio France Internationale. He has trained Ethiopian federal prosecutors in Addis Ababa, prosecutors in Phnom Penh for the Khmer Rouge leadership trial at the Extraordinary Chambers in the Courts of Cambodia, and attorneys and judges in Sarajevo for war crimes trials at the Court of Bosnia and Herzegovina.

**Dr. Charles Mironko** is a cultural anthropologist whose scholarly work focuses on social and cultural dimensions of the Genocide against the Tutsi of 1994, in particular the reasons for mass participation in the killing. He has served as associate director of the Genocide Studies Program at Yale University and as Chief of the Culture Section at the Organization of African Unity. Mironko has a Ph.D. in anthropology from Yale University and a Masters Degree in education.

**Dr. Wandia Njoya** teaches French and Literature at Daystar University in Kenya. For five years, she ran a blog on *The Zeleza Post* where some of her commentaries were on the trivializing of the genocide against Tutsis in literature and film. She was thus involved in the social media protest against the award of the Lantos Prize to Paul Rusesabagina. Wandia has also published academic articles related to gender, culture, and politics in Francophone Africa and the entire African world.

**Dr. Jean-Pierre Karegeye** earned his PhD at the University of California, Berkeley, and specialized in African Francophone literature. His areas of research and teaching are mostly based on African Francophone Literature in dialogue with other disciplines. His work on Genocide Studies focuses on testimony and explores both fictional and non-fictional narratives. Educated in various disciplines such as African Linguistics, philosophy, and Social Ethics, some of his current projects explore how genocide and mass violence in Africa imply a reconstruction and/or a relocation of social sciences and humanities. His current project, with the TWAS, the academy of sciences for the developing world based in Italy, investigates human origins through science, philosophy, and theology. Karegeye has published and edited several works including *L'Eglise catholique à l'épreuve du génocide* (Africana, 2000), *Récits du génocide, traversée de la mémoire* (Espace de Libertés, 2009), "Children in Armed

Conflicts” (*Peace Review. A Journal of Social Justice*, 24.3, Fall 2012), “Religion, Politics, and Genocide in Rwanda” in: Andrea Bieler, Christian Bingel, Hans-Martin Gutmann (Eds), and *After Violence* (Evangelische Verlagsanstalt, 2012). Another important element of his academic life has been his involvement, as director, with the Interdisciplinary Genocide Studies Centre, an international scholarly association composed of 35 scholars from European, North American, and African universities and academic institutions. He is currently a member of the Resolutions Committee of the International Association of Genocide Studies.

**Dr. Koulsy Lamko** is a writer and director. After leaving his native Chad, he has lived and worked in Burkina Faso, Rwanda, Togo, Côte d’Ivoire, France, Netherlands, and Mexico. He has won numerous prizes for his plays and short stories. Koulsy’s works have been performed by theatre companies in Africa, Europe, and Canada. He founded the Kaleido Culture Project, a cultural coordinating agency, based in Burkina Faso, and in this capacity led numerous playwriting workshops and chaired conferences in both Europe and throughout Africa. He is currently the director of Casa Hankili Africa in Mexico. Prior to this, he served as Professor in Universidad Iberoamericana de México (Integral Formation in artistic experiences, Plays Direction). He also served as founder and First Director of the “University Centre for Arts and Drama,” at the National University of Rwanda in Butare. He has authored many plays and is the author of many novels, notably *La phalène des collines*.

**Linda Melvern** is a British investigative journalist and the author of seven books of non-fiction. She began to investigate the circumstances of the genocide of the Tutsi in April 1994 while she was working at the United Nations Secretariat in New York, completing her book on a fifty-year history of the United Nations. She published the first detailed account of the failure over Rwanda by the Security Council in January 1995. Her book *A People Betrayed: The Role of the West in Rwanda’s Genocide* was first published in April 2000 and has since been revised and updated with a new edition published in 2009. The book has been translated into French, German, and Swedish. In 2004, Linda Melvern published *Conspiracy to Murder* which details how the genocide was planned and

perpetrated. The book contained a great deal of new information and a revised paperback edition was published in 2006. Linda Melvern has worked exclusively on the circumstances of the genocide since 1994. She has published widely on this subject in newspapers, magazines, and academic journals and appeared on television news and radio programmes in the UK and US to talk about her findings. She is currently working on a book on the campaign of denial of the genocide of the Tutsi. She is an Honorary Professor in the Department of International Politics, University of Aberystwyth, Wales.

**Jonathan Beloff** graduated from New York University with his Master of Science in Global Affairs with a concentration on International Development and Humanitarian Research. He received his Bachelor of Arts with the honours of *magna cum laude* and Dean's Honour in Political Science with a concentration in Economics and a minor in Judaic Studies from the Richard Stockton College of New Jersey. His academic concentration is on economic development and international relations of the Great Lakes Region as well as the Horn of Africa. From his work as an Assistant Research for Yad Vashem, he has travelled to over twenty-five countries around the world researching the Holocaust, genocide, and terrorism. This coming September, he will begin his PhD studies at the School of Oriental and African Studies at the University of London.

**Dr. Frank Okuthe-Oyugi** is the Executive Director of the International Conference on the Great Lakes Region, at the Levy Mwanawasa Regional Centre for Democracy and Good Governance in Lusaka, Zambia. He earned his PhD from the Institut d'Études Politiques of the University of Bordeaux, France, and has taught as a lecturer of political science at the University of Nairobi's Institute for Development Studies.

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**Dr. Godefroid Kä Mana** is the President of Pole Institute which focused on issues in the Great Lakes region. He teaches political philosophy, ethics, and philosophy at Institut Supérieur Catholique de Goma and at the Evangelical University of Cameroun. He is the author of many books, notably *Destinée négroafricaine* (Bruxelles, Editions de l'Archipel, 1987), *L'Afrique va-t-elle mourir ?* (Paris, Karthala, 1993), *Le Message du VIH-SIDA à l'Afrique* (Yaoundé, CLE, 2000), *A cœur ouvert* (Yaoundé, CLE, 2005), *L'Afrique, notre projet* (Yaoundé, Editions Terroirs, 2009), *Manifeste pour l'université de la renaissance africaine* (Yaoundé, Presses de l'UEC, 2010), and *Eduquer l'imaginaire africain* (Bandjoun, UEC, 2011).

**Dr. Margee M. Ensign** is currently the President of the American University of Nigeria, the only American-style university in Sub-Saharan Africa. She came to Nigeria from the University of the Pacific in California where she was Associate Provost for International Initiatives and Dean of the School of International Studies. She has written widely on development and Rwanda including a ground-breaking study with Professor William Bertrand from Tulane University, *Rwanda: History and Hope*. Her current research focuses on local governance in Rwanda and Nigeria. At AUN, she has won international awards for leadership. Her PhD is in International Political Economy from the University of Maryland.

**Dr. Zachary D. Kaufman**. B.A. in Political Science, Yale University, 2000; M.Phil. in International Relations, Oxford University, 2004; J.D., Yale Law School, 2009; Ph.D. in International Relations, Oxford University, 2012. Associate Research Scholar and Robina Foundation Visiting Human Rights Fellow, Orville H. Schell, Jr. Centre for International Human Rights, Yale Law School; Visiting Fellow, Genocide Studies Program, Yale University; Social Enterprise Fellow, Yale School of Management. He serves on the boards of the Kigali Public Library, Indego Africa, Genocide Watch, Humanity in Action and the US Holocaust Memorial Museum.

**Part I**  
Transcending Classifications





# Chapter 1

## Why Do People Commit Genocide and What Can We Do To Stop It?

Dr. Gregory Stanton<sup>1</sup>

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## **Abstract**

**T**he first chapter, emanating from the keynote lecture at the 2012 conference, addresses the eight stages of genocide, noting how the commission of genocide requires individuals to become willing and able to kill fellow human beings. It describes, both in generic terms and in reference to the 1994 Genocide against the Tutsis, the process by which individuals did so, and the social and political forces that facilitated that transition.

### **Kigali, Rwanda - 18 December 2012**

During the twentieth century, over a hundred million people were murdered by their own governments. That is more deaths than from all wars combined. Deaths from genocide and political mass murder were only exceeded by deaths from pandemic diseases like malaria, tuberculosis, AIDS, yellow fever, and influenza.

We should treat genocide like a disease. We now have studied its epidemiology. We know where and when it is most likely to break out. And we know the stages by which it develops and kills a society. We are beginning to learn how to prevent it.

Genocide is committed by people who have lost sight of our common humanity. All humans belong to one family. The same God made us all.

But we are born into millions of societies, speak thousands of languages, belong to hundreds of nations, and have scores of religions.

We think there are many races, but God made only one: the human race.

Genocide is committed by us because we become ethnocentric, racist, nationalistic, or religiously intolerant. Genocide is idolatry. We worship our ethnic group, or race, or nation, or religion instead of the God who made us. We build golden altars and sacrifice human beings upon them. Instead of blessing all humans as God's creations, we bathe our weapons with their blood.

### **Countries at Risk**

Statistical studies by social scientists have now outlined the epidemiological risk factors for genocide:<sup>2</sup>

1. The most predictive is whether a country is engaged in an ongoing civil or international war. War and genocide are not mutually exclusive. Most genocides occur during wars.
2. The second most predictive factor is whether a country has experienced a genocide in the past that has gone unpunished. Such impunity leads to three times the likelihood of genocide in the future.
3. The third factor is whether the country is governed by an ethnically exclusive elite. Does one ethnic group exclude others from full citizenship in the country?
4. The fourth factor is whether the ruling class has an exclusionary ideology, such as Nazism or Communism or Islamic fundamentalism, in which only a small elite have the right to rule.
5. The fifth factor is whether the regime is autocratic. The more autocratic, the more likely it is to commit genocide.
6. Sixth, is the country open to relations with the outside world? Hermit kingdoms like North Korea, China under Mao, or Cambodia under Pol Pot are much more likely to murder their own citizens.

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<sup>2</sup> Harff, Barbara, "Assessing Risks of Genocide and Politicide" in Monty G. Marshall and Ted Robert Gurr, eds., *Peace and Conflict 2005*, also on line at [http://www.genocidewatch.org/images/AboutGen\\_Assessing\\_Risks\\_of\\_Genocide\\_and\\_Politicide.pdf](http://www.genocidewatch.org/images/AboutGen_Assessing_Risks_of_Genocide_and_Politicide.pdf)

We know the six risk factors. The anti-genocide movement should work against war and for punishment of perpetrators. We should press for broadly-based democratic governments. We should oppose ideologies of racial or class superiority. We should favour free trade and free speech.

But these factors cannot tell us when genocide is likely to happen, and therefore are of limited use in prevention.

That is why I developed a model of the genocidal process in 1996 that I called “The Eight Stages of Genocide.” Since then I have added two more stages. Genocide is a process that develops in ten stages that are predictable but not inexorable. At each stage, preventive measures can stop it. The process is not linear. Logically, later stages must be preceded by earlier stages. But all stages continue to operate throughout the process. Usually, several occur at the same time. They provide a logical model that is useful for thinking about the genocidal process and what we can do to prevent or stop it.

Today in our panel discussions we will be concentrating on how we can combat three of the most important of these stages: Classification, Dehumanization, and Denial.

### **The Ten Stages of Genocide<sup>3</sup>**

The Ten Stages of Genocide are Classification, Symbolization, Discrimination, Dehumanization, Organization, Polarization, Preparation, Persecution, Extermination, and Denial.

**1. CLASSIFICATION:** All cultures have categories to distinguish people into “us and them” by ethnicity, race, religion, or nationality: German 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 classifications that transcend the

3 Portions reproduced from “The Eight Stages of Genocide,” by Gregory Stanton © 1996.

divisions. The Roman Catholic Church could have played this role in Rwanda, had it not been riven by the same ethnic cleavages as Rwandan 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.

**2. 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.

**3. 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 Olympics. 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, such as the 13<sup>th</sup> and 14<sup>th</sup> Amendments to the US Constitution, and the 19<sup>th</sup> Amendment that finally gave all American women the right to vote in 1920. Constitutional 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.

**4. 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 human 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 leaders 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.

**5. 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 militias 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 Organizations Act<sup>4</sup> 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.<sup>5</sup>

**6. 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 group 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.

**7. 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

4 Chapter 96 of Title 18 of the United States Code, 18 U.S.C. § 1961–1968.

5 S/RES/1013(1995) – International Commission of Inquiry for the Investigation of Arms Flows to Former Rwandan Government Forces in the Great Lakes Region



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.

**8. PERSECUTION:** Victims are identified and separated out because of their ethnic or religious identity. Death lists are drawn up. Members of victim groups 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 its self-defence. Otherwise, at least humanitarian assistance should be organized and private relief groups prepared for the inevitable tide of refugees to come.

**9. EXTERMINATION** begins, 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 interventions, a multilateral force led by a major power such as France, the UK, the US, or NATO must take the lead. It should seek authorization from the U.N. Security Council under Chapter Seven of the UN Charter. But if the U.N. 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 not 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 hellfire missiles from drones 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. "Observer 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.

**10. DENIAL** is the final stage that always follows genocide. It is among the surest indicators 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 genocides occur 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 Schabas and Cassese requirement of “specific intent.” In the *travaux* the Convention’s framers referred to “specific intent” only twice. They treated intent as that required to prove first degree murder.
- Claim that reference to “genocide” will harm the “peace process,” or “reconciliation.”
- Avoid using the word “genocide” because it would be contrary to current arms sales, maintenance of a military alliance or airbase, etc.

The best response to denial is punishment by an international tribunal, a national tribunal with international participation, or national courts. At the International Criminal Tribunal for Rwanda, 45 of the highest ranking perpetrators of the Genocide against the Tutsi have been convicted and are serving their sentences following their appeals. In Rwanda, one of the most extraordinary adaptations of national judicial procedures has been used, the *Gaçaça* courts. In Rwanda over 100,000 *Gaçaça* trials have been held. They have been a major factor in recovery from the genocide.

With such trials the evidence can be heard, and the perpetrators punished. Tribunals like the Yugoslav or Rwanda Tribunals, the Extraordinary Chambers in the Courts of Cambodia now trying the few surviving Khmer Rouge leaders in Cambodia, or the International Criminal Court, may not deter the worst genocidal killers. But with the political will to arrest and prosecute perpetrators of genocide, some may be brought to justice. The world’s mass murderers may learn that they will eventually pay for their crimes.

### **Rethinking Genocide Prevention**

I am a lawyer, trained by Myres McDougal and Michael Reisman at Yale Law School. They trained me that law and policy are not two separate realms: that law is concretized policy, and law should be evaluated as policy.

I am also a cultural anthropologist, trained by Victor Turner, Marshall Sahlins, and Leo Kuper. They trained me to look beneath the surface for the deeper structures and schisms that underlie societies and conflicts.

Today, I would like to do an anthropological analysis of lawyers. It may help us understand why the Genocide Convention has thus far failed to prevent genocide.

The Genocide Convention was born toothless, and lawyers have kept it from ever outgrowing its baby teeth.

First, the training of lawyers creates a backward-looking, adjudication-oriented view of genocide. At a conference at Cardozo Law School last year, my colleague Jens Meierhenrich put it this way, “The convention was meant to adjudicate an individual’s criminal responsibility.” That is certainly one purpose of the Convention: to punish genocidists.

But if that is all it is, and if we rely solely on courts and a theory of judicial deterrence, we have forgotten the very name of the Convention: the International Convention on the Prevention and Punishment of the Crime of Genocide. The Convention was meant to be forward-looking and preventive, not just a law for punishment.

Why hasn’t the Genocide Convention prevented genocide?

**1. Courts cannot work without police forces.** Today, there is no effective international police force. We lack a police force to arrest those who are already indicted for genocide, depending on national police forces that may refuse to cooperate for many years. But more importantly, we lack police forces to prevent genocide. When New York put twice as many beat cops on the street under Mayor Giuliani and President Clinton’s programs to hire more police, the crime rate for violent crime in New York was cut in half. In cities that cut back on their police forces when that program ended, the crime rate has climbed back up.

Can we depend on national police forces to play a similar role in preventing genocide? Probably not, because so often genocide is perpetrated by the state that controls the police.

So we need international police. But injecting them into a nation-state is considered a violation of national sovereignty by many governments, especially genocidal regimes. The emerging international norm of The Responsibility to Protect may be invoked to answer such arguments. But how many nations will be willing to send their police into other countries to face heavily-armed national military forces determined to keep them out? The answer can be seen in the difficulty the UN has in recruiting troops for its Peace Keeping Operations, especially from countries with powerful militaries like the US, UK, France, Russia, and China. If the UN can't muster the forces, other means must be found.

One way to create an International Police Force would be to pass an Optional Protocol to the Treaty of the International Criminal Court to create one. It would have authority only to execute arrest warrants for persons charged by the ICC with genocide, war crimes, and crimes against humanity.

Canada and other countries have suggested a "mid-sized state" solution, in which Canada, Australia, Argentina, the Nordic countries, and others would provide the volunteers for peace-keeping. Regional forces which are also being created. NATO has intervened in Kosovo and now Afghanistan. The European Union has created its Rapid Response Force and used it in the Congo; ECOWAS has intervened in Liberia, Sierra Leone and other conflicts in West Africa; and the African Union has sent forces into Darfur. Unfortunately, as we have seen in Darfur with UNAMID, such forces often lack the mandate, rules of engagement, arms, aircraft, and logistical, communications, and financial support to stop genocidal violence.

**2. Genocide requires popular participation.** As many as 200,000 people actively participated in the slaughter of 800,000 Tutsis in Rwanda in 1994.<sup>6</sup> Churches in Rwanda could have played a powerful role in creating a culture resistant to genocide in Rwanda, because many Hutus and Tutsis are Roman Catholics and attended the same churches. But the church was as ethnically divided as the rest of Rwandan society, and some priests and nuns even participated in the killings.

6 Scott Straus, "How Many Perpetrators Were There in the Genocide against the Tutsi? An Estimate," *Journal of Genocide Research* 6, 2004.

In re-thinking genocide prevention, we should pay special attention to the “bottom-up” dimension of genocide.<sup>7</sup> How can anti-genocidal cultures be built? Religion has far too often been a cause of genocide. What if every major religion regularly affirmed the core principle in all religions: that all human beings belong to one race – the human race?

We need to spark the efforts of people at the grass roots in seminaries, churches, synagogues, mosques, and temples all over the world.

**3. We must create the political will to prevent genocide.** Many people have said that the problem in the Genocide against the Tutsi and in Bosnia and Darfur was not the absence of early warning of the coming catastrophe. It was the absence of political will to prepare for and prevent it.

Political will is not a mystery. It is not mumbo-jumbo that cannot be analyzed and understood. Anyone who witnessed the triumph of the political campaigns of President Barack Obama should understand that. Political will can be built from the ground up.

It is time that we hold our leaders to account, that we do not accept their excuses. President Clinton’s pathetic “we did not know” speech in Kigali after the Genocide against the Tutsi was a case in point. Of course he knew! I have read the classified cables that reached him in April 1994.

It is time to build an international anti-genocide movement on the scale of the anti-slavery movement. When I first founded Genocide Watch thirteen years ago, there was not a single organization in the world devoted to the prevention of genocide. That is why I also founded the International Alliance to End Genocide. Now there are hundreds of organizations. We share the same vision. It is especially important to build anti-genocide organizations in countries at risk of genocide. That is why we must work closely with organizations in Rwanda.

I want to end with the true story of how a prayer group of market ladies brought down one of the most vicious killers in Liberian history.

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<sup>7</sup> See James Waller, *Becoming Evil: How Ordinary People Commit Genocide and Mass Killing*, 2<sup>nd</sup> ed. Oxford, 2007.

**“A Crazy Dream”<sup>8</sup>**

January 31, 2009

By BOB HERBERT

The New York Times

In the documentary film “Pray the Devil Back to Hell,” a woman whose family had endured the agony of civil war in Liberia talks about a dream she had in 2003 in which someone urged her to organize the women of her church to pray for peace.

“It was a crazy dream,” she said.

Prayer seemed like a flimsy counterweight to the forces of Charles Taylor, the tyrannical president at the time, and the brutally predatory rebels who were trying to oust him from power. The violence was excruciating. People were dying by the tens of thousands. Rape had become commonplace. Children were starving. Scenes from the film showed even small children whose limbs had been amputated.

The movie, for me, was about much more than the tragic, and then ultimately uplifting events in Liberia. It was about the power of ordinary people to intervene in their own fate.

The first thing that struck me about the film, which is playing in select theatres around the country now, was the way it captured the almost unimaginable horror that war imposes on non-combatants: the looks of terror on the faces of people fleeing gunfire in the streets; children crouching and flinching, almost paralyzed with fear by the sound of nearby explosions; homes engulfed in flames.

It’s the kind of environment that breeds feelings of helplessness. But Leymah Gbowee, the woman who had the crazy dream, would have none of that, and she should be a lesson to all of us.

8 Reprinted from The New York Times with permission.

The filmmakers Abigail Disney and Gini Reticker show us how Ms. Gbowee not only rallied the women at her Lutheran church to pray for peace, but organized them into a full-blown, all-women peace initiative that spread to other Christian churches — and then to women of the Muslim faith.

They wanted the madness stopped. They wanted an end to the maiming and the killing, especially the destruction of a generation of children. They wanted to eradicate the plague of rape. They wanted all the things that non-combatants crave whenever the warrior crowd — in the U.S., the Middle East, Asia, wherever — decides it's time once again to bring out the bombs and guns and let the mindless killing begin.

When the Liberian Christians reached out to “their Muslim sisters,” there was some fear on both sides that such an alliance could result in a dilution of faith. But the chaos and the killing had reached such extremes that religious concerns were set aside in the interest of raising a powerful collective voice.

The women prayed, yes, but they also moved outside of the churches and the mosques to demonstrate, to protest, to enlist all who would listen in the cause of peace. Working with hardly any resources, save their extraordinary will and intense desire to end the conflict, the women's initial efforts evolved into a movement, the Liberian Mass Action for Peace.

Their headquarters was an open-air fish market in the capital, Monrovia. Thousands of women responded to the call, broadcast over a Catholic radio station, to demonstrate at the market for peace. The women showed up day after day, praying, waving signs, singing, dancing, chanting and agitating for peace.

They called on the two sides in the conflict to begin peace talks and their calls coincided with international efforts to have the two sides sit down and begin to negotiate.

Nothing could stop the rallies at the market, not the fierce heat of the sun, or drenching rainstorms, nor the publicly-expressed anger of Mr. Taylor, who was embarrassed by the protests. Public support for the women



grew and eventually Mr. Taylor, and soon afterward the rebel leaders, felt obliged to meet with them and hear their grievances.

The moral authority of this movement that seemed to have arisen from nowhere had become one of the significant factors pushing the warring sides to the peace table. Peace talks were eventually held in Accra, the capital of Ghana, and when it looked as if they were about to break down, Ms. Gbowee and nearly 200 of her followers staged a sit-in at the site of the talks, demanding that the two sides stay put until an agreement was reached.

A tentative peace was established, and Mr. Taylor went into exile in Nigeria. The women continued their activism. Three years ago, on Jan. 16, 2006, in an absolutely thrilling triumph for the mothers and wives and sisters and aunts and grandmothers who had worked so courageously for peace, Ellen Johnson-Sirleaf was sworn in as the president of Liberia — the first woman ever elected president of a country in Africa.

Liberia is hardly the world's most stable society. But “Pray the Devil Back to Hell” reminds us of the incredible power available to the most ordinary of people if they are willing to act with courage and unwavering commitment.”

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## **Chapter 2**

Denial through Silence...  
(Africa faced with the  
Genocide against the Tutsi)

Boubacar Boris Diop

## Abstract

This article analyses the discourses of denial about the genocide against Tutsi in Rwanda. First, it focuses on what we can call a “French denial,” represented by the writings of the journalists Pierre Péan and Stephen Smith and of the social scientists Claudine Vidal, André Guichaoua, and Filip Reyntjens, and by the inquiry of the anti-terrorist judge Jean-Louis Bruguière. Secondly, this article mentions the African intellectuals who have accepted those lines openly or tacitly. If they had studied precisely the events that occurred in Rwanda, they could have countered western denial about the genocide against the Tutsi. Taking the example of an association in Senegal, Boubacar Boris Diop shows that the time for acceptance based on precise study has not yet come.

Wednesday April 6, 1994. Kigali at nightfall. Above the runway of Grégoire Kayibanda airport, a small aeroplane is preparing to land. It's Juvenal Habyarimana's Falcon 50, a personal gift from François Mitterand, who has also provided the French crew, consisting of pilots Jacky Héraud and Jean-Pierre Minaberry, and flight engineer Jean-Michel Perrine. The Rwandan President is returning from Dar-es-Salaam. He went there to attend a regional summit during which his counterparts put pressure on him to implement the peace accords concluded with the Rwandan Patriotic Front (FPR) eight months previously. He has indeed been procrastinating a long time, since he is well aware that any form of power-sharing with the people scathingly referred to as *Inyenzi*, or cockroaches - who are actually the Tutsi of Paul Kagame's politico-military movement - will be greeted with furious hostility from the extremists in his camp.

Besides, he is convinced that he won't be able to control the new 70-member transitional National Assembly and afraid of being held to

account for the numerous targeted political assassinations and mass killings committed during his term of office, either on his orders or with his tacit approval, especially since the outbreak of war on October 1, 1990. Habyarimana, at the helm of his country since the *coup d'état* in July 1973, knows at the moment his plane is getting ready to touch down on Rwandan soil what colossal risks he has taken in Tanzania and that big trouble is awaiting him back home. What he doesn't know is that he only has a few minutes left to live. The first missile is a miss, but the second one, which immediately follows it, transforms the aircraft into a huge fireball. Its flames engulf the President of Rwanda, his Burundian counterpart Cyprien Ntaryamira and the rest of the passengers, and are not destined to be extinguished until July 4, the day when General Kagame's forces seize Kigali. It is the cue for what is soon to become known as the Hundred-Days of Rwanda. It doesn't take long to do the chilling sums: from April 6 till July 4, 1994, between sunrise and sunset on each and every day, ten thousand innocent people were decapitated, tossed into the Nyabarongo - or to dogs suddenly turned into savage and blood-thirsty clones of their masters - machine-gunned, cut up into pieces, raped, burnt alive, buried alive or pushed into septic tanks to the accompaniment of the sarcastic snickering of mothers, fathers and frolicking kids. Even though we are told comparison is not reason - in this field more than in any other - it is difficult to ignore that the cost in human lives of the Genocide of the Tutsi equals eleven months of uninterrupted attacks on the World Trade Center in New York, which means one such attack per day from October 2000 till September 2001. What can the widely differing reactions which the Genocide of the Tutsi and the 3000 dead of the American "Nine-Eleven," have elicited worldwide possibly mean except that the value of human life is not equal, but depends on whether your country of origin is powerful or poor.

For these reasons it is not surprising that the UN, rather than strengthen their military presence at the onset of the killings, should on the contrary have chosen that precise moment, surely the very worst, to withdraw nine-tenths of their 2,500 peace-keepers from Rwanda. In so doing, they facilitated the implementation of a "Final Solution," every smallest detail of which was planned by politicians with limited brains

and brutal methods. These people were stupid enough to tell their citizens: “Go out into the streets, go up into the hills, go into the houses and cut up all those with your machetes who you think are different from you!”

That’s why no historian with a special interest in, but without any preconceived ideological notions about the Rwandan tragedy, has ever been able to find a single excuse for them. But this courageous lucidity is not the main thing the world has taken note of, far from it. The fact is that a number of journalists, writers and politicians, especially of French nationality, only listen to their negrophobia, which may be either of the theorizing or the militant variety, when the topic of conversation turns to Rwanda. It is extremely strange that the views of these instant experts in the Genocide of the Tutsi are often all the more clear-cut the less they know about the subject. I remember for example a clash in a café in Guadalajara in 2007 with a French novelist by the name of Patrick Delville, who was terribly taken aback and even indignant to hear me contest the theory of Habyrimana’s assassination by the current Kigali regime. During those exchanges I became aware, without being too surprised, that the good man knew nothing about Rwanda, and that, in reality, that country - where he had never set foot - didn’t interest him in any way; regarding Kagame’s culpability on the other hand, there was not the slightest shadow of doubt in his mind. And why would that have been so? One is sad to have to say it: because the plaintiff is a French judge, and white, while the defendant is an African Head of State, and black. This crude form of racism is very clearly what lies at the heart of the denial of the Genocide of the Tutsi by the West. What of the Africans themselves, then? We will get to that later on. The truth is that racism and denial have always walked hand-in-hand. Similarly there can be no denying the existence of the gas chambers except against the background of a deeply anti-Semitic mind set. In the case of Rwanda, we are dealing with the same spontaneous denial of humanity, which is, however, almost always ashamed of itself and inhabits the murkiest corners of the human soul. They are legion, these Western intellectuals who cannot let go of the idea that their Africa, a phantasmagorical Africa, continues to be that paradoxical and enigmatic place, simultaneously gloomy and brimming with light, exalted and somnolent, divided between an unbridled *joie de vivre* and the deepest, darkest passions. It is a space that invites every

kind of tribulation, where everyone comes to shop and then there is no end to the absurdities uttered by one and all while their faces are wearing a learned expression and their sentences are interspersed with long drawn-out sighs and covert giggles.

Stephen Smith turns Africa into the “natural paradise of cruelty”; the pathetic Pierre Péan, hiding behind some colonial author, sees the Tutsi as a degenerate race due to “the culture of the lie” which is so contagious that on contact, the Hutu have become “liars by impregnation” [*sic!*]. Not only have these two journalists not been ostracised by their professional bodies for making such scandalous statements, but they have managed to keep their reputation as experts on the Genocide of the Tutsi in Rwanda intact. The report commissioned by Trévidic - which gives a lot of credence to the theory that the Hutu Power liquidated Habyarimana in order to make the genocide possible - was a big setback for Smith, Péan and others of their ilk, but that should not make us forget all the sufferings they have been allowed to inflict on the survivors for so long. “Denialism *à la Française*” - an expression coined by Mehdi Bâ - also exists in a “light” variety, as in the case of the discreet but insidious Jean Hatzfeld. The author of ‘Into the Quick of Life’ impassively describes horrific atrocities and then suddenly realises that before the end of his trilogy he should maybe say a word or two about the causes of this orgy of hatred. And so Hatzfeld sneakily inserts a chapter into the middle of ‘The Antelope’s Strategy’ entitled “Black Visions of Africa,” a chapter bristling with the same old prejudices about the continent which he himself doesn’t even have the courage to own up to.

We also hear a lot about Claudine Vidal and André Guichaoua in the media these days, who are surreptitiously making their colleagues chuckle despite the extreme gravity of the issue. These two academics have clearly benefitted Judge Jean-Louis Bruguière with their “brilliance,” while the second of the two, Guichaoua, has generously presented us with a large volume (“Rwanda, from War to Genocide”) in an ostensibly neutral tone, but primarily written in order to saddle the FPR with the responsibility for the attack on April 6, 1994. Unfortunately for him, that is the weakest part of a book in which he is generally content to reiterate the preposterous statements of Ruzibiza, who occasionally even contradicts the declarations

he had made to Bruguière. One finally discovers that the French magistrate who comes across as decidedly well-informed has, throughout his inquiry, made use of what one might call a third, secret “scientific advisor,” the Belgian historian Filip Reyntjens. His role is thrown sharply into relief through the harsh words of Bernard Maingain, one of the lawyers employed by the Rwandan State, and who does not hesitate to exclaim during a press conference: “How come that Judge Bruguière and his team neglected to check the past history and the pursuits of Mr. Filip Reyntjens in Rwanda? How could they overlook that Mr. Filip Reyntjens participated in the drafting of the Constitution which condoned the Rwandan apartheid system during the Habyarimana regime?” Advocate Maingain even goes so far as to hold Reyntjens indirectly responsible for the physical elimination by Habyarimana of well-meaning Rwandan politicians who were involved in discreet negotiations in Belgium with the aim of restoring peace to their country.

It should hardly be necessary to mention at this point a certain advocate from Minnesota or the “work” by the Cameroonian Onana and the Canadian Robin Philpot.

Each one of these authors has added, in one way or another, his little brick to the “denialist” edifice. And yet, were it not for Judge Bruguière, it is unlikely that it would have remained standing. It is bound to be worth taking a look at his biography and his activities. If it is true that nobody ever believed he was infallible, at least he used to be seen as a professional of integrity. Sadly, this judge, who put himself in the dock thanks to a spate of shocking revelations, now looks to us like a rather spineless creature, despicable and full of utterly laughable aspirations in terms of the political and moral underpinnings of his inquiry. Bruguière refused to go to Rwanda himself or to have the fragments of the Falcon 50 examined by experts, and exclusively looked at evidence brought forward by the prosecution. Most notably he enlisted the services of a Rwandan interpreter-translator introduced to him by the infamous ex-police captain Paul Barril, another one of his shady “coaches.” Barril, highly versed in every sort of nasty trick, was spotted in Kigali two days before the attack of April 6; after the event, he was seen prowling around the wreckage of the aircraft with the genocide in full swing, and then, at the end of June, in *Le Monde*

and on *France 2*, he suddenly pulls a fake black box out of his hat. What sort of interpreter could such a dubious individual, incidentally officially on the pay-roll of Habyarimana's widow, possibly have recommended to Bruguière? Well, the one he supplies to him, a certain Fabien Singaye, is an ex-informer of Habyarimana, but also a friend and business associate of Jean-Luc, son of the late dictator and plaintiff in the proceedings; besides, Singaye, a diplomat expelled from Switzerland in 1994 due to his links with the genocidal regime, is the son-in-law of Félicien Kabunga, rightly nicknamed the "banker of the genocide" and living as a refugee in Kenya since the downfall. One can easily imagine how Singaye must have translated the statements of his compatriot Abdul Ruzibiza for Bruguière, who has no knowledge of Kinyarwanda.

At any rate, almost all of Bruguière's witnesses, the whole lot of them contradictory and fantastical, withdrew. In one of my books (*Africa beyond the Mirror*) I mention the account given by *Libération* of one of Ruzibiza's hearings. Bruguière threatens to have him thrown out if he doesn't say what he himself wants to hear. The same article also talks about his right to asylum in Norway, that had been arranged for him by the French special services, the very same who helped him slip out of Kampala. And to think that each sentence of his testimony was dictated to him.

In conclusion, there can be absolutely no doubt that Bruguière was biased. All that remains to do now is to understand his motives. The dispatches on WikiLeaks help to at least get a vague idea. Among other interesting details one can find there, there is a transcript of his conversations with diplomats at the American Embassy in Paris. In particular, he tells them he has carried out his entire inquiry on Rwanda in cooperation with the *Elysée* Palace - during the Chirac era - and then adds that he is absolutely determined to chastise Paul Kagame, who is a bit too pro-American for his taste. The judge, who is a patriot, is loath to accept the fact that France has been accused of being so unequivocally on the side of the *genocidaires*.

He was definitely in a confessional mood on that particular day when, in the Avenue Gabriel in the 8th *arrondissement*, he talked about his hopes for a seat in the *Palais Bourbon* and then declared that, all things



considered, his ultimate dream was to be made the French Minister of Justice. All this is beyond belief but we have it in writing, in black and white, from the most trustworthy source possible.

Reading these ultra-confidential diplomatic reports has the further merit of refreshing our memory. We suddenly remember Chirac's promises of ministerial office to the judge, but also the political ambitions, openly displayed by the latter. Didn't Bruguière actually stand in the June 2007 elections as a UMP candidate for Lot-et-Garonne? Unsuccessfully, of course. A weird guy, this Bruguière. Despised by all, he was neither made a deputy nor a minister and with even less success did he manage to turn Paul Kagame into a pariah. What must such a man think of himself on his death-bed? Well, it is extremely likely that Bruguière, used as he is to sensitive issues, doesn't worry too much about those small little dents in his self-esteem. He was in charge of the affair of the monks in Tibérine and the attack in Karachi in which 11 French citizens lost their lives in 2002. It seems that that occasion earned him an unflattering sort of notoriety since, according to the daily *Libération* of June 16, 2010, he had been "accused of false testimony and obstructing the course of justice by the victims' families, who were represented by advocate Olivier Morice." Bruguière had simply made the autopsy report, which would have weakened the official line of the French State, disappear. He should have been sentenced to 5 years imprisonment for the first main allegation and to 3 years for the second one, but according to certain sources the charges were permanently set aside on the grounds of his judicial immunity.

This is the man who poked fun at an entire country with almost universal approval from the world around him, and whose actions weigh heavily on the narrative of the last genocide of the twentieth century. It is true to say that Bruguière has above all insulted the memory of those who suffered torture in Rwanda by giving credence to the idea that they were responsible for their own destruction and that, as such, they do not really deserve compassion. After two decades of lies, the labour of mourning can at last begin, quietly and peacefully, for the survivors. It has been a long time coming, but it isn't hollow, either.

When one gets to the famous “Never Again,” the required vigilance must go beyond the crime itself, and must touch on each constituent element of the cycle of genocide. That makes it imperative to find out how such a gross aberration was able to prosper for almost twenty years.

Up to now, everything hinged upon the theory of a spontaneous outburst of rage among the Hutu masses following the death of their leader, but the situation has changed radically. Since the publication of the Trevidic Report, no one dares to put forward such an argument anymore. It has plunged certain tabloid analysts into deep distress, and some of them have now been reduced to suggest, like Christophe Boisbouvier of the RFI, that an FPR commando could, after all, have infiltrated Kanombe camp, lain in wait there for the Falcon 50 for several hours, done the job and disappeared - without trace - into the surrounding countryside! It's obvious that nobody has taken the trouble of refuting such an utterly puerile theory.

At any rate, to explain the genocide with a simple assassination attempt is as good as a formal admission of guilt; no comment necessary. It's true that the crime was so abominable that it would have been pointless to try to deny outright that it actually happened. So, one had to use every possible excuse. But you have to have completely run out of arguments or be quasi-insane to have the temerity to declare in front of the whole world: “Sorry, we have killed one million Tutsis because their leader provoked us by assassinating our president.”

More worrying than anything else, however, is the fact that so many African intellectuals have seemingly swallowed this line of argument, either explicitly or implicitly. The times we live in are certainly bizarre. These days it suffices for someone, no matter who, to attribute the worst monstrosities to an African political leader of his choice, and immediately a motley crew of leader writers and other “thinkers,” from Dakar to Maputo, start screaming ‘down with the brutal dictator!’ Why this unwillingness to evaluate, on a case-by-case basis, the available political facts, before turning it all into personal dogma? Such a lack of desire for proof in the case of a subject as serious as the Genocide of the Tutsi of Rwanda has a lot to

do with the concept of self-hatred. If it hadn't been for the tenacity and force of character of Paul Kagame, we would still be trying to accuse him of masterminding the genocide despite the fact that it was actually he and he alone who put an end to it, and definitely not those who are endlessly sermonizing, some of whom were in cahoots with the killers. And yet this doesn't mean Kagame has won the game, for his enemies' fairy tales were pre-validated by the bad reputation of African politicians who are seen as cruel, irrelevant and trivial by definition.

That is why no more than a few little touches were required to turn the chief of the Rwandan Patriotic Front into the picture of the typical African tyrant, and that was that: you cannot fight against an image with words. Negrophobia, already mentioned above, and afro-pessimism, share the same bed, if one may put it like that, and they comfort each other. It is so important to take the facts into account, so that no one can *prima facie* be pronounced guilty or innocent. Our judgement must be guided by actual events, or at least by what we are able to know about them.

In that respect, Rwanda is a case in point. Paul Kagame was all the less likely to be judged equitably by his African brothers since the charges against him were amplified by Western intellectuals whose views, no matter how delirious, are always put on a pedestal. And yet, Bruguière would never have been mentioned with a single syllable if, even just in Africa alone, his personal file had been checked with a fine-tooth comb by the judges, the journalists and the historians. He is an unknown entity, and, being perfectly aware of it, the judge wouldn't have risked getting involved in such scandalous schemes. Surely he would have understood all by himself that he had to watch his step. Which, then, are the historically established facts in this inquiry that deserve to be taken into consideration?

In the first instance, the Hutu extremists gave themselves away so often that there was no need for a commission of experts to prove their responsibility for the assassination of Juvénal Habyarimana. Then it is also necessary to say that they had a run of bad luck from the very first moment: the Rwandan President's plane crashed in the garden of his own residence,

forcibly under the protection of his presidential guard. This simple quirk of fate renders all the suppositions about the black box of the Falcon 50 futile although the search for it was apparently still ongoing eighteen years later. Who is really so stupid as to believe that it is easier to locate the black box of the AF 447 Rio de Janeiro-Paris flight in the vastness of the Atlantic Ocean than to pick up the one belonging to an aircraft that has dropped into a small garden in Kigali? In all likelihood, those who engineered this genocide and their allies will either have destroyed this contraption, or are still hiding it, since it would have quickly exposed them. Let us remember that one of the first people to arrive at the site of the crash was a commander by the name of Grégoire de Saint Quentin. He was promoted to the rank of general and is today the patron of the French forces based at Dakar. The Independence and Labour Party (*Parti de l'Indépendance et du Travail* [PIT]) is the only body in the whole of Senegal to have shown concern over the presence of an officer on our soil who is strongly suspected of collusion with the Rwandan *genocidaires*.

Under normal circumstances, the far-fetched testimonies of Bruguière's witnesses, already mentioned above, would have sufficed, in themselves, to ruin his line of argument.

For instance, one of them made the claim that Rose Kabuye had put up three members of the commando unit in her room at the CND, the former transitional parliament. Judge Bruguière did not even find it necessary to check whether the room in question was big enough for that, something Judges Tredivic and Poux would do in 2010. Another witness, Ruzibiza, the author of the tome embellished with a preface by academic Claudine Vidal (CNRS/EHESS) and a postscript by Guichaoua - would you believe it! - gave a detailed description of the manner in which the attack was carried out in order to convince the judge once and for all of his personal participation. When someone admits so spontaneously to having helped to bring about the death of twelve people, including two heads of government in office and three French citizens, ought one not at least make sure he remains within reach of the arm of the Law? Oh well, that is obviously not what Bruguière thought as he allowed him to leave again, without let or hindrance, and to travel to Norway.

If there is one genocide where the masterminds and their minions have committed their acts in the full light of day, it has to be the one of the Tutsi of Rwanda in 1994.

From articles by Hassan Ngeze in *Kangura* to the inflammatory programmes broadcast by the radio-television channel *Mille Collines* (*Radio-Télévision Libre des Mille Collines* [RTL]), the killers never shied away from articulating their strategy of annihilation of the Tutsi very clearly. Léon Mugesera suspects the crowd of being half-hearted, so on November 22, 1992, about seventeen months prior to the attack on April 6, he asks them: “Why are those parents who have sent their children not arrested, and why are we not exterminating them? Why are we not arresting those who bring them and why are we not exterminating them all? Are we perhaps waiting for them to come and exterminate us?” And then he adds: “The person whose throat you don’t cut will be the one who is going to cut yours.” Mugesera, who was extradited by Canada to Rwanda last week, was even more outspoken when, during his tirade, he encouraged his supporters to throw the Tutsis’ bodies into the waters of the Nyabarongo. And as we all know, that is exactly what happened - how could one forget the horrific images of tens of thousands of dead bodies floating in that very river?

Further proof that this genocide was premeditated is the desertion of the famous “Jean-Pierre” after he is charged with having trained the President’s own killer militias, the Interahamwe. When he realizes that what is about to happen is totally mad, he decides to secretly inform the Canadian General Romeo Dallaire, Commander of the Minuar (United Nations Mission for Assistance to Rwanda). In January 1994, he lets him know that his men have been specifically trained to, when the time comes, eliminate 1,000 Tutsis every twenty minutes, and he also indicates to him precisely the places where the weapons have been stored that are supposed to be distributed among the population on Day X. General Dallaire immediately plans to mount an operation in order to dismantle the arms caches but is summarily prevented from doing so by his United Nations bosses, including Kofi Annan, who, on the contrary, issue him with the downright surrealistic directive to share his information with the Rwandan President.

Equally we know that the massacres started, in keeping with a precise agenda, with the elimination of thousands of moderate Hutu politicians. The latter had already paid a heavy price when, between 1990 and 1994, they had to yield to the determination of the hardliners of the Habyarimana regime, the Hutu Power, to get rid of the Tutsi and their putative Hutu accomplices, the *Ibinyitso*.

The genocide definitely did not break out from one minute to the next, and the following evocative image speaks for itself: a peasant who is holding his machete in his right hand, the transistor radio glued to his left ear. He is listening attentively to the instructions by the coordinators of the killings, Simon Bikindi's racist music that plays interminably gives him courage for the job, he hears the RTLM announcers indicating the spots where there is the greatest concentration of Tutsi to eliminate, but also the areas one has to get to fast to "get to work," because many potential victims are busy trying to cross the borders there, to Burundi or to Tanzania for example.

And, last but not least, what I think is absolutely essential: the Genocide of the Tutsi of Rwanda did not start a few hours after the attack of April 6, 1994, but thirty five years earlier, on November 1, 1959, to be exact. This initial massacre is called the "Rwandan All Saints Day," in analogy to the "Algerian All Saints Day," where the FLN launched its armed struggle on November 1, 1954. We must remember that in Rwanda, from that fateful day onwards, the Tutsi were never allowed to live in peace again. They were systematically marginalised on the basis of their supposed ethnicity and killed by the thousands or tens of thousands under the flimsiest of pretexts.

That's when, in 1964, Bertrand Russell, philosopher, mathematician and winner of the Nobel Prize for Literature in 1950, initiator of the "Tribunals against the Vietnam War" and an authoritative moral voice of his time, set the alarm bells ringing and unequivocally described the occurrences in Rwanda as "the most appalling and methodical massacres perpetrated by humankind that we have witnessed since the extermination of the Jews by the Nazis." Equally, and in spite of the proven participation of so many

clerics in the 1994 genocide, we must remember that, also during the sixties, Radio Vatican uses the same word - genocide - to describe the anti-Tutsi killings in Rwanda. The pogroms in Bugesera and among the Bagogwe between 1990 and 1994 were blindingly obvious precursory signs showing the determination of the Hutu extremists to go all the way with their plan to exterminate an entire section of their country's population.

And just to say it again, it is incomprehensible that, considering all of the above, Rwanda should have had to face the gigantic machinery of denial in such abject isolation.

The lack of solidarity from the other African countries was already apparent when, on the occasion of its June 1994 summit in Tunis, right in the middle of the genocide, the Organization of African Unity did not even find it necessary to put the matter on its agenda. And today, we have to accept the fact, which can only fill us with bitterness and regret, that it was a judge of French nationality, Jean-Louis Bruguière, who unjustly tarnished the reputation of the regime in Kigali and that it was two other French judges with more honesty and integrity, Marc Trevidic and Nathalie Poux, who put things right again.

Has our continent learnt any lessons from this? Nothing is less certain. At its press conferences in Dakar that are regularly held under the auspices of the African Commission on Human and Peoples' Rights (RADDHO), the "Union of Rwandan Nationals in Senegal" (URRS) clearly demonstrates - while claiming to work for reconciliation - how pernicious denial and division really are. Such a level of complacency is hard to explain. One might argue that these and other places like them are a haven for the voiceless. However, to use that as an excuse would be too easy, since the speeches that were given there a few days ago had rather militant overtones. When, on January 25, 2012, RADDHO was hosting the umpteenth press conference for the URRS, the former actually took it upon themselves, in an even more radical and grotesque manner than their guests, to re-write Rwanda's recent political history. It was particularly interesting to hear their representative extolling the Bruguière inquiry and peremptorily stating that the investigative report commissioned by judges

Trevidic and Poux had definitely come out of the *Elysée* Palace, in the name of the diplomatic rapprochement between France and Rwanda. As for the government opponent Victoire Ingabire, who is currently being prosecuted in Rwanda for “denialism,” divisiveness and supporting the Democratic Liberation Forces of Rwanda (FDLR) - a totally lawless armed rebellion and legacy of the sinister Interahamwe - , the same speaker presented her as a genuinely courageous opponent who has been detained “arbitrarily,” which is to say without justification.

All this makes you wonder.

The RADDHO is very well aware that Victoire Ingabire is nothing but a political figurehead intended to lend the FDLR a veneer of respectability, while its executive secretary Callixte Mbarushimana, despite having been acquitted by the International Criminal Court, remains accused of genocide in France where he is under a probation order.

One would have preferred to hear the RADDHO issuing a statement about Leon Mugesera who remains in the news or about the fact that a growing number of *genocidaires* are now fleeing from America and Europe for fear of being extradited to Rwanda, and are coming to look for refuge in African, preferably Francophone countries. They feel safer there than anywhere else on earth, and that cannot be a coincidence. Rather, it indicates a major turning point, calling for calm and rational public debate about RADDHO’s point of view. The topics up for discussion are of the gravest importance, and a great deal is at stake. On November 27, 2001, Aloys Simba, aka “the Butcher of Murambi,” was arrested right here, in Senegal. He became one of the characters in my novel after I kept coming across his name during my research on the well-known massacre at the Technical College of Murambi, where he put to death at least 45,000 Tutsis in a few days. Well, I was hardly surprised to find that Simba was quietly living in Thiès, looked after by a Human Rights organization, other than RADDHO, I hasten to add. Without the urgent petition by Carla del Ponte, the former Public Prosecutor of the International Criminal Court, he would no doubt still be there, taking it easy. Shouldn’t this be food for thought for all of us?



Quite apart from the sheer extent of its atrocities, the Genocide of the Tutsi of Rwanda has been the most significant political event of the twentieth century for Africa, a veritable “historical fracture,” and it is simply not permissible to treat it with this insufferable insincerity. This is even less acceptable at a point in time when “denialism” is otherwise at bay. If it is indeed true, as the historian H  l  ne Dumas and the political scientist Etienne Smith have reminded us, that judges do not write the history books, these recent judicial developments will affect the way we will look at the Hundred-Days in Rwanda, turning it inside out. Every one of us has the duty to keep these developments in mind so that the killers, so nimble in their ability to disguise themselves as victims, lose all desire to repeat this; and also to prevent other politicians, elsewhere on the continent, from following their disastrous example.

## **Part II**

### Preventing Dehumanization



## **Chapter 3**

# The Politics of Dehumanization: Beyond *'Inyenzi'*

David J. Simon

## Abstract

Dehumanization is almost inextricably part of genocide – especially when mass participation is part of the strategy. At the heart of it is the effort to deny the humanity of people targeted to be victims. One most commonly confronts this pattern in the form of name-calling. In Rwanda, two other strands of dehumanization emerge. The first is re contextualizing the genocide as war, and thereby the Tutsi as “the enemy.” The second is the argument that Tutsi’s were not truly Rwandan, and therefore did not merit membership in – and the protection of – the political community. This expanded perspective on dehumanization underscores the political nature of genocide, and the necessity of both social and political antidotes to efforts to dehumanize.

On 20 February 2011, Libyan president Muammar Gaddafi issued a threat to people of Benghazi, which had emerged as the base of an increasingly militarized opposition to the president’s regime, some months into the so-called Arab spring. Over the course of an hour-long address, Gaddafi “urged his supporters to go out and attack the ‘cockroaches’ demonstrating against his rule,” and pledged to “cleanse Libya house by house.” He also “referred to the protesters as rats and mercenaries” (BBC News, 2012).

The warning proved to be a turning point, albeit not the one that Gaddafi had presumably imagined. The United Nations Security Council, following an emergency meeting, passed resolution 1970 which called upon all parties in Libya to cease hostilities and for the potential violations of international law to be examined by the International Criminal Court.<sup>1</sup> Concluding, a month later, that the Gaddafi regime had not abated its

1 It was the first instance of a United Nations Security Council resolution referring a matter to the International Criminal Court. (United Nations 2011a).

threats to the populace, the Security Council passed Resolution 1973, which authorized “all necessary means to protect civilians and civilian-populated areas” (UNDPI 2011b) This was made operational by a campaign of NATO airstrikes that provided the necessary cover for rebels to (eventually) overthrow the Gaddafi regime.

The episode is remarkable for a number of reasons. It is remarkable for the eventual outcome – the end of a regime that had been in power for over 40 years. Resolution 1973 invoked the doctrine of Responsibility to Protect in the most strident terms in the brief history of the concept. (Given the backlash against the broad and militarized nature of its application, it may represent something of a historical high point in the effort to marshal international force to prevent the threat of mass atrocities).

It is also remarkable because the apparent trigger for international action was, in conjunction with violence against citizens, a virulence of rhetoric. Indeed, it drew a parallel to the precipitating trends of the Genocide against the Tutsi in 1994. As Edward Luck, the United Nations Special Advisor on the Responsibility to Protect, noted in an interview, when Gaddafi decided to characterize the protestors as “cockroaches”--the same term that had been used vis-à-vis the Tutsis in the Genocide against the Tutsi--that was a very worrisome sign. It worried us in the Secretariat; it worried the member states. There was some worry that Gaddafi might be out of control; that he might go very far (Gwertzman, 2011).

After all, widely-read authors on Rwanda, including Philip Gourevitch (1998), Fergal Kean (1999), and Samantha Power (2002), had emphasized the usage of the word – *inyenzi* in Kinyarwanda – by propagandists and on-the-ground perpetrators to denigrate Rwandan Tutsis. Movies like *Hotel Rwanda* and *Sometimes in April* picked up on the phrase and its usage, and employed it to illustrate the depravity of their respective fictional, but representative, perpetrators. It is not inconsequential that Power herself sat on the United States’ National Security Council, holding a portfolio that included responses to mass atrocity threats – and therefore emerged as a major contributor to the United States’ policy formation on the matter.

Given that the international inaction in 1994 is both widely appreciated as an abject failure of the international system and its leaders, as well as a precipitant of the Responsibility to Protect doctrine, the linguistic parallel resonated. When Gaddafi uttered it, the cockroach slur thus registered the prospect of danger in the minds of international policy makers. If nothing else, decision-makers must have figured that if the international community were to sit on its hands, and mass atrocities were to unfold, neither an *ex ante* lack of information nor a lack of imagination could be given as an excuse *ex post*, as they had been after Rwanda.<sup>2</sup>

The cockroach rhetoric resonated because it fitted in with the prevailing popular and academic understandings of how genocide comes to pass. Slurs like “cockroach”/“*inyenzi*” served as rhetorical devices that contributed to the (process) of dehumanization, which, thanks to the work of Greg Stanton (1996) and others<sup>3</sup> was found to fit a pattern established in previous episodes of genocide around the world, and has come to be recognized as a fundamental part of the process of genocide.

Yet, as is often the case when an intellectual construct enters the popular imagination and policy-makers’ lexicon, widespread application can obscure the construct’s utility. This is particularly relevant for Rwanda and the understanding of the Genocide against the Tutsi, where both the use of rhetoric as a dehumanizing device and the broader strategy of dehumanization have a tendency to get mired in the unexamined realm of conventional wisdom. Potentially lost are opportunities to understand better both of these phenomena. In this essay, I consider what we know about dehumanization, from both an empirical and theoretical perspective. I propose the further integration of the concept (which is essentially a sociological one in its exposition) with the more political scientific approaches to genocide and mass atrocity that have become more common in recent years (e.g. Valentino 2004, Chirot and Macauley 2010, Straus 2007).

2 See Albright (2003, 151-155) and (less uncritically) Barnett 2002 for examples the information excuse; see Clinton (2004?) for the information excuse.

3 For example, see Kelman (1973); Waller (2002), especially pp. 244-249.

## I. The Development of the Dehumanization construct

### a. Dehumanization in History

The word genocide was coined in the wake of the Holocaust in Europe (Power, 2002, chapter 2), and much of the initial theorizing followed suit. In her monograph on the trial of Nazi logistics coordinator Adolf Eichmann, Arendt (1961) proposes that bureaucratic tasks and exigencies obscured the human consequences of herding hundreds of thousands of Jews, Roma, Sinti and others into concentration camps and coordinating the supply of materials to kill them. As Bauman notes, lower level Nazi bureaucrats and foot soldiers charged with delivering human cargo routinely referred to their loads in non-human form (2002, 129). Several scholars have noted that Nazi propagandists routinely employed terms like “vermin” and/or any of an extensive list of diseases – including “bacilli,” “parasites,” “vermin,” “demons,” “syphilis,” “cancer,” “excrement,” “filth,” “tuberculosis,” and “plague,” per Waller (2002, 246) – to refer to the Jewish population of areas under their control. Finally, the infamous, iconic symbols of the concentration camps: shaved heads and tattooed numbers that replaced people’s names demonstrate efforts made to erase the individuation of the targeted population.

As genocide scholars began to look back in history, they found regular association between past genocides, and the employment of dehumanizing rhetoric. For example, Kiernan quotes a British general in the colonial army, Jeffrey Amherst, who called upon his units to treat the Senecas and other indigenous peoples of the American Great Lakes region “as the vilest race of beings that ever infested the earth, whose riddance from it must be esteemed a meritorious act” (2007, 245). Hinton observes that colonial genocides were “legitimated by contradictory discourses that simultaneously asserted that the colonizers had the “burden” of “civilizing” the “savages” living on their newly conquered territories and that their deaths mattered little since they were not fully human” (2002, 2). Finally, Lundquist quotes Darwin’s observation about the clash between Spanish forces and indigenous peoples of present-day Argentine: “Everyone here



[meaning the Spanish] is fully convinced that this is a just war, because it is against such barbarians” (1992, 116). The “war” in question consisted of the complete extermination of the indigenous population, so that Europeans could “settle” on the former’s land.

German rhetoric in Namibia, prior to and during the deliberate attempt to exterminate Southwest Africa’s Herero population, was similar. According to Bridgman and Worley, “white settlers normally referred to Africans as ‘baboons’ and treated them accordingly” (2004, 20). When, back in Germany, a member of the Reichstag (parliament) tried to argue that “black men had mortal souls just as the Germans did,” he was hooted down by the whole house” (21).

The pattern continued late into the twentieth century. Bringa notes that, through epics, songs, myths, and literature, Serbian folklore cast battles against Bosniaks in dehumanizing religious terms, and in terms of a battle of good against evil (2002, 215). Lemarchand, citing Greenland (1976), observes that, in 1972, government radio broadcasts in Burundi encouraged the population to hunt down “the python in the grass” (2002, 326).

All of these instances of rhetoric and patterns of acts share a common feature: they either negate the fact that the project at hand (often) involved killing human beings, or deny the humanity of the individuals within the targeted group (as individuals and as a collectivity). It stands to reason that these acts of negation served some sort of function with respect to the commission of mass murder and genocide. Accordingly, scholars proposed that dehumanization was a core element of the execution of a genocide.

## **b. Dehumanization in theory**

To begin, it is worth quoting Stanton (1996b) at length:

Classification and symbolization are fundamental operations in all cultures. They become steps of genocide only when combined with dehumanization. Denial of the humanity of others is the step that permits killing with

impunity. The universal human abhorrence of murder of members of one's own group is overcome by treating the victims as less than human. In incitements to genocide the target groups are called disgusting animal names—Nazi propaganda called Jews “rats” or “vermin”; Rwandan Hutu hate radio referred to Tutsis as “cockroaches.” The targeted group is often likened to a “disease,” “microbes,” “infections” or a “cancer” in the body politic. Bodies of genocide victims are often mutilated to express this denial of humanity. Such atrocities then become the justification for revenge killings, because they are evidence that the killers must be monsters, not human beings themselves.

The formulation echoes Kuper's notion that dehumanization involves “the relegation of victims to the level of animals or of objects or to a purely instrumental role” (1983, 38). Similarly, Semelin echoes, and succinctly refines, both Kuper and Stanton. For Semelin, dehumanization entails “disqualifying” human status (2007; 38).

Human status, in turn, is precisely that which ordinarily protects humans from wilful destruction by other humans, even in the face of extreme jealousy, suspicion, and/or contempt. ‘Animals,’ ‘objects,’ and ‘instruments’ all lack the qualities that merit adherence to a principle of a minimum threshold of treatment among co-equals, or what Fein calls membership in “the universe of obligation” (1979, 4.) For a project involving the destruction of a group – i.e., genocide – to take off, members of the group – and indeed (per Stanton 1996a), the group itself – must be categorized as unworthy of such fundamental protections.

Dehumanization, therefore refers to a process by which members of a targeted group (a phrase I prefer to “victim group”) are stripped of their social standing as humans – or what Waller (2002, 2) calls achieving the “social death” of humans – for the purpose of facilitating their destruction. Keller and Hellman (1989, 245) argue that although dehumanization may reflect a single process, it actually masks a pair of intentions: “first, [dehumanization involves] depriving victims of identity by defining them

entirely by a category to which they do not belong; second, excluding this category from the community of human family.”

The foregoing definitions remain ambiguous with respect to at least two important issues. First, it is ambiguous as to who authors the process of dehumanization. That it is part of the perpetration of a genocide is implicit, but whether individuals (like Eichmann) or groups-as-groups (per Stanton), or collectives of individuals are the actual agents of dehumanization is ambiguous. My sense is that it is wisest to leave agency unspecified, as the process can be either individually driven or a group exercise – and even a combination of the two at once.

Second, these definitions are ambiguous with respect to the question of whether it is the target (as in labelling and placing members of a group in a non-human category) or the process (as in stripping the human element from elements of a genocidal strategy) to which the term “dehumanization” applies. Again, though distinct, both are relevant, and both speak to similar dynamics within a political framework.

In short, the preceding two paragraphs note ambiguity in “who” does the dehumanizing and in “what (or who)” is the subject of dehumanizing. A closer examination of dehumanization in the Rwandan context illustrates why keeping an open mind to the answers to these questions is important. Doing so will also help elucidate further two additional questions: the “how” and the “why” of dehumanization.

## **II. Dehumanization in Rwanda**

At this point, one may use these definitions to examine the instances and role of dehumanization in the Genocide against the Tutsi. The most obvious instances are those already mentioned, that have captured the popular imagination – the use of the term *inyenzi* and other dehumanizing

slurs.<sup>4</sup> Human Rights Watch's 1999 tome, *Leave None to the Story*, is replete with references to usage of the term *inyenzi* by public officials and media sources. For example, the *Kangura* newspaper infamously ran an article entitled "A cockroach cannot give birth to a butterfly," proclaiming that "a cockroach gives birth to another cockroach" (62).<sup>5</sup> One of Hatzfeld's respondents in *Machete Season* (2009) recalls "we called them cockroaches, an insect that chews up clothing and nests in it, so you have to squash them to get rid of them" (p. 230). Another report that "the intimidators shouted, 'Just look at these cockroaches' . . . and we yelled, 'Right, let's go hunting!'" (241).

Hatzfeld's interviewees also relate a number of other slurs that were employed at the time of the genocide. One recounts that "before the killings, we usually called [Tutsi] cockroaches, but during the killing, it was more suitable to call them snakes, because of their attitude, or zeros, or dogs, because in our country we don't like dogs; in any case they were less-than-nothings" (132). Human Rights Watch quotes an RTLM broadcast declaring that "Tutsis are dog-eaters" in the wake of the 1993 assassination of President Melchior Ndadaye in neighboring Burundi (1999, 88). Fujii (2009) tells of rhetoric following the initial RPF invasion that the rebels had "big ears and tails" – which was enough even to make local Tutsis scared of RPF (118).

Yet another Hatzfeld interlocutor notes that whatever the terminology, dehumanization was at the core of the process: "we no longer saw a human being when we turned up a Tutsi in the swamps. I mean a person like us, sharing similar thoughts and feelings. The hunt was savage, the hunters were savage . . ." (2009, 47). Mironko (2004, 50-1) emphasizes the prevalence of hunting metaphors like this, which simultaneously dehumanized their targets and cast participation as in the realm of communal duty.

However, it would be a severe mistake simply to equate the process of dehumanization – in Rwanda or anywhere else – with the litany of slurs

4 It is sometimes noted that the term (as an appellation for Tutsis) derives from the early 1960s, when bands of Tutsis who had recently fled persecution by the newly independent, Hutu exclusivist government of Gregoire Kayabanda would cross back into the country at night to raid political, economic, and military targets; like the nocturnal cockroach, these bands frustrated government efforts to stamp them out. It is not entirely clear who first popularized the phrase, however.

5 A partial list of other pages where such citations occur includes pp. 46, 69, 103, 192, 194, 245, and 331.

and name-calling that are recorded. In Rwanda, two additional processes contributed to the dehumanization of the target group: framing the context as war, and depriving Tutsis of political rights. I address each in turn.

**a. The context of war**

In the wake of the RPF invasion, which the Habyarimana government was woefully underequipped to combat on its own, the government and its associated media outlets mobilized citizens by drawing an equivalence between the RPF as a invading force and all Rwandan Tutsi. Straus's research on perpetrators concludes that fear of a presumed dangerous enemy served as the predominant motivation to take up arms, even against unarmed citizens (2007). To take just one empirical data point, an African Rights report on the genocide in one Kigali sector where the killing began on 6 April notes that, that night, "around 10:00 p.m., RTLM also announced the death of the president, but with hate speech inciting Hutus to be vigilant and to target enemies they blamed for having launched this assault on the presidential plane." (2003, 18).

"Enemy" had, at that point, already become a synonym for "Tutsi," at least for some. Human Rights Watch describes a "little song that told it all" with the lyrics, "Our enemy is one/ We know him/ It is the Tutsi" (1999, 189). Human Rights Watch subsequently emphasizes: "The enemy was the Tutsi. Such was the message of the street song, but it was rarely stated openly. Instead Tutsi were described as 'accomplices,' 'infiltrators,' '*Inyenzi*,' '*Inkotanyi*' and 'the minority.'" (194).

Hatzfeld's correspondents noted the impact of such language as well. One suggests that "During the killings, I no longer considered anything in particular in the Tutsi except that the person had to be done away with" (51). Said another,

Our Tutsi neighbours, we knew they were guilty of no misdoing, but we thought all the Tutsis at fault for our constant troubles. We no longer looked at them one by one. They had become a threat greater than all we had

experienced together. That was how we reasoned and how we killed all the time (110).

Another one rationalized his participation in the killing by arguing that, “in a war, you kill someone who fights you or threatens to harm you. In killings of this kind, you kill the Tutsi woman you used to listen to the radio with , or the kind lady who put medicinal plants on your wounds, or your sister who was married to a Tutsi” (112). The argument is alarmingly non-sensical, but nonetheless illustrates the sense that war made Tutsis – no matter who they were in a time of peace – an enemy that had to be killed.

A word for Tutsi that frequently comes up in genocide-era propaganda is *ibyitso*, or accomplice(s). Even if simple logic dictated that an unarmed woman or child was not a rebel soldier, she could be linked to them as a potential civilian accomplice, and thus re-categorized from neighbour or acquaintance to enemy, and thus someone to be targeted.

What these examples illustrate is, on one hand, familiar: that the mobilization process employed military metaphors in its efforts to incite violence. They also suggest something perhaps more under-appreciated, though: that military metaphors effectively dehumanize those they identify as the enemy. In a time of war, counterpart combatants are explicitly excluded from Fein’s “universe of moral obligation.” Being declared an enemy amounts to Waller’s “social death,” which in turn leaves one marked for its physical counterpart.

The dehumanizing effect of war rhetoric yields two additional insights. One is that, seen in this light, the Genocide against the Tutsi realizes the worst conclusions of Milgram’s notorious obedience experiment (cite). Under the guise of a psychology experiment testing the effects of negative reinforcement on learning, Milgram told subjects (who believed they were assistants) to deliver electric shocks to supposed subjects (who, needless to say, were not actually receiving shocks) in another room. Most of the actual subjects continued to deliver electric shocks, even when told by Milgram of the extreme consequences resulting for the supposed subject, and even when the supposed subjects screamed in pain. The lesson, as its informal name suggests, is often taken to be that people will obey

authority (in the experiment's case, that of the researcher) even when social norms (like that against causing harm to strangers) are defaulted upon. An equally valid (and perhaps complementary) lesson is that people easily allow a shift in the context to strip human standing from people with whom they might otherwise interact on a normal basis. In Rwanda, the sense of war, combined with a fear of its consequences, led people to treat their neighbours as if they were of a different moral universe.

A second insight is a comparative one. While dehumanization by name-calling is indeed a recurring theme in modern genocides, it is by no means equally prevalent in all. The ones in which historical and contemporaneous accounts make the least mention of “traditional” dehumanization are those in which the military acted out most of the perpetration: Cambodia, Turkey, Indonesia, and East Timor stand out. In the latter two the sobriquet “communist” was frequently employed, however the term suggest less of a dehumanization as it does a political identity – and one identified as threatening and presumed worthy of destruction. Yet, given that the citizenry at large had less of a role in perpetrating the mass killing in those cases, it perhaps makes sense that dehumanizing rhetoric featured less frequently. Instead, the military, as perpetrators did not need rhetoric – for dehumanizing the enemy is a necessary skill for the foot soldier and is taught more or less from the moment one enlists. The Holocaust, if it is taken to be seen as primarily implemented by the German SS and other police units might be an exception. However, the police, though militarized, did in fact rely on citizen cooperation in tolerating the round up and expulsion of Jews in Germany (Goldhagen 1995), and relied on even more on non-police (and non-military) participation throughout Eastern Europe, where perhaps the majority of murders of Jews and Gypsies took place (Snyder 2010).

## **b. Deprivation of Rights**

In a world where expectations and claims to treatment are defined by citizenship, another way in which individuals – and indeed entire groups – can be excluded from moral considerations is through the deprivation of their political rights. Or, to put it in other words, if dehumanization is

the removal of an individual or group from the moral universe of common consideration, depriving people of their citizenship rights effects their removal from the political map of that universe.

Scholarship on the Holocaust has long emphasized that the precursor to the mass murder of the Jews, most of which took place after the beginning of 1942, was their removal from the political community in Germany (in peace time) and, after that, to German-controlled territories beyond German borders (once hostilities began). Measures like the Nuremberg Laws and subsequent ordinances, which progressively deprived Jews of political and social rights, were followed by their physical removal. Snyder (2012) recently noted that in 1941, a French Jew and a Polish Jew, though both the target of the Third Reich's institutionalized discrimination, an extra-institutional scapegoating, would have faced different fates. The Polish Jew, having had political status completely removed, would have been sent to a concentration camp, and eventually murdered (although whether or not that was precisely the plan in 1941 is a matter of some debate – Hitler still harboured the hope that he could solve what he viewed as his “Jewish problem” by shipping the population in question overseas, perhaps to Madagascar). The French Jew, discriminated against but not yet stripped of citizenship in Vichy France, was, for the time being, safe.

At the onset of the genocide against the Hereros, the German General Lothar von Trotha made the connection between belonging to a political community and deserving protection explicit: “Hereros are no longer German subjects,” he said. “Any Herero found within German borders will be shot” (Bridgman and Worley 2004, 26). It was because of this type of juxtaposition that Arendt concluded that the only human right necessary was membership of a political community – or, as often formulated, “the right to have rights” (1998).

In Rwanda, the pace of the genocide left little time for a formal process of depriving Tutsis of national status before efforts to kill them en masse had begun. Indeed, and arguably, in the run up to the genocide, as the Arusha agreement was nominally in effect, Tutsis had, or were on the verge of having more secure political recognition than they had under the first two republics.



However, the rhetoric of the self-appointed interim government that organized the genocide nonetheless illustrates the point. Many agitators took up Leon Mugesera's infamous exhortation to send the Tutsi "vermin" "back to Ethiopia" (as corpses flowing down the Central and East African rivers), which identified Tutsis as interlopers undeserving of Rwandan nationality and its protection (as quoted in Human Rights Watch 1999, p. 85). According to Human Rights Watch, on the radio "the Hutu were called 'the great mass' (the *rubanda nyamwinshi*) or 'the majority people' and 'the innocent,' meaning the innocent victims of the Tutsi aggressors. Officials also spoke of 'the Rwandans,' when they clearly meant only Hutu, thus reinforcing the belief that Tutsi were alien" (1999, 194). The rallying cries were at once superficially democratic – if one accepts the term on strictly majority, rather than rights-based terms – and implicitly dehumanizing: in failing to qualify for state protection, the argument went, Tutsis could be killed without repercussions.

The infamous strategy of making "accusations in the mirror" (Human Rights Watch 1999) also served this purpose. As perpetrators committed atrocities, genocide propagandists would attribute those very same atrocities – or patterns of similar ones – on Tutsis. Such rhetoric certainly generated fear, but it also led people to conclude that those allegedly commissioning the atrocities (that is, whom they believed to be the RPF – and by extension, as described above, the Tutsi – were acting outside of the bounds of common morality, and were thus ineligible for the protection of the political community. Thus, beyond the threat of "kill or be killed," which may have inspired common people to join in the killing, the insinuations of "accusations in the mirror" also discouraged those who did not pick up weapons from objecting to those who did.

In essence, what made Tutsi particularly vulnerable was that they no longer had access to the political protection they once enjoyed. Consistent with Kelman's (1973, 48-9) construction of dehumanization, all such moves served to deny Tutsis their right to identity and to community. Thus it was not social death, in this case, but a political death that prefigured the physical one. Even the widely reported phenomenon of Tutsi's congregating in the churches and public places where they would

ultimately be slaughtered fits into this construct. As Straus notes (1998, chap. 7), in past episodes of violence, such places served as sanctuaries, out of the reach of marauding bands of killers, until the state would eventually restore order. The restoration of order reflected a tacit restoration of civic protection that made their congregation in public places for physical protection no longer necessary. What was different in 1994, of course, was that the state never did restore civic protection. Indeed, it encouraged the murder of those seeking refuge.

To summarize, then, dehumanization in Rwanda assumed at least three forms: the familiar name-calling, the reframing of Tutsi as enemy, and the rhetoric that insisted Tutsis did not merit the protections of political community.<sup>6</sup> Certainly, the three forms are complementary with one another, and often seem to be applied jointly. Moreover, the latter two forms overlap the non-existent boundaries between stages, reflecting instances of “discrimination” and “incitement.” My point is simply that what makes them powerful as rhetorical and political acts are that they dehumanize even as they discriminate and incite.

### III. Discussion

What can we make of this expanded view of dehumanization beyond name-calling? Three topics arise, not entirely related to one another. These are the shortcomings of a name-calling-only view, the implications of dehumanization-writ-broadly for our understanding of the politics of genocide, and the implications for prevention. By way of a concluding discussion, I address each in turn below.

6 A fourth form involves the torture, cruelty, and abuse to which victims are subjected. Such depravity, above and beyond the already depraved scenario of mass killing, certainly reflects a kind of dehumanization, but one, I must admit, I struggle to comprehend. Furthermore, I am struck by the possibility that physical dehumanization may entail a paradox: in order to commit such atrocities against a human body, one must start with the appreciation – perhaps reluctant or perhaps essential -- of a body as human. If that is the case, then torture and defilement (etc.) may reflect a reaction to a failure of dehumanization. I am somewhat thankful these issues lie well outside the realm that political scientists are generally prepared to address.

**a. Name-calling is not “enough”**

Why bother with expanding the dehumanization category, if other categories adequately capture at least the acts (if not the underlying logic) of the other forms of dehumanization described above? One reason is that the underlying logic is, indeed, important, and it is useful to recognize how and why, for example, some forms of incitement are intended to work. A second reason, though, is the possibility that ethnic slurs might ultimately play only a minor role by themselves. Such is the conclusion of micro-level researchers like Straus and Fujii, each of whom find that local patterns of interaction explain more about the uptake of genocidal participation than does simple rhetoric heard on the radio. (Another author, Yamagazawa (2010) contends that the role of the radio is vastly overstated, at least given the limits of the RTLTM’s transmission range.) Of course hate speech exists outside of what the radio transmits, or what shows up in a newspaper, and local-level mobilizers of all stripes surely engaged in the same type of rhetoric commonly associated with the mass media.

However, there does not seem to be an extensive record of that. Rather, local level mobilizers mixed traditional hate speech with the type of rhetoric that, as I have argued above, is designed to remove Tutsis from the realm of social and political protection that ordinarily applies – not just in times of peace but also in times of tension, but short of war. That Human Rights Watch, African Rights, Straus, Fujii, Hatzfeld and others find plenty of evidence that the latter forms of dehumanization played a prominent role in local-level organizing suggests that we ought not overlook how those mechanisms worked.

**b. Towards a political model**

Why does dehumanization work, and why is it apparently necessary for the architects and implementers of genocide to employ it as a strategy? The expanded view of dehumanization helps shed light on these questions.

A simple model of dehumanization is that the process renders a target psychologically (and socially) easier to kill, and therefore makes killing

more likely and more widespread. By including the authorship of political death, as I have called it above – either by reframing a non-war context as war, or by depriving a target of the protections inherent in membership within a political community – one can appreciate broader implications to the strategy of dehumanization.

A political model of genocide recognizes that the ambition to attain, or retain power is central to genocides and other mass atrocities. None of the genocides reviewed in the major texts like Kiernan's, Jones' (2008), or Totten, Parsons, and Charny were decentralized processes that culminated in the destruction of an identity group. All featured layers of organization, a hierarchy at the top of which sat a leader or group of elites who stood to gain from the successful execution of the genocidal strategy put in place.

However, to execute a genocide, a leader needs something from the non-targeted component of the masses – either participation or non-interference, and often a mix of both. Effecting the social death of members of the victim group carries part of the weight, particularly for the killers who must be convinced to overcome the norm against killing that always prevails in ordinary societies in normal times. Causing the political death as well, I hypothesize, makes it easier for other people to look the other way – for people define themselves by their community, and in much of the world, great pains have been taken to define that community on both social and political returns. This is doubly true for Rwanda, where pre-genocide politics had strong totalitarian elements, and where the state (and party) had penetrated to the most local level of the *inyumba cumi*. The right to live has become, per Arendt perhaps after all, a politically guaranteed right. The danger of that development is that the removal of that political layer of protection may leave one exposed and vulnerable.

The political view also helps us understand why dehumanization – writ broadly – has become something of a *sina qua non* of the Genocide against the Tutsi. Not having hi-tech means of slaughtering the targeted component of the populace, the architects of the genocide needed both mass participation and mass acquiescence. Circulating the idea that those targets were cockroaches, dogs, or snakes may have softened up the

populace for the more surgical redefinitions, it was the insinuations that Tutsis were indelibly war enemies or rebel accomplices, and were non-national to boot, that ultimately produced the desired response on the part of the mass public.

If this proves accurate, it might help to establish how similar processes unfolded in other episodes of genocide in recent – and not so recent – history.

#### **IV. Implications for Prevention**

Finally, we turn to the implications of this examination of dehumanization in Rwanda and elsewhere for prevention. Three realms of focus stand out.

First, the fact that dehumanizing rhetoric, in any form, is potentially effective places the onus on those who recognize it to speak out against it. While prohibitions on dehumanizing speech may be appropriate, underscoring why dehumanization is dangerous is as important as punishing those who utter it. Moreover, it would be useful to integrate a broad discussion on dehumanization – and not just the most accessible elements of it – into standing efforts at peace/anti-genocide education.

Second, in recognition that dehumanization often – if not always – fits into a broader political strategy been propagated from ambitious elites, it is important to build political strength in the community that charges itself with recognizing and delegitimizing rhetoric and acts that attempt to dehumanize. The construction of such a community involves both civil society and the government. Within civil society it refers both to specific organizations dedicated to genocide prevention and countering potentially genocide-informing propaganda as well as it does civil society in a broader sense, consisting of those organizations and interactions that take place in the public sphere but are not controlled by the state. All of these must comprise a basis of resilience that keeps extreme views extreme – that is to say, as well outside the realm of what is acceptable and (more importantly) accepted.

Third, drawing upon the connection between membership in a political community, the protection from harm it implies, and the efforts of genocidal actors to undermine such membership, it is necessary to strengthen the protections that a political community provides. Moreover, in the event that “political death” within a community is effectuated, an international recognition of human rights must provide a second layer of protection. Indeed, the doctrine of the Responsibility to Protect, as originally designed, reflects just such a concern. Although its application in Libya, outlined at the outset of this paper, may have been flawed, the case nonetheless illustrates the lengths that may be necessary to prevent the harmful, destructive, and deadly process to which dehumanization contributes.

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**Chapter 4**  
Dehumanization and  
Anti-dehumanization in Schools

Jean-Damascène Gasanabo

## Abstract

The dehumanization process that leads to genocides is connected to the way history is taught in school. Ethnicity, language, religion, and race remain the most frequent social characteristics used to classify groups of a population. Classifying the population into different groups by emphasizing their supposedly different origins; using special terms to name groups; and asking students to stand up in the classroom according to the groups they belong to all characterize the dehumanization process. However, education can also contribute to transitional justice. In this paper, I will use Rwandan examples to show the role of formal education in the dehumanization process and the role education can play in rebuilding a divided society. Since the 1990s, international organizations in charge of education, such as UNESCO, have been concerned with teaching of the social sciences, including history. In post-conflict countries, and specifically in post-genocide countries such as Rwanda, the choice of texts, words, and images, as well as historical narratives, should create an inclusive image of “*the Other*,” formerly dehumanized group. Though the content of textbooks can be a means of division, an education centred on social inclusion and cohesion can contribute to the fight against racism, racial discrimination, xenophobia, intolerance, and dehumanization that can lead to genocide.

## Introduction

*“Be very, very careful about what you put into that head, for you will never,  
ever get it out.”*  
(Attributed to Cardinal Wolsey, c.1471-1530)

In his State Department briefing paper “The 8 Stages of Genocide,” Stanton (1998) analyzes the different steps of genocide. Dehumanization appears as the third stage after Classification and Symbolization and before Organization, Polarization, Preparation, Extermination, and Denial. In his contribution to this book,<sup>1</sup> Stanton adds two more stages and arrives today at a total of 10. The new stages are Discrimination, which happens after groups have been classified and symbolized but before being dehumanized, and Persecution, a stage before extermination where the identified groups are systematically treated in an inferior, evil manner by the dominant group. However it should be stressed that the stages can overlap and intertwine; they do not necessarily follow the strict order set out by Stanton.

According to Stanton, dehumanization is the “denial of the humanity of others [which] is the step that permits killing with impunity. The universal human abhorrence of murder of members of one’s own group is overcome by treating the victims as less than human. [...] The targeted group is often likened to a “disease,” “microbes,” “infections” or a “cancer” in the body politic” (1996, 3).

Dehumanization originates in the combination of power and prejudice applied by dominant groups that wish to preserve or increase their position of power. Analyzing the transcendental universal forms of classification, Durkheim identified social forms of classification, forms that are chosen arbitrarily and refer socially to a particular group of the population (1915, in Bourdieu, 1979, 77).

Speaking of despotism in societies, Durkheim presents the interests of a dominant social group as a major force in swaying those in lesser positions.

1Chapter 1 – ‘Why do People Commit Genocide?’

If an individual is brought up in the heart of a particular despotic society, that individual will either desire what the society desires or will conform to his or her allotted, subordinate, role (Durkheim, in Giddens, 1972, 199). This has great importance in the roles played by dominant and subordinate groups. Because of its position of power, the dominant group can privilege particular interests, which it presents as collective interests. Then, using a certain type of communication, the dominant group presents a fictive integration of the whole society, which contributes to the demobilization of the subordinate group. It legitimizes the established order by creating divisions and by legitimizing those divisions. The dominant group produces the ideology under the function of communication. In this way, the culture of unity (as it is communicated) is also the culture of division (as it is enacted), and distinctions and divisions are legitimated by forcing subordinate groups to define themselves by taking distance vis-à-vis the dominant group.

Dehumanization is an extreme form of discrimination that Pierre Bourdieu defines as “disenfranchisement and disempowerment for its victims, both in material and in symbolic terms. Materially, victims of discrimination lose access to resources and rights, while symbolically they lose definitional and discursive power in the public sphere” (in Eckmann, 2010, 167). For him and in line with Max Weber, dehumanization is an emanation of the state that comes from “a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory” (Weber, 1946, 78). This force can be both physical and symbolic and, according to Bourdieu (2001,1), in its symbolic form this violence is, “[a] gentle violence, imperceptible and invisible even to its victims, exerted for the most part through the purely symbolic channels of communication and cognition (more precisely mis-cognition), recognition, or even feeling.” Thus, dehumanization is a symbolic violence that must emanate through the institutional channels of those in power. One of the most important institutional channels for symbolic content through which official power operates is public education. Dehumanization is, first and foremost, a learning process. It can, therefore, be unlearned.

Starting from this premise, this paper will focus on dehumanization and anti-dehumanization in the Rwandan education system. Dehumanization

is one of the preconditions for the occurrence of genocide, and this denial of humanity can be propagated through different channels, including education. Analyzing the content of Rwandan textbooks and teaching aids<sup>2</sup> from the period between independence in 1962 and the genocide of 1994 will show how the government used education to sow the seeds of discord among the population. In addition to this analysis, interviews carried out among the Rwandan population, both educated and non-educated, who were, nevertheless, a part of the same educational system as these books and materials, will reinforce these findings. Comparing the images found within these early textbooks of the different groups in Rwanda with their portrayal in new-published books from the post-genocide period, this paper will show how a process of *othering* was prevalent before 1994 and a process of *reunification* has replaced it since. In other words, before the genocide, hate and division were promoted in schools through the dehumanization and degradation of the Tutsi, whereas, after the genocide, the policy of national unity, aimed at countering this dehumanization, highlights themes of inclusion and the importance of common respect between Rwandan students. In conclusion, we will discuss tentative measures to surpass clichés and prevent genocide.

In any discussion of dehumanization and anti-dehumanization in the education system in the context of genocide, attention must be paid to the particular social and historical context of the population under study. Most particularly, history education scrutinizes through time and space the way men and women have become collectively organized, managed their conflicts, the diversity of their points of view and their interests, and answer fundamental questions that arise through the course of identity formation (on their relationship with nature, sense of life and death, transmission of knowledge and inheritances, etc.). History compares situations through space and time, shows the historical evolution of society and, in doing so, also applies meaning to present circumstances (Heimberg, 2005, 63).

Most societies in the world have been marked by conflicts. In a given historical instance, these conflicts can be geographically restricted,

2 History is not only taught through the use of textbooks, but also through other additional materials available to the teacher: magazines and videos for example.

or can affect the whole population. They can last a short or a long period; they can end with mass human rights violations, mass murders or even genocide. In the past, societies were often very discriminating and cruel to some populations or certain categories of their own population. Often, groups with particular characteristics were stigmatized — the logic of a sacrifice or a scapegoat at play — and this stigmatization was justified with pseudo-scientific racial theories. Education in history has been absolutely complicit in these racial conflicts, since basing education on questions of race to explain present circumstances is necessarily historical. But an education in history can also be part of the solution for countries in a post-conflict situation. The story of how a society came to dehumanize a population, and how it should best rid itself of this divisive ideology, is also an historical one.

However, prior racial divisions in society still exist after conflict's end, and threaten to reignite the powder keg. Thus, there are inherent tensions that create intense difficulty in teaching history because the group that holds power tends to propose, even to order, a history in line with its politics, and because students must now, not learn, but relearn their story. This is the tension inherent in the teaching of anti-dehumanization.

In Rwanda, from independence in 1962 to the 1994 genocide against the Tutsi, the education system was highly centralized and all textbooks were authored by the Ministry of Education. Those textbooks glorified some ancestors or important figures of Rwandan history and disregarded certain historic facts which went against the overt or tacit political objectives of those in power. Certain groups of the population were presented or represented in textbooks in a highly biased way – a form of symbolic violence perpetrated against groups that official public discourse would have marginalized.

The teaching of history thus has an influence on the construction of collective memories and identity, and this is always an inherently political matter. The choice of texts, words, and images used in the classroom, as well as the way of explaining history, contribute to shaping an image of the “Other,” often in a way that can contribute to, or mitigate dehumanization.

Here, the “Other” refers to those who are marginalized by society, so those who are “treated *other than* the norm” (Kumashiro, 2000, 26). In the Rwandan context, the “Other” is Hutu, Tutsi or Twa, a group of the population treated in a different manner by the others. If “I” identify myself as a Hutu, the “Others” are members of the Tutsi and Twa groups and, according to a dehumanizing logic, they can be treated differently. The perception of the “Other” among schoolchildren can be influenced by textbooks containing discriminatory or reconciliatory subject matter. Asking questions such as “how do I perceive myself vis-à-vis the person in front of me?” and “how do I perceive the person who I define as “different?” can, depending on the answers, contribute to climates of either hate and discrimination or mutual understanding and respect. By considering here the education system between independence in 1962 and the genocide against the Tutsi in 1994, it was realized that the way textbooks spoke about Hutu, Tutsi and Twa was biased. The language used dehumanized the Tutsi – they became “Other” – fostering the climate of hatred that was to have such a devastating effect in 1994.

## I. Dehumanization in School

### 1.1. The Violence of School Papers: Image of the “Other” and Exclusion

*“Violence... is the last refuge of the incompetent”  
(Isaac Asimov, 1920-1992)*

In his analysis of violence, Jamil Salmi (2006) proposes four forms of violence: direct violence, indirect violence, repressive violence, and alienating violence. Direct violence concerns the deliberate infringements on the integrity of human life, such as physical aggression (murders, war crimes, massacres and genocide). Indirect violence expresses itself when there is no direct link between the victim and the cause of the violence. Repressive violence concerns the loss of fundamental rights other than the right to survival and the right to integrity; it is the absence of political rights,



the absence of freedom of religion, etc. Lastly, the violence of alienation refers to the hardship concerning psychological, cultural, intellectual and/or emotional needs, rather than physical ones.

With regard to alienating violence, Jamil Salmi analyses the curriculum and the biased textbooks in divided societies, intolerance in education and the lack of cultural diversity (alienating violence manifested through foreign / biased curriculum and textbooks). From this point of view, racism, xenophobia, discrimination, and dehumanization fall in the category of the violence of alienation.

The violence of alienation is particularly relevant because it is complex, implicit, less visible, and difficult to assess. It is often displayed through official learning and teaching materials. Hence, there is a gap in many education systems between the curriculum taught at school and the community for which this curriculum is supposed to serve. It happens that the materials used disorientate learners, especially when it comes to talk about “Others” in a divided society.

In the education sector, knowledge, even supposedly “objective” knowledge, is socially constructed. Each society, based on its social, political, economic and cultural content, designs a school curriculum that it thinks might be the best for the education of the youth and a bright future for the country. In divided societies, and especially when the curriculum discusses minorities or other segments of the population, it often reflects a biased “image of the Other.” The words or the images used to speak about women in certain social contexts, to evoke minorities in terms of culture, religion, or languages, often have negative connotations. Slavery, too, has been portrayed, in scholastic materials, in a very negative light associating the practice with deeply rooted racist attitudes. This negativity does not solely affect the content of history and other social science textbooks; mathematics exercises and worksheets can also be turned to dehumanize a sector of society. King describes a problem where young Rwandans had to calculate how many cockroaches – *inyenzi*, a covert reference to Tutsi – were left in the town after having killed four, which echoed earlier Nazi mathematical school propaganda relating to Jews robbing a bank (King,

2013, 106). Sometimes, the level of frustration of the minority groups can be raised to reach extreme reactions. In Sri Lanka, for example, the Movement of the Tamil Tigers began among students disappointed by the educational system that completely ignored their minority culture (Rasanayagam and Palaniappan, 1999).

## **1.2. Dehumanization in Rwandan history textbooks between 1962 and 1994**

Our analysis of Rwandan history textbooks as well as of other additional available documents used between 1962 and 1994 in both primary and secondary school, demonstrates how words, expressions, iconography, and the image of the “Other” focused on differences rather than similarities among Rwandans.

### *Analysis of Rwandan textbooks*

The survey analyzed Rwandan history textbooks and other supplementary teaching and learning materials related to the history of Rwanda when possible. All documents were used in both primary education (from 7 to 14 years old) and secondary education (from 15 to 21 years old)<sup>3</sup> between the independence of Rwanda in 1962 and the genocide against the Tutsi of 1994. Education was centralized like many other domains and there were state-mandated textbooks. Because of financial constraints, the number of history textbooks was very few, similar to the case for other school subjects such as mathematics, biology, etc. In primary education, history was taught from Grade 4 to Grade 6 or Grade 8 and for one hour per week. In secondary education, the history of Rwanda was not taught at each Grade. Dependent upon the school orientation (literature, science, humanities, arts, etc.), the history of Rwanda was taught either during the three years at the beginning or during the last three years of secondary education, since the duration of secondary education was generally six years. Three textbooks of

3 During the school reform of 1978-1991, the duration of primary school was 8 years and the duration of secondary school was 6 years.

primary education and four textbooks of secondary education, which came from the Ministry of Education in Kigali and from teachers, were analyzed.

Throughout the survey, various themes emphasized the image of the “Other”: the origin of the Rwandan populations; the *Ubwoko* (clans), such as the *Abega*, the *Abanyiginya*, and the *Abasindi*, that are the main families; the so-called “ethnic” groups Hutu, Tutsi, and Twa; the evangelization period from 1900 to 1962; Belgian colonization of 1916 to 1962; the period of 1959 to 1961 when the first killings of Tutsi occurred and others fled to neighboring countries; the First Republic of 1962 to 1973 with the first post-independence president Grégoire Kayibanda; and the Second Republic of 1973 to 1994 with the second president Major General Juvénal Habyarimana.

Regarding the origin of the groups Hutu, Tutsi, and Twa, the writings of explorers, often erroneous and laden with mistruth, were written in such a way that they eventually equated to a certain truth in the mindset of the Rwandan population and foreigners who read them. The use of these pseudo-factual accounts was subsequently encouraged by a colonial policy of divide-and-rule. According to those writings, the Twa were the first to live in Rwanda and survived by hunting. Hutu, who were farmers, and who were said to come from Cameroon and Chad, followed them and were later followed by the Tutsi. The Tutsi came from Northeastern Africa, namely Sudan or Ethiopia (*Histoire I*, 1987, 9; 6P<sup>s</sup>, 1985, 137).

The textbook *Histoire I* mentions a difference in the way Hutu and Tutsi arrived: “The installation of Bahutu in Rwanda, as that of the other Bantu populations, was not made in a flood in the style of warlike invaders. Their arrival was very smooth (1987, 14).”<sup>6</sup> The textbook *Heremans* qualifies the arrival of the Tutsi as being by “infiltration” and “conquest” (1971, 22). The textbook *Histoire I* gives two versions. On one hand, “their [Tutsi] arrival in Rwanda resulted from a series of raids of plunder and from conquests, which would have allowed their imposition on the Hutu populations”; on the other hand, “their small number and their

4 Tome I of the Rwandan history textbooks published in 1987 and containing the history of the pre-colonial and colonial periods.

5 Textbook for year 6 of primary school, geography, history and civic education

6 All extracts from these textbooks have been translated by the author from the original French or Kinyarwanda.

7 History textbook written by Father Heremans. Used in secondary schools.

lack of cohesion would not have favored a warrior-like entrance” (1987, 19). Roughly speaking, it was taught that the Hutu settled in a calm way, noiselessly, and without disturbing their predecessors. The Tutsi entered as an army, as invaders, and were thus foreigners.

According to the textbook *Histoire I* (1987, 18), “Tutsi came from Asia, the Caucasus region, and were of white skin. Mixed with the Blacks of the North of Africa, their interbreeding gave birth to the groups that populated Abyssinia, Somalia and, later, the Great Lakes region. It was these populations of white origin that taught the natives (autochthons) the techniques to tame nature because the Blacks had remained backward!” Asserting that a group of Rwandans used to have white skin, or were connected with populations with white skin, and thus did not belong is, at the very least, based on racial prejudice. Adding that another group of Rwandans was backward is a sign of disregard, racism and dehumanization. The Tutsi are thus labeled as “foreign” to the “native” population of Rwanda, and as condescending to those already there, namely Hutu and Twa.

Regarding the Kinyarwanda language, the only universal language of Rwanda and of all Rwandans, the textbook *Histoire I* quotes, “since their arrival in the country, Tutsi adopted the Kinyarwanda language” (1987, 128). This assertion raises the question: who does the Kinyarwanda language belong to? To Hutus, whom the textbook narrates as having been there longer? But, according to the same textbook, the Twa were present in Rwandan territory even before them. Following this same logic, Hutu also learned the language of Twa. Thus, was Kinyarwanda originally the language of Twa? In essence, this shows that the arguments trying to explain the succession of the populations on Rwandan territory are key to understanding this educational policy, because of their intention of dividing the population and dehumanizing the minority. They continue the legacy of racial explanations of Rwandan history inherited from prior colonizers.

The history textbooks emphasized the divisions rather than the similarities among Rwandans. The word *ubwoko* in Kinyarwanda is the only word to indicate at the same time “clan” and “ethnic group.” Yet, in French the terms are different: *clan* and *ethnie*. Clan refers to the 18

clans of *Bega*, *Bagesera*, *Basinga*, *Bacyaba*, etc. while “ethnic group” makes reference to the distinctions between Hutu, Tutsi, and Twa. The clan is a “social category and not a corporate group: [it] has neither leader, nor internal organization, nor procedures to settle business of public interest” (*Histoire I*, 1987, 26). In the analysis I conducted, I noticed that no textbook at primary school level evokes *ubwoko* in terms of clan. Instead, they speak about the ethnic groups of Twa, Hutu, and Tutsi, which are distinguished by their dates of arrival and their economic activities.

Other terms to dehumanize Tutsi involve naming them *Inyenzi* (cockroaches). The textbook *Histoire II*<sup>8</sup> (1988) places the First Republic of President Gregoire Kayibanda (1962-1973) in a state of insecurity caused by Tutsi exiles in Burundi. The first information that the textbook delivers on post-independence Rwanda in 1963 concerns the “defense of territorial integrity against the terrorist *Inyenzi* (cockroaches)” (1988, 146). The textbook proposes rhetoric regarding the *Inyenzi*:

The events of November 1959 had forced certain leaders of the UNAR<sup>9</sup> and some Tutsi to take the path of the exile. Many of them refused to accept permanent exile in their host countries. Convinced that the Rwandan revolution had been realized by strength, they saw each other as having a right and especially a duty to bring down the current situation. Especially, since they believed profoundly in the support of the United Nations and international opinion. The UN had judged the fate of the Rwandan refugees with compassion and did not stop pleading in favor of their return to their country of origin. (1988, 146)

The above extract reflects the authorities’ unwillingness to let refugees return to Rwanda and their disregard for their fate, in addition to naming them cockroaches. All of this is happening under the guise of an objective-sounding rhetoric. The textbook continues to accuse these refugees of disrupting law and order:

8 Tome II of the Rwandan history textbooks published in 1988 and containing the history of the post-colonial period between 1962 and 1994.

9 UNAR : Union Nationale Rwandaise, one of the four major political parties in Rwanda at the time

They led, from January 1961, a terrorist action from Byumba where they committed murders and armed robberies, with the aim of crushing the young republic and restoring the monarchy. Because they attacked during the night and knew how to shy away, they took the name *Inyenzi*, that is cockroaches, because nobody is ignorant of the night-customs of these insects. (1988, 146)

Concerning the post-independence period, the textbook *Histoire II* speaks about an attack from Burundi via Bugesera which saw short-lived success: “the terrorists progressed up to the bridge of Kanzenze. [...] The young soldiers of the National Police welcomed the invaders in a game of automatic guns. Badly armed, the enemy was obliged to return in disarray from whence they had come. A part of its staff was left on the ground” (1988, 147). *Histoire II* illustrates the tenacity of the Rwandan army and the victory of President Kayibanda over the *Inyenzi*. It aims to show that Tutsi, exiled in 1959, are “invaders” and “terrorists” and consequently “enemies” of the Republic.

The textbook *Histoire II* continues to explain that the Tutsi refugees were wrong to want to return to Rwanda by force:

Sporadic attacks of *Inyenzi* were indicated until 1967, but the national police pushed them all away. In front of these fruitless attempts to force the doors of the country, the terrorist *Inyenzi* resolved to abandon their lugubrious activity. Only Kigeli V Ndahindurwa and a handful of nostalgic utopian courtiers continued to deceive themselves and to maintain empty hopes on having their return forced on Rwandan territory. (1988, 147)

Moreover, the textbook *Histoire II* uses a severe tone and vocabulary to speak about Tutsi who had moreover “chosen the path of the exile” (1988, 152). Clearly, no one chooses exile.

### ***Complementary Learning and Teaching Materials***

Teachers have the possibility of taking the initiative and searching for other teaching materials to utilize that are not from official sources. After the publication of Number 4 of the magazine ***Education and Culture*** (May-August, 1979), the Ministry of Education disseminated the issue to secondary schools. The official message sent along with the issue was not to use the document as a textbook, but that its purpose was to inform teachers about the new school reform. Taking into account that the political system was pushing those who were in the education sector to make the reform across the entire Rwandan population, it is not a mistake to argue that the document was used in all secondary schools.

Number 4 lingers over the differences between Hutu and Tutsi. It evokes the successive arrival of the “ethnic” groups by specifying that Tutsi, who arrived last, were conquerors and foreigners. The magazine explained the characteristics of each of the groups and its modes of installation. The issue also engaged in an acerbic criticism of feudal Rwandan society:

In feudal Rwandan society, the court of the monarchs had a school where the youth acquired feudal values. That youth, restricted in number, was introduced to the values that we reject at present. In that time indeed, such values as the search for a concrete job, the nobility of sincere feelings, and the spirit of solidarity and mercy were devalued and were replaced, in the court of power by the same spirit of intrigue as we find in other courts and palaces of the world. On the other hand, the education in the court inculcated in the youth a roguish spirit due to the perpetual uncertainty that reigned there. An overestimation of rhetoric developed there because, it is necessary to believe it, the best of the Rwandan court were the ones who knew how to get noticed by good, convincing and moving words. It was at the same time as when the aristocratic youth and their close relations lost the taste for work. (1979, 11)

The authors added that in teaching and vocational educational training (TVET)<sup>10</sup> “the personal sympathy supporting racial segregation was common currency in the system of teaching of this time. It is the reason for which the responsibilities confided to these nice, beautiful boys were never accepted: because of their incompetence” (1979, 24-25).

As we can see, the magazine painted a picture that distinguished between Hutu and Tutsi. It rejected the feudal values linked to the Tutsi and criticized a traditional training more centered on the word than on work. Between the lines, the authors want to persuade learners that the Tutsi “speak a lot” while the Hutu “work and make a living for the one who speaks.” The magazine disregarded the fact that traditional Rwandan society was and is an oral society, and that the valuation of music, singing, poetry, and the spoken word was a part of the protection of the traditional culture. The magazine called young Tutsi males, “nice, beautiful boys” (1979, 24-25). The use of the metaphor to evoke young Tutsi generated a feeling of inferiority among some Hutu. This inferiority complex seems to have affected a majority of Rwandans and to partially explain the genocide perpetrated against Tutsi in 1994.

Section II of that issue of *Education and Culture* was dedicated to the colonial period. It criticized the King of Rwanda and his administration, including chiefs and other local authorities, while greeting the arrival of the Europeans. According to the magazine, “Europeans and the missionaries were seen as liberators against the after effects of feudalism, the King’s regime where men died or lived according to the humors of the day of the Queen mother or the King” (1979, 15).

The magazine still praised the Roman Catholic Church which was considered a spokesperson for the greatest part of the population, since most Rwandans were Catholic, “The first work of missionaries was to teach. The model proposed by Jesus Christ, a righteous man, sacrificed for his love of human beings, met several aspects of the national culture and the biggest followers among the masses of the rural, unfortunate populations” (1979,

10As part of the school reform, about 90% of the students who finished the eight years of primary education but who did not get a chance to continue to the secondary education were oriented to teaching and vocational educational training where they learned professional activities such as farming, carpentry, masonry, and mechanics.



16). Most Rwandan scholars understand that the expression “the masses of the rural, unfortunate populations” makes reference to Hutu, who are more numerous than the other groups. However, when the acts of the missionaries were not favorable to the Hutu, they disagreed with missionaries and the magazine did not hesitate to treat them as friends of the Tutsi:

For the education of the youth, a single school had been tolerated, an unreligious school, where the sons of the Tutsi leaders could be taught the Swahili language, reading, writing and arithmetic. Christianity, to succeed, lined up close to the powerful and, from the beginning, already abounded in the sense of feudalism, inaugurated too the favoritism of the sons of the leaders, dedicating the ethnic segregation there, from which the Hutu children, until the day before national independence, will suffer, which will bring them the big Revolution of 1959. (1979, 16).

### *Interviews with Rwandans on the Image of the “Other”*

In 2001, I interviewed 54 Rwandans, men and women, who used the above materials while they were attending school, and performed a discourse analysis on their answers. Although interviews were kept anonymous, and the interviewee’s ethnicity was not asked for directly, in most cases an analysis of their responses allowed an educated guess to be made. Those questioned were at least 30 years of age, the oldest being 93 at interview, and came from as many sectors of society as was feasibly possible. In terms of education, I spoke with those who had never been to school as well as those who had completed a university degree.

Throughout the interview process, I noticed that the conceptions and ideologies contained in the textbooks were mostly identical to those of people who did not attend school. In other words, people who were educated had an impact on those who never went to school. The education system affected those who did not attend school. People who are educated gain powerful positions in the government, in public administrations,

in media, in churches, etc. and are able to disseminate stereotypes and influence public thought to a greater extent than those who are not formally educated. Those who were not formally educated explained that those who went to school were a key source of information. Two quotes of interviewees who did not attend school illustrate this:

- The war of 1959 opposed Hutu and Tutsi. The political parties and the Whites refused the monarchy. There was a referendum and Parmehutu<sup>11</sup> won. My father said that it was necessary to use the red colour to vote for Parmehutu. I also heard that Rudahigwa<sup>12</sup> would have been killed by Tutsi, because he had eliminated *ubuhake*<sup>13</sup> (Interviewee 41<sup>14</sup>, Hutu, Male, Non Vecu<sup>15</sup>, Non Sclarisé<sup>16</sup>).
- Parmehutu gained the majority in the elections of 1960. There was a referendum and we had independence. Kayibanda hunted the monarchy and the Belgians. We had democracy; that is to show that we want to be free in this country (Interviewee 20, Hutu, Male, Non Vecu, Non Sclarisé).

These two quotations contain information that we find in textbooks. However, the two interviewees did not attend school and do not know how to read or write. This shows the power of education in dehumanizing those who were categorized as “different” and “Others.” Those who are educated use their positions, their knowledge, and their money to indoctrinate an illiterate majority. This is also the case when the questions asked related to the suspected origins of the ethnic groups in Rwanda; those interviewed who had not gone to school echoed the ideas of the Hamitic myth.

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11 Parmehutu: political party formed in 1959 – Movement for the Emancipation of the Hutu – led by Gregoire Kayibanda, Rwanda's first independent president.

12 King Mutare III Rudahigwa

13 A feudal-type system of relationship between Rwandans. Those who had cows would engage the services of those who had none in a mutually beneficial arrangement.

14 As part of the anonymization process, interviewees were assigned a number.

15 Younger generation of interviewee – Ceux qui n'ont pas vécu la période

16 Those who did not attend school.

### **1.3. Minority versus majority groups in the classroom**

Dehumanization, discrimination, and social conflicts impair education and individual and social development. In the Education for All Global Monitoring Report 2002,<sup>17</sup> UNESCO recognizes that social conflicts and political instability are essential barriers to education.

Some researchers say that ethnic membership is generally a major cause of conflicts; others assert that ethnic membership is more often mobilized and politicized by conflict (Bush and Saltarelli, 2000). However, education remains a way by which ethnic membership can be indoctrinated prior to conflict, either deliberately or involuntarily. Through education, a certain shape of national identity, which includes certain groups and excludes others, can be explicitly or implicitly developed to arouse the hatred of the “Other,” arouse tensions, and find an excuse to get rid of those whom the dominant group does not want.

Often, by speaking about or by making reference to the minority groups, textbook contents in social and human sciences use expressions that show that these targeted groups are different from the dominant group. The way the groups are described and the characteristics that are attributed to them can produce attitudes of superiority or inferiority. Attitudes that lead to prejudices and to intolerance will eventually lead to violence and to conflict.

In developing countries, it seems that many teachers need more training. Libraries are almost non-existent, searching the Internet is not yet customary, and pupils have no learning materials to use in the classroom. In this context, the textbook remains the only resource for information in the school (Greaney, 1996.) So, the information that is published in textbooks is often taken as the only “truth.” During examinations, pupils often have to reproduce what they copied off the blackboard and memorized. Emphasizing critical thinking, and developing reason and cognitive processes deserve more effort, energy, and time.

Given the importance of textbooks in society where hard copies are still needed, any expression of judgment will both develop

17 UNESCO (2002) – ‘Education for All: Is the world on track?’ (UNESCO: Paris). Retrieved from: <http://unesdoc.unesco.org/images/0012/001290/129053e.pdf>

stereotypical and negative attitudes in students eventually. The pupils, especially those between 12 and 18 years, are exposed to a version of history where the image of the “Other,” such as it is presented in textbooks, can create even more negative feelings of the “Other” within the pupil. According to Greaney (2006, 3,) textbooks help to promote a strongly idealized image of a nation or a group by persons at the same time as they help to promote an incorrect and inconvenient image of the “Others.” Both images can be harmful to the establishment of social cohesion, to the respect for diversity, to tolerance, and, ultimately, to peace. Greaney adds that, in some cases, the tone and the contents of these textbooks help to favour distrust and hatred because they express narrow, ethnocentric attitudes.

A warning attributed to Cardinal Wolsey: “Be very, very careful about what you put into that head, for you will never, ever get it out.” In their research - and in the same vein - Epstein (1997) and Seixas (1993) assert that the faiths, the perceptions and the images that pupils acquire during their schooling tend to influence what they share with their colleagues, neighbours, and friends when they become adults.

In Rwanda where a big part of the population was illiterate before 1994, the word of the priest or that of the teacher, both local intellectuals, echoed through the population. Cornbleth (2002) says that the faiths and the perceptions of those who have an image of the “Other” can influence their “actions on the Others.” During the First and Second Republics, the authors of textbooks deliberately took a line that inculcated exclusive messages rather than inclusive ones. For the future, the image of the “Other” that is conveyed by textbooks, and the negative attitudes of pupils toward their peers, must be analyzed before the publication of the textbooks. Textbooks should emphasize reasoning and logic rather than rote memorization. Textbooks from all subjects do not give an image of the “Other” that could arouse tensions; but the textbooks of the social sciences and, in particular, history textbooks often present an image of the “Other” that can damage social cohesion, especially in a post-conflict context or in a post-genocide country.

By analyzing history textbooks, Paxton (1999) found that patriotism was the main message. Textbooks published by the state conveyed a national history, which those in power wanted to pass on to its youth in the hope of creating a loyal following centred around a shared collective identity; they also allow the story to be one that supports cultural integration or encourages attitudes based on an ideal community (Altbach, 1991). According to Wertsch (1997) these textbooks frequently praise the “exceptional” qualities of the country and try to create an imagined community, a sense of the unity of the group and loyalty in the nation-state. Events in the nation’s history are interpreted in such a way that the pupils learn an inaccurate version of history.

## **2. Anti-dehumanization in school**

### **2.1. Image of the “Other” and inclusion**

*“Education makes people easy to lead, but difficult to drive;  
easy to govern but impossible to enslave.”*

Baron Henry Brougham (1778–1868)

### ***The respect of diversity in the classroom***

We are living in an increasingly globalized world; people move and settle down in other parts of the country and interconnect and communicate easily. The school environment is often diverse and minority groups are more and more numerous. The acceptance and integration of these groups is essential and minorities must be treated with the same respect for human rights and equality as that of the majority group.

In a multicultural context, the pupils of the majority group or minority groups learn from one another. Groups share more similarities than differences and learning to respect the “Other” would avoid conflicts connected with a diverse population because the differences are transformed into assets for mutual stimulation. But, when the diversity

is used for political interests, when we refuse to see the potentialities of each in the interest of all, and when we advance differences, painful conflicts can result with incalculable consequences. It can result in the abandonment of school for some and the stimulation of racist and xenophobic feelings for others.

The World Bank launched a program in 2002, entitled “Civic Engagement, Empowerment, and Respect for Diversity (CEERD),” which is designed to support diversity in education and in drafting curriculums, textbooks, and teaching methods. The program outlines the question of diversity in education and emphasizes the inclusiveness of all students in a school system.

### ***Education against dehumanization***

Today, we live in multicultural and democratic societies, where each has the right to equity and justice. The phenomena of racism and dehumanization in modern society are real, and the consequences that they can have on young people, in particular minority groups, can be irreversible. An education system that takes into account diversity, values the cultural and social skills of young people, and integrates all students into the school environment, acts as a means to fight racism. Supporting and valuing personal and collective initiatives will strengthen the ability of these young people to exist and be recognized.

Teamwork and collaboration between students to develop solutions to social problems requires students to learn the importance of interdependence. The importance of teamwork in combating social problems and imagining solutions together will cause pupils to have an interdependent understanding and, consequently, is necessary for collaboration between human beings. Societies are more and more multiracial, multicultural, and interdependent and it is by education that these various peoples can respect themselves and listen to each other. Education allows an opening up to one another and to the world. Hence, education helps to put prejudices in perspective.

***Tentative measures to prevent genocide through education: surpassing clichés, smoothing down controversies***

One would think that teaching about anti-dehumanization of the “Other” transforms students or provides them with skills to prevent dehumanization. A human being is a human being and promoting anti-dehumanization in schools is complex. The “Never Again” of 1948 was not respected and populations have been discriminated against and killed. The dehumanization of the “Other,” starting in classrooms through textbooks, plays a role in developing a feeling of hate and exclusion that can result in extermination.

How can society approach anti-dehumanization in education? The authors of textbooks and the administrators of education might focus on anti-dehumanization. It requires learning to recognize dehumanization, understanding dehumanization as a violation of dignity and rights of individuals and groups, and, finally, taking exhaustive action against it. Although many anti-dehumanization projects and initiatives strive to integrate elements of historical learning, doing so poses momentous conceptual, theoretical, and didactic challenges.

In Western Europe, from the end of the Second World War, particularly under the aegis of the Council of Europe, the revision of textbooks and programs of history limited the old antagonisms between countries and dissipated the misunderstandings and the prejudices which fed secular hostilities. After the war in the former Yugoslavia and with the hope of the new countries entering the European Union, recommendations were formulated to disarm history – to develop an accurate understanding of history. To overcome *a priori* ideological or nationalist approaches, professors of history from Bosnia-Herzegovina, Croatia, and Serbia joined together to publish a new textbook, which proposed crucial ideas to better understand the genocide. The textbook was organized into three primary domains: political life, lifestyle, and economic environment, paying attention to the culture that brings together the three groups of the Bosnian population that are Muslims, Orthodox and Catholics.

Linking historical learning with action against contemporary forms of discrimination and dehumanization provides a bridge from the

past to the present. Doing so in Rwanda must involve the relationship with memory, membership in communities of memory, membership with history, and relationships to sites of historical significance (such as the Kigali Genocide Memorial Center, Murambi Genocide Memorial Site, Nyarubuye Genocide Memorial Site, Ntarama/Nyamata Genocide Memorial Site, Bisesero Genocide Memorial Site, etc.)

Anti-dehumanization is related to issues such as establishing bridges between history and personal experience and relationships of memory, belonging and the contextual environment. Anti-dehumanization education should incorporate human rights, peace, insistence on recognition of traditional values, and issues related to any minority in the school system, in a local context or at the Ministry of Education level. In an educational and post-genocide context, we need to think about who is receiving the education. In other words, who is the audience? Student background has to be taken into consideration. Students might be victims, or have relatives who were victims, of the previous dehumanization; others might be survivors, still more might have family members who were perpetrators, while some might belong to the bystanders group, those who watched and did not intervene in any way.

The knowledge of historical facts allows a student to critically analyse everything that is made out to be, or speaks on his/her behalf in society. Racism, xenophobia, and dehumanization are phenomena to be taken into account in the course of the study of history or education in citizenship for the prevention of a dehumanization that might lead to justification of another Final Solution. However, is it really necessary to teach history to fight against all forms of hate even if the history itself is not a sufficient dehumanizing prerequisite? Anti-dehumanization pedagogy should shed light on many historic dimensions that contributed to initial discriminatory sentiments. It is also imperative to emphasize the importance of equality and human rights as standards for society; standards based on various international treaties and conventions that affirm these values.

A sufficient knowledge of national history is relevant. A general framework for reference and also an abstract frame is necessary to analyze



demonstrations of dehumanization. In this perspective, to learn historic thought is to learn to compare situations; to distinguish what repeats from one situation to the next and what cannot be compared to other instances; to learn critical thinking and to understand one's historical context. It is also necessary to understand the complexity of time and of durations, the mixture in any society of invariants that join in a long lasting transformation more or less quickly. Memory allows association between commemorative cultural acts and the practices, which extend in questioning criticisms of the history as the comparison, the "periodization" or the getting-in-touch with the present time.

But how can we achieve this level of historical education? Historical education should guarantee a sufficient place for social and human sciences: in society and public places, for example, museums where history can be experienced, and schools with history at the heart of the curriculum. Knowing the most tragic facts of the past, in particular of the recent past, is to consider the potential effects of hate speech and the calls to discrimination made by some against minority populations.

Students should know that in 1994, in the heart of Africa, in the Country of the Thousand Hills, the worst of the crimes against humanity of the end of the 20th century was perpetrated - the physical destruction, skilfully organized, of more than a million Tutsi simply because of the fact that they were born Tutsi. In any democratic society, in schools in particular, it is necessary to make these realities known and to give the practical and educational means to preserve memory. It is thus a question of making the tragic facts of history visible and susceptible to help question the present, but also to develop this through methods of thinking about history.

Yet, this is not enough, for at least two reasons: first, the statement of the facts and their critical analysis would imply considering the irrational dimension of the various appearances of dehumanization as well. It would be, indeed, imaginary to want to subject these tragic facts of human history to the logic of rational explanations. The rise of dehumanization can persist beyond the disappearance or in the absence of these presumed causes. These motivations can appear without expectations and in the

absence of convincing forerunners. There may be warning signs of mass violence, though many times those signs are not observed.

The problem of dehumanization, in its irrational dimension, must also be approached by letting each and every person express their feelings and points of view. In other words, in an educational perspective, it is possible to promote anti-dehumanization through the reality of the facts.

In Rwanda, it is certainly a question of discussing the reality of the genocide committed against the Tutsi. Negation and the incitement of racial hatred are forbidden by law; they should not enter into what can be discussed. It is a question of stimulating debates that are possible, and processes of appropriation by which we shall avoid suggesting only one prevailing view.

## 2.2. Post-genocide textbooks

So, how have textbooks for history and the social sciences been published in Rwanda since the 1994 genocide against the Tutsi? It is to be hoped that the detrimental dehumanizing vocabulary and focus on the origins and foreignness of certain groups of the population have disappeared to be replaced with themes of inclusion and unity.

In this analysis of post-genocide teaching materials we have recourse to twelve textbooks – three official textbooks, already available to use, and nine under publication, destined for secondary schools in Rwanda. As before, the three official textbooks, which are already in circulation, have been produced by the Ministry of Education, but, in a step away from government control, the remaining nine are to be conceived by independent publishers, and will be published in the near future. All remain the property of the Rwandan Government. *The History of Rwanda* (2010) and *Political Education 1* (2008) and *2* (2009) have been developed by the Ministry of Education. A series of textbooks destined for the first three years of secondary school are to be published by Netmedia Publications based in Uganda: *New Junior Secondary History Books 1, 2 and 3* (all under press, 2013). MK Publications, of Uganda and Rwanda, will be

responsible for the publication of *Senior Secondary History* (under press, 2013) for Grades 4, 5 and 6. Finally, Fountain Publishers, from Rwanda, have *Fountain History Advanced Level* again for Grades 4, 5 and 6 (under press, 2013). It should be noted that the textbooks under publication are liable to change as final editing processes takes place. While we cannot make much allowance for this, it has been kept in mind during the analysis of these documents.

Pre-genocide textbooks concentrated in particular on the sources and compositions of pre-colonial Rwandan populations. The first thing to be noticed, when examining the most recent textbooks, is that for this contested area, they are much more circumspect with the pseudo-ethnic terms Hutu, Tutsi and Twa. During discussion of human settlement in the area of Rwanda the terms are only alluded to: “According to these [Western] theories, there were migrations of Bantus and Hamites to Rwanda while the pygmies were already in place” (*The History of Rwanda*, 2010, 26). In independently produced textbooks, this subject is skirted almost entirely, with the only mention of the “Hamitic myth” coming right at the start of *New Junior Secondary History 1*. The stress in this section is on the European provenance of this way of thinking about Africans, and it is placed in the wider European context of racial ideologies that took place in Europe at the time of colonization (under press, 2013, 19). In a sense, the “Hamitic myth” is presented as just that: a myth. It arose from misguided European thinking and, like many myths the world over, has no basis in fact. To disprove its veracity, there is instead a new emphasis on archaeological sources that show the human occupation of Rwanda dating back thousands of years. *The History of Rwanda* asserts that “human settlement in Rwanda is much older than thought” as has been proven by “objects which date way back to 100,000 to 200,000 years BC” (2010, 26). In the independent textbooks, pre-colonial Rwanda is described primarily in terms of kingdoms, lineages, clans and states, all of which have been present in Rwanda for thousands of years, (*Senior Secondary History 4*, under press, 2013, 179) and not as a list of “ethnic” groups in order of their arrival. *New Junior Secondary History 1* confirms this with a section on the formation of the Rwandan kingdoms that tells students that, even as early as the 16<sup>th</sup> century, the nascent country had to defend itself from

outside attack (under press, 2013, 23). Here we see a concerted effort to move away from the disturbing narratives portraying the Tutsi as invaders, towards a more unified picture. The Hamitic myth, which scandalously portrayed the Tutsi as European descendants, is dealt with in a way that relegates its importance and the stress is instead on the idea that Rwandan society, in terms of kingdoms, chiefdoms and clans, has occupied Rwanda contiguously since pre-colonial times. Students' learning is instead focused on the earliest *Rwandan* settlements in the region through examinations of archaeological finds, as well as the politics of ancient kingdoms and the territorial tug of war that was a key factor of early Rwandan society.

However, it is impossible to completely ignore the terms Hutu, Tutsi and Twa. Any in-depth study of the genocide, its causes and its effects, necessitates a thorough understanding of the ethnic labels that lie at the heart of the matter. *The History of Rwanda* takes students through the prejudicial treatment of Tutsi in the years leading up to the genocide against the Tutsi, talking of quota systems in education and other areas of national life, all the while talking of the breach of human rights that these policies constituted. This is endorsed in *Political Education 1*, where the quota systems were part of "ethnic and regional ideologies" and led to "hatred against Tutsi (...) who were treated as scapegoats" (2008, 37). The independent publishers take the same line. In *New Junior Secondary History 2*, the Belgian influence in establishing this inequality is deplored: "education that had for centuries been the privilege of every Rwandan became the privilege of a few converts" (under press, 2013, 16), which contributed to the self-destruction of a "once homogeneous and interdependent society" (under press, 2013, 19). The history of ethnic divisionism is, as can be seen, attributed to bad-governance on the part of the European colonizers and of the independent excesses of those in power. It is also shown as being endemic throughout this period, and Rwanda is at all times shown to be a country and a nation, once unified, but let down by the evil or indifference of others.

Talking of the *inyenzi*, the register remains formal throughout, for instance, in *New Junior Secondary History 3*, "the other main [*inyenzi*] attack ... took place on December 21<sup>st</sup>, 1963 ... After some successes,

the *inyenzi* were stopped and defeated by the National Guard (...) a few kilometres from the capital” (under press, 2013, 70). In stark contrast to the earlier educational materials that talked of “terrorists” with the aim of “crushing the young republic” (*Histoire II*, 1988, 146), the inflammatory language has been removed. Similarly, *Senior Secondary History 6* tells students that the *inyenzi*, as “Tutsi nationalists,” “operated on a guerrilla war basis” but spares the details or propagandizing of earlier textbooks (under press, 2013, 142). This method of conveying what happened has the benefit of being free from discrimination and also of provoking independent discussion based on the established facts; it is much safer, in a post-conflict society, to promote discussion around statements that can only be read in a neutral way.

To combat divisionism and promote unity and reconciliation, students in Rwanda will also learn about the current government’s attempts to encourage unity in the post-genocide society. The final module in *The History of Rwanda*, for example, goes through the achievements of the rebuilding process in areas as diverse as Good Governance, National Security and Justice (2010, 149 – 153). *Political Education 1* has sections on “Human Rights” (2008, 71 – 105), “Discrimination” (2008, 130 – 151) and “Unity and Reconciliation” (2008, 151 – 161) where students are able to critically assess the roles of discrimination and dehumanization in dividing Rwanda and how to overcome these challenges in the future. *Political Education 2* goes further. “The Unity of Rwandans dates back to time immemorial” is the striking first sentence of the section on Unity, which goes on to discuss how Rwandans have so much in common: a language, a culture, a destiny (2009, 43). In this same book, Rwandan heroes are vaunted, those who fought and died for Rwandan unity such as Félicité Niyitegeka and Major General Fred Gisa Rwigema, alongside world leaders like Gandhi and Martin Luther King (2009, 51 – 55). The message here is simple: Rwandans are united, and together they have so much to be proud of.

The independent publishers also devote chapters to the post-genocide reconstruction carried out by the Rwandan governments. *New Junior Secondary 3* declares how the reconstruction process was almost

immediately started because the new government “quickly adjusted to the new situation and concentrated on recovery programmes” (under press, 2013, 107). The government was said to uphold the ideals of Arusha – “societal reconciliation, national unity” (under press, 2013, 107) – and had reinforced good governance, fought corruption, safeguarded national security etc, so now Rwandans are “clearly taking charge of *their own* destiny” (under press, 2013, 114, emphasis added). This chapter reinforces the notion of a common Rwandan-ness and a united future for this small nation. A policy of looking forward and of striving together is told over these pages.

The overriding message of these post-genocide textbooks, in stark contrast to those pre-genocide, is one of positivity despite the darkness of the past. There is space for critical reflection on the causes of genocide and the harm that a rampant policy of ethnic divisionism can have, which is a necessary precondition of being able to rebuild and renew a society through education. The textbooks look forward as well, which is also important. Placing Rwanda in a more global and interdependent context, students too are encouraged to learn and grow together, to rely upon one another and treat each other as equals.

### **2.3. Going beyond moralism**

The learning of history and the appeal to activities of contextualization, though doubtless insufficient, are in any case indispensable not to fall into moralizing practices. However, there are limits to the exercise: it is indispensable to make the facts of history known regarding discrimination, racism and xenophobia. This information must be available and considered in the background and within the framework of any public debate.

It is also important that one finds appropriate ways of thinking about history; by comparing and analyzing critical historical junctures, and considering in a critical way the role history plays in the development of society. This will help each person become aware of the particular way in which the knowledge or lack of understanding of history can exercise

influence over society. That is, by asking certain questions to aid in understanding the “Other.” It is the first condition, but not the only one, for establishing an anti-dehumanizing pedagogy.

A general spectrum of anti-dehumanization educational programs should be implemented. Some could include little or nothing related to the historical setting, while others should primarily connect with history. Not surprisingly, each option has drawbacks and harms. For example, projects that strive to bridge historical learning with action against contemporary forms of dehumanization must link the past and the present. This is the case even if, or even precisely because, the sense of community belonging is frequently riddled with ambivalence and requires an interrogation of historical memory.

## **Conclusion**

Textbooks occupy the unenviable position of being able to foster hatred through dehumanization or encourage reconciliation through acceptance. Which outcome is often dependent on many variables: the content of the textbook itself, the way the book is used, the knowledge of the teachers, the climate in the classroom, etc. We have seen here how, in Rwanda, educational policies before the genocide played an important role in contributing to the atmosphere of ethnic hatred. Narratives that showed the Tutsi in a favorable light were systematically excluded. In order to ensure a future where interethnic violence never recurs, the government in power has reissued, with the help of independent publishers, a new, more unified version of the national history. But is this the end of the matter? Emphatically not. How successful these new textbooks, and the new educational direction, are in preventing intergroup violence and promoting peace and unity remains to be seen, but it would be pertinent to offer some suggestions and recommendations that can guide future revisions, rewritings, or changes to policy, in Rwanda and more globally.

Regarding the content of textbooks, it is often the case that narratives of minorities who diverge from the will of those in power are systematically eradicated. This is to be avoided and therefore research will always be necessary to clarify points of difference. The agreement or consensus on

historical facts, especially politically unpleasant facts, must be found in order to clarify what we put in textbooks.

The contents of textbooks should also be envisaged as a process, and the process for content inclusion should be specified according to available knowledge with the understanding that this knowledge can be modified according to the results of new research. For debatable facts, textbooks should propose several points of view to allow for better reflection and a better understanding. This would allow for a multi-perspective approach and would thus favour a participatory method of teaching where pupils' reasoning and debate are stimulated through interactions with the source materials.

The overarching messages should, throughout the educational sphere, textbooks included, respect pluralism and teach respect for diversity, allowing pupils to become aware of their representations and those of others. This would have the added benefit of promoting the notions linked to good citizenship – fairness, equality, acceptance, social cohesion – and would release children from the terrors of ethnic prejudice, racism, regionalism, and any other form of discrimination. The purposes of education in the social sciences, in particular history, should prepare pupils for a culture of peace, justice, solidarity, and for the respect of human rights. In a post conflict setting the curricula should reflect upon sharing common values, which would allow the society to reconstruct in a spirit of togetherness.

Moving beyond content, educational practices should be improved to supply disadvantaged groups and other minority groups with a more egalitarian treatment in the classroom. This can be done by giving the floor to them and listening to their points of view. Those in charge of education have a responsibility to monitor classroom practices, as well as content of textbooks and other teaching equipment, in order to ensure respect and put a stop to injustice in schools. In the class, pupils should be taught to identify and to reject all forms of prejudices, racism, and dehumanization, and any form of harassment should be eliminated, be it moral, psychological, sexual, ethnic, religious, etc. Students should be



educated to inform the police, for example, if a teacher or a colleague behaves in way detrimental to him or her.

Boutros Boutros-Ghali once said that the “misunderstanding of history is a sign of cultural underdevelopment.” He was right. A culture that does not show history the respect it deserves will descend into barbarism. This respect begins in schools, where the understanding of a nation’s history can be taught. The wrong history – one that is divisive and dehumanizing – will cause untold harm to future generations. The right history – one where unity and acceptance are stressed – will light a beacon of hope for a more unified, and less violent, future.

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### **Teaching Materials Analysed**

#### **Pre-Genocide**

- 5P:** MINEPRISEC. (1983). *Ubumenyi bw'isi, Amateka, Udurere mboneragihugu. Umwaka wa 5. Igitabo cyumwalimu. [Geography, History, Civic Education. Year 5 Primary Teacher's book]* (Kigali: Ibiro by'integanyanyigisho z'Amashuri Abanza n'iz'Agamije Amajyambere y'Imyuga. [Direction des programmes de l'enseignement primaire et artisanal]).
- 6P:** MINEPRISEC. (1985). *Ubumenyi bw'isi, Amateka, Udurere mboneragihugu. Umwaka wa 6. Igitabo cyumwalimu. [Geography, History, Civic Education. Year 6 Primary Teacher's book]* (Kigali: Ibiro by'integanyanyigisho z'Amashuri Abanza n'iz'Agamije Amajyambere y'Imyuga. [Direction des programmes de l'enseignement primaire et artisanal]).
- 8P:** MINEPRISEC. (1982). *Ubumenyi bw'isi, Amateka, Udurere mboneragihugu. Umwaka wa 8. Igitabo cyumwalimu. [Geography, History, Civic Education. Year 8 Primary Teacher's book]* (Kigali: Ibiro by'integanyanyigisho z'Amashuri Abanza n'iz'Agamije Amajyambere y'Imyuga. [Direction des programmes de l'enseignement primaire et artisanal]).
- Histoire I:** (1987). *Histoire du Rwanda, I<sup>e</sup> partie*. (Kigali: Direction des programmes de l'enseignement secondaire).
- Histoire II:** (1989). *Histoire du Rwanda, II<sup>e</sup> partie*. (Kigali: Direction des programmes de l'enseignement secondaire).
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- Education and Culture:** Maniragaba, B. & Gasarasi, J. (1979). *Education et culture. Spéciale réforme*. 4. 1 – 72.

#### **Post-Genocide**

- New Junior Secondary 1:** Bamusananire, E. & Ntege, D. (under press, 2013). *New Junior Secondary History Book 1. Revised Edition*. (Kampala: Netmedia Publications Ltd.).
- New Junior Secondary 2:** Bamusananire, E. & Ntege, D. (under press, 2013). *New Junior Secondary History Book 2. Revised Edition*. (Kampala: Netmedia Publications Ltd.).
- New Junior Secondary 3:** Bamusananire, E. & Ntege, D. (under press, 2013). *New Junior Secondary History Book 3. Second Edition*. (Kampala: Netmedia Publications Ltd.).

**Senior Secondary 4:** Ajuma, M. W., Nakyejjwe, W., Nsubuga, (Rev.) G. E. N., Ssuuna, E., Ssenkumba, R. & Matsyetsye, E. (under press, 2013). *Senior Secondary History. Student's Book, Grade 4. Rwanda.* (Kigali and Kampala: MK Publishers Ltd.).

**Senior Secondary 5:** (under press, 2013). *Senior Secondary History. Student's Book, Grade 5. Rwanda.* (Kigali and Kampala: MK Publishers Ltd.).

**Senior Secondary 6:** Nsubuga, G. E. N., Ajuma, M. W., Ssenkumba, R., Matsyetsye, E. & Ssuuna, E. (under press, 2013). *Senior Secondary History. Student's Book, Grade 6.* (Kigali and Kampala: MK Publishers Ltd.).

**Political Education 1:** MINEDUC. (2008). *Political Education for Secondary Schools. Book 1.* (Kigali: National Curriculum Development Centre).

**Political Education 2:** MINEDUC. (2009). *Political Education for Secondary Schools. Book 2.* (Kigali: National Curriculum Development Centre).

**The History of Rwanda:** MINEDUC. (2010). *The History of Rwanda. A Participatory Approach. Teacher's Guide for Secondary Schools.* (Kigali: National Curriculum Development Centre).

**Fountain History 4:** Bamusananire, E. (under press, 2013). *Fountain History for Rwanda Secondary Schools. Advanced Level. Senior 4.* (Kigali: Fountain Publishers Rwanda Ltd.)

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**Chapter 5**  
Speech in Pre- and Post-Genocidal  
Environments:  
Strategies for Preventing Critical Mass  
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## **Abstract**

**T**he relationship between speech and genocide might be analyzed within a two-axis matrix. The first axis relates to genocide chronology and divides into “process” (referring to the cycle of genocide) and “pre-process” phases. The “pre-process” or “pre-genocide” phase indicates a potential victim group is socially well integrated and not exposed to elevated levels of discrimination that could lead to genocide. The “process” (or genocide cycle) phase consists of three key stages: (1) identification; (2) action; and (3) execution. The second axis—or speech axis—is qualitative and categorizes speech as either “salutary” or “inimical.” Going back to the chronology analysis, during the pre-genocide phase, the emphasis should be on proactive distribution of salutary speech. Proactive salutary speech can be quite effective at limiting the spread of discrimination against potential victim groups. Distribution can be implemented in different ways, including education and public-awareness campaigns. Once the genocide cycle begins, the calculus changes. During the initial “identification” stage—when there are rising levels of prejudice and discrimination – proactive salutary speech may yet help prevent genocide. At some point, however, conditions deteriorate and it becomes less likely that the salutary can neutralize the inimical. However, as the cycle enters the “action” and “execution” stages, salutary speech is without value altogether and punishment becomes the sole mechanism through which to achieve prevention.

## **Introduction**

The relationship between speech and genocide might be analyzed within a two-axis matrix. The first axis relates to genocide chronology and

divides into “process” (referring to the cycle of genocide) and “pre-process” phases. The “pre-process” or “pre-genocide” phase indicates that a potential victim group is socially well integrated and not exposed to elevated levels of discrimination that could lead to genocide. The “process” (or genocide cycle) phase consists of three key stages: (1) identification; (2) action; and (3) execution. The second axis – or speech axis – is qualitative and categorizes speech as either “salutary” or “inimical.” Going back to the chronology analysis, during the pre-genocide phase, the emphasis should be on proactive distribution of salutary speech. Proactive salutary speech can be quite effective at limiting the spread of discrimination against potential victim groups.

Distribution can be implemented in different ways, including education and public-awareness campaigns. Once the genocide cycle begins, the calculus changes. During the initial “identification” stage – when there are rising levels of prejudice and discrimination – proactive salutary speech may yet help prevent genocide. At some point, however, conditions deteriorate and it becomes less likely that the salutary can neutralize the inimical. However, as the cycle enters the “action” and “execution” stages, salutary speech is without value altogether and punishment becomes the sole mechanism through which to achieve prevention.

This paper is divided into four sections. Part Two examines “speech” in the forms of “salutary,” “neutral,” and “inimical.” It will also demonstrate that inimical speech comprises more innocuous messages as well as direct language that may constitute calls for exclusion, disenfranchisement or violence.

Part Three considers the chronological axis, which divides into the “pre-process” and “process” stages. The process stage, for its part, breaks down into “identification,” “action,” and “execution” phases.

Part Four analyzes the relationship between the axes. It shows that, in the pre-process stage, an initial wave of discrimination against the victim group can be effectively dealt with through salutary speech. It also explains that, during the early process stage, more democrati-



cally developed polities may exploit salutary speech to neutralize the effects of persecution. However, even in countries where democracy is strong but authoritarian elements manage to engage in discriminatory policies against a victim group, at some point the persecutory campaign, and the rhetoric voiced in support of it, reaches critical mass. At that juncture, the government wholly controls the media and inimical speech cannot be effectively countered. Legal action, this paper proposes, is then called for. In particular, a prosecution on grounds of incitement to genocide is the proper response. Such punishment has deterrence value and carries the additional benefit of expressive condemnation. It may thus make significant contributions toward ending the culture of impunity.

## **Salutary Speech and Inimical Speech Analysis**

### ***Salutary Speech***

Salutary speech is fairly simple. It may be focused or non-focused.

**Non-focused salutary speech.** Non-focused salutary speech consists of expression that generally advances policies of tolerance, pluralism, or inclusion vis-à-vis potential target groups. It is thus speech not specifically uttered in response to inimical speech.

**Focused salutary speech.** In contrast, focused salutary speech responds directly to inimical speech. Thus, this category of speech counters the discriminatory speech and thereby exposes it as problematic. This, in turn, helps marginalize the inimical speech (Gelber, 2012, p. 206).

### ***Inimical Speech***

Inimical speech breaks down into the following categories: (1) general statements; (2) harassment; and (3) incitement. Each of these shall be considered.

**General statements.** Inimical speech consists of three major points along a spectrum. On one end, one would find its mildest forms — general statements casting aspersions on a target group (Gerstenfeld, 2010, p. 35.) Such speech could perhaps be considered borderline neutral (i.e. not salutary or inimical.) For example, statements suggesting that a group makes less of a contribution to the health of a country’s economy than other groups in the country (e.g., “The Tutsis engage in far less research and development activity than the Hutus”.)

Other statements within this rubric can be more easily classified as inimical. For example, such statements could consist of the republication of explicitly negative racial, ethnic or religious stereotypes. This may be referred to as “group libel,” which entails attacking or defaming a group that suffers from social prejudice and creating a general climate more receptive to animosity toward and violence against the group (Greenfield, 2003). These are general statements not necessarily directed at any person in particular.

Such statements may include efforts to ascribe to the group overall negative qualities such as greed, laziness, poor hygiene, criminal propensity and mendacity. More seriously, they could comprise statements dehumanizing the victim group through techniques of “verminization” (equating the group with parasitic, pestilent sub-human creatures such as lice or locusts), “pathologization” (analogizing the group with disease), and/or “demonization” (ascribing to the group satanic or other comparable evil qualities) (Gordon, 2010, pp. 639-641).<sup>2</sup>

**Harassment.** Moving further along toward the other end of the spectrum, in the middle, statements voiced directly at the victims can be categorized as “harassment” (Bowie & Simon, 1998, p. 136). Such statements would be addressed to the collective group (e.g. “You do not belong here” or “You are parasites”) or to particular individuals (e.g., “You

2 The cited passage in this Article refers to dehumanization as a method of incitement. This is a matter of degree. Less virulent forms of dehumanization may not amount to calls for action and can therefore be categorized as general hate speech. The language must be parsed on a case-by-case basis to determine the proper category.

filthy residents of the Biryogo are making the rest of society dirty and disease-infested. You are destroying our country.”<sup>3</sup>

**Incitement.** The final point in this direction along the spectrum, “incitement” entails advocacy directed toward third persons (Leigh, 2010, p. 379). Such messages are designed to provoke action vis-à-vis the victim group (Leigh, 2010). This kind of incitement bifurcates into two forms: (1) incitement toward non-violent action; and (2) incitement toward violent action (Leigh, 2010). Regarding the former, one can discern three general relevant non-violence categories: (1) incitement to hatred; (2) incitement to discrimination; and (3) incitement to persecution (Leigh, 2010).<sup>4</sup>

Incitement to hatred urges the majority group to develop general feelings of animosity toward the victim group (Timmerman, 2005, p. 382). It is similar to group libel but takes a more active tone in encouraging the majority group to despise the minority (Timmerman, 2005). For example, the Rwandan pop singer Simon Bikindi’s pre-Genocide against the Tutsi song *Njyewe nanga Abahutu* (“I Hate the Hutu”) actively encouraged extremist Hutus to develop feelings of contempt for moderate Hutus who were supporting Tutsis in the period leading up to the genocide (both moderate Hutus and Tutsis were victim groups during this time) (Gordon, 2010, p. 618.)

Incitement to discrimination urges the majority group to mistreat the victim group in particular non-violent ways. It could be a call to the majority group to refuse medical treatment or service in restaurants or discourage marriage with members of the victim group. For example, a Nazi pamphlet distributed to German teenagers warned them not to “mix” with Jewish people or marry them for fear of race “defilement” (“You and Your People,” 1940.)

3 The United States, which is extremely speech-protective, might consider such speech as “fighting words,” (*Beauharnais v. Illinois*, 1952, 255-257) not meriting constitutional protection. For example, in *Beauharnais v. Illinois* (1952) it was determined that “there are certain well-defined and narrowly limited classes of speech, the prevention and punishment of which has never been thought to raise any Constitutional problems. These include . . . the insulting or ‘fighting’ words . . . it has been well observed that such utterances are not essential part of any exposition of ideas, and are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality” (255-57). Similarly, *Brandenburg v. Ohio* (1969) held that speech advocating lawless action is protected unless it is “directed to inciting or producing imminent lawless action and is likely to incite or produce such action” (p. 447). Accordingly, within this context, it is logical that incitement, which follows harassment on the spectrum, would likewise be deemed more serious than general hate speech.

4 Leigh (2010) discusses the breakdown of incitement in the context of the Netherland’s Criminal Code.

Incitement to persecution is incitement to discrimination on a broader and more systematic scale (Neressian, 2007, p. 263). This is advocacy to exclude the victim group from participation in society and enjoyment of civil rights in a comprehensive way (Neressian, 2007). In pre-genocide Rwanda, for example, Hassan Ngeze published the infamous *Ten Commandments of the Hutu* in a 1990 issue of *Kangura*. One commentator has described this document as an appeal to “Hutus to separate themselves from the Tutsis” (“The Path to Genocide,” 2005). In fact, it was a call for comprehensive exclusion of Tutsis from society: (1) Hutu males must not have close personal or work relations with Tutsi women; (2) Hutu women are superior to Tutsi women; (3) Hutu women must fraternize only with Hutu men; (4) Tutsis are dishonest and no Tutsi should conduct business with them; (5) all high-level positions in society should be occupied by Hutus only; (6) the education sector should be majority Hutu; (7) the military must be exclusively Hutu; (8) The Hutu should stop having mercy on the Tutsi; (9) all Hutus must have unity and solidarity; and (10) the ideology of the 1959 and 1961 revolution (when many Tutsis were disenfranchised, forced to leave Rwanda or massacred) must be taught to Hutu at all levels (Totten et al., 2008.)

The other major form of incitement is to violence. There are two varieties—explicit and non-explicit (Gordon, 2010, pp. 638-639). Since incitement to violence is often effectuated via code, non-explicit calls are quite common (Gordon, 2010). William Schabas has observed that those who incite to genocide “speak in euphemisms” (Schabas, 1999, p. 530.)<sup>5</sup>

Such non-explicit methods can be myriad in form and include: (1) predictions of destruction (in the Media Case Trial Chamber Judgment, for instance, certain RTLM emissions that predicted liquidation of the Tutsis were among those broadcasts deemed to constitute incitement)<sup>6</sup>; (2) so-called “accusation in a mirror” (which consists of imputing to the victim the intention of committing the same crimes that the actual perpetrator is committing, as in Leon Mugesera’s November 1992 speech from *Mugesera*

5 <sup>43</sup> Schabas (1999) was speaking of incitement to genocide.

6 An example of such an announcement can be found in Prosecutor v. Nahimana, (2003) where a broadcast included the following: “thus when day breaks, when that day comes, we will be heading for a brighter future, for the day when we will be able to say ‘There isn’t a single Inyenzi left in the country’”(para. 405).

*v. Canada* (2005): “These people called *Inyenzis* are now on their way to attack us . . . they only want to exterminate us” (para. 405; see also Gordon, 2010, p. 641-642; Marcus, 2012, p. 359); (3) euphemisms and metaphors (in the Genocide against the Tutsi, for instance, “go to work,” a common mass slaughter directive, meant “kill Tutsis”) (*Prosecutor v. Ruggiu*, 2000, para. 44; see also Gordon, 2010, p. 642); (4) justification during contemporaneous violence (this amounts to describing genocide already taking place in a manner that convinces the audience its violence is morally justified. Nazi leaders, for example, described to potentially complicit Germans the “humaneness” of their massacres, torture, death marches, slavery and other atrocities.) (Hilberg, 1961, 1010; see also Gordon, 2010, p. 642); (5) condoning and congratulating past violence (RTL M announcers, such as Georges Ruggiu, would congratulate the “valiant combatants” who engaged in a “battle” against Tutsi civilians (Gordon, 2010, pp. 642-643; see also *Prosecutor v. Niyitegeka*, 2003, para. 142; *Prosecutor v. Ruggiu*, 2000, para. 44(v)); (6) asking questions about violence (for example in *Prosecutor v. Bikindi* (2008) Simon Bikindi’s asked Hutu militia over a truck loudspeaker “have you killed the Tutsis here?” (para. 423) and he further asked whether they had killed the “snakes”) (Gordon, 2010, p. 643); and (7) more virulent forms of verminization, pathologization, and demonization (RTL M announcer Georges Ruggiu admitted that the word *Inyenzi*, as used in the socio-political context of the time of the Genocide against the Tutsi, came to designate the Tutsis as “persons to be killed”) (*Prosecutor v. Ruggiu*, 2000, para. 44 (iii); see also Gordon, 2010, pp. 639-641.)

Of course, the most serious form of incitement consists of explicit calls for violence. These are relatively rare in genocide cases but certainly the most chilling and evocative of the horrors surrounding the speech.<sup>7</sup> A prominent example is Kantano Habimana’s June 4, 1994 broadcast in which he asked listeners to exterminate the “Inkotanyi,” or Tutsis, who would be known by height and physical appearance (*Prosecutor v. Nahimana*, 2003, para. 396). Habimana then added: “Just look at his small nose and then break it” (*Prosecutor v. Nahimana*, 2003, para. 396). Another disturbing example comes from Iranian President Mahmoud Ahmadinejad,

7 It should be noted that general hate speech not calling for violence can be transformed into incitement when closely anchored to speech calling for violence (Marcus, 2012, p. 391 n. 200).

who urged Israel's destruction when he told the Iranian people in October 2005 that Israel "must be wiped off the map" (Fathi, 2005, p. A8).<sup>8</sup>

### **Pre-Process and Process Analysis**

The timing and context of the speech is central to determining how it should be treated. Timing and context bifurcate into two phases — "pre-process" and "process." While the "process" phase represents the period of genocide, during which salutary speech is likely of limited value, the pre-process phase focuses uniquely on the countering effects of salutary speech.

#### ***The Pre-Process Phase***

In general, the pre-process phase does not entail discernible degrees of discrimination or persecution for any target group. The target group, then, participates in the country's civic, social, cultural and economic life and enjoys its legal protections. This assumes that the group's members may exercise free-speech rights, participate in commercial activity, obtain employment and employment benefits in all sectors of the economy, have access to decent educational opportunities, housing, and health care, vote for, seek and hold public office, enjoy the protections of due process and the fundamental freedoms and rights recognized by the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (ICCPR) (1966), and by the International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966). In general, these countries exhibit core rule-of-law characteristics, including, among others, a distinction between civilian and military functions, a competitive, vital media sector and a citizen's right to use diverse public-speaking channels (Appicciafuoco, 2010).

8 Certain commentators such as Benesch (2008) dispute that this statement constitutes direct and public incitement to genocide: "Ahmadinejad's speech was reprehensible and perhaps even dangerous, but did not constitute incitement to genocide, in my view" (pp. 490-491). But given Iran's support of terrorist attacks against Israel, it may have constituted crimes against humanity (CAH) or persecution (Gordon, 2008a, pp. 880-882).

Nevertheless, in even the strongest democracies this scenario may vary. For instance, equal protection or due process may be compromised to a greater or lesser extent. And the majority population may persecute victim groups in various ways, including subjecting them to inimical speech. In those cases, extremist groups may flourish and successfully undertake a discriminatory campaign (Dalacoura, 2006, pp. 508-525). Still, even in those cases, if members of victim groups largely continue to have access to the courts and enjoy free expression rights, salutary speech ought to neutralize inimical speech (Franzese et al., 1995). Franzese et al. note that good speech is effective in countering bad speech, as long as there is sufficient time for the good speech to have its effect (p. 323.)

However, in some cases, democratic institutions may be more severely compromised. Salutary speech, in other words, may no longer protect victim groups from poisonous rhetoric. Knowing when this takes place may often be difficult since societies losing their democratic moorings can often be caught in limbo between enforcement and non-enforcement of laws for the benefit of target groups. At some point, though, the scales will tip and a society will enter the early stages of the “process” phase.

### ***The Process Phase***

For genocide to be perpetrated, it takes time for the necessary groundwork to be laid. In particular, this is a complex phenomenon involving different stages that eventually culminate in mass violence. In effect, these stages constitute a “process” that subdivides into three phases: (1) identification; (2) action; and (3) execution.

This analysis is largely informed by Professor Gregory Stanton’s (1998) genocide prognosis model referred to as “The 8 Stages of Genocide.” This model posits that the chronology of genocide breaks down as follows: (1) classification (use of categories to distinguish those discriminating and those discriminated against (target group) into “us and them” by ethnicity, race, religion, or nationality – *e.g.*, German and Jew, Hutu and Tutsi); (2) symbolization (assigning symbols to the classification – *i.e.*,

associating with or foisting upon a target group certain colors or apparel, such as the golden Star of David patch for Jews in Nazi Germany or the blue scarf for Eastern Zone residents in Khmer Rouge Cambodia); (3) dehumanization (equating the target group with animals, vermin, insects or diseases); (4) organization (*e.g.*, establishing militia and drawing up lists); (5) polarization (*e.g.*, broadcasting hate propaganda or forbidding social, civic or economic interaction with the target group); (6) preparation (the target group is segregated, its property expropriated and death lists are drawn up); (7) extermination (the actual killing of the dehumanized victims begins); and (8) denial (it always follows a genocide and is a signal that additional killings of the victim group are intended) (Stanton, 1998.)

In terms of speech analysis, these eight stages should be combined into the identification, action and execution groupings as noted previously. "Identification" encompasses "classification," "symbolization" and "dehumanization." "Action" covers "polarization" and "preparation." And "execution" comprises "extermination" and "denial."

### *Speech and the Genocide Cycle*

Having set out and explored separately the speech and chronology axes, analysis of their interaction may now be conducted. It can be assumed, for this purpose, that speech is bisected along the chronological axis in terms of "pre-process" and "process."

#### *Pre-Genocidal Speech*

As previously noted, in the "pre-process" phase the target group experiences limited degrees of discrimination. But discrimination may be on the rise. And this is when salutary speech may be most effective as a neutralizing agent.

**Proactive (non-focused) speech.** "Non-focused" salutary speech can be strategically utilized in advance of extremist groups achieving their objectives. The role played by civil society is crucial in this regard.



What is “civil society”? One expert describes it as “a public space between the state, the market and the ordinary household, in which people can debate and tackle action” (“What Is Civil Society,” 2001, para. 17). Robert Pekkanen (2006) more succinctly defines civil society as the “organized, non-state, non-market sector” (p. 3). That may comprehend any charitable activity in which citizens work together to effect change on certain issues, but this does not include political parties, despite civil society’s political dimensions (“What Is Civil Society,” 2001). Thus, civil society could encompass neighborhood self-help groups, social activity clubs, and non-governmental organizations. These actors can disseminate “non-focused” salutary speech in various ways, including public discussion forums, social media blasts, and tolerance awareness drives.

Schools may serve an important function in this process too. Curricula can imbue pluralistic values and appreciation for tolerance. Course selection and design, lesson-plan development, and class-material selection may all play crucial roles in this regard.

Governments and international organizations may also be essential agents for promulgation and institutionalization of salutary speech. In addition to directly establishing agencies or creating funding mechanisms for civil society groups and schools, these actors can help protect diverse and widespread political participation and freedom of expression and press.

By providing coverage with respect to the above activities, the press itself can also play a pivotal role. Furnishing space for commentary and op-eds that promote non-discrimination represents another significant contribution the press can make in this regard.

**Reactive (focused salutary) speech.** During the end-stages of this phase, focused salutary speech becomes yet more important. For even in the most ideal pre-process scenario, where non-focused salutary speech still thrives, inimical speech will continue to be present in various degrees. For such discriminatory communications, focused salutary speech may still act as an effective remedy.

As demonstrated above, focused salutary speech involves a direct opposition to inimical speech. And it is a mainstay of the “marketplace of ideas” metaphor, which plays a central role in the jurisprudence of the United States, generally deemed the most speech-protective country in the world (Pati, 2005). Implicit in the United States’ commerce-oriented notion of “free trade in ideas” is that focused salutary speech will challenge inimical speech head on, marginalize it, and ultimately triumph in the encounter. When, however, the marketplace is not functioning properly and the inimical overwhelms the salutary, the pre-process phase will have come to an end and the “process” phase will have begun.

### ***Genocidal Speech***

As mentioned previously, the “process” phase consists of three stages: identification, action and execution.

**The identification stage.** Use of salutary speech to combat inimical speech might still be useful during the identification stage, which subdivides into “classification,” “symbolization,” and “dehumanization” segments. This is the twilight zone in the analysis, where reference to other factors, such as media environment, political context, audience characteristics, the authority of the message source, the proliferation of prior similar messages, the channel of communication (print media versus social media, for example), and message content itself may be helpful in discerning the value or not of salutary speech (Benesch, 2008; Pauli, 2010.)

Also, the nature and quantity of inimical speech during this stage must be taken into account. If it consists primarily of “general statements,” then salutary speech may provide an effective remedy. In other words, the “marketplace of ideas” may still be functioning effectively.

However, salutary speech’s remedial power will be reduced if the predominant category of speech is “harassment.” It will be even less effective when the inimical speech consists mostly of “incitement.” And it certainly becomes irrelevant when the incitement is directed toward violence. Of course, different degrees of inimical speech may be present all at once. The

key is to parse each category of inimical speech and then engage in holistic analysis regarding any potential counter-effects of salutary speech. In such analysis, the litmus test should be whether, and to what extent, the marketplace of ideas is still operational.

**The action and execution stages.** The action and execution stages encompass Stanton's (1998) organization, polarization, preparation, extermination, and denial categories. It is during these stages that genocide has become inevitable and salutary speech is divested of its remedial power. A full-blown group-elimination campaign is more or less underway and speech is reduced to merely serving that campaign. So the goal at this juncture becomes enjoining and punishing that speech through prosecuting the crime of direct and public incitement to commit genocide.

But what are the elements of the incitement crime? In *Prosecutor v. Akayesu* (1998), the ICTR found that speech could be considered "public" if addressed to "a number of individuals in a public place" or to "members of the general public at large by such means as the mass media, for example, radio or television" (para. 556). And the message could be deemed "direct" if, when viewing the language "in the light of its cultural and linguistic content, the persons for whom the message was intended immediately grasped the implication thereof" (*Prosecutor v. Akayesu*, 1998, para. 557). *Mens rea* consists of a dual intent: (1) to provoke another to commit genocide; and (2) to commit the underlying genocide itself. (*Prosecutor v. Akayesu*, 1998, para. 560). Significantly, causation is not an element; in other words, to establish liability, it is not necessary for the advocacy to result in genocide (*Prosecutor v. Akayesu*, 1998, para. 553; see also *Prosecutor v. Nahimana*, 2003, para. 1015).

The most complex, and controversial, aspect of the crime centers on its key descriptor—"incitement." In defining it, the Tribunal has grappled with distinguishing between free exercise of legitimate speech (regardless of how offensive) and corrosion of such speech into criminal advocacy. The *Prosecutor v. Nahimana* (2003.) Trial Chamber explicitly identified two analytic criteria to determine whether discourse could be categorized as either legitimate expression or criminal advocacy: its purpose (encompassing, on

one end of the continuum, patently legitimate objectives, such as historical research or dissemination of news, and, on the other end, clearly criminal ends such as explicit pleas for violence) (paras. 1004-1006)<sup>9</sup> and its context (circumstances surrounding the speaker's text, such as contemporaneous large-scale interethnic violence, and the speaker's tone of voice) (para. 1022.)

My scholarship has identified two additional criteria implicitly used by the *Nahimana* Trial Chamber in formulating its analysis: text and the relationship between speaker and subject. (Gordon, 2004; Gordon, 2008b). The Trial Chamber's discussion of the "text" element was an implicit part of its "purpose" subheading analysis. Applying this element involved a parsing and exegetical interpretation of the key words in the speech (Prosecutor v. Nahimana, 2003, para. 1001). With respect to speaker and subject, the Tribunal revealed that the analysis should be more speech-protective when the speaker is part of a minority criticizing either the government or the country's majority population (and less so in other situations) (Prosecutor v. Nahimana, 2003, para. 1001.)

My scholarship has also advocated bifurcating the context criterion into "internal" and "external" components (Gordon, 2010, p. 637). Internal context refers to characteristics that belong to the speaker, such as background and professional profile, previous publication/broadcast history, and personal manner of transmitting the message (including tone of voice) (Gordon, 2010, p. 637). External context examines the circumstances surrounding the speech, which could include recent incidents of mass violence or the imminent outbreak of war (empirically an indicator of a genocidal environment) (Gordon, 2010, p. 637.)

**Denial: a unique stage.** "Denial," the final stage of the "execution" phase, can be bifurcated into two categories: (1) contemporaneous denial (related to a conspiratorial cover-up); and (2) subsequent denial (which entails historical revisionism post-genocide.)

**Contemporaneous denial.** Denial by direct perpetrators or their confederates as the end-phase of a genocidal cabal must be analyzed as a

9 The space between these two ends of the spectrum clearly invites contextual analysis. And the Tribunal has proposed certain evaluative factors such as surrounding violence, and previous rhetoric Prosecutor v. Nahimana speaks of massacres taking place surrounding the speakers utterance; 1005 focuses on previous conduct to reveal purpose of text (paras. 1004-1005).

function of conspiracy law, rather than in terms of ordinary hate speech regulation. As Gregory Stanton (1998) observes.

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 Pol Pot or Idi Amin, unless they are captured and a tribunal is established to try them (para. 8.)

*Subsequent denial.* In contrast, once the underlying criminal case has concluded, denial discourse must be analyzed as an historical revisionism phenomenon. Since such speech is not part of a cover-up and likely will not result in new violence in the short term, those who zealously protect free-expression prerogatives are against criminal prohibitions for this other form of denial.

And that stance may be justified. In particular, permitting deniers to publish their inaccuracies reveals them as preposterous. It also furnishes the legitimate genocide chronicler with a chance to emphasize to the public how the actual events unfolded, and in this way actually reinforces the truth.

Further, aspects of the genocide previously unexplored, or insufficiently probed, may be brought to light in the confrontations with deniers. In addition, allowing deniers to air their views, however ridiculous, strengthens democracy by bolstering the notion that citizens are self-directed and can exercise significant expressive and personal choice prerogatives. Finally, a permissive legal regime for deniers allows society to hold up a mirror to itself and thereby grasp whether, and to what degree, genocide historical literacy may be lacking or genocidal propaganda that needs countering may be emerging or flourishing. Such awareness is crucial in working toward prevention of future genocides.

That said, context is crucial. Past events in some countries may dictate a different approach. After the Holocaust, for instance, Germany was justified in not giving free rein to Holocaust deniers and thus its anti-denial laws were appropriate. Likewise, in the wake of the 1994 planned destruction of Rwanda's Tutsi population, the new post-genocidal government of Rwanda was justified in criminalizing its denial. In these situations, when the survivor population is still vulnerable and the specter of mass violence still looms, the post-genocide government is given a case-specific mandate to outlaw historical fabrication.

Even the staunchest free speech advocates support anti-denial laws in post-genocidal countries (Abrams, 2012). But that is as far as they are willing to go. American lawyer Floyd Abrams (2012), for example, rejects the prospect of Holocaust denial regulation in places such as the United States and Canada because neither was the killing site of the German destruction of the Jews. Nevertheless, in light of sizeable American and Canadian victim populations, which may be vilified and denigrated by the denial, criminalization may be called for in those nations.

But even in those situations and the others discussed above, criminalization may still be problematic. In particular, while denial laws may seem rational when survivors are still among the living, a time may come when those laws no longer serve their purpose. The difficult part is to know when that time may come. Also, even if denial laws are otherwise still justified, there is always the risk that they will not be enforced fairly or effectively. In those cases, enforcement issues, especially on a systematic scale, could warrant abolishing such laws.

Looking forward, though, if lack of criminal enforcement ultimately permits denial to gain traction in the future, then the stage may be set for genocide to rear its head once again. Gregory Stanton (1998) observes that denial "is among the surest indicators of future genocidal massacres" (para. 8). And even if denial alone is insufficiently causal, it can be combined with more direct methods of incitement to bring about the desired result. Dealing effectively with denial thus defies easy solutions.

## Conclusion

Countering genocidal campaigns, even at the most incipient stages, is a complex endeavor. This paper has focused on speech, which is only one aspect of such campaigns. But this is an extremely important aspect since genocide is not possible without inimical speech. In fact, such toxic communication is relevant at every stage of the genocide cycle and is inexorably bound with genocide prevention. This paper posits that salutary speech's remedial powers can neutralize inimical speech through much of the "process" phase and all of the "pre-process" phase.

Nevertheless, in the later stages of the genocide cycle salutary speech's power wanes. Punishment, at that point, must be the remedy. Whether that is true with respect to the special phenomenon of denial, is difficult to determine. But denial in the victim country in the immediate aftermath of genocide must be outlawed.

The degradation of democratic institutions combined with the flourishing of inimical speech, if left unchecked, may lead to genocide. Speech can serve as the needed check with respect to each step on the genocidal continuum. But it can also reinforce the eliminationist campaign. With an appreciation of the policy issues considered in this paper, nations should be able to calibrate speech use, regulation and punishment to strike the proper balance between genocide prevention and liberty preservation.

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## **Chapter 6**

# Dehumanization or Licence to Kill

Charles Mironko

## Abstract

The Rwandan First and Second Republics legitimized victimization of Tutsi at all levels of life. Dehumanization of Tutsi took all forms of justification for killing them because they were inhuman: insects, fleas, cockroaches, snakes, vipers, jiggers, to mention only a few. Through propaganda coupled with public government meetings as well as the media, the governments authorised both ethnic cleansing and destruction of all Tutsi. Based on societal indicators (Charny 1982) and the Eight Stages of Genocide (Stanton 1998), this paper draws examples from testimonies of Tutsi victims to illustrate that besides being ill-treated as inhuman, the perpetrators (mostly Hutu) subscribed to the method of killing according to the dehumanization type. In addition, the paper will point out how the impact of dehumanization resulted in most Tutsi victims being prepared and accepted to die without a fight. Finally, the paper advocates introduction of primary and secondary school programs that sensitize the learners on prevention of past atrocities like racism, genocide, xenophobia, etc., for example, The Choices Program (1986) and Facing History and Ourselves (1998). Investing in young learners seems a reliable way to combat the effects of negative social constructs that lead to mobilization of the militia by genocidal governments.

*“Identity is a bloody business. Religion, nationality, or race may not be the primary cause of war and mass murder. These are more likely to be tyranny, or greed for territory, wealth, and power. But “identity” is what gets the blood boiling, what makes people do unspeakable things to their neighbors. It is the fuel used by agitators to set whole countries on fire. When the world is reduced to a battle between “us and them,” Germans and Jews, Hindus and Muslims, Catholics*

*and Protestants, Hutus and Tutsi, only mass murder will do, for “we” can only survive if “they” are slaughtered. Before we kill them, “they” must be stripped of our common humanity, by humiliating them, degrading them, and giving them numbers instead of names” (Ian Burma: The Blood Lust of Identity, The New York Review, January 17, 2002.)*

## **Introduction**

It scarcely needs to be re-emphasized that the genocide committed against Tutsi in Rwanda in 1994, resulting in up to a million deaths, was not a spontaneous eruption of tribal hatred as the revisionist-deniers of the genocide in Rwanda claim. Likewise, the war between RPA and the Government of Rwanda might have exacerbated the killings but it was not the cause of the genocide, nor was the shooting down of the plane carrying President Habyarimana as it was landing from Arusha peace talks, as the revisionist-deniers maintain. This can be asserted for the simple reason that genocide is a process (Charny 1992; Stanton 1989/1990.)

Of the eight genocide stages (Stanton 1994), dehumanization is directly linked to extermination because in order to kill, a perpetrator “removes” the humanity of the victim, according to most genocide perpetrators I interviewed in Rwanda (Mironko 2004). Dehumanization makes it easy for the perpetrators since they consider the victims inhuman. Their psychological justification is that they are in fact getting rid of “snakes, cockroaches, flea, vermin,” to cite only four terms used. Within the same framework, victims were killed in an inhumane way as per definition of what their victims represented to the perpetrators. In the case of Rwanda, the perpetrators prepared their victims to die through regular hate speech in political meetings, media and education in schools.

## ***Dehumanization***

The process of dehumanization is a universal component of genocide (see Stanton 1996). In Rwanda, it can be traced to representations of Tutsi in the Rwandan media as far back as 1959 (Sebasoni 2000), all the way through to 1994.

In his integrative review of dehumanization, Haslam (2006) defines dehumanization as “the denial of full humanness to others, and the cruelty and suffering that accompany it.” He points out that dehumanization is often evoked in ethnic and racial conflict. In addition, Hasham proposes two distinct senses of humanness that are denied to others: the “uniquely human” and “human nature.” Representing others as animal-like diminishes their uniquely human status, while representing others as objects denies them human nature. Both were denied to Tutsi as a group by post-colonial Hutu regimes as elaborated below. The dehumanization of Tutsi prior and during the genocide supports Hasham’s (2005) claim that in ethnic conflicts, aggression against the dehumanized target group increases along the conflict or war continuum. The more the Habyalimana regime was facing defeat, the more the Tutsi were dehumanized as sub-human or inhuman at best.

The aim of this paper is to demonstrate the impact of dehumanization strategy in the genocide process before, during and even after the genocide against the Tutsi identity group in Rwanda. Dehumanization in terms of genocidal conflicts (Chalk and Jonassohn 1990) based on ethnic differences, coupled with primordial divisions among Hutu, Twa and Tutsi, were taught from the Primary School level. This ideology inculcated in the learners that Tutsi were invaders descended from Nilotic (or Hamitic) peoples from the north in the 13th century (History textbook, 1991). The extremists’ version of Rwandan history holds that Tutsi came to Rwanda as feudal lords and reduced the Hutu to serfdom; and would do the same again if given the chance, as illustrated below.

“Tutsi are nomads and invaders who came to Rwanda in search of pasture, but because they are so cunning and malicious, the Tutsi managed to stay and rule. If you allow the

Tutsi-Hamites to come back, they will not only rule you in Rwanda, but will also extend their power throughout the Great Lakes Region.” [RTLM December 2, 1993.]

These ethnic stereotypes have characterized the historiography of post-colonial Rwanda. With these historical “facts” in place, ethnic consciousness was easily enhanced or manipulated by the state machinery like radio broadcasts, newspapers and political meetings among both Tutsi and Hutu. Before and during the genocide, Hutu peasants were encouraged to take the land, houses and other material goods belonging to Tutsi, just as they had done since the 1959 ethnic cleansing.

### ***Chronological Dehumanization Process of Tutsi as a Group***

Many Tutsi in Rwanda claim that discrimination, dehumanization and demonization, even genocidal violence against Tutsi as a group, started in 1959. The majority of them were either killed (largely by their Hutu neighbors who took their properties), or forced to become refugees. Taking into account President Kayibanda’s speech in 1964 when a group of Tutsi from neighboring countries attacked Rwanda, one can sympathize with the claim.

*“There have been attacks by the terrorists...supported by some foreign powers. There was no genocide. It is the people who, in spontaneous fury, wanted to kill the Tutsi. The government prevented them...Let us suppose that you overrun Kigali, how do you measure the chaos of which you would be the first victims... You say it among yourselves: it would be the total and precipitated end of the Tutsi race. Is that genocide?”*  
President Kayibanda’s Speech (1964, my translation.)

However, I think the 1959 massacres and fleeing of Tutsi are best described as ethnic cleansing because, despite his speech, Kayibanda (1962-1973) forced the Tutsi to flee the country rather than embracing the intent to wipe them out as a group. This argument is supported by the fact that the Habyalimana regime (1973-1994) that followed declared



convince all Hutu that Tutsi are inherently cruel, arrogant and malicious. “They [Tutsi] think that they are clever, so they work only for their own interest to the extent of sacrificing their sisters as well as their wives.” The same type of demonization was reiterated later in RTLM broadcasts.

“...100 youth should be recruited rapidly so that we can kill the Inkotanyi, exterminate them as it is only one ethnic group. (Kantano Habimana, RTLM, June 4, 1994. Quoted in Lemarchand et al. 1995.)

“...I think we are now approaching what I can call the dawn...the dawn. For the small children that would not know, it is when the day becomes the day. When the day is being born...towards a day that we will say “there is not a single Inyenzi in the country.”...the word Inyenzi could be forgotten, extinguished for good... that won't be possible unless we continue with our momentum to exterminate them.” (Nkurunziza Ananie, RTLM, June 5, 1994. Quoted in Chretien et al. 1995.)

Likewise, the perpetrators I interviewed during my fieldwork (1999 – 2000) were clearly aware and uncritical of the idea that all Tutsi were spies and accomplices of the RPF. This led me to pay particularly close attention to instances where these confessed perpetrators framed their own actions and experiences in terms of the cultural, historical, and political rationales for exterminating Tutsi that form the core of extremist Hutu ideology. For example, the euphemisms and code words used during the genocide campaign in speeches, radio broadcasts and other media, such as *gukora* (work), *kwihoralkwitura* (revenge), *gukorahejuru* (take up arms), *kwivainyuma* (use all means possible), *guhiga umwanzi* (hunt the enemy), *kwivunaumwanzi* (kill the enemy before s/he kills you) etc. remained opaque to outsiders (even to some Rwandans) who are not fluent in Kinyarwanda. However, these metaphors were clear and unambiguous to those who would kill as well as to those who would be targeted to be killed. I didn't have to look far in my interview tapes to see this discursive framework emerging. One of the first things I found was the range of



terms used to refer to (and, in the process, to demonize, stereotype, and dehumanize) Tutsi: *umwanzi* (enemy), *inyenzi* (cockroaches), RPF (Rwandan Patriotic Front), and *Inyeshyamba* (forest dwellers/maquisards.)

Arjun Appadurai (1998)<sup>11</sup> explores unspeakable forms of bodily violence committed by one group against their neighbors during ethnic conflicts. He claims that such violent situations are possible where “notions of belonging are being reimagined to exclude ‘impure’ others.” He adds that during the conflict, sociopolitical leaders and the media turn one group’s members into ethnic enemies. Then “the bodies of former social intimates are transformed into the ethnic or political tokens for which they are supposed to stand. Grotesque acts of bodily violence are perpetrated during these “death-cycle rituals,” in which self and (enemy) other are marked, classified, and differentiated through mutilation, dismemberment and death” (Appadurai 1998: 11.)

Appadurai’s theory is applicable to the dehumanization of Tutsi during the genocide in Rwanda. They were identified as “alien, cockroaches, snakes,” etc. These words symbolized the characteristics that come with them, for example dangerous, contagious, venomous, cunning, malignant, hypocrites, etc. As a result, the Hutu neighbors had a moral justification to transform their fellow Tutsi neighbors into these unwanted creatures. This dictated the methods of torture the perpetrators used to commit genocide. For instance, throwing them into latrines, burying them alive, chopping up their bodies with machetes, forcing out foetuses, gang raping women, sticking pointed bamboo sticks into women’s genital organs, cutting male genital organs, forcing them to commit incest, ordering some to kill their relatives and leaving the killing unfinished so that the victims can experience a slow and painful death.

11 Dead Certainty: Ethnic Violence in the Era of Globalization. In Hinton, A., ed. (2002). Genocide: An Anthropological Reader. Malden, MA: Blackwell.

### *Hunting Discourse as a Tool of Dehumanization*

Wolf (2002: 194)<sup>12</sup> points out that enemy neighbours (Germans and Jews, Hutu and Tutsi etc.) are still in human identification opposite “others,” but when dehumanization kicks in “such others are defined as disease organisms or agents of universal entropy, the imagery of evil becomes abstract and powerful enough to justify not merely severance but destruction.”

It is important to understand the hunting language and behaviour of the killers in order to understand how genocidal killings took place in Rwanda. This can explain why and how masses, under intense psychological pressure, were led into a killing frenzy that the genocide architects and politicians characterized as a popular revolt. Tutsi as a target group

12 Eric R. Wolf (2002). National Socialist Germany. In Hinton, A., ed. (2002). *Genocide: An Anthropological Reader*. Malden, MA: Blackwell.

was dehumanized in hunting metaphors, symbolically reduced to animal status and consequently an environmental hazard. Therefore, they did not deserve to live. They had to be culled or eliminated like dangerous animals.

Related to *igitero* (*ibitero*)<sup>13</sup> or collective attacks (Mironko 2004) as a form of dehumanization in terms of denying “‘humanness’ – the quality that is denied to others when they are dehumanized” (Haslam 2006) – is known as *umuhigo* (Nkulikiyinka (1993)). *Umuhigo* is the traditional hunting practice loaded with dehumanizing discourse that is culturally meaningful given its use by Hutu mob attacks or *ibitero* that hunted down Tutsi in 1994. This section describes types, organization, rules and procedure (opening and ending) of hunting as traditionally carried out by ordinary citizens in Rwanda that were used to render Tutsi sub-human or animal-like, worthy of being killed. The focus is on a hunting organization that is compared to mob hunts (*ibitero*), organizations as mobilizing factors of Hutu against Tutsi during the 1994 genocide. These traditional mobilizing mechanisms, which were well adapted to the existing administrative structure of the time, explain why it was possible to easily and quickly exterminate up to a million Rwandans (mostly Tutsi) using traditional weapons (*intwaro za gakondo*), as one of RTL (Radio Television Libre de Mille Collines) journalists, Kantano, urged on the radio (Chretien et al. (1995).

The following description of traditional hunting (*umuhigo*) in pre-colonial Rwanda (Nkulikiyinka (1993: 12-21) will shed light on the relationship between *igitero* (mob attack) and *umuhigo* (hunting practice) as a means of not only dehumanizing Tutsi, but also mobilizing during the genocide. The attackers (or rather killers) assumed the role of hunters in pursuit of animals, which allowed them moral exclusion and disengagement (Haslam 2006.)

The hunting discourse and practice used during the 1994 genocide, comparable to mob attacks (*ibitero*) by Hutu groups on Tutsi, often came up in the interviews that I conducted in prisons, mainly with genocide perpetrators that had confessed.

13 Group attacks as forms of social and political organizations that facilitated collective violence against Tutsi by their Hutu neighbours in most cases. See Mironko (2004). *Igitero: Means and Motive in the Genocide against the Tutsi*, *Journal of Genocide Research* 6.1:47-60. 2004.

Nkulikiyinka describes types of hunting, hunting seasons, the role of the king, rituals, organization, songs and poetry that were associated with it. He identifies two types of hunting. Hunting with bow (*Abanyamuheto*) and hunting with belled dogs. Each region had a company of hunters headed by a chief in charge of hunting to whom they reported at the end of each hunting expedition. He carried a warrior name and had usually a favourite hunting territory. The chief of hunting reported to the regional chief in charge of administration, who was the king's representative.

In the king's army in traditional Rwanda (like *Interahamwe* militia during the Habyalimana genocidal government in 1994), hunting companies carried war names that symbolized the spirit and bravery of the group, whether real or imaginary. These names represented their mission, which symbolized their loyalty, bravery and commitment. For example, *Abanyamuheto* (Masters of bow), *Abapfukirana* (those who suffocate [animals]), *Abarasarurinda* (non-stop shooters), *Abasangirangendo* (trip companions) and *Abanyaruhato* (Indefatigable). Likewise, the *Interahamwe* militia during the Habyalimana genocidal government in 1994 carried names like *Imbonerakure* (lit. able to see from afar) and *Impuzamugambi* (lit. sharing the same decision.)

The leader (chief) of the hunt was in charge of organizing hunting expeditions according to his experience and the knowledge of animals' seasonal behaviour. He organized hunting expeditions either at the king's request or for great chiefs for various reasons. Hunting expeditions were also organized for environmental, ecological and agricultural reasons. Like mob attack (*igitero*), the hunting mechanism (*umuhigo*) served as motive and means for genocide perpetrators' participation in the killings. In other words, it was dehumanization of Tutsi in practice.

The day before hunting expeditions, the person in charge of mobilizing hunters blew an antelope horn to inform hunters around 5:00 p.m. This practice is known as *kurarika*, i.e. to call in advance about a common and a shared action (Nkulikiyinka 1993:16). Hunters assembled in a public meeting place (*igabiro*) in order to be assigned hunting duties and recommendations. On their way to the assembly, hunters shouted out

declamations (*ibikabukiro*) that called out dogs by chanting their victories and merits. Declamation while holding their dogs on the leash was meant to excite them as much as possible. Similarly, before the Hutu militia went on hunting expedition of Tutsi, their leader blew a whistle to assemble them in order to give them instructions. Some were often accompanied by Twa hunters with special hunting dogs.

However, Nkurikiyinka points out that although these incantations sounded ferocious, in practice hunters had important restrictions. For example, they were forbidden to kill newborn animals or animals in gestation. After the opening ritual ceremony, hunters attached bells to their dogs and released them. The hunting period and procedure depended on how many animals were “driven out, chased after, cornered and caught or managed to flee” (Nkurikiyinka 1993: 16-17.)

The only difference during the genocide was that during the Tutsi hunting expedition, babies were not spared — not even when they were still in the womb. This is the extent to which dehumanization of Tutsi as a group was carried out.

Hunting organization depended on the type of hunting. Bow hunting, for example, was divided into two groups: “the trackers” (*Abanyacyandaro*), and “the sharpshooters” (*Guca amaraka*). The role of the trackers was to track down the game by leading it towards the sharpshooters (that preceded them) shouting as much as possible in order to frighten the game.

In practice, the hunt of Tutsi during the genocide is comparable to *Umuhigo* (the hunt) just like in *Igitero* (collective attack). As mentioned above, the militia leader blew his whistle accompanied by yelling (*kuvu-zainduru*) from the *Interahamwe* militia members, then the Twa trackers flushed out (*kuvumbura*) their Tutsi victims, then herded them like wild animals together and later killed them in full view (*kwicira ku gasi*). It is in such hunting metaphors that the confessed perpetrators in Rwanda prisons (1999-2000) described their participation to me (see *Social and Political Mechanisms of Mass Murder: An analysis of Perpetrators in the Genocide against the Tutsi in Rwanda*, UMI Microform 3125265.)

The first shooter to hit the game during the hunt announced his hit by shouting loudly. This was important because, if it was an animal valued for its skin, for example, the shooter got a prize, and if it was an edible animal, he had the right to the meat. When the chief-hunter was satisfied with the hunt (*umusaruro*) – a term that also means “harvest” – he called it off. The horn was blown as a signal for hunters to assemble. So, hunters came to the meeting place in single file known as “bow march, or bow procession.” (*Gucyura umuhigo, Guhita umuheto, Kwegeka umuheto*), some carrying killed animals on tree branches on their shoulders, whereas others carried their spears, bows and arrows in the same way, chanting their declamations. Those hunters who had killed an animal were honoured. Each was accompanied home, where a ritual fire (*Igicaniro*) was lit on which the killed animal was placed. Finally, the hunters went to report to the chief of administration. “The feast followed: they sang, danced, sang declamations while drinking alcohol prepared for the event (sorghum beer, banana wine, mead)” (Nkuli-kiyinka 1993: 17-19.)

Likening Tutsi victims to animals, the former were hunted in the same way, followed by rewards for the best killers and drinking party celebrations. A perpetrator’s description of his group attacks in hunting metaphors below exemplifies many accounts during my interviews in prisons<sup>14</sup>:

*“When we reached Mateman’s house, we met many people who said that they should hunt the enemy in the bush (bagomba guhiga umwanzi mu bihuru). So, we divided ourselves into teams and we scattered everywhere. When I arrived behind Nyirambari’s house, I was with Kazitunga when we heard shouts echoing from the hills (induru zivugira hejuru ku misozi) near Kamanzi’s house saying “you people down there come up because we have flushed out the enemy” (nimuze twavumbuye umwanzi). (Statement dated 01.10.02 from Ruhengeri prison, September 2000.)*

14 These interviews were conducted in six major prisons of Rwanda (Kigali, Rilima, Gisenyi, Ruhengeri, Gitarama and Butare).

Abagogwe, (a group Tutsi) in Mutura Commune, Gisenyi, recounted how they had been demonized and persecuted several times:

“Genocide started a long time ago because we had been tortured to death in 1990, 1991 and what is called the war of “*ibisitu*” when they were using pointed bamboos to kill Abagogwe who were accused of being “*ibiyitso*” [accomplices]. They killed mainly intellectuals among us. They tempted to kill us twice within a period of six months. Finally, we managed to flee to Congo (DRC) to a place called Cyeshero because we were being hunted down, using dogs. We were 900 when we left but only 19 of us managed to reach Cyeshero.” (Interview with a group of Abagogwe in Mutura village, Gisenyi, September 2000.)

### ***Rehumanization***

*“We are all born with the potential to become human. How we choose to live will be the measure of our humanness. Civilization does not assure our civility. Nor does being born into human species assure our Humanity. We must each find our path to becoming Human.”* (David Krieger.)

How can victims and perpetrators learn to live together on a daily basis? How do we restore trust to individual relationships and neighbourliness? Precisely, what can lead to genuine re-humanization?

Based on their work in Bosnia and Herzegovina, but informed by the case studies in building relationships from post-conflict and genocide countries like Yugoslavia and Rwanda, Halpern and Weinstein (2000)<sup>15</sup> provide a practical model on how to mend the social fabric after conflict and war. The authors point out that, from the fact that dehumanization does not stop with the end of conflict, more attention should be given to

15 Halpern, J. and Weinstein M. H. (2000). “Re-humanizing the Other: Empathy and Reconciliation.” In Human Rights Quarterly, vol.26, No.3 (August 2004, pp. 561-583.

restoring interpersonal security. For this to happen, especially in situations where perpetrators and victims live next to each other like in Rwanda, “a process of re-humanization must occur. Halpern and Weinstein (2000)<sup>16</sup> point out that “the promotion of empathy is a critical component of reconciliation.” So, through empathy, it is possible to re-humanize the other, both individually and socially as the authors suggest. Halpern and Weinstein’s (2000) thesis is that “empathic engagements converts the stereotype, and fear becomes subsumed by humanness, the devil becomes a human being who committed evil acts.”

While some efforts in re-humanizing perpetrators, through reconciliation initiatives and communal *gacaca* proceedings<sup>17</sup>, have been underway in Rwanda, there is still much to be achieved, both from the individual and the societal point of view. As Halpern and Weinstein (2000) suggest, “social construction and empathic re-humanization are not an either-or process, but require synthesis to effect the rebuilding of social capital.

### ***Human Consciousness Approach***

This paper proposes that lasting and sustainable emotional security and re-humanization in post-war and genocide societies has to be grounded in the advancement of human consciousness. So, dehumanization has to be dealt with through education, and the best place is in schools where we can empower learners to make principled choices in face of prejudice, racism, xenophobia racism, genocide, etc. If the learners become aware of the dangers of prejudice, bigotry, discrimination, superiority, demonization – to mention only a few – we can build a better world. As the saying goes, “it is better to build the children rather than repair the adults.” Dehumanization of any group of people because of who they are should be the basis of teaching our children about human consciousness. Evils of discrimination against

16 “Empathy is a process in which one person imagines the particular perspective of another person.” Halpern, supra note 30. Quoted, in Halpern and Weinstein (2000).

17 Cases of reconciliation where victims and perpetrators resumed living together peacefully and amicably in many villages in Rwanda are well documented (Mironko 2004).



fellow human beings based on their ethnicity, religion, sexual preferences, etc. should be emphasized from primary school programs. Programs like *Facing History and Ourselves*<sup>18</sup>, and *Choices*<sup>19</sup> offer good models.

### ***Stages of Personal Consciousness***

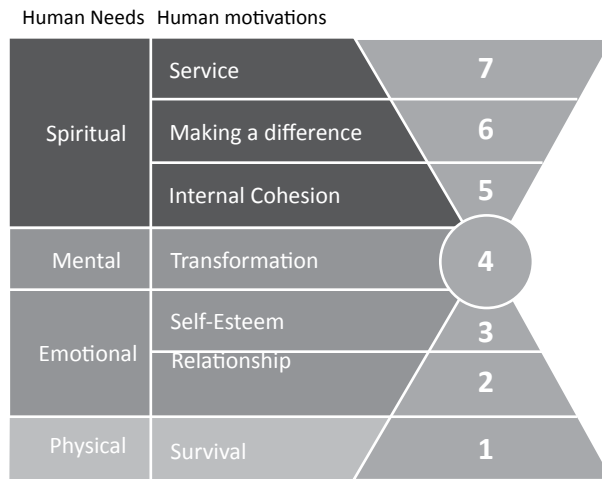
As a means of raising human consciousness and citizenship awareness in our schools and community, the Royal Bafokeng Institute (RBI) introduced a Human Consciousness and Citizenship Center. The main objective is to create a forum for individual reflection on personal consciousness and development based on a personal consciousness model (Krieger 2009). The forum allows individuals to go on a personal journey to discover and define oneself as a starting point to any further interaction. Dealt with genuinely, this “inner development” is believed to yield positive results in our undertakings. In leadership terms, it is “personal leadership” which is anchored in the character of a leader.

The reflection sessions and workshops deal with the seven stages in the development and growth of personal consciousness according to the (Krieger 2009) model:

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18 Facing History and Ourselves (FHO) was formed in 1976 and is based in Boston but has school programs worldwide. The FHO mission is “to shape a humane, well-educated citizenry that practices civility and preserves human rights.” [www.facinghistory.org](http://www.facinghistory.org)

19 Choices Education Program is based at the Watson Institute, Brown University. The Choices mission is “to empower students with vital tools that will increase their career and life opportunities.” [www.choices.org](http://www.choices.org)



Seven Levels of Consciousness: Personal, Organizational, Societal.

The tasks are focused on the following positive attributes of the Seven Levels of Personal Consciousness.

1. Survival consciousness by developing the practical skills required to insure their physical security and safety.
2. Relationship consciousness by developing the interpersonal relationship skills required to engender a sense of belonging, and being loved.
3. Self-esteem consciousness by developing a positive sense of self-worth and a personal sense of pride in who they are and how they perform
4. Transformation consciousness by learning how to manage, master or release the sub-consciousness and conscious, fear-based beliefs that keep them anxious about satisfying their “deficiency needs” (cf. Abraham Maslow).
5. Internal cohesion consciousness when they uncover their sense of purpose or personal transcendent meaning for existence.

6. Making a difference consciousness by actualizing their sense of meaning by collaborating with others to create a positive contribution in the world.
7. They master service consciousness when making a difference becomes a way of life and they embrace the concept of selfless service.

In practice, moving from one stage to the next is aided by a learning experience. Modelled on an experiential group-learning model (Shayer 2013), we have adapted experiential group learning to the development of human consciousness.

In order to take participants through the hierarchy of consciousness there needs to be a trigger to create the cognitive dissonance that will force them to access a higher thinking realm. The trigger can come in a number of variations, but essentially it is an activity that is conducted in a group with time for concrete preparation, and time to reflect both as a group and as individuals.

An example of this method is to establish the human need for emotional attachment and motivation for relationships at Stage 2. A group goes through a phase of concrete preparation where there is an experience/activity that they are physically involved in (role play of a person experiencing prejudice or being disabled). After the concrete preparation, there is a period of reflection in smaller clusters, followed by communication in a larger group about the observations from each cluster. After that the facilitator draws out some common points. Finally, the facilitator allows individuals to summarize the experience by themselves without interference.

### ***Emotional Intelligence/Competence Intervention***

Emotional intelligence is defined as “your ability to recognize and understand emotions in yourself and others, and the ability to use this awareness to manage your behaviour and relationships.” Bradberry and Greaves (2012).<sup>20</sup> (See Chart of Emotional Intelligence Skills that makes up the curriculum in Appendix 2.)

.....  
<sup>20</sup> Leadership 2.0 (2012). San Diego, CA.

Emotional intelligence is learned and develops as we grow up and learn from our experience (Goleman 1998). Emotional competence on the other hand, is a learned capability based on emotional intelligence that results in excellence (Goleman 1998). However, Goleman warns that having a high emotional intelligence does not necessarily lead to emotional competencies. So, teaching and learning emotional intelligence skills and strategies as well as developing emotional competencies are an asset to fostering empathy. There are three aspects of empathy that correspond to re-humanizing another person, according to Halpern and Weinstein (2000). 1. Resonating emotionally, 2. Curiosity about the other's perspective, and 3. Ability to tolerate emotional ambivalence (to imagine the other's perspective, feel the other's anger and feel the other's reaction to it). For Goleman (1998), "empathy requires being able to read another's emotion. It entails sensing and responding to a person's unspoken concerns or feeling."

As described above, for re-humanization to take place, empathy is the ideal tool, for "the goal of empathy is to see the world from the complex perspective of the other... resonating with another person emotionally breaks the spell of dehumanization" (Halpern and Weinstein (2000). Empathy is the backbone of emotional intelligence and emotional competence. Therefore, we hope that in raising awareness of the evils of dehumanization and demonization among our learners, we are building strong agents of positive change for prevention of future atrocities.

## **Appendix 1:**

### **List of terms used in the demonization of Ethnic Tutsi**

**TUTSI = *INYENZI* (COCKROACHES) = INKOTANYI**

Tutsi, *Inyenzi* (cockroaches) were used interchangeably and consistently in all types of media. The following is a list of words used in the dehumanization of ethnic Tutsi. Some are so loaded that it was impossible for me to capture the exact meaning.

**KINYARWANDA**

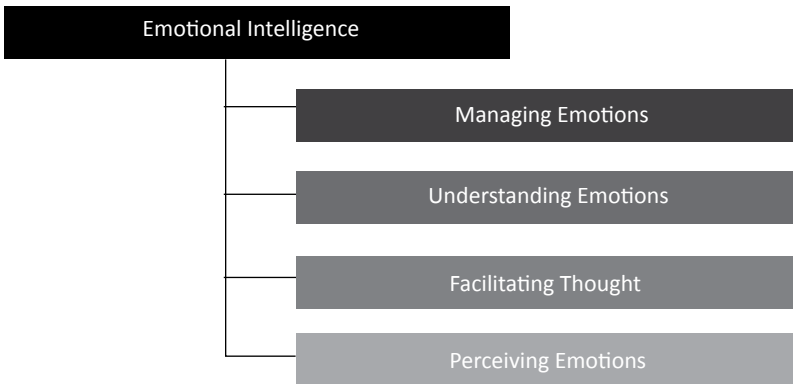
**ENGLISH**

- |                           |  |
|---------------------------|--|
| 1. Ababeshyi:             | Liars.   |
| 2. Abagizi ba nkana:      | Sadists.                                       |
| 3. Abakurikira inyungu:   | Calculating (Opportunists).                    |
| 4. Abantu ba mayeri:      | Cunning people.                                |
| 5. Abantu baneye isoni:   | Shameless (lit. People that have pooped shame) |
| 6. Abarwayi:              | Sick people, Abnormal.                         |
| 7. Abasazi:               | Madmen (Madwomen)                              |
| 8. Abatagira indero:      | Uncouth, Impolite, unmannered, uncultured.     |
| 9. Abicanyi:              | Assassins, Killers.                            |
| 10. Abirasi:              | Arrogant.                                      |
| 11. Imihirimbiri:         | Hooligans (Trash).                             |
| 12. Indashima:            | Ungrateful.                                    |
| 13. Indyadya:             | Malicious, Hypocrites, Dishonest.              |
| 14. Ingegera:             | Vagabonds.                                     |
| 15. Ingome:               | Cruel.   |
| 16. Inkozizibibi:         | Evil doers.                                    |
| 17. Intukanyi:            | Scornful.                                      |
| 18. Invunja:              | Jiggers.                                       |
| 19. Inyamaswa:            | Savages, Animals.                              |
| 20. Inyangabirama:        | Destructive/Self destructive.                  |
| 21. Inyeshyamba:          | Forest dwellers.                               |
| 22. Inywamaraso:          | Bloodthirsty.                                  |
| 23. Inywamaraso:          | Blood suckers ( <i>Bivuruguta mu maraso</i> ). |
| 24. Inzoka:               | Snakes ( <i>Inzonka z'impiri</i> ): Cobra.     |
| 25. Umuryango w'abicanyi: | Family/ Movement of killers.                   |

Source: Various publications, radio broadcasts (e.g. RTLM) and unpublished documents from the University of Butare (Rwigamba, Rwamasirabo et al. (2002).

**Appendix 2:** The training curriculum is based on Goleman’s (1995) model below.

This four-branch model represents what today has become called the *ability model* of emotional intelligence.



Relation of the Models to the Popularizations (Goleman 1995).



**Part III**  
Confronting Genocide Denial





**Chapter 7**  
Human Rights:  
The Problem of Good Intentions  
Wandia Njoya

## Abstract

The typical response to counter genocide denial is to show the inconsistencies and contradictions in a genocide denier's argument, provide evidence proving the denier wrong, or question the motives of the denier. In each of these cases, the assumption is the lack of goodwill or good faith on the part of the denier. However, this paper will argue that the denial of the genocide against the Tutsi is, in fact, based on a narrative of the West's consistently good intentions. Whether the genocide is being trivialized, denied, or misrepresented, the common thread is an underlying protection of the image of the Western Christian Empire as objective, just, inclusive, democratic, and well-intentioned. I will examine this Western self-image in some selected incidents of genocide denial to show that the road to genocide denial is paved with good intentions.

“Today, new ways of perpetuating the old order have emerged in a subtle manner, often disguised as defence of human rights, free speech, and international justice.”  
Speech by H.E Paul Kagame, President of the Republic of Rwanda, at the 50th Anniversary of Independence and 18th Anniversary of Liberation, Amahoro National Stadium, Kigali, 1 July 2012.

## Introduction

If any country has had an ambiguous experience with human rights institutions and discourses, it is Rwanda. In the months of April to July 1994, human rights and respect for the freedom of press were evoked in campaigns against intervention to stop the genocide against the Tutsis. The

ambiguous and harmful French intervention – Operation Turquoise – was defined as humanitarian. Since the genocide, Rwanda's remarkable recovery record has been questioned on the basis of human rights. Two of the more famous instances of such challenges have come from the interactions of Victoire Ingabire and her lawyer, Peter Erlinder, with the Rwandan justice system on charges of genocide denial, and the award of the Lantos Prize for Human Rights to Paul Rusesabagina, which was greeted with protests from survivors.

And while Western governments, institutions and individuals claim to be propelled by noble principles of justice for all, their actions cause great pain to genocide survivors. The survivors see the inaction of the international community during the genocide as the abandonment of victims to their extermination, fuelled by the fact that their lives were less valued because they were African. Survivors also see some of the post-1994 actions of the international community as nothing less than genocide denial. This sharp contrast in perspectives highlights the ambiguous nature of human rights discourses, especially in the African continent.

In this paper, I argue that what makes human rights discourse so problematic in Africa goes beyond the political order to the tyranny of good intentions. I will concentrate my analysis on two phenomena: the arguments of Peter Erlinder and his client Victoire Ingabire on one hand, and the award of the Lantos Prize to Rusesabagina on the other. The problem of human rights is a secularized theodician one – one of explaining how evil occurs despite a benevolent desire for justice and peace for all.

### Good intentions

C. Peter Erlinder, law professor at William Mitchell College of Law, gained notoriety for his work defending clients at the International Criminal Tribunal on Rwanda (ICTR) and more famously, Victoire Ingabire, the opposition politician eventually jailed for genocide denial. Erlinder has been a vociferous critic of both ICTR and the Rwandan government, criticizing the ICTR for persecuting the *genocidaires* but not the RPF, and has

provided documentary evidence proving lack of intent to commit genocide. He claims to be concerned about the law being impartial, and about proof of guilt being based on “hard” evidence (2008). Erlinder’s issue with ICTR, he claims, is that the tribunal is not prosecuting “all” the crimes in the Rwandan “war.”

Erlinder argues that his fight is motivated by his belief in the need for “a serious reappraisal...in the interests of international justice” (2008, p. 15). He even insinuates that his criticism of the ICTR is anti-imperialist: “My purpose is to raise awareness of the apparent political manipulations that have turned the Rwanda Tribunal into a great-power foreign policy tool, rather than an example from which international justice might flow” (p. 2). In other words, Erlinder is really fighting for Africa, that is, for reconciliation in Rwanda which is threatened by the West’s decision to protect the impunity of RPF, and against the falsification of Rwandan and African history (2010, p. 2). Erlinder’s strategy contrasts that of Holocaust deniers in that, while the latter defend what they consider to be their self-interests by implicitly claiming that the European race is threatened by powerful, conniving and ubiquitous Jews (Klein, 2009, p. 2), he claims to be selflessly defending a larger noble goal, namely the fight for democracy, rule of law and human rights.

Victoire Ingabire, the Rwandan opposition leader jailed in Kigali for genocide denial and Erlinder’s client, appeals to the same Western values and noble intentions. However, in contrast to Erlinder who appears to see himself as the embodiment of these noble principles, Ingabire presents herself as a potential African beneficiary of those values. Besides affirming the Western judicial tradition, Ingabire and her supporters appeal to the Western superior motives and values by calling on Western governments to press for change in Africa. As the trial for Ingabire’s genocide denial began in Kigali, Raïssa Ujeneza, Ingabire’s daughter, attempted to call upon Holland as a model of freedom to intervene by putting pressure on the Rwandan government. “Holland is a country that advocates for human rights, freedom of expression, democracy,” she is quoted as saying, “and I have trouble understanding their support of a regime that imprisons people who express different opinions from those of the government”

(Mbonyumutwa, 2010). In just this statement alone, Ujeneza affirms three things: 1) that Holland is a role model of democracy in the world, 2) that Dutch values are of universal application, and 3) that Holland would be defending its values out of benevolence and disinterested concern for the Rwandan people. In addition to democracy, freedom of expression and human rights, there is another stereotype embedded in this appeal – that of African governments as necessarily dictatorial and lacking maturity in liberal democratic values.

From this perspective, one can see the common ideological and political foundations shared by genocide denial and by human rights discourses. Both claim universality, even though they are rooted in Western history and interests. This argument has already been made by Josias Semujanga (2003) who observes that “organizers of the genocide, researchers, politicians and agents of humanitarianism hold more or less the same discourse” (p. 232). Therefore, understanding the nature of human rights discourse is the key to understanding how activists can deny the 1994 genocide while claiming to defend the human rights of the victims and survivors.

In the case of the Lantos Foundation for Human Rights and Justice, human rights were also evoked in defence of the Foundation’s decision in October 2011 to recognize Paul Rusesabagina, the real-life inspiration behind the hero of Terry George’s film *Hotel Rwanda*, for his saving Tutsis at the Hotel Mille Collines from extermination, and for “his efforts for truth, reconciliation and sustainable peace in Rwanda and the Great Lakes region of Africa” (2011). The announcement was met with protests at Lantos Foundation offices in New Hampshire, and in cyber space from the survivors of the hotel who put up a website ([www.hotelrwandasurvivors.org](http://www.hotelrwandasurvivors.org)), from Tom Ndahiro on his “Friends of Evil” blog, and from Ibuka and AVEGA, which wrote a request to the Lantos Foundation to withdraw the prize (Ibuka, 2011.)

When the protests became too loud to ignore, Katrina Lantos Swett, made a gesture at meeting the protestors outside the compound of her offices (Langley, 2011). Meanwhile, the foundation issued a caustic press

release in which it criticized the protests as not genuine since they did not come after the release of the film *Hotel Rwanda*, and as part of the Rwandan government's efforts to silence a champion of democracy and freedom. Rusesabagina still received the award a month later, but afterwards, his planned trip to an event in Canada organized by Free the Children, and at which he was to share a platform with former Vice-President Al Gore, among others, was cancelled (QMI Agency, 2011.)

### **The problem of human rights**

In his study of the problems of human rights discourses in Africa, Shivji (1989) argues that since the Second World War, human rights ideology has become “a rationalization for interference and intervention as well as domination of Third World countries (‘in the interest of democracy and the free world’)” and as an element for “bolstering the image of the US as a country maintaining civilized human standards internationally” (p. 53). However, when Western countries, organizations and individuals evoke “human rights,” they often fail to articulate the inherent interests and ideology of the actors ostensibly concerned about Africa.

Another problem of “human rights” identified by Shivji is its individualistic nature and its reduction of the state to a protector of individuals as “the primary holders of rights” (p. 23). This concept is very much rooted in the capitalist notion of “rights” as the duty of the state to protect private property. The twin of this glorification of the individual is the suppression of collective rights, especially the right to self-determination and nationhood for oppressed groups (p. 72-74). The disregard for these rights is demonstrated by human rights organizations which, in the name of freedom of speech and similar rights, defend utterances made by journalists and politicians in disregard for Rwanda's difficult history, and in particular for the major role played by the media in the genocide.

This suppression of collective rights to self-determination brings us to the most insidious characteristic of human rights discourse: its idealism, its tendency to abstract issues and take them out of context of the larger

social struggle. Shivji's observations apply almost seamlessly to Erlinder when they point at international lawyers as culprits who see law "as a self-contained system of norms complete in itself, separate and abstracted from both state and society," and the role of lawyers as that "of a technician, to formulate norms and perfect the existing ones" (p. 50). Indeed, Erlinder's treatises are abstracted from the reality of the genocide whose survivors testify that their torturers affirmed that their goal was to exterminate the Tutsi. Erlinder behaves as a true technician, basing his arguments on technical details in documents that are all Western-generated, be they from the tribunal or from human rights organizations. At no instance does he use testimonies and documents from the people who went through the genocide; in fact, he barely mentions the victims. From the "four-year war" between RPF and the government from 1990 to April 1994, he jumps to September 1994 when, he alleges, the RPF government committed atrocities for the still on-going genocide. All that Erlinder says about the three months of the peak of the genocide was that "extreme violence" took place (2008, p. 15.)

Narrowing the field of discussion so drastically allows Erlinder to be a hero in his crusade for "international" law. After all, his status of professor of international law allows him to dictate and manipulate the rules by which others engage him. His position also permits him to employ legal jargon and arguments which affirm his professional authority, while at the same time camouflaging his attitude towards the real human beings who were tortured, maimed and killed. Simultaneously, he can also present himself as the one who is really interested in justice for the Rwandan victims of the power games played by the Western world. Erlinder's behaviour matches Shivji's description of human rights discourse:

[Human rights discourse] abstracts from these struggles and sees human rights as a kind of ideal or absolute standard to be attained and, in a typical Hegelian fashion, presents history as a veritable moment of ideas towards the perfection of human rights concepts and standards. This has grievous effects on even the activity of the so-called human rights activists. They substitute themselves



as fighters for the people who then become, in their discourse, victims of human rights violations rather than being actors resisting these violations in the course of their struggle for emancipation. (2008, p. 51.)

So when Erlinder presents his views as issues about which the “international community” should be concerned, or when Ingabire’s supporters appeal to Holland to press for democracy in Rwanda, they are universalizing Western ideological interests by denying the political, cultural and historical specificity of those interests. They are also abstracting principles and turning them into ideals, ignoring the larger picture of the rapid extermination of people by their neighbours and friends, extermination facilitated by a greedy and power-hungry government. In addition, these human rights advocates are ignoring Rwanda’s even more difficult task of attaining reconciliation and economic recovery.

### **International Complicity**

The irony of the intersection between denial and noble intentions leads us to reflect on the lack of agency in noble intentions with regards to genocide. Despite its commitment to defend the humanity of all peoples, and to prevent genocide as per the 1948 convention, the UN has repeatedly failed to stop genocide in Cambodia, Bosnia and Rwanda. Why, in the face of overwhelming evidence of an extermination plan in Rwanda, was the international community unable to summon the political will and resources to end the genocide? Is it that the UN member countries and officials do not care, despite claiming otherwise?

Linda Melvern (2009) and LeBor (2006) give a detailed accounts of how different UN officials such as Boutros Boutros-Ghali, Kofi Annan and Jacques-Roger Booh-Booh suppressed information and were casual about their duties as UN officials, and about how Western diplomats employed delaying tactics to avoid, if not prevent, intervention to stop the massacres. As the genocide raged on, the UN, instead of criminalizing the murderous regime, pleaded for an end to the “civil war” and called

for the implementation of a “power-sharing” agreement, ostensibly in order to avoid taking sides. The UN was unable to break through the circular argument by the then Rwandan government that, on one hand, the killings were “spontaneous” and not government-orchestrated, and, on the other hand, that the government would stop the killings – which it denied it controlled – only when the RPF put down its weapons. The UN’s insistence on peace talks with a criminal regime and on maintaining “neutrality” was rooted in an abstract, idealized belief in objectivity, or in the idea of there being more than one side to an issue.

But this obsession with neutrality is more than that. It is an inherent impatience with spending time on understanding the issues. In his account of how the UN mishandled genocides such as those in Bosnia, Rwanda and Darfur, Adam Lebor describes the amazing ignorance of Western diplomats of the realities on the ground, their dismissal of expert opinions, and their generally casual reference to the massacres as age-old hatreds. He quotes Danilo Türk, a former Slovenian diplomat, as saying that the “overall political understanding” of the Bosnia situation was “inadequate,” and due to “either intellectual laziness or obfuscation” (LeBor, p. 56). Of course there is always more than one side to a story, but it takes research and meticulous thinking to know each actor, and the role of each actor in the larger drama. But Western diplomats did not have time for that.

Erlinder appeals to the same principle of objectivity that paralyzed UN officials when he relies solely on court and government documents to make his arguments. But this objectivity is a false one – true objectivity about the “civil war” would have required evidence from a different party other than the combatants. Moreover, in the case of the genocide, true objectivity demands listening to the victims. The main evidence that the genocide was indeed planned at least three years in advance is not just in the documents; it is in the fact that day after day for one hundred days, thousands of Tutsis were massacred and tortured, as extremist politicians and intellectuals used their resources to spur on the killers and keep their focus on the larger goal of wiping out the Tutsi. But Erlinder never refers to the actual victims who saw and heard *genocidaires* justify their murderous deeds.

What I'm attempting to do here is demonstrate the paradoxical continuum of genocide denial from the West's behaviour preceding and throughout the genocide on one hand, and on the other, the works and words of genocide deniers such as Erlinder, Ingabire and Paul Rusesabagina. In my view, they are all united by the West's assertion of power by imposing on others their own worldview, which they tragically believe is universal and good for humankind. In this skewed global relationship, the West determines the pertinent information and decisions by abstracting a single issue from its context and elevating it to the be all and end all, and by sticking to a flawed perception in defiance of the reality that contradicts it. The UN has not successfully mitigated this Western dominance due to the five permanent seats at the UN Security Council, as one diplomat told LeBor: "The Security Council is a non-democratic body. You have first-class and second-class members... You can be qualified, skilled, with expert command of an issue, an informed, eloquent speaker. But if you are a non-permanent member, it [is] hard to attract attention" (LeBor, p. 29.)

And when those decisions turn out to be horribly wrong, the West issues apologies and pleads its good intentions. The victims of these decisions are then supposed to forgive, "move on," and, in the case of Rwanda, stop "using the genocide as an excuse." Africans are expected to forget these contradictions because of the individual sincerity of a human rights activist or of a leader after he has retired from the political position in which he could have done something to stop the massacres.

### **The victim: Caught between melodrama and ridicule**

Perhaps a more interesting consequence of human rights discourses is the disempowering of genocide victims through melodrama and ridicule. From relative silence on the genocide, as Goldberg (2009) observes in his analysis of Holocaust memory, mainstream Western society has gone to the opposite extreme and has become a trauma-obsessed society, where "every historical or newsworthy event is mediated to the public by the victims and the eyewitness" (p. 229). However, the ubiquity of victimhood is, in reality, tokenism for the victims and a cover-up for the maintenance

of the global power imbalance, because while the West appears to be attentive to victims, it has, on the other hand, cheapened victimhood with either excess sentimentalism or ridicule, so that victims lose their status as the society's conscience. In the meantime, Westerners console themselves that they have at least "done something" to respond to the victims. In Goldberg's words, "the excessive voices of the victims have exchanged their epistemological, ontological, and ethical revolutionary function for an esthetic one" (p.229.)

Goldberg calls this consolatory and cathartic function "melodramatic." As he explains, the defining characteristic of melodrama is its evocation of great horror immediately followed by the re-establishment of moral order and stability. Melodrama converts the Holocaust into "a reassuring narrative" about "the 'bad guys' – the Nazis – who messed it all up," in contrast to us "the 'good guys,' the upholders of democracy and freedom" (p. 234.)

However, Goldberg erroneously states that the post-colonial narrative is evidence that the melodramatic does not apply to the formerly-colonized countries. On the contrary, the neo-colonial world has been assaulted by what Teju Cole (2012) has referred to as the "White savior industrial complex" and Adesanmi (2012) has called the "Mercy Industrial Complex," in which Western charity accompanies Western domination of the global economy at the expense of Africa. In his response to the Kony 2012 video hype in cyberspace, Cole posted several comments which were "re-tweeted, forwarded, and widely shared by readers," indicating that his frustration was shared by many. Cole's poignant statements included the following: "the white savior supports brutal policies in the morning, founds charities in the afternoon, and receives awards in the evening"; and "the White Savior Industrial Complex is not about justice. It is about having a big emotional experience that validates privilege" (T. Cole, 2012.)

There is yet another melodramatic esthetic applied to Africa: that of reconciliation. The preoccupation of Western scholars and politicians with reconciliation in Rwanda, and in South Africa prior to the genocide against the Tutsi, is based on the impulse for the "normalization" of

the situation in the respective countries. “Normalization” translates into a “return” to democracy and the free market economy under a leader who is moralized in Western terms. In the case of South Africa, for instance, the Truth and Reconciliation Commission at the end of apartheid ended up with confessions emanating from disproportionately more blacks than whites. In the meantime, the IMF imposed on the country an aggressive privatization of public property, so that eventually, the wealth and power remained in the hands of whites, with a small black elite becoming rich overnight, “while a large black majority sank into deeper squalor and despair” (Gordon & Gordon, 2009: p. 101). In the face of this humiliation, the voice of the opposition and the black majority were suppressed by the heavy moral symbolism of Mandela and South Africa as “a beacon, a shining light of pride in antiracist struggle” (p. 101.)

Similarly, the interest in Rwandan reconciliation is driven by the West’s desire for the restoration of the moral credibility of the Christian religion that was seriously dented by the Church’s participation in the genocide. For others, reconciliation presents an opportunity for Rwanda to affirm Western values of “democracy” and “respect for human rights” as prescribed by the infamous Human Rights Watch (see, for example, Sarkin, 2001). Meanwhile, these studies remain mute on issues such as the need for political re-imagination (Katongole, 2005), economic recovery and international cooperation in bringing the *genocidaires* residing abroad to justice.

When victims’ experiences are not condemned to the melodramatic through charity, empathy and moralizing, they are ridiculed. For instance, when black peoples merely mention their painful history, they are ridiculed for refusing to “move on,” given that racism, slavery and colonialism belong to the past. Be they in the diaspora or the motherland, African peoples who refer to the historical and social foundations of their poverty and exploitation are accused of refusing to take responsibility and work hard like everybody else, and of being obsessed with “blaming everything” on racism and colonialism, even when the problems are very clearly rooted in colonial rule.

Addressing the American situation, A. Cole (2006) argues that while “victim talk is indeed omnipresent,” American politicians and political

observers “deploy ‘victim’ to dismiss, ridicule and condemn” (p. 2). This phenomenon, which she calls “anti-victimism,” is characteristic of the political right. Driven by the free market ideology and social conservatism, the right seeks to diminish the gains of the civil rights movement in terms of government social services and civic liberties for minorities (pp. 10-11). One of the strategies of anti-victimism is to resort to “blaming the victim,” that is, portraying the poor as responsible for their plight due to their cultural deficiency, poor family values and their receiving welfare from the state (Zinn, 1989). Whatever the manifestation of anti-victimism, the basic idea is to sabotage any collective political claims as an oppressed group, through isolating the victim as an individual, and then putting the victim on the defensive (A. Cole, 2006.)

The antagonism towards collective political claims is central to understanding the West’s constant humiliation of the victims of the genocide against the Tutsi, and particularly its apparently neurotic animosity towards President Kagame, both of which were prominent in the Lantos Foundation’s communication on the award. In this regard, Gordon and Gordon’s (2009) study of disaster is informative. The authors argue that victims stand as a reminder that disasters necessarily demand communal, collective, political and institutional responses, which flies in the face of the political right’s philosophy of individual responsibility and of government detached from citizens and committed to protecting the market. The right therefore turns against the victims as a “collective refusal to take responsibility for the conditions that led to [the victims’] engulfment in catastrophe” (11), and also resists political responses to disaster by, among other things, fighting for “privatized solutions to public problems or for religious-based aid agencies to replace the need for government services” (17). This obsession with private power would explain the persistent goading of victims, genocide denial, accolades and asylum for genocide deniers and perpetrators, and constant nitpicking of the Kagame government. It is only natural that people who do not believe in government responsibility would be hostile to a government that is actively engaged in the reconstruction of Rwanda, because that engagement denies opportunities for business, philanthropy and moral posturing.

The subjection of the victim to melodrama and ridicule makes it evident that the increased visibility and audibility of the victim does not indicate a shift in the victim's situation. The only shift is in tactics of relating with the victims, which in turn has to do with the transfer of the imperial center from Europe to the United States. In contrast to Europe's preoccupation with interests, the United States is characterized by a narcissistic obsession with exposing the world to its innate genuineness and goodness. The US contrasts itself with European colonizers as more "respectful" of the formerly colonized peoples, if not as equal partners, and advocates for the latter's freedom. Unlike European colonizers who condemn African cultures as savage, Americans "respect" African cultures and promote "cross-cultural communication"; unlike Europeans who imposed their languages on Africans, Americans support translation into African languages, and unlike Europeans who invested in the formation of an African elite whose loyalties are to the metropolis, Americans by-pass the elite and send aid directly to the peasants. But as Fanon (2005) reminds us, these developments initially came less out of concern for Africans and more out of fear that the liberation struggles would transform African countries into Communist enclaves. In reality, therefore, the exploitation of the so-called "third world" trudges on, despite all the victim testimony and the rhetoric of human rights, as an indignant Adesanmi states:

Hence we have a defence industry in the United States that must corrupt Congress and the Executive in order to ensure that unheard-of percentages of America's national budget continue to flow to the arms sector; hence we have politicians who must find value for all the money they pump into that sector by trying to put American military bases in every country in the world if possible; hence we have an electorate that fetishizes "our men and women in uniform" [sic] and a clergy that prays for them when they go out to bomb thousands of people in Iraq, Afghanistan, Pakistan in the service of the Military-Industrial Complex.

All this is powered by a certain national sentiment: we are too essentially a good people to allow the rest of the world escape the privilege of our values. We should bomb those values into them whenever necessary.

Recognizing victims and giving them platforms to openly express themselves therefore does not indicate a fundamental repentance for the suffering of humanity and the role of Western imperialism in it.

This factor gives us food for thought as we consider the place of the victims' voices in the historiography of the genocide against the Tutsi. The victim being heard does not necessarily translate into their being an important actor in our writing the history of the genocide. In his critique of Saul Friedländer's ground-breaking study which integrates victims' voices in the historical narrative of the Holocaust, Goldberg (2009) cautions that despite a scholars' noble efforts, victims' voices in narratives of atrocities are twisted by the current socio-cultural environment to "produce...pleasurable identification with human suffering according to expected protocols" (229). Consequently, while outright denial of atrocities is fairly easy to identify, there are other insidious forms of assault against victims which require our vigilance, since they are just as painful as outright denial.

### **Anti-Victimism**

In the case of the Lantos award to Rusesabagina, the announcement of the award was a manifestation of melodrama, while the response to the victims' protests was a manifestation of anti-victimism.

If we use the framework of melodrama as explained by Goldberg, it is evident that the Lantos Prize – just like other awards which the West dishes out to those whom it considers champions of freedom – was the search for a return to a "normal" in which Western values remain supreme. As Katrina Lantos Swett (2011) indicates in her announcement of the award, and later on in her speech at the prize event, the story of Rusesabagina who individually saved thousands of Rwandans facing extermination affirmed the American belief in individual heroism and romantic notion



that “the actions of one man can change the arc of one’s life story.” That means that 1,200 survivors’ lives supposedly saved are little more than a number, while Rusesabagina is the vessel for the affirmation of American values.

The other narrative reiterated by Swett was the one that propelled me to write my critique (2008) of the film *Hotel Rwanda*: the phenomenon of “love despite.” In this ideology, the strength of love does not reside in one’s commitment to fellow human beings; rather, it lies in absence of obligation and in the opportunity to pursue self-interest, which the hero inexplicably gives up. Thus Swett would say at the award ceremony that Rusesabagina “would have been more than justified in seeking a life of quiet and peace... but also left alone to enjoy the simple ordinary pleasures of his family and friends.”

Here, Swett offers a bizarre perception of the genocide. It is absurd to think that in the midst of the horror and the chaos, there would have been the opportunity to have “a life of quiet and peace” or “to enjoy the simple ordinary pleasures of his family and friends.” How could there be peace when outside the hotel, families and friends were being killed by the people whom they had once trusted? Even those who were killing had already abandoned their humanity and, by extension, their capacity for normal human relationships. So where was “Paul” supposed to find those “ordinary pleasures” which he purportedly gave up for the sake of the people in the hotel? The other disturbing trivialization is the reduction of the genocide to a “moral test.” It almost sounds as if Swett envies “Paul” for having the genocide as his “great moral test,” since she had been praying to God for her own. And so in the absence of her own test, she appropriates that of “Paul.”

And so Swett’s melodramatization lies in portraying the genocide as that brief moment after which the world returned to the superior American values of democracy and individual self-sacrifice. And while the apparent hero in the melodrama is Rusesabagina, the actual hero is the West whose values remain supreme even though they were briefly inert during those bloody one hundred days. This centrality of the West is affirmed

by Swett's statement that "the community of nations, to their everlasting shame, stood by and did nothing, and as a consequence nearly a million Rwandans were massacred in just 100 days." The implication here is that the main reason Tutsis lost their lives was because of Western inaction in 1994; not because of a century of colonial history and mental manipulation, followed by a criminal regime that was supported overtly by France and covertly by the complacency of the international community.

This trivialization of the genocide provides the backdrop for the ridicule of victims and survivors by Swett and a section of the Western media. In behavior that reflects the condescending and vacuous audience given to victims, Swett conceded in her defense of the Lantos award that she met the protesting survivors. However, her encounter with them does not sound like a meeting of equals, if the report in the *Concord Monitor* is anything to go by. She is reported to have met the survivors outside the compound of her offices (Langley, 2011). The ridicule of the survivors continued in her accusation that they were pushed to protest by Kagame, implying that for the survivors, their pain is subordinate to the Rwandan president's reputation.

The Western media also went along with this thread of reasoning. The BBC (2011), for instance, refers to Ibuka, the umbrella body of the survivors, as "close to Kagame," while *Concord Monitor* (Langley, 2011) calls the survivors "self-described survivors of the Genocide against the Tutsi." Like Swett's rebuttal, the basic strategy of these media reports was to doubt the mental clarity of the survivors by portraying them as puppets. Meanwhile, there is not a word in any of Swett's speeches about the victims.

This disregard for the humanity violated during the genocide can be explained by Gordon's (2005) formulation of theodicy. Theodicy is the attitude that explains evil in the face of God's omnipresence and goodness. Theodicy demands that evil must not be attributed to God but to human failings or to human ignorance of God's perfect will. This logic has been extrapolated to portray Western knowledge and political systems as just. The consequence is that the oppressed peoples, whose experiences

stand as contradiction to Western perfection, are blamed for their own problems, rather than the system's imperfections being held responsible for those problems. Similarly, victims and survivors of the genocide stand as evidence that the Western world is not the heroic superman delivering "third world" countries from themselves, and that Euro-America does not value human life as much as it claims. So short of praising itself in the midst of such contradictions, Western institutions award characters like Rusesabagina who affirm the supremacy of their own values, even when those values are not followed in their home countries.

### **A Perspective of Hope**

Should Africans then withdraw from the international community and cynically dismiss the West as incapable of pursuing anything but its own interests?

Certainly not. There are ways in which we can mitigate this weakness. The first is to see the expectation of Africa, its tendency to judge its interactions with the West solely on the basis of Western individuals' sincerity, as a form of neurosis, or bad faith, in other words the inability to see that sincerity does not, as Josias Semujanga states, "prevent their action from taking meaning only within the global context of the Western venture in other countries in the world" (Semujanga, p. 217). It is a neurosis because the essence of being human is being conscious that one acts in a world beyond one's self, and that while one can determine one's own action, one cannot completely determine the consequences of that action, because one lives in a world with other actors.

The second is to remember that despite the evil and suffering inflicted on the continent, and especially in Rwanda, Africans are still human beings. For as long the rest of the world has come together with the noble goal of uniting against crimes like genocide, it is a gesture of goodwill for Africans to support this goal.

However, Africa must also be politically smart. Africans must not be naïve and idealize the UN as the genocide deniers and activists abstract

and idealize human rights and international law. They must also not rely on the sincerity and good intentions of the international community to stop catastrophe from happening in Africa. That means that, even if the international community, through the UN, professes goodwill towards Africans, Africans must always determine for themselves the politics and interests behind that goodwill. Frantz Fanon defined this skill as one which is acquired through political education. Political education, he argued, makes the people distinguish between different actors according to interests, because even in noble goals such as liberation, or preventing genocide, not everyone's interests coincide. Political education helps clarify the struggle so that the people "replace an overall undifferentiated nationalism with a social and economic consciousness" (Fanon, 2004, p. 93).

Political education is based on being human. It recognizes that the human is a simultaneously physical, political, social, cultural and environmental being, and it always makes us conscious that we are in constant negotiation with ourselves, our societies and our environment. In his concluding chapter of *The Wretched of the Earth* which celebrates humanity, Fanon emphasised the whole human being when he urged humanity to "endeavor to invent a man in full," and to focus on "man's conditions, his projects and collaboration with others on tasks that strengthen man's totality" (p. 236).<sup>2</sup>

Worse, given the narrow mindedness and apparent inability to grasp complex issues, the human being in Euro-American discourse is a neurosis based on the reduction of human beings to pure reason and good intentions. Fanon termed such neurosis as Europe's "permanent dialogue with itself, an increasingly obnoxious narcissism [...] a virtual delirium where intellectual thought turns into agony since the reality of man as a living, working, self-made being is replaced by words" (236). Fanon was not angry, he was mourning for Europe as a part of the human family. He acknowledged the contribution of some Europeans in trying to get "European workers to smash this narcissism and break with this denial of Europe" (p. 237). We assume that he was talking about people like Jean-Paul Sartre, and along with Sartre I would include François Xavier-Verschave

2 We are conscious of problematic use of man as a "generic" for humanity.

who brought greater world attention to *françafrique* not simply on behalf of Africans, but on behalf of the European masses, arguing that even they were exploited by French mafia's escapades in Africa. So our agenda here is to restore and maintain the human dignity of not just Rwandans, but of the entire humanity. It is not just Rwanda that needs to recover its humanity. The West, too, badly needs to do so.

Identifying the political and ideological framework of genocide denial is also crucial for us who are concerned about the truth and about memory, because we cannot effectively counteract genocide denial on the very narrow terms of those who are denying the genocide. The main strategy of fighting genocide denial is to widen the discussion to its socio-historical context, and to include more than rights of individuals, but also the collective right to freedom, revolution and self-determination. As Shivji puts it, "the right-holder... is not exclusively an autonomous individual but a collective: a people, a nation, a nationality...an oppressed group, etc." (p. 71). He nevertheless cautions that this collective right "must clearly be distinguished from the fascist concept... where the 'collective' and the state cease to bear any class character" (p. 71). Making that distinction, as Fanon tells us, is a skill acquired from political education.

As Shivji suggests, we need to also widen the discussion of the genocide and Rwanda's recovery from the "static and absolutist" paradigm of law to "a means of struggle," because when "seen as a means of struggle, a right is therefore not a standard granted as charity from above but a standard-bearer around which people rally for struggle from below" (p. 71). Counteracting genocide denial requires affirming the Rwandan people in their struggle to recover their dignity and build their country.

At this point, let me clarify that I am not saying that the response to genocide denial or human rights belligerence should be "Rwandans (or Africans) know best." Such a response adopts the hierarchy in which Western activists know everything and Rwandans know nothing and simply reverses roles. Yet the problem is not who occupies which position in the hierarchy, but that the hierarchy exists in the first place. Role reversal is no substitute for the meticulous work of political education, of identifying ac-

tors, realities and interests. The issue then, is not who is speaking or qualified to speak on Rwanda; rather it is that some “experts” on Rwanda have such a superficial knowledge, and worse, they have access to global media and therefore have power to influence people and even policy with their misinformation. As LeBor shows, it was ignorance and misinformation that persistently led to the UN’s complacency in the face of the genocide in 1994.

## **Conclusion**

Genocide denial is not only the dehumanization of the victims of genocide, but also of the deniers themselves. The fact that such denial is rooted in good intentions points to a human neurosis which has been called “the crisis of the European man” (Gordon, 1995). Genocide denial is also not limited to questioning whether the slaughter of Tutsis was really genocide; it also extends to the decisions of Western governments to ignore the genocide or sabotage any attempts to intervene, as well as human rights discourses which focus on small details of the post-genocide government’s record, without acknowledging the context and background of the issues the government is dealing with. The response to such denial is to widen the scope of discussion, to assert collective rights, but most of all, to promote education that gives people a critical consciousness of the world they live in. Consequently Fanon’s conclusion to his last revolutionary book seems appropriate: “for ourselves and for humanity, comrades, we must make a new start, develop a new way of thinking, and endeavor to create a new [hu]man” (p. 239).

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## **Chapter 8**

When Genocide becomes  
Moral Obligation:  
On the Perversion of Religious Language.

Jean-Pierre Karegeye

## Abstract

**A**mong the factors that make a genocide, or genocide denial, both possible and banal, scholars often cite the dehumanization of the victim perceived as an insect or harmful animal. Beyond notions of banality, manipulation, and spontaneity, it is essential that we reflect on mass crime using moral or religious categories. Once we think of it in this way, genocide proceeds from a logic that defines good and evil and thus allows killing without committing a crime. Preventing genocide and fighting against denial will also consist of deconstructing the rationalities that welcomed and justified the genocide and allow denial today.

### The Ambivalence of the Sacred

Every individual is sacred. The *African Charter of Human and Peoples' Rights* adopted in June 27, 1981 recognizes that “Human Beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person.”<sup>1</sup> That human beings are sacred means life is inviolable. The French text uses a singular form “Every human being” which suggests that the meaning of life depends on the rights of every person. The adjective “inviolable” draws on the religious realm and is close to the idea of the sacred; it connotes a sense of reverence, dignity and respect, as opposed to “profanation.”

One implication of this is that moral and religious discourses must

1 The African Charter on Human and Peoples' Rights (1981), Part 1, article 4. The adverb “arbitrarily” contained in “No one may be arbitrarily deprived of this right” seems to open the door to the violation of the right to life. Is the suppression of human life morally acceptable when it is allowed by positive laws? The Universal Declaration of Human Rights (1948) in its third article emphasizes in individual rights using positive form: “everyone has the right to life and security of person.”

be constructed in respect for human dignity, and that they cannot allow the violation of the right to life. Christian faith, “common morality” and human values are all opposed to any “intent to destroy, in whole or in part, a national, ethnical, racial or religious group.”<sup>2</sup> Any criminal behavior is morally repugnant. Religious discourses condemn evil. To assert that human life is sacred is to affirm that the right to life is a matter of religious faith. But in Rwanda, the perpetrators, using a religious language, portrayed their victims as evil by using various religious metaphors. How did this happen: Christians killing other Christians? How could Rwandan Christians who manifested commitment to their faith have acted with such intense cruelty? How did ordinary people come to commit extraordinary evil?

Various approaches may explain the paradox of violence in the sacred. Violence in general may be inherent in the essence of the sacred. René Girard uses the term “ambivalence” to designate what he calls “two opposing aspects” of the sacred. Inspired by Henri Hubert and Marcel Mauss, Girard analyzes the ritual sacrifice from biblical texts, myths, and Greek tragedy to raise the place of “criminal violence” into sacrificial act. Life is sacred, but what about the sacrificed victim? The ambivalence appears here: “Because the victim is sacred, it is criminal to kill him. But the victim is sacred only because he is to be killed.”<sup>3</sup>

Giorgio Agamben joins Girard in separating the sacred and sacrifice, even though the two words have the same root. The Italian philosopher studied the concept of sacred in Roman tradition. He called “bare life”<sup>4</sup> or “naked life,” a political reality close not to life, but to death. A bare life/naked life is a “life of *homo sacer* (sacred man), who may be killed and not

2 1948 definition of genocide as formulated by the convention on the prevention and punishment of the crime of genocide that became effective 1951. Charny discussed and offered a classification of genocide through various definitions and categories in Israel Charny (editor), *Encyclopedia of genocide*, Volume I, (Santa Barbara-Denver-Oxford: ABC-CLIO, 1999), 3-14

3 René Girard, *Violence and the Sacred* (Baltimore: The Johns Hopkins University Press, 1979), 1.

4 The expression “bare life” in Italian original text is *nuda vita*, which means “naked life”. Agamben’s French translation book kept *la vie nue*. Also other commentators of Agamben prefer the literal translation of “naked life” rather than “bare life”.

yet sacrificed.”<sup>5</sup> The bare life of *homo sacer* is situated in the political sphere. The religious reference serves as a basis to reflect on sovereign power, which means “the right to decide life and death.”<sup>6</sup> He reinterprets and completes Foucault’s idea of “bio-power” or “bio-politics” understood as life calculated and planned in terms of population, health, and national interest, depending on political strategies. Agamben (re)conciliates the idea of sacred with the idea of sovereign power in the sense that life of his *sacred man* is a phenomenon depending on political power that exercises the right to life and to death.

Scott Appleby’s book, *The Ambivalence of the Sacred*, has the merit of showing that the ambiguity is not in the sacred itself, as suggested by Girard, but in the way of looking at it: “The ambivalence need not reside in the sacred itself, of course, only in the imperfect human perception of the sacred.”<sup>7</sup> Appleby goes through the forms of violence committed by religions and leaders in the name of God. He tries to understand circumstances in which religious leaders become artisans of violence. Then, the commitment to violence becomes a sacred duty. In his conclusion, the author shows how apostles of non-violence, through their religious faith, try to build a peaceful society. The difference between Appleby and Girard comes from the nature of the cases that they study. Appleby studies religious violence in today’s society while Girard interrogates myths and archaic societies.

In the same perspective as Appleby, Mark Juergensmeyer explores religious violence in modern societies. He goes from September 11, 2001 and tries to understand how violent acts are somewhere generated by their own interpretation of religious ideal. Violence may not have its inception

5 Giorgio Agamben, *Homo sacer. Sovereign Power and Bare life* (Stanford: Stanford University Press, 1995), 8. The French translation close to the Italian original text uses the adjective “vie tuable” in stead of the English periphrasis in verbal form: life of homo sacer who may be killed. The adjective “tuable” expresses yet a possibility; but more than that: a life exposed to death. The isolation of the idea of sacrifice is explained in p. 86 “Far for contradicting the unsacrificeability of homo sacer, here the term gestures toward an originary zone of indistinction in which *sacer* simply meant a life that could be killed. Before the sacrifice, the piglet was not yet “sacred” in the sense of “consecrated to the gods”.

6 Agamben, *Ibid.*, 87. The idea of sovereign power and bio-power come from Michel Foucault in his *History of Sexuality. Introduction* (Harmondsworth: Penguin, 1981). *Agamben* reuses the word “biopolitics” (in one word) to describe the dependence of human life in calculations and interests of political or state power. The use of theological categories in his philosophy appears as an influence of Carl Schmitt. But Vikki Bell studies Foucault’s concept of bio-politics in giving it a sociological meaning. She understands “power” through the institution of family and the taboo of incest in her article “Bio-politics and the specter of incest: Sexuality and/in the family” in: Mike Featherstone et al (editor), *Global Modernities* (London-New Delhi: Thousand Oaks, 1995), 226-243.

7 Scott Appleby, *The Ambivalence of the sacred. Religion, Violence, and reconciliation* (Lanham-Boulder-New York-Oxford: Rowman-Littlefield Publishers, 2000), 30.

in religion as such, but the use of religious language vindicates violence and endows it with religious values:

Religion is crucial for these acts, since it gives moral justifications for killing and provides images of cosmic war that allow activists to believe that they are waging spiritual scenarios. This does not mean that religion causes violence, nor does it mean that religious violence cannot, in some cases, be justified by other means. But it does mean that religion often provides the mores and symbols that make possible bloodshed, even catastrophic acts of terrorism.<sup>8</sup>

A violent act may be performed by a good person who rationalizes it as a moral obligation. Abortion Clinic Bombings in 1984 in the United States by Rev. Michael Bray, described as a “cheerful, charming, handsome man,” were perceived as an ultimate way to stop the “business of butchering babies.”<sup>9</sup> Christians perpetrated genocide against the Muslim population of Bosnia-Herzegovina described as “Christ-Killers.” Muslims were perceived as accountable for the death of the Christ-prince Lazar. The genocide was relying on religious mythology such [as that which claims] that Slavs are Christians by nature. Non-Christians were enemies to be killed so that the Christian nation could be rehabilitated.<sup>10</sup> A Christian, or an ordinary person who enthusiastically partakes in violent acts, does not necessarily do so out of his religious and moral convictions.

Hannah Arendt followed the trial of Adolf Eichmann in Jerusalem in 1961. In describing the accused, Arendt concludes that, at a certain point, the evil can be perceived, to the eye of perpetrators, as a banal, normal and ordinary act and rationalized as a good act<sup>11</sup>. Arendt does a type of phenomenology of evil, which means she investigates the way the evil appears in Eichmann’s consciousness. Arendt’s goes on to examine our experience of evil. Approaching an evil in itself as an object cannot help

8 Mark Juergensmeyer, preface to *Terror in the Mind of God. The Global Rise of Religious violence* (Reprinting, Berkeley-Los Angeles-London: University of California Press, 2001).

9 *Ibid.*, 20

10 See Michael A. Sells, *The Bridge Betrayed. Religion and Genocide in Bosnia* (Berkeley: University of California Press, 1996).

11 See Hannah Arendt, *Eichmann in Jerusalem. A report on the banality of evil*, reediting. (Harmondsworth: Penguin Books, 1984).

us to understand how a good person or a Christian comes to kill. In other words, the victory on the evil seems to depend not on a struggle against an abstract concept (perceived object) but in dealing with the way a human being (subject) experiences evil.

At this point, the ambivalence of the sacred also exposes a conflict of moral systems: “People who directed and executed genocide in Rwanda remained believers in God, intelligent beings, sensible, thoughtful, and not at all atheists, barbarians, and criminals in their ordinary lives. They followed a seemingly coherent system of moral and religious convictions which governed their consciousness and decisions in providing criteria allowing perpetrators to establish a distinction between good and evil, the licit and the illicit, and consequently to evaluate their acts of genocide in terms of moral obligations and Christian response.”<sup>12</sup> We can now understand why genocide was perceived as a work (*Akazi*), a duty, and why criminals were asking the Virgin Mary to help them to find the enemy.

Does the sin of genocide disturb the relationship between God and the perpetrators in official Catholic Church discourse? How can we explain the strange situation of priests involved in the crimes of genocide who are still running parishes in Western countries? Why are they protected by the Vatican against any legal proceedings? The Church’s attitude towards genocide seems to suggest that the hierarchy of religious values is not usually in proportion to the hierarchy of moral standards.

The sacred bears a message of peace and respect of life. The fluctuation does not come necessarily from an official discourse. The ambivalence may be expressed through the gap between what the sacred, in theory, is supposed to do and how, in practice, the perversion of religious language participates in the discourses of hatred. Mythical narratives and religious symbols are manipulated, reinterpreted and reconstructed to justify the eradication of the “evil.” At the same time, the symbols and signs of unity as an “embarrassing witness” of a common history within people are destroyed with the objective of separating peoples into two camps by focusing on differences.

12 Theoneste Nkeramihigo, “Le génocide comme défi à l’éthique » in : Faustin Rutemba, Jean-Pierre Karegeye (eds), *L’église catholique à l’épreuve du génocide* (Greenfield Park: Editions Africana, 2000), p. 201.

## Religious Images and Biblical Texts: Prelude to Genocide

The incursion of religious images into genocidal discourse can function as a “mask.” In traditional Africa, a mask is a simulacrum both of divine power and of duplicity. In this way, the reference to the transcendence, in religious meaning, gives a sacred or a magical impetus to genocide and constitutes a source of psychic reassurance for its perpetrators. That would explain, in part, the enlistment of Christians who offered no resistance against genocide. Perpetrators dressed up their acts of genocide with religious symbols so that evil could appear under the image of good and of religious convictions. By the method of manipulation, hate discourse became the language of Christian faith. It was then possible for the Christian language to convey the ideology and the violence of Hutu supremacist narratives.

It is interesting to see how Muslim perpetrators choose to refer to Christian symbols to justify the killings. *Kangura Magazine* of the Muslim Ngeze Hassan was one of the media that used Christian symbols. The task of healing calls for an understanding of the psychological power of images. A religious image is a representation of a sacred reality. It reconciles the spiritual world and the visible world. The transcendent becomes accessible or visible under the mode of representation. Jean Wirth distinguishes three functions of the religious image in medieval theology. The image defined first the relationship between the Father and the Son through the Trinity. It revealed secondly the bond between the divinity and the human being, as “image” of God. And finally the image illustrates and represents the model of religious life.<sup>13</sup> Many images represent the Trinity, the Holy family, Jesus, Virgin Mary and saints, in the form of statues, icons, paintings, drawings and medals in Christianity.

*Kangura Magazine* (translation: to wake up)<sup>14</sup> reproduced an image of the Holy Family on the cover of the third of issues. A conversation is imagined between the Virgin Mary, the Infant Jesus and Joseph:

13 Jean Wirth, “[S]tructure et fonctions de l’image chez Saint Thomas d’Aquin,” in Jérôme Baschet and Jean-Claude Schmitt, eds., *L’image. Fonctions et usages des images dans l’occident médiéval* (Paris : Le Léopard d’Or, 1996), 39.

14 It is possible that Ngeze understood the title of his magazine in the sense of “to wake up” or to “open mind”. In figurative meaning, the verb «Gukangura» means “to provoke a crumbling” and “to put fire”. It also means “to provoke a fight or a quarrel.” Those meanings seem to reflect the role of *Kangura Magazine*.



**-Virgin Mary:** Son of God, you are in Christmas, act to save Burundian Hutu from death.

**-The infant Jesus:** I will tell them to love each other as God has loved them.

**-Saint Joseph:** No, rather ask Hutu of the entire world to build unity.<sup>15</sup>

The Virgin Mary and Saint Joseph talk to Jesus. In general, Jesus, in the Holy Family, is portrayed as a human being, a “son” of Mary. In the Virgin Mary’s words, Jesus is evoked as the “Son” of God. The caricaturist associates the divine world with the struggle of Hutu. The image of the suffering Hutu in Burundi is recalled to explain the necessity of vigilance in Rwanda. The verb “*Ku-gira*” (to act, to do) conveys the idea of miracle or sign from the divinity. Jesus’ title “Son of God” is used by the Virgin Mary of *Kangura* to stress the power and the glory of Jesus coming from the will of God. The request of the Virgin Mary is more explicit than her secret words during the miracle of Cana (John 2, 1-12). She only described the situation: “They don’t have wine” (John2: 3). But in *Kangura*, she uses an imperative form “*gira ukize*” (act to save). Bringing all Hutu together, through a political organization against Tutsi, refers to God’s plan of salvation (act to save). The saying of Joseph “No, ask Hutu of the entire world to be united” seems to correct the attitude of the infant Jesus. Joseph in the Bible does not talk. He is presented as just before God. In *Kangura*, Joseph seems to disagree with Jesus. The opposition is expressed through the adverb of refusal “*oya*” (No).

The disagreement between Joseph and Jesus is, in reality, a conflict projected between the idea of love, *urukundo*, and the concept of unity, *ubumwe*, as perceived by Hutu political parties. The author of the “montage” preferred to use the term “unity” instead of “love” because the concept “unity” (*ubumwe*) possesses a codified meaning in Rwandan political space. It refers to one of the three symbols of President Habyarimana’s party, the National and Revolutionary Movement for the Development, which are peace, unity and development.

15 Jean-Pierre Chrétien et al. , Rwanda. Les media du génocide (Paris : Karthala, 1995), 373.

The term “unity” means the coalition of Hutu against Tutsi, the latter defined as enemy. The words attributed to Joseph suggest that the concept of unity is manipulated for the sake of propaganda. The reference to love could not have been as easy as the reference to unity. How, for example, can I kill my wife, my son and my neighbor in the name of love? The image of the Holy Family applied to the Rwanda conflict suggests that the sacred is on the side of Hutu extremists. The Holy Family is a model of family and community in Catholic theology. The extremist leaders and journalists, peddlers of propaganda, used this model to portray a Hutu community violently opposed to the Tutsi. In the Holy Family’s image, “unity,” according to Saint Joseph, referred to the coalition of all Hutu in the world to fight against Tutsi. The exclusion of Tutsi is expressed through religious and moral categories. The Hutu community appears as a “family of God” through the allusion to the Holy Family. The idea of unity, the enunciation “All the Hutu in the World” universalizes the struggle of Rwandan Hutu. The message recalls African solidarity. The model of the Holy Family, fleeing into Egypt, was also invoked in 1996 in Kyabalisa Camp in Tanzania. The refugees bore a T-Shirt with the inscription “*Numujango mutagatifu wabaye mumahungiro,*” which means “even the Holy Family was a refugee.” This message can be understood as a consolation for innocent people. Nevertheless, it also seems ambiguous. Those who intentionally participated in the genocide could receive the message as an excuse for their own crimes. The genocide somehow becomes a way of participating in the divine life.

The front page of the November 1991 issue of *Kangura* drew President Habyarimana in Episcopal ornament with a book of unity in his right hand. The magazine attributed this soliloquy to him:

Because of my Christian practice, Rwandan people considered me as a priest. The ungrateful have to know that if I remove this cassock, Hutu would be in charge of making decisions.<sup>16</sup>

This quotation shows a correspondence between the sacerdotal ministry and president Habyarimana’s political role. The fact that the two

16 Jean-Pierre Chrétien et al., 263

roles of the president and the priest are close together in Habyarimana's attitude does not facilitate the coming of Hutu power: "If I remove this cassock, Hutu would be in charge." *Kangura Magazine* suggests the ambivalence of the sacred. In one hand, religious language is used to legitimate political violence and ideology of hatred; on the other, *Kangura* rejects any Christian message that may be opposed to violence. We see this in the warning "If I remove this cassock." Indeed, tribal solidarity constructed in antagonistic terms Hutu/Tutsi bears the meaning of unity constructed through both the imitation and the rejection of the sacerdotal model. This fluctuation in the meaning of religious symbols is visible in the word "unity" written on the Bible of Habyarimana as "Bishop of unity"<sup>17</sup> and in the verb "to remove" pronounced by Habyarimana. Tutsi are viewed as ungrateful people, *Indashima*, who were accomplices of the Rwanda Patriotic Front. In the two images of "Holy Family" and "Habyarimana, bishop of unity," Catholic symbols are manipulated to support the extremism and the division between Hutu and Tutsi. The fact that Ngeze Hassan, editor of *Kangura*, uses Christian symbols to communicate hate messages seems to reveal the "flirting" between the Catholic Church and Habyarimana's regime as a paradoxical and contradictory relationships. A paradox in the sense that the discourse of genocide relies on a religious discourse, and a contradiction because the two discourses are diametrically opposed in their essence.

In sum, there is consonance between Hutu ideology and the word of God in *Kangura's* literature. However, when the teaching of the church questions the hate discourse, the caricaturist [proceeds to oppose] Hutu identity and religious aspiration (unity/ Love, Hutu leader/Bishop). The author of the two images reinterprets and rewrites embarrassing Christian traits in the Hutu struggle, love and cassock, which compromise the cohabitation between spiritual and political powers. The Christian message of tolerance did not serve the intent of extremists. The use of religious language would then operate not as helper but opponent of Hutu ideology. Genocide against the Tutsi is an opportunity to rethink the relationships between politics and religion.

17 The image shows the president Habyarimana in Episcopal ornament; but the text accompanying the image refers to him as a priest.

Jeff Haynes defines politics through its aim: the pursuit and exercise of power, which includes the regulation of conflicts. And religion concerns belief systems referred to an ultimate being or to the sacred in society.<sup>18</sup> The propaganda of Ngeze Hassan reveals the “dialectical and interactive” relationship between political and religious spheres. Haynes explains the dialectic in separating the role of religion in politics from the impact of politics on religion. The term interaction suggests mutual or reciprocal influences.<sup>19</sup> The rupture and complementarities between the two discourses are perverted, in *Kangura*, through derision and manipulation of meaning to suggest an interaction between religious discourse and political violence, or to affirm the primacy of political violence as a choice in line with Christian ethics.

In February 1993, *Kangura* painted another caricature of President Habyarimana in bishop’s garb in conversation with some of his faithful including Ngeze Hassan:

**President Habyarimana:** No way! I still believe in my principle of unity. However, be free to use Kayibanda’s way.

**Martin Bucyana of CDR and Ngeze Hassan:** Remove that cassock so that we, Hutu, may settle the problem.

Ngeze Hassan fantasizes about Habyarimana’s attitudes, policy on the issue of war and unity between Hutu and Tutsi. The journalist attributes the “weakness” of the regime to the Christian faith. From synonyms, political discourse and Christian faith turn into antonymic realities. Ngeze Hassan faces the ambivalence of the sacred through a potential conflict between Christianity and Hutu extremism. Habyarimana seems to appropriate Christian ethics: “I still believe in my principle of unity.” The verb “believe” and the substantive “unity” suggest a reference to Christian faith. The meaning of unity as understood in this citation is opposed to the meaning given by Hutu political parties. The meaning of unity changes ac-

18 Jeff Haynes, *Religion in Global Politics* (Longman: London and New York, 1998), 4. Haynes’s understanding of religion is inspired by S. Aquaviva, *The Decline of the Sacred in Industrial Society*. (Oxford: Blackwell, 1979). Haynes in his book studies the impact of various religions in modern world.

19 Ibid, 5.

ording to the context and audience. That is why his supporters suggested that the president remove his cassock.

In a previous image of *Kangura* of November, 1991, of Habyarimana dressed like a Bishop, the President himself threatened to remove his cassock so that Hutu could act. The theme of unity is recalled, not as opposed to the theme of love (previous meaning), but as a policy of reconciliation initiated by Habyarimana through Christian influence. President Habyarimana's speech is duplicitous when it gives a green light to the extremists: "*Ariko ntibyabubuza kunyura inzira Kayibanda yanyuzemo*" (But this will not prevent you from taking the way traced by Kayibanda). There is an allusion to the Hutu Revolution of 1959. Is there any link between the idea of revolution and genocide? The name of President Kayibanda recalls the first violence against Tutsi when they were obliged to flee to neighboring countries. The moral question appears when a revolution dreams, in its beginning, to liberate people from oppression but finishes as an instrument for genocide. Yet the Hutu revolution under Kayibanda was justified as an aspiration to liberty and equality. Why does the caricaturist of *Kangura* oppose the need of unity (as a Christian concept) and the objectives of Hutu revolution? It seems clear that Ngeze Hassan wants to give a revolutionary meaning to the massacres of Tutsi. Hutu freedom depends on a total destruction of Tutsi. Can we tolerate a language of hatred under the pretext of practicing freedom of expression? Ironically, Ngeze conceives the violation of the right to life as a path to enjoying the right to liberty.<sup>20</sup>

In *Kangura* of March 1994, an image shows God chasing away the naked Agathe Uwilingiyimana and Faustin Twagiramunga: "I curse you evildoers." Uwilingiyimana and Twagiramungu were members of the

20 For Henry Shue, liberty constitutes one of the basic rights. This means its enjoyment is essential to the enjoyment of other rights. In other words, a basic right is the right to have rights. According to him, a right is basic when its enjoyment 'is essential to the enjoyment of all other rights.' Three criteria determine a basic right: 1) every one has a right to something. 2) Some other things are necessary for enjoying the first as a right. The author considers security subsistence and liberty as basic rights. It seems to him that a right is to enjoy something else. In other terms, a basic right as a right that allows having rights. See H. Shue, *Basic Rights. Subsistence, affluence, and U.S Foreign policy* (Reprint, New Jersey: Princeton University Press, 1996), 11-87. What is the moral meaning of the right to liberty when it compromises the right to life for the other? In general, human rights' organizations consider the right to life as inviolable. Alan Gewirth considers "human action" as the basis of human rights. In other words, human action is sanctioned, in terms of good or bad, by moral tenets. See Alan Gewirth, *The community of rights* (Chicago-London: The University of Chicago Press, 1996), 13. Liberty, security subsistence, and human action presuppose the right to life. Ngeze builds Hutu freedom on the physical suppression of Tutsi. In spite of opposing my rights to the rights of the other, the enjoyment of my rights ought on the respect of humanity concomitantly in me and in the other.

opposition. The image recalls the narrative of Adam and Eve in [the book of] Genesis (2:25-3:7). The opposition parties, for *Kangura*, create a new environment of sin. In this way, Hutu members of the opposition become traitors of the revolution and automatically associate with Tutsi, symbol of evil. The reference to sin is visible through the scene of sexuality. The naked image seems parallel to Adam and Eve's shame. Agathe Uwingiliyimana and Faustin Twagiramungu should be ashamed of their betrayal. The supposed hidden influence of the Rwandan Patriotic Front on the members of opposition becomes that of the snake in the Book of Genesis. The metaphor of snake (*inzoka*) is commonly invoked to designate Tutsi.

Even scriptures became tools for propaganda. Then, moral norms enter in crisis because they are to be found in a "zone of indistinction"<sup>21</sup> between goodness and evil, God and Caesar, Christian faith and political propaganda, peace and war, revolution and genocide, victim and perpetrator, tribe and nation.

### Visions and Apparitions

During the period of genocide, *Radio Television Libre des Mille Collines* will play a key role in rethinking apparitions of the Virgin Mary in Kibeho. Visions and apparitions as religious language connote the action of the divinity in social life. Through messages, human beings receive information, warnings, and missions from God. In Catholic tradition, the Virgin Mary has communicated with humanity through the mediation of some privileged persons. Christians believed that the Virgin Mary appeared from 1981 to 1983 at Kibeho to some students. Kibeho is a symbol of holiness and horror. It is a symbol of holiness in the sense that the place continues to attract many pilgrims in relationship to apparitions. The other face of Kibeho comes from the genocide committed in the Church and from massacres of Hutu refugees in May 1995. It is mixture of good and evil.

21 This expression is recurrent in Giorgio Agamben's various writings. For example, in *Homo sacer: Bare life*, it appears in pp.5, 6,7,9,17,18, 19, etc. Inspired by Carl Schmitt's state of exception, Agamben's concept of zone of indistinction is an indistinguishable limit between two concepts like outside and inside, inclusion and exclusion, friend and enemy, bare life and political existence, zoe and bios, right and fact, chaos and normal situation, etc. Sometimes, he calls it zone of intersection or zone of exception. This latter, in another book, is "today the normal structure of political power" see G. Agamben, *Means without end. Notes on Politics* (Minneapolis-London: University of Minnesota Press, 2000), 132.

Some rumors attributed a message to the Virgin Mary especially destined for President Habyarimana, venerated as a good Christian. It becomes easy for extremists to use this context to justify killings in the name of God: “*Imana yarabatanze*” (God has given you to death). The *Radio Television Libre des Mille Collines*, during the genocide, used to play religious music while presenters read some “messages” from God or from the Virgin Mary. Some Christians believed that the divinity was helping them to capture enemies. This was clear in a speech pronounced by President Sindikubwabo in May 14, 1994. He declared that God was helping them to fight “enemies.” Valerie Bemeriki, a journalist on the *Radio Television Libre des Mille Collines* on May 20, 1994, organized her program around messages attributed to the Virgin Mary in conjunction with the war and the massacres of Tutsi and moderate Hutu. She pretended that the Virgin Mary continued to appear during the war:

You remember that in the beginning of the war many Hutu got up and said: “It is truly because of the president of the Republic, Habyarimana, that Tutsi are disturbing us. He is supporting them. Nevertheless, they gratuitously killed this father (...) because very recently the Virgin Mary repeated that he (the president) is effectively our father, which he is our father and she has received him. I want to repeat exactly the words of the Holy Mother. By the way, she said that in March 20, 1989. So very recently, the 12th (of this month), she said: in March 20, 1989, I announced. Woe to whomever will take down the churn where I put it (*Hagowe uzajishura igisabo aho nakijishije*). Because the churn (*igisabo*) will bear woes to many people (...) Our forces have to rejoice because she said that they will win. So any person who suffered aggression should be re-established in his own rights.”<sup>22</sup>

The journalist reinterpreted the war and killings through the messages of Kibeho.

22 Jean-Pierre Chrétien, 329.

It is interesting to see how the Virgin Mary of *Kangura* and the *Radio Television Libre des Mille Collines* used also the term “father” to refer to the president, while they called the Virgin Mary, the “Holy Mother.” The category “father” gives symbolically a divine stature to the president seen in the couple “father-holy mother.” In the religious-lexical realm, the term *umubyeyi* (father), refers to God as father (*Imana Umubyeyi wacu*) and Virgin Mary as mother (*Bikira Maria umubyeyi wacu*). The former Archbishop of Kigali, Vincent Nsengiyumva, used the word *umubyeyi* with affection when talking about president Habyarimana. The Head of State stands for the role of divine father *umubyeyi*. The word derives from the verb *kubyara* with radical *byar*, which may be translated by to “beget.” The president would be the begetter of Christians and Rwandan people. This implies the father’s authority over the people and their duty to obey his political discourses. The president and the Virgin Mary seem to have an equal divine role. They are both *Babyeyi*, as father and mother. On the role of the people, the journalist refers to Mary as “our holy mother,” and the Virgin Mary of *Radio et Television Libre des Mille Collines* calls the president “your father.” Also, Archbishop Nsengiyumva, in pinning the image of Habyarimana on his cassock near his pectoral cross, turned him into friend and/or rival of God. Journalist Bamireki seemed to be inspired by the marriage made between normal norms, between the Catholic Church and the political power of Habyarimana: an affair that leads the way to an exchange between religious and political symbols.

The word *Gisabo* (churn) in Rwandan tradition refers to the royal power overthrown during the Revolution. Here, the royal power of the President is from heaven: (*Igisabo aho nagishize*: where I put the churn). This “message” also suggests that the change of power (From Tutsi Monarchy to Hutu Revolution) manifests the will of God. The genocide seems to be accepted by the Virgin Mary as retaliation. She also subscribes [to] the myth presenting Tutsi as bad and ungrateful people. This idea appears in the “gratuitous killing” of the protector by his own protected Tutsi. The word “woe” put in the mouth of the Virgin Mary, reminding us of Jesus’ sermon, relies on blessings (beatitudes) and woes in Luke’s Gospel (6: 17-26). Blessings may refer to the political regime of President Habyarimana and the Army (Our Forces have to rejoice). In



this sense, the journalist reported a “message” given to one of Kibeho’s visionaries, Valentine, saying that the Virgin Mary is supporting the Army against the rebels of the Rwandan Patriotic Front. The killings of Tutsi civilians were, then, understood as a kind of self-defense against rebels. The “woe” is applied to the “enemies” extending to all Tutsi and moderate Hutu and members of the opposition party. Rwandan society then became divided into two worlds, that of the blessed and that of the accursed. The blessed belong to Heaven through references to God, Joseph, Virgin Mary and other religious symbols. In many cases, *Kangura* and *Radio Television Libre de Mille Collines* used to represent “enemies” as diabolic. In other cases the world of enemies appears outside any image. They are, for example, worse than the devil:

Their third sign of defeat of *Inkotanyi* is that, in reality, God has cursed them since this night...rather, since yesterday. God has cursed them...I told you last time they looked for support from Satan who refused in these terms: I, Satan, I have never Killed a big number of people (like you)...They (Tutsi) implored Satan, who chased them; now God, to whom they were looking for favor, has abandoned them.<sup>23</sup>

The use of Christian symbols to incite and to justify genocide obliges moral and religious discourse to rehabilitate itself as discourses of reconciliation and of life where genocide takes place. How? The answer is to be found in the promotion of moral behavior, and also in the “deconstruction” of the religious symbols’ caricature. Religious teaching might replace the patterns of evil with a new catechism of human rights that educates people to respect human life in a way that will prevent future genocides. Human rights may become an integrated expression of our faith. The content and the justification of moral life, for Christians, are related to the incarnated God. The subversion of religious language and the parody of biblical texts to convey the ideology and the acts of genocide invite different confessions to rethink our relationship to God.

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23 Jean-Pierre Chrétien, 327.

To sum up, the ambivalence of the sacred lies in two forms of explanation: the first, the immanent explanation, situates the meaning of ambivalence within the sacred itself. Rene Girard referred to sacrificial violence. Appleby provided a transcendent explanation, (second form) that detached the interpretation of the sacred from the nature of the sacred itself.<sup>24</sup> In both cases, the ambivalence of the sacred generates, or gives rise to, multiple interpretations and the rationalization of violence. The two schemes of interpretation were displayed during the Rwandan tragedy, since they reflected the dissonant binomial “Christian/murder.” Why do ordinary Rwandan believers commit extraordinary evil acts? How and why could a Christian Hutu kill his relatives? It happened that in some circumstances a father, destroying his own nuclear family, believed he was fulfilling his Christian and state duties in legally putting up a fight against an evil. His Tutsi wife was perceived as a devil that was breaking the Hutu’s unity.

We should recognize that in some cases Christians did not willingly participate in the killings. They were facing a dilemma in their ordinary life: either they kill their Tutsi wives and children or they perish with their entire family. Is there a choice of the lesser of two extreme evils? Some perpetrators seem to have made individual decisions which depended in fact on various institutional, social, and cultural constraints and pressures of “bio-politics” that decided the “right to life and death” during genocide.

Christian faith may resist the reality of “bio-politics,” as understood by Giorgio Agamben, through what Kenneth Cauthen calls “Christian bio-politics.”<sup>25</sup> He defines it as “a framework of thought and action”<sup>26</sup> based on various theologies of hope that can face a secular society. He tries to reconcile theory and action, theology and politics, religion and Ethics, the sacred and non-violence. “Christian bio-politics” is an elaboration of Ethics centered on life through religious values:

24 The terms “immanence” and “transcendence” are not used in philosophical and theological ways as they apply to God, but in Julia Kristeva’s sense, as she refers to the interpretation of a text. Immanency concerns the meaning of a text which has to be found within the limits of the world of the text: words, grammatical form, etc. But a transcendent analysis tries to find the meaning of the text outside the text, by looking into the context and the society. See Julia Kristeva, *Revolution in poetic language* (New York: Columbia University Press, 1984).

25 Kenneth Cauthen, *Christian Biopolitics. A credo and Strategies for the future* (Nashville-New York: Abingdon Press, 1971).

26 *Ibid.*, 11.

The theology which can best serve the Church in its ministry to the society of the future will take the form of Christian bio-politics – a utopian approach to the organization of the quest for a desirable future, which takes as its central theme the fulfilment of life within the totality of the natural, social, and technological settings of human existence.<sup>27</sup>

In *Kangura* and *Radio Television Libre des Mille Collines* religious references are not a matter of adhesion to religious values, but they guarantee credibility and devotion to political discourse. Religious symbols have become an ideological device used by politicians and perpetrators. Our point of arrival, instead of leading to a conclusion, does provoke another question in the third chapter: that of political citations in pastoral letters.

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<sup>27</sup> Ibid., 103.

## **Chapter 9**

L'expression artistique: levier dans les  
stratégies contre le déni du génocide

Koulsy Lamko

## Abstract

In light of the horror deemed unacceptable by human conscience or collective memory, genocide denial unfolds as a multifaceted system, in the continuum of the crime it defends, and justifies. We do not claim to outline any sort of typology, but nevertheless try to shed light on the wide array of mechanisms that characterizes genocide denial. Such mechanisms range from political and legal denial to historical denial and revisionism, with attempts to minimize and justify the crime of genocide, attempts to impose silence on it, the practice of psychological and physical violence, the elaboration of dichotomous thinking, the practice of permanent cognitive distortion—every enterprise seeking the negation of testimony and memory. The genocide against the Tutsi in Rwanda is no exception; it does not escape the assault of genocide denial. Promoting attitudes aiming to reinforce resilience among genocide survivors then becomes a vital and historical necessity. Artistic practice, creative spaces, the regeneration of emotion and self-esteem, the promotion of space for testimonies and authentic history seem to act as determining auxiliaries in the construction of memory against genocide denial.

Mon premier séjour au Rwanda en Juillet-Août 1998 dans le cadre du projet « Rwanda, écrire par devoir de mémoire », m'a laissé deviner une espèce de maldonne fréquente dans l'acte de communication. Cette impression vague au début était assez vite devenue certitude: les modalités de réalisation de la parole étaient assez souvent biaisées dans leur actualisation. L'acte de communication souffrait énormément dans sa destinée complète étant donné l'importance capitale du « non dit ». Les différentes situations d'échanges me semblaient énormément influencées par différents états psychologiques où l'affect prenait une part déterminante. Elles l'étaient tout aussi par la nature de la relation inter-interlocuteurs: les an-

tagonismes de groupes amalgamés victimes/bourreaux autant que le statut social jouaient à fond la partition du silence. Les schémas de dialogue évitaient soigneusement toute inflexion polémique nécessaire aux échanges symétriques ou complémentaires positives.

Mon premier réflexe avait été de rechercher partout ailleurs les raisons de cette prédominance du « non dit » Bien de témoignages écrits et documents d'ethnologues attribuaient aux peuples des Grands Lacs et notamment à certaines communautés, *la tendance à la dissimulation*. Des arguments, hélas essentialistes, et résolument nourris à l'anthropologie victorien, puisaient facilement dans une littérature orale abondante<sup>1</sup> et lorsque les aspects historiques étaient évoqués, ils n'étaient pas suffisamment mis en exergue pour établir les liens de causalité entre deux faits. Je me rendis compte assez vite de l'ambiguïté de cet argumentaire qui confondait causes et effets et refusait de s'appuyer sur l'évidence historique, un raisonnement par l'absurde, qui se prétend intelligemment documenté et qui pendant longtemps à caractérisé le positivisme européo-centriste faussement déterministe quand il s'agit de caractériser l'ailleurs. Un argumentaire friand de stéréotypie et de volonté de puissance!

Je me laissai simplement aller à l'évidence : on se trouvait en présence de survivants et de bourreaux embarqués dans le tourbillon d'un génocide... une immense tragédie qui a emporté 10.000 personnes chaque jour pendant 100 jours. Le traumatisme était évident dans ses effets au niveau psychologique. Le « non dit » n'était pas la cause du génocide; mais une réaction subséquente au traumatisme : l'après génocide.

1 Le terreau de la tradition philosophique. Celle-ci parfois castratrice régirait un certain nombre d'attitudes où le silence est vertu et le stoïcisme une philosophie de la vie. Un proverbe en kinyarwanda dit : « Ijambo rikunze rikuguma mu nda » (la parole qui t'aime reste dans ton ventre). Autrement dit : Il faut essayer de se garder de dire sa pensée, le silence protégé de probables ennuis que la parole pourrait engendrer. Un autre dit ceci. « Ijambo ribi rikura imboro mu gituba » (une parole méchante peut sortir le pénis du vagin). En d'autres termes, un seul petit mor blesant peut rompre une profonde amitié. Aussi garde-toi de dire ce que tu penses... Et même si tu as mal, tais-toi. N'exprime jamais ta douleur - le terreau de la tradition politique d'obéissance. Cette tradition se serait construite avec la forte hiérarchisation de la société précoloniale : le Rwanda était un royaume très organisé avec une organisation sociale en caste. Cet état de choses se serait doublé des effets pervers d'un catholicisme colonial mal contextualisé, une évangélisation qui aurait produit des phénomènes d'adhésion superficielle et après table rase sur les valeurs métaphysiques aurait laissé un vide criard au plan de valeurs de substitution. Un anachronisme en serait né générant le réflexe de la dissimulation. Ailleurs un syncrétisme aurait permis un passage en douceur. Ici, le schéma hiérarchique s'établirait ainsi : l'autorité politique en haut de la pyramide, l'autorité religieuse ensuite, l'homme, la femme et l'enfant des peuples montagnards, habitués aux affrontements et du fait du relief accidenté seraient essentiellement méfiants et pour cause, cachent, mentent, dissimulent.

En effet, lorsqu'un deuil frappe, et surtout dans la configuration du crime violent et massif, plusieurs réactions sont possibles chez l'individu ou le groupe concerné par la disparition d'êtres chers. Plusieurs cas de figure et de façon non exhaustive, notamment: celui qui pense avoir tout perdu et qui pleure silencieux dans son coin; celui qui malgré la perte colossale reste stoïque et se lance à corps perdu dans la conquête d'un avenir certain ou incertain; celui qui sous le coup de l'émotion bien forte perd la raison et s'enferme dans une zone de non cohérence, et qui ne parle plus, ou ne parle qu'avec ce qui n'existe pas; celui qui va travailler à faire renaître l'espoir et à le faire grandir; celui qui se fera tout petit, amorcera un retour vers la juste condition humaine faite d'acceptation d'une fatalité ontologique, à l'abri de toute velléité de rancœur, de vengeance, de haine, et qui refoule tout désir apparent de justice; celui qui renaît de ses cendres et qui se pose en revendicateur et qui sollicite hardiment la rédemption du bourreau en tentant d'arracher ses droits de victime au bourreau; celui qui ne comprend rien à ce qui lui est arrivé et ne cherche même pas à comprendre; celui qui préfère vivre dans l'oubli; celui qui immole sa vie parce que la douleur fut si grande qu'elle l'aura blessé à mort, victime du sentiment de culpabilité du survivant, etc.

En tout état de cause et dans tous les cas, la douleur, lorsqu'elle est foudroyante, appelle la nécessité d'un silence dans un premier temps. Ce silence n'est pas choisi ; au contraire, il s'impose, despotique, paralysant. En effet, le témoin, le rescapé qui a vu périr la victime, est, lui aussi, arraché à la quiétude; la même violence emporte une partie intime de lui. Le cri d'horreur est peut-être le premier son désarticulé du langage qui lui permet de sortir de la torpeur, de l'état de chosification. Crier serait alors la tentative de récupération des zones émotionnelles détruites, arrachées par la violence de la mort. Ensuite suivra nécessairement le silence qui s'actualise dans les différentes formes du « non dit ». Plus tard, ce sera alors dans l'organisation du cri de la douleur, dans l'élaboration d'un langage articulé qu'il commencera à trouver un début de résilience. Mais le processus peut être long et lent, parfois voué à moult échecs successifs. Aussi me semblait-il d'une évidence claire que toute tentative de résorption du trauma, passerait par la représentation du traumatisme dont le « non dit » était l'un des aspects majeurs.

Et puis dans ce cas précis, l'autre pôle, celui des présumés coupables pour lesquels le silence est une certaine sécurité. Le sentiment d'une culpabilité de groupe musèle, construit la peur de l'autre, construit une angoisse diffuse dont l'expression floue se révèle dans un type d'agressivité défensive, dissuasive. L'œil de la conscience, interroge même ceux qui n'ont commis aucun acte de violence, ne sont nullement responsables individuellement ; mais qu'isont taraudés par un sentiment de culpabilité collective et considérés par les victimes comme bourreaux accomplis ou potentiels. C'est sur ce terreau que poussent les arguments du déni.

### 1. La fonction résiliente: nécessité initiale du tiers-médian

Les sociétés africaines précoloniales à l'instar d'autres, ont développé d'efficaces mécanismes de solidarité face à la tragédie de la mort, entre autres la médiation artistique dans les processus de deuil. En pays *mwaga* au Burkina Faso à l'annonce du décès, se met en branle, en même temps que l'organisation logistique de l'enterrement, un processus de métaphorisation de la mort qui engagera une geste codifiée à dramatisation multiples et qui se cristallisera sur le phénomène de l'identification. Pendant l'espace-temps des funérailles, le défunt deviendra personnage : un membre de la famille, proche ou lointain endossera ses attributs vestimentaux, gestuels ou autres, reproduira et tissera dans sa relation avec l'entourage les mêmes liens de parenté. Dans le pays *mbay moisila* l'annoncedu décès draine de dizaines de villages avoisinants ou lointains vers le lieu de la tragédie. Accourront hommes, femmes et vieillards valides, poètes, chansonniers, pleureuses, musiciens, pour accompagner le voyage du défunt vers le village des morts. Si les membres de la famille directe ont le devoir de s'appliquer au front, à la joue, une marque blanche au kaolin ou de se ceindre le poignet avec un bracelet fait d'un bout du linceul, pour manifester leur attachement au mort, mais également pour signifier qu'ils sont dans l'espace de la mort et d'une certaine manière morts eux-aussi ; il n'est pas exclu non plus que des amis, non concernés directement par le lien

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2 Il s'agit de populations du sud du Tchad ; mais l'on peut observer également un certain nombre de ces éléments dans les traditions funéraires *mwaga* au Burkina Faso.



du sang, déchirent à leur tour le bout du tissu blanc et se l'attachent au poignet. Ce geste d'identification dit le désir profond d'une fusion des conditions fragiles devant la terrible condition humaine. Il en sera de même pour les musiciens, les pleureuses, les poètes-jouteurs qui dans leur envolée lyrique établiront un lien de consanguinité symbolique avec le défunt et les siens. Pareil pour celui, qui offrira (en potlatchs) dans un accès d'irréfrénable générosité, son bétail, son champ de maïs, d'arachide ou de haricot pour nourrir les centaines d'invités aux funérailles. Cela en solidarité avec ceux qui sont directement éprouvés. Tout pour dire au rescapé : « *Tu es moi ! Ecoute ce que nous est arrivé de terrible à toi /moi. Je souffre avec toi/moi. J'accompagne toi/moi.* »

Ensuite se met en branle une immense représentation à dramatisation multiples successive et continue, de trois ou quatre jours composée de tableaux-modules artistiques foisonnants ou se mêlent les moments dramatiques et les moments de la vie, s'entremêlent le temps mythique et le temps historique. Des pleurs orchestrés soutenus par une musique particulière de tamtams funéraires, de moments de détente et de beuverie, de récitals en joute poétique, les rituels d'interrogation du mort, etc. La théâtralisation des funérailles provoque par la distanciation qu'elle impose ce début de cri organisé, indispensable à la mise en route du deuil. L'œuvre artistique commune et *communionnelle* agit résolument comme tiers-médian, dans le processus de reconstruction émotionnelle. Il est à noter cependant, que le tiers médian, peut aussi être un accompagnateur, un ami de la famille, quelqu'un qui n'a pas été directement atteint par le traumatisme et qui de ce fait possède la force émotionnelle nécessaire pour prodiguer un soutien multiforme.

## **2. Une créativité à dynamiser : fondation du Centre Universitaire des Arts**

Après cette hypothèse de base, s'imposait à moi, une autre évidence: tenter de réactualiser la vertu première du verbe qui est celle de la communication vraie et sincère. Une longue pratique du théâtre pour le développement m'avait enseigné que la parole libératrice dans les si-

tuations de traumatisme était nécessairement une parole d'échanges, de dialogue, d'interrogation. Celle-ci ne pouvait se réaliser pleinement que si à la base, la parole poétique, celle qui recherche l'effet cathartique au travers de la rocade du symbole, en avait balisé les fondations. Je savais que le plateau de théâtre, l'espace de la page blanche, la toile du peintre pouvaient être espaces de détours, canaux cathartiques d'une part et par l'entraînement à une prise de parole critique ; mais sous le couvert du jeu. Il me semblait alors qu'il fallait utiliser d'une part la parole poétique, celle qui en sublimant la recherche du beau et du vrai emprunte la rocade du symbole que permettent les pratiques artistiques ; et d'autre part les « espaces cachés » de débats contradictoires notamment le théâtre-forum pour briser le cercle d'un silence convenu à la longue stérile et néfaste. En effet, le transfert qui se fait par l'intermédiaire du personnage au théâtre-forum permet d'abriter un point de vue personnel qui aurait eu tendance à s'auto refouler et ainsi favorise l'expression totale (verbe et gestuelle) du « non dit » présumé.

Le terrain de prédilection pour tenter une expérience pilote m'a semblé être celui des étudiants de l'Université; ceux-ci étant susceptibles de m'apporter un feed-back immédiat en confirmant ou infirmant mes hypothèses. Un atelier de formation au théâtre-forum a vu le jour. Pour son orientation au plan méthodologique, je me suis très vite rendu compte de la nécessité de jeter les bases d'un discours commun, enrichi des apports des uns et des autres, de la nécessité de stimuler la créativité en laissant à chacun la liberté de parole. (un dicton en est né au sein du groupe et a régi notre fonctionnement: « *la parole ne se donne pas, d'ailleurs il ne faut pas attendre qu'elle soit donnée. On la prend si elle est redéposée au milieu du cercle, ou bien on l'arrache lorsqu'elle est confisquée.* »)

Un certain nombre de débats sur des thèmes aigüés ou tabous tels que la réconciliation nationale, la problématique carcérale, le Sida, la sexualité, n'auraient jamais été sans ce type de direction flexible qui contrairement à la raideur autoritaire académique, responsabilise davantage chaque participant et en fait un constructeur, un animateur potentiel de l'atelier. Les arts de la voix, les arts corporels, toutes ces expressions de l'art dramatique et plastiques permettent, entre autres, en mettant à nu les conflits par la

fiction, d'en rechercher les solutions. Ils actualisent ainsi le verbe tout en lui conservant sa vertu de l'intemporel.

En outre, tous ces arts, en plongeant dans l'imaginaire collectif, en établissant entre les humains un faisceau de relations privilégiées, sans contrainte, dans la joie et le loisir, pouvaient constituer un socle solide propice à l'édification de « nouvelles utopies » Martine Umuliza, dix ans plus tard en faisant le bilan des ateliers observe ceci: « *Chaque fois que j'avais des problèmes avant d'arriver sur la place de l'atelier... Quand je commençais j'oubliais tout. Et eux (les participants à l'atelier) et moi ont s'envolait dans un autre monde... Lorsqu'une société connaît un désastre comme le génocide qui a eu lieu au Rwanda, ça nous ramène directement à la culture; ce qui inclus la façon de penser, la façon de faire.*

*Les valeurs sont mortes, les normes sont mortes. L'art est un outil extrêmement important, extrêmement utile pour la réhabilitation de ces normes et de ces valeurs car il est l'un des éléments de la culture. Qu'est-ce qui parle directement au cœur d'une personne ou à l'âme d'une société ? Je suis extrêmement convaincue que l'art participe dans la réhabilitation des valeurs, dans la réhabilitation d'une culture, dans la reconstruction d'une société. C'est un langage de l'âme et il touche facilement l'âme. »*

Je me suis également assez vite aperçu de la nécessité de libérer la scène des contraintes tissées d'idées reçues par rapport à un type de théâtre classique. Il était alors urgent de détruire certains préjugés sclérosant du genre « il ne faut pas donner dos au public » et de réintroduire des notions d'approche d'un théâtre libéré. Très peu de choses en si peu de temps évidemment; mais amorce de pratique plus créative qui cependant n'excluait pas les richesses de la tradition à valoriser. Les étudiants ont fait preuve d'une remarquable disponibilité. De réels talents se sont révélés et un esprit de groupe solidaire s'est peu à peu forgé, au-delà des différenciations victimes/bourreau, donnant à ces paroles Irène Tassebedo tout le crédit de l'expérience: « *Quand je danse avec quelqu'un, les mouvements que l'autre fait peuvent m'inspirer quelque chose. Le mouvement que l'autre fait, je dois le sentir. C'est vraiment... Quand on danse ensemble, à un moment, on doit être une seule personne. Même si les mouvements sont différents. »*

Une représentation démonstration d'une pièce prétexte, création collective bâtie sur le modèle du théâtre-forum a eu lieu. Le thème principal était la nécessité de pardonner même les génocidaires. Était-ce possible ou non, nécessaire ou non, et dans quelles conditions, etc. ? De nombreux étudiants spectateurs y ont participé en venant sur la scène pour changer les situations volontairement provocatrices proposées dans la pièce prétexte. Les arguments développés par les uns et les autres révélaient leurs points de vue (ce qui n'aurait jamais été en dehors d'une scène de théâtre) alors que le groupe des stagiaires ne voulaient s'arrêter qu'à la démonstration. Trois heures de forum. Un résultat on ne peut plus positif, le feedback ayant été immédiat.

L'expérience ayant été probante, naquit alors l'idée de mettre en place une structure où la créativité serait encouragée, la pratique qualitative des arts institutionnalisée. Pour le Recteur de l'Université, Dr Emile Rwamasirabo, réagissant contre la tradition de reproduction des formes artistiques dénuées de créativité « *si la culture avait été plus dynamique au Rwanda, le génocide n'aurait pas atteint des proportions aussi importantes* ». *Propos que 10ans plus tard, un jeune musicien chanteur étayera en images en disant : Il y avait un déficit de nourriture pour l'esprit. La culture c'est comme la nourriture de l'esprit. Et l'une des raisons du génocide c'était le manque de nourriture spirituelle.*

Septembre 1999 le « Centre Universitaire des Arts », naissait, ouvert à tous les publics universitaires ou autres professionnels, ouvert à l'intervention d'autres artistes formateurs africains ou européens et même brésiliens et cela dans le domaine du théâtre, de la danse, de la musique, des arts plastiques, de l'audiovisuel. Le centre a travaillé en direction des professionnels comme des amateurs, associations de femmes, enfants de la rue, etc. J'ai eu la chance de diriger cet espace pendant trois ans, inventant des formules de subsistance, de recherche d'autonomie de financement et de gestion, en allant sur divers chemins de traverses, tout en préparant la relève : un immense espoir en est né.

### 3. La fonction mémorielle et historique : le témoignage par l'art

L'œuvre d'art, le document de culture est un espace de consignation, une écriture singulière sans doute subjective mais qui en s'inscrivant dans un contexte retient, devient objet mémoriel. Le témoignage du survivant ou de son bourreau même s'il s'inscrit dans un type d'art déplacé est la pièce à conviction, la pièce à charge qui ne manquera pas d'entrer dans un processus perpétuel d'élaboration par l'un, de construction par l'autre. Après tout le bourreau persistera dans le déni de l'événement historique. Même les morts ne sont pas en sécurité.

Me reviennent à la surface des moments mémorables en compagnie de mes étudiants de théâtre, de danses contemporaines, etc. Chaque nouvelle création, chaque atelier était attendu par tous avec un curieux mélange d'anxiété et de détermination sereine. Au-delà d'une création artistique, il s'agissait de réécrire l'histoire, de reconstruire les mémoires individuelles et collectives en les faisant passer par le corps, la voix. Il s'agissait de recomposer par le témoignage la véritable geste, une geste artistique qui interroge l'histoire monstrueuse, la confronte à elle-même, la réévalue, la corrige, la réécrit pour en garder l'objectivité à relayer, à transmettre. Combien de fois a-t-on dû par petits groupes documenter nos espaces de réflexion en les fortifiant par une pluralité de sources, des discussions, des débats parfois houleux ? Combien de fois a-t-on dû arrêter une répétition parce que l'un ou l'autre des acteurs, pris dans la tourmente d'une évocation très douloureuse avait fondu en larmes, s'était effondré ? Combien de fois a-t-on dû réviser, réécrire en petits groupes, un texte pas assez clair dans l'énonciation et qui pouvait prêter à confusion ?

Toutes les créations artistiques auxquelles nous nous livrions nous introduisaient dans ce processus double que Boubacar Boris Diop appelle « re-membrer , remember » lorsqu'il dit :

*« Remembrer, remettre les membres en place, remettre les corps, les corps disjoints, les corps éclatés, les corps jetés au diable, les corps enfouis dans les charniers, eh bien, les remembrer. Et qu'est ce qui peut remembrer, remettre les corps en état, et donner une identité aux morts, qu'est ce qui peut le faire, si ce n'est l'art, la littérature, le cinéma, la création. Et remembrer cela rappelle*

*aussi « remember » en anglais, se souvenir »<sup>3</sup> La mémoire et l'histoire devait serejoindre. La mémoire individuelle et intime du rescapé, de la victime, devait rejoindre celle collective pour espérer reconstruire l'histoire, une histoire détournée à dessein, une histoire construite à ses débuts autour du déni d'humanité et qui se sera prolongée par l'accomplissement de l'irréparable et qui, pire, continuait à s'alimenter et à se nourrir des mécanismes pervers du déni du génocide. Nous savions que le plus important dans les créations que nous abordions c'était davantage le parcours des auteurs des textes, acteurs, danseurs, musiciens, scénographes, plutôt que le produit artistique fini. L'œuvre dans son procès, sa gestation et sa réalisation devait se constituer en sépulture, tombeau symbolique. La tentative de création pouvait échouer pour de multiples raisons, nous ne nous arrêtons pas pour cela. Nous recherchions d'autres approches plus pédagogiques, plus heuristiques, en ayant bien à l'esprit la nécessité de prendre en compte les paradigmes : mémoire et histoire d'une part et trauma et représentation du traumatisme d'autre part. Mais nous tenions tout autant à ce que l'œuvre aboutie soit présentée publiquement, qu'elle soit une œuvre de témoignage, qu'elle participe d'une restauration de l'image de soi, de l'image individuelle ; mais aussi de l'image collective. Nos « paroles artistiques » devaient faire rhizome. Et que ce faisant, elles participent à la confrontation du déni, à la dénégation du déni de génocide. SokoPhay est bien inspirée quand dans son analyse de la pertinence de l'outil artistique dans ce processus, elle insiste en ces termes: « *Je commencerais par dire que tous les crimes de masse, tous les génocides, ce qu'ils attaquent avant tout, c'est la représentation. C'est à dire l'image de soi, l'image individuelle, l'image culturelle. Ils attaquent l'individu en réduisant les être humains en animaux. Ils détruisent la culture. Ils détruisent l'organisation sociale et toute l'identité construite. Moi, il me semble que l'art peut jouer un rôle très important, en, offrant à la personne... au rescapé, la personne traumatisée, un espace de représentation. C'est-à-dire, de pouvoir, à travers l'art, que ce soit par la musique, le théâtre, la peinture, de pouvoir représenter l'événement traumatique. Et d'inscrire un temps subjectif de deuil. Parce que dans tous les crimes de masses, tout le monde est touché par la mort. L'art peut offrir un espace de sépulture, c'est-à-dire un tombeau symbolique.* »<sup>4</sup>*

3 Extrait, interviews, Feeding Roots, documentaire par Koulsy Lamko.

4 Extrait, interviews, Feeding Roots, documentaire par Koulsy Lamko.

L'œuvre artistique s'élaborait également dans l'interaction avec le public. La réception collective de nos « premières » de spectacle, se faisait souvent dans une ambiance tendue. Les spectateurs tenaient à participer par leurs commentaires, qui parfois devenaient joute ou fronde, tenaient à reconstruire l'œuvre qui devenait prétexte, pour élaborer en commun avec nous une nouvelle histoire. Des critiques pouvaient fuser in situ pendant le déroulement du spectacle. D'autres nous parvenaient le lendemain par l'un ou l'autre qui estimait que l'on n'avait pas assez mis en exergue tel ou tel autre aspect dans la trame de l'histoire. Dans la nuit qui suivait la première représentation de « Corps et Voix Paroles Rhizome », une spectatrice, la voix toute émue ; mais la gorge serrée de reproche, m'a appelé pour me dire ceci mot pour mot: « *Félicitations monsieur pour ce spectacle qui raconte vraiment ce qui s'est passé! Mais il ya quand même une chose que vous n'avez pas dite suffisamment : le rôle des Nations-Unies dans le génocide. La prochaine fois, tâchez de faire une place plus importante dans la pièce à cet aspect du génocide* » Je ne la connaissais pas; je ne savais pas comment elle avait pu se procurer mon numéro de téléphone. Et j'étais surtout intrigué qu'elle m'ait appelé au-delà de minuit, pour régler cette affaire, cette insuffisance au regard de l'histoire objective. J'eus beau lui rétorquer qu'on en avait fait un traitement plutôt allusif et poétique en soulignant que pour les soldats bleus, la vie des gorilles était plus importante que celle des humains. Elle demeura ferme sur la nécessité de réserver un tableau entier à la lâche complicité des forces des Nations Unies. Je compris définitivement que la préoccupation de cette spectatrice rescapée du génocide, c'était que le document artistique soit un document d'histoire objective au-delà du poétique. Cela pour s'ajouter aux pièces à élaborer comme preuve du génocide face au déni ambiant au plan international. Et cette émeute que nous avions eu bien de la peine à éviter lorsque, nous montions « Le journal d'un condamné » de Victor Hugo, où la parole du personnage était celle d'un condamné à mort qui tentait de se justifier. Je montai l'œuvre pour le centenaire de Victor Hugo. Je n'ignorai pas non plus qu'au niveau national, les réflexions sur l'adoption du gacaca comme mode de règlement opératif des aspects liés au jugement des prisonniers. L'occasion était belle : lancer un petit caillou dans la mare, participer par un spectacle prétexte à la réflexion qui se menait au niveau de l'élite. Le spectacle déclencha

in situ un débat sur la peine de mort au Rwanda. Pendant la représentation à l'amphi théâtre de l'Université, il y avait bien des partisans de la peine de mort qui ne pouvaient contenir leur fureur face aux arguments du condamné. Un groupe se forma rapidement à l'avant scène et commença à chahuter l'acteur, à exiger que l'on arrête la représentation. Et le nombre de rescapés m'ont cherché pendant la semaine pour me poser la question à savoir si comme Victor Hugo, j'étais contre la peine de mort ! Je répondais inlassablement que mon but n'était pas ni de former leur opinion, ni de l'infléchir. Et que j'avais le droit de ne pas révéler la mienne. D'aucuns repartaient déçus, d'autres estimaient que je fuyais le débat, parce que je devais être contre la peine de mort et donc partie prenante pour l'absolution des génocidaires. Je me rendis compte une fois de plus de la façon dont le temps mythique de la représentation pouvait coïncider avec le temps historique. Et se révélait une fois de plus cette force insoupçonnée du théâtre, de l'œuvre artistique dans sa dimension subversive!

#### 4. Briser les cadres d'amalgames Victimes/Bourreaux: l'art réuni

Bien au-delà de l'acte de co-création ou de co-exécution pendant lequel l'artiste fait l'expérience du partage avec les autres, la pratique artistique permet d'étendre en cercles excentriques le mouvement de fusion... Le public immédiat qui partage pendant un moment privilégié, un espace de convivialité autour d'un album de musique, une exposition de peinture, un concert, une représentation théâtrale, un roman, un recueil de poèmes, refait l'apprentissage de la communauté *«Je reste convaincue que l'art, le théâtre ou les autres formes d'art, restent une thérapie pour des gens qui sont blessés, des gens qui sont enfermés sur eux-mêmes, des gens qui ne peuvent pas communiquer. Cela reste un langage d'auto interrogation mais aussi d'approche pour les autres.»*,<sup>5</sup> souligne Liliane Matabishi, comédienne rwandaise. Tandis que Kanobana Roman achève de louer les vertus de la rencontre et des approches autour d'un document de culture: *« Approche par le dialogue d'abord, par la communication ensuite ; et par le fait d'être ensemble. Réunir autant de gens différents, des gens qui ont des différences de pensées,*

.....  
<sup>5</sup> Extrait, interviews, Feeding Roots, documentaire par Koulsy Lamko.



*d'opinion, d'histoires, etc. ; sur le même lieu pour suivre un spectacle, une pièce, pour moi c'est la façon la plus directe d'unir. Moi, je me dis que quelqu'un qui va suivre une pièce sur un thème quelconque, il accepte d'être assis à côté d'un inconnu, il accepte de voir un inconnu, qui lui joue ce qu'il joue ; il accepte d'écouter l'autre et même de discuter vis-à-vis de lui-même ; c'est une façon d'être, ne serait-ce que disponible.»<sup>6</sup>*

J'ai écrit et publié « La phalène des collines » en 2000. Ce fut mon premier roman, écrit au Rwanda même. Je me demande toujours si c'est véritablement un roman du moment qu'au plan stylistique j'ai fricoté avec tous les genres que j'ai intégrés dans le flux narratif.

J'avais décidé de m'installer au Rwanda pour quelques années pour apporter ma contribution de tiers-médian à l'expression du premier cri articulé, organisé. Partager avec les victimes un espace de deuil et de résilience. Cependant, il me fallait moi-même amorcer un processus de résilience pour espérer pouvoir avoir la force de jouer pleinement ce rôle de tiers médian.

Ecrire, avant d'aider les autres à écrire, à représenter l'événement traumatique, à amorcer ce processus d'inhumation symbolique. Ecrire pour participer à briser le silence complice du déni.

Il s'avérait difficile de m'installer pour sa composition dans un univers réaliste. Pour moi, la réalité de la barbarie échappait à un traitement réaliste ; l'horreur défiait l'imagination, surpassait la fiction. L'évidence pour moi c'était de briser les espaces, d'investir dans une poétique utilisant les ressources de la prosopopée. Distendre, les limites de la plausibilité pour y laisser habiter ensemble morts et vivants. Puisque dans la réalité des faits, les vivants tétanisés par le traumatisme étaient frappés, foudroyés par la mort des leurs, et les morts étaient d'une présence manifeste irréfutable, non seulement dans le souvenir vivace ardent, mais aussi physiquement. Cette brisure des clos rationnels s'étendait alors aux autres aspects du montage esthétique, la matière et l'esprit, l'homme et l'animal, le temps historique et le temps dramatique. L'héroïne reine, devenait phalène ; les hommes sans force ne pouvaient plus agir et laissait l'évolution de l'intri-

.....  
6 Idem.

gue à l'insecte et à la nature active et restauratrice ; les choses et objets, au delà de leur dimension matérielle et symbolique actaient, agissaient. Une esthétique de la douleur ? Non ! Une recomposition des univers déchirés et dont la dynamique du « faire et se faire » ne pouvait se réaliser que dans un mouvement nécessairement double : celui de la fission et celui de la fusion.

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Cependant, ce texte devait rester celui d'un challenge. En fait, avant de l'avoir écrit, j'avais largement fait mention à la presse qu'aucun éditeur n'en changerait rien. Je ne pouvais en rien écrire dans la perspective réaliste journalistique. Je ne pouvais en avoir les ressorts. L'alternative pour moi demeurait la dimension poétique. En plus, le texte était un parcours initiatique dont moi seul pouvait évaluer les douleurs de l'enfantement. Je vivais sur la terre de la tragédie et le fondement du texte, une espèce de logorrhée verbale qui me recomposait et apaisait ma colère. Il y avait un projet stylistique : comment donc se traduit, même dans l'extra texte la volonté d'association de la poésie et du réalisme ? Il s'agissait ici de prétendre qu'en réalité, la réponse au désordre de la séparation c'est la poésie.

Roland Barthes parle du style de la reproduction de l'objet, d'un « second sens dont le signifiant est un certain traitement de l'image sous l'action du créateur, et dont le signifié, soit esthétique, soit idéologique, renvoie à une certaine culture de la société qui reçoit le message » Le Rwanda de l'après génocide immédiat ne se lisait pas linéairement. Il ne pouvait se saisir que par images, tantôt kaléidoscopiques, tantôt, floues, tantôt évanescentes. Les flots d'images que je déversais dans *La phalène des collines* et qui rendaient la lecture heurtée, visqueuse et pleine de grumeaux c'était ce besoin de dire cette réalité chaotique, cet espace fictionnel où se côtoyaient victimes et bourreaux, inter-actuant, recomposant une mémoire commune. Alice Karekezi plus tard notera la dimension nécessaire du dépassement: *«L'expression artistique pouvait aider à repousser les frontières du possible. Apporter des réponses là où notre imagination s'arrêtait. Elle donne l'opportunité aux gens de créer un espace où ils déversent leurs sentiments. Surtout dans le cas d'un génocide qui a la particularité d'avoir opposé des personnes qui vivaient ensemble, vivaient côte à côte et qui avaient des liens de voisinage, des liens de famille, des liens de collégialité, qui travaillaient ensemble. Mais qui sont restés sur les mêmes endroits après le génocide.»*<sup>7</sup>

Et, qui s'aventurait vraiment à me lire ne saisisrait que certaines images, tandis que bien d'autres lui échapperaient ; peu m'importait s'il ne saisisait que par intermittence ! L'univers créé resterait dans sa mémoire de lecteur curieux.

## 5. Document de culture = document de barbarie ?

Dans les dédales de nos parcours, et épreuves d'artistes et écrivains, nous savons pertinemment que l'œuvre littéraire ou artistique puisqu'étant offerte, tel un espace public de prise de parole avec ses prétentions multiples, ses débilites, ses forces, ses aspects inachevés, s'accompagne nécessairement du regard critique, se construit au fil du temps parfois en réaction à ce regard critique, en anticipation aux échanges et aléas de la lecture et de son interprétation. Le lectorat, lui, se pose en censeur pour apprécier, valider, infirmer, sanctionner. Eh oui ! L'œuvre critique est d'une nécessité

7 C. COQUITO, idem, p. 165.

incontournable, occupant son espace de prédilection : celui d'interroger la validité des formes proposées au plan strictement poétique, littéraire ou encore... mais encore celui d'interroger par les formes artistiques, les notions de « légitimité » des producteurs de parole, celle de la pertinence esthétique et même de l'éthique. Normal, que le champ de la critique s'étende amplement. On lui nierait son rôle ? Que nemi! « Nos corps sont faits du bruit des autres.»

La réception des œuvres littéraires et artistiques et de témoignage sur le génocide des tutsi au Rwanda et notamment des œuvres produites dans le cadre de « *Rwanda écrire par devoir de mémoire* », n'a pas échappé à cet ordre des choses: des tentatives heuristiques qui renforcent le champ de la connaissance.

Dans son excellent ouvrage critique intitulé *Rwanda : le réel et les récits*, Catherine Coquio, après avoir énuméré un certain nombre d'œuvres, tous genres confondus produits dans le cadre du testimonial et mémoriel observe ceci: « *Devant cette profusion hétéroclite, y compris devant les œuvres les plus recueillies, une première réaction s'impose : avec la curiosité, la méfiance, dictée par ce que Benjamin Walter exprima en désignant dans « tout document de culture » dorénavant un possible document de barbarie* » Car ici la transmission de l'événement s'accompagne inévitablement de sa déréalisation- parallèle à son idéologisation dans les commentaires qu'il suscite. Les formes culturelles que prend le témoignage lui-même ne devraient pas échapper à la décomposition critique, que Walter Benjamin appelait de ses vœux contre la notion vulgairement conservatrice « d'héritage » : Les phénomènes de reconnaissance demandent à être interprétés, en termes de sociologie et de critique de la culture, mais aussi d'esthétique et de poétique autant que de critique politique.»

Pour peu que l'on se penche sur les conditions socio politiques de la pratique et contours de la légitimité des détenteurs du savoir poétique traditionnel et des philosophies qui ont construit et édifié nos corps sociaux et nos imaginaires, l'on peut aisément se rendre compte de systèmes cohérents dont il suffira que les spécialistes détectent et analysent les

8 C. COQUIO. – *Rwanda, le réel et les récits*, p.99, Belin, Paris 2004.

chafaudages pour mieux nous lire et comprendre, sinon interpréter. Parce qu'il me paraît impossible que nous soyons si acculturés au point de n'en avoir pas été nourris. De tous temps, dans moult sociétés africaines, les détenteurs de la parole publique : chantres, chansonniers, poètes, joueurs de funérailles, griots, ont fait preuve d'une pratique passionnément engagée qu'elle soit du côté des structures de la pensée dominante et donc du pouvoir ou au contraire en se situant dans la subversion et au centre des contre-pouvoirs. Peut-être faut-il se demander si certains d'entre nous ne viennent-ils pas de cet enracinement ? Auquel cas les motivations de bien d'entre nous pourraient, idéologiquement parlant, trouver fondement en dehors des schémas de lecture occidentaux, prétendument universels et qui hélas, empruntent aux préoccupations d'analyses civilisationnelles parfois si étranges et éloignées des nôtres. Il restera à se convaincre de ce qu'il n'y a pas seule littérature que parce qu'écrite, que l'écriture n'est qu'outil, médium logistique et que ce qui importe c'est la pratique poétique du langage, que les écrivains que nous sommes s'inscrivent peut-être dans le continuum d'un rôle social séculaire, charriant autour de leur « moi créateur », un « moi social » dont on est loin d'avoir pénétré les secrets.

Ce sera sans doute la tâche ardue des chercheurs post-colonialistes. Et si, comme l'écrit Catherine Coquio, en parlant d'un changement de cap important dans la réception au niveau de la critique eu égard à de nombreux travaux critiques d'étudiants qui permettent de faire de cet événement littéraire le point de départ d'une véritable mémoire; et si « *Cette littérature africaine nouvelle a ainsi donné lieu en même temps qu'à un nouveau type de réflexion sur l'histoire, la politique et la littérature, à un début de décloisonnement des discours : puisque, le propos critique, mais plus encore médiatique sur cette production africaine s'est mis à croiser celui qui concernait jusque là la catastrophe nazie et les traitements littéraires de la Shoah* », <sup>9</sup> le décloisonnement serait tristement incomplet si le même discours critique n'investissait pas également les champs du savoir traditionnel africain pour au moins y rechercher la pertinence ou la permanence des formes de représentations.

Ici, s'agissant de nos œuvres sur le génocide des tutsi au Rwanda et leur réception, ce qu'il convient de noter c'est que rien ne s'est installé

9 C. COQUIO, idem, p. 165.

comme une mémoire prison. Ici la mémoire est tout sauf un enfermement. Elle se construit comme des stalactites et stalagmites dans une grotte ouverte, chaque goutte apportant à la fondation principale pour mieux faire éclater les formes. Elle se construit en rhizome comme pour participer à l'édification d'un espace ouvert du savoir sur cette horreur. On ne peut nier l'évidence des moult œuvres littéraires, artistiques et critiques, institutionnelles et inspirées de ce que l'on a appelé « l'expédition littéraire ». Plus que par devoir de mémoire, nos œuvres et leur réception constituent un travail de mémoire, un langage de la mémoire à travers lequel on peut mesurer dans leur fragilité gonflée d'espoir, combien la transgression des frontières linguistiques, ethniques et nationales est signe de tentative de préservation de ce que Véronique Tadjo nomme « notre humanité en danger. »

Certains commentateurs s'arrêtant à des affirmations péremptoires stupides parlent d'œuvres et textes-placebo œuvres produites pour se faire du bien, pour flatter la « bonne conscience et s'embourber en définitive dans « l'arrière boutique de l'Histoire ; la mémoire. »

Les nombreux faisceaux d'approche des contextes, théoriques, historiques, sociologiques, événementiels, littéraires, poétiques, et brise toute velléité de ghettoïsation puisqu'ouvrant sur d'autres approches textuelles, d'autres contextes historiques, d'autres réflexions à l'échelle de l'humanité... et tout cela dans un souci pédagogique et de vulgarisation... justement pour éviter que ne s'installe le déni.

Ces œuvres peuvent-elles s'interdire d'être des documents de barbarie? *L'homo politis* n'est pas un vain mot, avec sa capacité d'organisation sociale ; mais aussi ses possibilités d'interpréter le monde, son monde, de décider de le rêver, de le représenter, de le transformer, de le modifier, alors l'on ne peut guère nier au langage (qui est l'une de nos composantes identitaires) sa prétention à la métaphorisation. Seul le langage par sa capacité de produire un discours poétique, métaphorique et de représentation nous accomplis, nous humanise. Michel B. en me racontant l'histoire du masque Dadjé dans la cosmogonie bamana dit ceci : *Le Dadjé c'est le masque qui a transmis trois secrets aux hommes, le premier secret, c'est celui de*

*la divination. Le deuxième secret c'est celui des fétiches. Et le troisième secret, c'est celui des instruments de musique. Et c'est là effectivement qu'il faut se poser les questions sur les mots qu'on utilise. Le mot fétiche, c'est un mot qui est chargé, connoté négativement. On peut, effectivement, réduire une fois de plus, les connaissances de l'Afrique à quelque chose extrêmement primitif : regardez le fétiche, les instruments de musique ce ne sont jamais que des tambours et puis si ce c'est de la divination. « Bah, attendez, ils en sont à jeter des sorts avec des pièces de monnaie. » Qu'est-ce qu'il y a derrière les fétiches ? Le fétiche est un objet, un intermédiaire entre le monde visible et un monde sacré. C'est aussi un objet du pouvoir. Il y a donc deux notions derrière le mot fétiche c'est-à-dire la possibilité d'avoir une action sur le monde et d'autre part la notion de sacré. La divination c'est quoi ? C'est la possibilité pour les hommes de penser le temps. Penser le temps et la manière dont on va le maîtriser également. Et enfin le troisième secret, les instruments de musique. Que signifie « instrument de musique » ? Sinon la possibilité de la création artistique. Donc, conjonction entre l'homme qui pense le temps, l'homme qui pense le sacré et l'homme qui pense la possibilité de la création artistique. C'est une vision de l'humanité qui en vaut une autre. Elle n'est pas centrée autour de l'homme comme chez nous en Occident, elle est centrée autour d'un homme qui agit et qui se lève. Donc d'un homme qui va être en relation avec les autres. Et ça c'est intéressant !<sup>10</sup>*

Dans ce cas précis, face à une telle catastrophe humaine, il me semble que les limites posées par la critique et qui tendent à établir des critères d'échelles de valeur entre les œuvres du témoignage sont inappropriées. Les créateurs et les œuvres portent en eux-mêmes leurs limites. Mais ils participent tous d'une médiation essentielle. Aucun témoignage, aucune expression aussi complète soit elle, ne sera jamais suffisante à elle seule pour rendre compte de l'immense tragédie. Le ton décalé d'un auteur, la voix rauque d'un comédien ou d'un chanteur, l'œil « voyeur » de la caméra du réalisateur, le pinceau du peintre, participe d'une tentative de domptage d'une parole blessée, dévastée. Il naît d'une conjonction de postures et résulte d'une opération de choix conscient ou inconscient, mais qui privilégie nécessairement l'efficacité du témoignage en regard avec son cible. C'est à mon avis, la cohérence du propos, sa vérité et sa capacité à représenter de façon compréhensible et interprétable, le monde intérieur

10Entretien avec Michel Bamia, directeur de l'Espace Badjiala, Centre d'art contemporain de Ségou, Mali, 2009.

du créateur et qui peut générer un intérêt dans la chaîne de la résilience qui est essentielle. Chaque œuvre, par son ton particulier atteint le récepteur disposé à l'entendre, à la recevoir, à l'accueillir comme un don.

Quant aux préoccupations esthétiques, pourrait-on jamais rencontrer des formes du dire qui soient belles ? L'esthétique dans la poétique se confondrait-elle avec l'idée du beau en opposition à l'idée du laid ? Qui donc devra-t-il alors en dresser les canons ? Le critique ou le créateur lui-même ? Comme pour beaucoup de critiques, les réserves et interdictions des critiques post-Shoah pour ne citer que les grands témoins d'Auschwitz, Adorno, Blanchot et Lanzmann, et qui posent la problématique du *document de culture* = *document de barbarie*, me semblent injustifiées. La question à se poser est celle de savoir si nos œuvres pouvaient-elles s'empêcher d'être des documents de barbarie. Il me semble qu'elles ne peuvent éviter de l'être, naissant elles-mêmes de cette barbarie. Comment peut-on dénoncer le voyeur sans être soi-même « voyeur du voyeur » ? Comment peut-on émettre un cri de douleur beau ? Ces œuvres-là sont essentiellement et nécessairement barbares – dans l'acception du mot qui signifie « étrange, sauvage » et ne peuvent qu'être indomptables, transigeant avec nos productions habituelles, nos styles habituels. Parce qu'elles sont en elles-mêmes légitimation d'elles-mêmes. Les limites que pose l'éthique devraient davantage être le fait du créateur lui-même que celui du critique normatif et dogmatique. Ici l'immoralité, n'est pas dans le voyeurisme dénonciateur. Il l'est dans le silence complice. Cependant elles tiennent du bon sens... et c'est la chose la mieux partagée !

La seconde réserve ferait davantage allusion à la tendance de la critique à se produire à partir de la posture européocentriste. Posture hélas nourrie aux philosophies utilitaristes qui privilégient l'intérêt individuel avant toute considération et qui d'emblée mercantilisent le produit culturel, en font un objet du négoce. Notre posture, enracinée dans les traditions africaines privilégie l'intérêt collectif, communautaire. L'individu est un tout certes, cependant il n'est rien sans sa communauté. Et son expression artistique se doit de renforcer la survie de la communauté, sa cohésion. Surtout dans ce cas d'espèce où le traumatisme est sans limite. Il aurait fallu s'extraire de l'espace du soupçon pour entendre un début



d'interrogation sur ce que pouvait être pour les écrivains africains, l'insertion logique dans une épistémè africaine. L'occident enfermé dans ce que Frantz Fanon appelle les monocultures du scientisme, du temps linéaire, de la hiérarchisation castratrice, de l'escalier dominateur et du productivisme a tôt fait de disqualifier notre prétention ». Vivement une critique enracinée dans une épistémologie africaine !

Il me semble parfois dangereux et naïvement tendancieux de souscrire à l'aveuglement fataliste que crée la posture ontologique, phénoménologique de « l'ange et la bête » qui se retrouveraient connivents et complices en l'homme, en chacun de nous, et agiraient de façon délibérée, indépendamment des circonstances. Le génocide n'est pas de « l'inexplicable ». A moins de se faire inconditionnel disciple de Thomas Hobbes avec son célèbre Léviathan, les mouvements de foule, les crimes de masses, massivement perpétrés par de hordes de personnes enragées, parce qu'en apparence incontrôlés ne se justifierait en rien par une espèce d'allégation essentialiste. Ce type de réaction de violence non maîtrisée est prévisible dès lors que dans la stratégie de la guerre totale, les ingrédients et leviers de la violence sont mis en place et devront être mis en branle pour atteindre des objectifs. L'intermédialité, le « collabo » est une constance dans les crimes de masses. L'état génère ses milices (intermédialats) qui, se portant garant des basses besognes en dehors de toute légalité, opèrent à la marge et donne cet impression du non contrôlé. Ici, dans le cas du génocide des tutsis au Rwanda, l'Etat a endossé une double intermédialité, lui-même servant de relais dans sa propre destruction et la destruction d'une partie de sa population qu'il est censé protéger de par ses fondamentaux.

## Conclusion

Le déni de génocide se construit comme système dans le continuum du crime qu'il défend et justifie. Il est multiforme dans ses manifestations, celles-ci allant du déni politique et juridique à la négation de l'Histoire, au révisionnisme avec ses tentatives de minimisation et justification, d'imposition du silence, sa pratique de la violence psychologique et physique, son abstraction sélective, son élaboration de la pensée dichotomique

(pensée de l'entre-deux), sa pratique de la distorsion permanente de la réalité; toutes entreprises visant la négation du témoignage et la paralysie d'une mémoire traumatique en quête de résilience. Le génocide des tutsi au Rwanda, horreur inacceptable par la conscience humaine singulière, « la mémoire saine évolutive » selon les mots de Boris Cyrulnik, et la mémoire collective, n'est pas en reste et sa réalité est constamment sujet à controverses. Susciter des attitudes visant à renforcer les capacités de résilience au sein des groupes de rescapés et victimes du génocide devient alors une nécessité vitale et historique.

La pratique artistique, espace de créativité, de régénération d'émotion et de l'auto-estime, espace du dévoilement du témoignage et de l'Histoire authentique peut jouer un rôle d'adjuvant déterminant dans la reconstruction mémorielle. Cela contre le négationnisme et partant, contre le déni du génocide.



## **Chapter 10**

# The Eighth Stage/Distorting the Evidence: Facts and Figures in a Campaign of Genocide Denial

Linda Melvern

## Abstract

In the twenty years since the 1994 genocide against the Tutsi, the death toll has been used by deniers and the detractors in order to minimize and distort the reality of what happened. Today a death toll of 800,000 people killed has emerged as the most accepted figure and is quoted widely by the Western press. This accepted number of people killed seems to have originated with Human Rights Watch. It is partly based on a population census which was published during the regime of President Juvénal Habyarimana and which purportedly gave the number of Tutsi officially present in the population. It takes no account of the regime's practice of manipulating these state statistics to reduce the percentage. A Human Rights Watch researcher Carina Tertsakian reduces the death toll to 500,000 people. Academic research in the USA now attempts to prove that as many Hutu as Tutsi died. The death toll provided by the International Committee of the Red Cross (ICRC) is generally ignored. The ICRC delegates were present in Rwanda throughout, and their Chief Delegate, Philippe Gaillard, believed that the death toll in the genocide was "up to one million" and this figure was later confirmed by Charles Petrie, the deputy coordinator of the UN Rwanda Emergency Office (UNREO). Another set of figures is provided in the detailed work of the Rwanda Ministry of Local Government showing a figure of just over one million people killed. It is based on a census carried out six years after the genocide in July 2000, during which the names of 951,018 victims were established.

One Sunday afternoon in the spring of 1989, Dr. Gregory Stanton, an unassuming and charming US law professor, was relaxing in the garden of the Hotel des Mille Collines in Kigali, when he was approached by an immensely rich and influential Rwandan business man, Félicien Kabuga. Kabuga had introduced himself and Stanton said: "You are the arms dealer," pointing out

what everyone knew. Kabuga laughed and said this was merely a rumor and gave Stanton the broadest grin. Kabuga may have been curious to meet this US professor, who was now starting to meddle in Rwandan affairs.

Stanton was sent to Rwanda in 1989 by the US State Department as a consultant to the Ministry of Justice. This was a time when the US administration of President George W. Bush was professing a commitment to human rights and when in the West there was a burgeoning human rights movement. Stanton quickly realized that Rwanda's justice system was effectively paralysed by the ruling elite. He organised a meeting of judges and prosecutors to push for reform, an initiative which had naturally attracted attention in the capital city.

Stanton said he recognized, even then, the possibility for genocide. There were racist government regulations in place which discriminated against the minority Tutsi. A quota system was in operation; according to government statistics the Tutsi accounted for 9 per cent of the population and had to be represented accordingly in all walks of life – including education and employment – and excluded from any meaningful role in society. This overt discrimination seems to have been viewed by the Western aid community with a quiet acceptance. As one Swiss official once wrote home to his capital: 'while the Tutsi are excluded from political life, they more than make up for it with their role in commerce'.<sup>1</sup>

Stanton met the President of Rwanda's Court of Cassation (Supreme Court), Joseph Kavaruganda, and discussed with him the best way to dismantle this repressive regime. Both had agreed a critical step was the removal of the ethnic designation on the mandatory identity cards, a practice initiated by the Belgian coloniser, which classified the population into three groups, Hutu, Tutsi and Twa. The two men agreed that the potential for genocide in Rwanda was very real.<sup>2</sup> Kavaruganda suggested that Stanton meet with President Juvénal Habyarimana, the country's most senior army officer, a Major-General, who had seized power in a coup d'état sixteen years before, in July 1973.

1 La Coopération Suisse au Rwanda. Rapport du Groupe d'Etude institué par le Département Fédérale des Affaires Etrangères (FAE), January 1996.

2 Dr. Gregory H. Stanton. "Could the Genocide against the Tutsi Have Been Prevented?" published in the Journal of Genocide Research, Volume 6, Number 2, June 2004, at 211.

Stanton met the President a few days later. Habyarimana thanked Stanton for his work on behalf of his country. But as the conversation drew to a close Stanton raised the issue of how dangerous it was to include the ethnic designation on Rwandan identity cards. A mask seemed to fall over Habyarimana's face. The President did not want to hear this. Stanton boldly told the President that if he left things as they were there would be genocide within the next five years.

"You could see it coming," Stanton later recalled. "It was like the small tremors that signal the beginning of an earthquake, or the eruption of a volcano. These are things less predictable than genocide. Genocide is more predictable than they are."

On the day when the genocide began, five years later, Justice Karuganda was one of the first victims. His wife, Anonciata Mukarubibi, described how President Habyarimana's Aide-de-Camp, Captain Cedelias Kabera came at 6 a.m. on Thursday April 7, with forty soldiers, and they took her husband away. Cedelias Kabera is a fugitive from justice.<sup>3</sup>

Stanton never saw Félicien Kabuga again. The rich Rwandan businessman he met that summer in the garden of the Hotel des Mille Collines is a fugitive with a \$US5 million reward on his head from the US government's Rewards for Justice Program. An indictment prepared by prosecutors at the International Criminal Tribunal for Rwanda (ICTR), accuses Kabuga of the crime of genocide, incitement to commit genocide, persecution and extermination against persons identified as Tutsi. Kabuga is said to have intentionally violated the rights to security and the dignity of Tutsi, and to have subjected them to serious psychological abuse. He had helped to create the "Coalition pour la Défense de la République (CDR), in March 1992. This was to all intents and purposes a legitimate political party, but it was in reality a crypto-fascist and racist gang forbidding any member who was not "pure Hutu," i.e. who had no listed Tutsi parentage. According to his indictment Kabuga played a "catalytic role in the political violence in the early nineties when large

3 Captain Cedelias Kabera and the commander of the Presidential Guard, Protais Mpiranya remain at large and the subjects of the US Rewards for Justice Program. Kabera is allegedly responsible for the deaths of the opposition politicians Landouald Ndasingwa and his family.

numbers of Tutsi were massacred.”<sup>4</sup> Kabuga was a major shareholder in the racist hate radio, RTLM, whose torrent of propaganda in a vile campaign against the minority Tutsi was relentless in its incitement to ethnic hatred and violence. Kabuga was on the management committee, the *Comité d’Initiative*, whose members would defer to him. Kabuga had control over the content of the broadcasts, their programming, operations and finances.<sup>5</sup>

At first Kabuga flew to Switzerland, but for reasons still unclear he was expelled rather than arrested.<sup>6</sup> He eventually found sanctuary in Kenya, where he invested some of his wealth and where certain rich and powerful elites allowed him protection, and settled there with other indicted Genocide against the Tutsi suspects. Twenty years later Kabuga remains at large; the various police agencies – the FBI, Interpol and Kenya police seem quite incapable of finding him.

### Preparation

The documentary evidence found afterwards in the Banque Nationale de Rwanda (BNR) showed how a company owned by Kabuga in 1993 had imported vast quantities of goods acquired in China from a company called Oriental Machinery; these companies, never before involved in agriculture, had imported other tools — hammers, hedge clippers, shears, and axes amounting to US\$3.713, 168.<sup>7</sup> Kabuga allegedly wielded authority over the militia, provided funding for it and kept his own personal group at one of his houses in Kimironko in Kigali. He provided uniforms: their unmistakable distinctive dress, the Kitega, the loose-fitted trousers and tunics in bright and garish colors and patterns. Kabuga gave them meeting facilities and encouraged them with cash gifts and provision of transport to and from rallies. Some of them lived in his compound. Kabuga spoke at

4 ICTR Case no: 98-44-I. Indictment. August 28, 1998.

5 Other members of the committee were Ferdinand Nahimana, Director in charge of programming, Jean-Bosco Barayagwiza, who would from time to time be delegated specific functions by Kabuga and Habimana Phocas, a General Manager in charge of daily management of the Radio. See ICTR Case no: 98-44-I. Indictment. August 28, 1998.

6 <http://www.trial-ch.org/en/resources/trial-watch/trial-watch/atch/profiles/profile/96/action/show/controller/Profile/tab/context.html>.

7 Handwritten report: Report on the preparation of the genocide”, Rwandan National Intelligence Service, 1995-1996. Kabuga’s company was BP 741 KGL: Author’s archive.



rallies of *Interahamwe* militia who had just finished their training, referring to the Tutsi population as “the enemy.”

The prosecutors at the International Criminal Court (ICTR) have obtained unparalleled information about the *Interahamwe*. One of five key leaders of the *Interahamwe* cooperated with the prosecution and now lives outside the continent of Africa in a witness-protection program with special security. He is one of a number of former *Interahamwe* who turned informer. Hours of taped interviews are kept by the ICTR amounting to thousands of pages of transcripts.

On several occasions, once in June 1992, a street militia, the youth wing of the presidential party, the Mouvement Révolutionnaire National pour le Développement (MRND) and known as the *Interahamwe*, managed to seal all movement in the capital by erecting roadblocks. The operation was controlled by senior figures in government. On February 22, 1994 the *Interahamwe* again sealed the capital with roadblocks at strategic junctions. It stormed the Foreign Ministry and for several hours held hostages. It rampaged through the Constitutional Court and stole documents, threatening Justice Kavuraganda, calling him an *Inyenzi*; the name meant a cockroach.

The *Interahamwe*, a well-organized, indoctrinated and disciplined force had a national committee divided into six commissions. In some localities *Interahamwe* leaders had managed to impose leadership at neighborhood level. The conspirators intended that the *Interahamwe* would have a presence country-wide in every one of Rwanda’s 146 communes; there were plans for 200 militia members in each commune with one man for every ten families. The *Interahamwe* had active supporters among the ruling elite, in the ranks of the Rwandan police – the gendarmerie, in the Presidential Guard and within the Rwandan army. The best-trained were given hand grenades. Some recruits were issued AK47 assault rifles, although these required requisition forms. The *Interahamwe* were equipped with cords and bayonets and provided with shoes to wear. Neighborhood groups of militia were organized to communicate with each other by blowing whistles, a communication system used effectively to call for reinforcements and ammunition.

The *Interahamwe* militia was an integral part of genocide planning, an effective and efficient part of it. Its first task was to man the roadblocks. Their purpose was to identify Tutsi people and kill them. During the genocide, on one stretch of road in Kigali there was a barricade across the road every 100 meters. At first the *Interahamwe* checked identity cards; those people who carried a Tutsi designation on their card were put aside to be killed. Some roadblocks had corpses neatly alongside. Others had piles of bodies cut in pieces. After a while, identity cards were no longer checked and anyone looking like a Tutsi was killed. As genocide progressed, the *Interahamwe* militia with their machetes, clubs, axes, spears and nail-studded metal sticks became sadistic, and there were extreme sexual assaults where the militia laughed and jeered and tortured their victims.

### Extermination

The French historian Gerard Prunier, whose landmark book in 1995 was one of the first informative studies on the genocide of the Tutsi, wrote that the perpetrators turned the country into a sado-masochistic inferno.<sup>8</sup> The brutality of the killing was unparalleled and the enormous suffering caused is discussed at the ICTR, which questions whether justice was properly served by an international tribunal. In the circumstances, in July 1994, justice had seemed impossible.

“We are talking about the murder of between 800,000 and one million people who were murdered after horrendous torture,” said Everard O’Donnell, the Deputy Chief Registrar at the tribunal. “Torture was part of the process. It was never clean killing. The victims used their last resources to beg the *Interahamwe* to kill them with bullets instead of hacking away, but the *Interahamwe* had burned them alive, or used sharpened hoes and machetes to cut the Achilles tendon and left them crawling around so they could come back at their leisure and slaughter them slowly by cutting off their limbs.”<sup>9</sup>

8 Gerard Prunier. *The Rwandan Crisis 1959-1994. History of a Genocide*. P. 355.

9 Voices from the Rwanda Tribunal. Interview Everard O’Donnell, Deputy Chief Registrar. October 18, 2008. The University of Washington Information School.

O'Donnell described what happened in Rwanda as one of the greatest child slaughters in history. Around 400,000 children were killed and murdered simply because it was easiest to kill them. Members of the *Interahamwe* had told ICTR investigators how children just ran around in circles screaming so you could club them. It was very easy to kill old people.

To economise on ammunition, the children and the elderly were killed mainly by machete, while most young adults were killed by firearms. An estimated 300,000 children were killed. The majority of the victims were under 24 years old. Whole families and communities disappeared. At Gatwaro Stadium, in Kibuye, it is estimated that some 2,500 families were entirely wiped out. At least 100,000 children were separated from their families, orphaned, lost, abducted or abandoned. Most of Rwanda's children witnessed extreme forms of brutality and 90 per cent of them at some point thought they would die. More than 300 children, some less than 10 years old, were accused of murder.

No tragedy was heralded to less effect than the genocide against the Tutsi in 1994. In March that year Tutsi families, threatened by Hutu Power militia, took to sleeping in churches at night. The UN peacekeepers and Military Observers opened reception centres for them. A local newspaper reported that a 'final solution' was being planned for the 'Tutsi problem'. There were informers who came forward to with precise information. Human rights groups had warned that Rwanda's minority was being targeted for massacre and that the government was guilty of killing its own citizens; most recent victims were of Tutsi ethnic origin and were being killed in organised massacres under local leadership, with administrative officials playing a leading role in encouraging the peasants to kill their neighbours. There was a well-orchestrated propaganda campaign fuelling ethnic hatred.

In France, the journalist Jean-Francois Dupaquier, writing for a weekly magazine, described a 'fanatical Hutu' group supporting a 'final solution'. He described the content of their propaganda weapon, a journal called *Kangura*, as reminiscent of Nazi literature from the nineteen-thirties in Germany. *Kangura* promoted the notion of a 'pure Hutu race'. He described the *Interahamwe* militia and how they killed with machetes. He

wrote that in Rwanda human rights were abused with impunity. He tried to interest the French parliament in asking why their government was supporting such a terrible regime, but to no avail.

As early as November 1991 there were *Interahamwe* attacking and killing Tutsi families in the commune of Murambi, east of Kigali. These killings were carefully noted by the Belgian ambassador in Kigali, Johan Swinnen, one of the best-informed ambassadors in the city.

Some months after the killing in Murambi, in the spring of 1992, Swinnen got hold of a document sent to all sector commanders from the Rwandan Ministry of Defence which described all Tutsi in Rwanda and all those living outside as the 'principal enemy'. Swinnen reported to Brussels: 'This secret group is planning the extermination of the Tutsi of Rwanda to resolve once and for all, in their own way, the ethnic problem and to crush the internal Hutu opposition.'<sup>10</sup> A recommendation to the Belgian government that attempts be made to disband the militia was ignored; an estimated 30,000 strong, it was a weapon of mass destruction.

The Belgian intelligence services had a network of informers in Rwanda; nineteen documents were found in the archives of the Belgian government in which a Machiavellian plot was described and two documents making specific references to the possibility of genocide. There were 29 intelligence reports with warnings of arms caches, the distribution of weapons to civilians, and huge quantities of weapons in houses owned by the president and in Kanombe army camp. 'It would be unacceptable if troops were to find themselves witness to a genocide about which the UN would do nothing,' one diplomatic cable advised. Nor was there any doubt in the mind of the Special Rapporteur for the UN Commission on Human Rights for Extra-judiciary, Summary or Arbitrary Executions, Bacre Waly Ndiaye, whose report, published on August 11, 1993, used the word genocide to describe the killing of Tutsi in Rwanda and who said that the Genocide Convention of 1948 was applicable. There was a propaganda campaign organised by an elite which, in order to cling to power, was fuelling ethnic hatred. Massacres of Tutsi in Rwanda were planned and

10 Belgian senate, Commission d'enquête, p. 493.

prepared, with targets being identified in speeches by representatives of the authorities, broadcasts on Rwanda radio, and leaflets ... [and] the persons perpetrating the massacres were under organised leadership'. Local government officials were found to have played a leading role in most cases. Ndiaye said that for all the attention his report received said he might as well have thrown it in the sea.

That the genocide against the Tutsi was allowed to proceed unhindered in the face of universal indifference will remain one of the great scandals of the 20th century. An untold number of victims had thought that, with the UN peacekeepers in their country, they would be safe. But in the end the barbarians were allowed to triumph. The failure to intervene even amid revelations about the speed, scale and brutality of the killing, and the suppression of information about what was happening as it took place, present a shocking indictment of those governments and individuals who could have made a difference and yet chose not to do so.

## Genocide

Dr. Greg Stanton is today one of the world's preeminent scholars of the crime of genocide and best known for devising the Eight Stages of Genocide, a description of the phases through which he believes the crime of genocide progresses. These are: the classification of the population, symbolization and dehumanization of the target group, the organization of killing, the polarization of the population, the preparation and extermination of the group. Stanton later added two additional stages; discrimination and persecution.

The idea that the crime of genocide happened in stages is nothing new. The Polish lawyer, Raphael Lemkin, who coined the word genocide and is known as the father of the 1948 Genocide Convention, believed that the crime implied the existence of a coordinated plan of action, a conspiracy to be put into effect against people chosen as victims, purely, simply and exclusively because they were members of the target group. In his landmark book *Axis Rule in Occupied Europe*, published in 1944, Lem-

kin described the documentary evidence of genocide that he accumulated; these were copies of the laws and decrees that were part of the German technique to subjugate the peoples of Europe. Lemkin's book explained that genocide was not a sudden and an abominable aberration. It was a deliberate attempt to reconstruct the world. 'Genocide is a part of history,' Lemkin wrote. 'It follows humanity like a dark shadow from early antiquity to the present time.' Genocide could be predicted and, with an international early-warning system, it could be prevented. The key elements were effective propaganda to spread a racist ideology that defined the victim outside human existence, as vermin and subhuman, a dependence on military security and a certainty that outside interference would be at a minimum.

The distinguished historian of the Nazi Holocaust, Raoul Hilberg, described the crime of genocide as an "inexorable process."<sup>11</sup> Hilberg's massive text, *The Destruction of the Jews*, for which he consulted a vast Nazi archive, described the crime of genocide as an "undertaking, step by step." Hilberg explained how the Jew was first identified, and then removed from the economy and ghettoised, then deported – all this before the extermination phase. While those at the centre of Hitler's government had full knowledge of the crime, every institution in government had officials and groups concerned with some aspect of Jewish affairs. Hilberg believed that although the genocide process was not clearly demarcated, each stage of the crime was defined by the cruelties and the injustices that preceded it. Stanton's pioneering contribution was to outline and explain the stages through which he believed the crime of genocide was bound to progress.

Dr. Gregory Stanton, from a progressive and distinguished US family, is related to the women's suffrage activist Elizabeth Cady Stanton, and Henry Brewster Stanton, an anti-slavery leader. His whole life has been concerned with human rights; as a young man he worked as a voting rights worker in the then segregated state of Mississippi; he was a US Peace Corps Volunteer in the Ivory Coast. Stanton was in his second year at Yale law school when he went to Cambodia, appointed a Church World

11 Raoul Hilberg. *The Destruction of the European Jews*. W. H. Allen, 1961.

Service/CARE Field Director in Cambodia in Phom Penh.<sup>12</sup> It was 1980 and the world was slowly acknowledging the killing fields, the murder by execution, torture, starvation and disease of an estimated 1.7 million people – twenty per cent of the population – between the years 1975 to 1979. It was in Phom Penh that Stanton first met the scholar Ben Kiernan. Kiernan is today professor of history at Yale University and Director of the Yale Genocide Studies; at that time Kiernan was researching a Ph.D. on the Khmer Rouge. Kiernan and Stanton determined there had to be justice for the crimes committed by the Khmer Rouge and the leaders brought to court to answer for their tremendous crimes.

When Stanton returned to Yale he founded the Cambodian Genocide Project. It would become one of the world's leading academic centres dedicated to genocide – it is now called the Genocide Studies Program at Yale. It was an uphill struggle. There was little concern within the growing human rights community about the crime of genocide. In a futile trip to New York he tried to convince Human Rights Watch (HRW) to establish a special project called Genocide Watch. He and Professor Leo Kuper waited in the lobby, but Aryeh Neier, the head of HRW had no time to meet them, and sent an intern to talk with them. Stanton and Kuper resolved they would form Genocide Watch themselves. The efforts continued to bring to justice the Pol Pot regime, and Stanton and Kiernan, and in a separate effort, David Hawk, former Executive Director of Amnesty International (USA), collected and organised evidence. No government was keen to help and it was not until April 1994 that the Cambodian Genocide Justice Act was passed by the US Congress. The opposition in the US State Department to the trials of the Khmer Rouge leaders was finally overcome and it awarded an operating grant to the Cambodian Genocide Program, under the leadership of scholar Ben Kiernan. On July 1, 1994 the State Department established an office of Cambodian Genocide Investigations in accordance with the new US policy to support the creation of a tribunal to try the leaders of the Khmer Rouge for genocide. It took another nine years, not until March, 2003, for the United Nations to reach

12Stanton was a Peace Corps volunteer in Cote d'Ivoire 1969-1971 and from 1975-1977 conducted anthropological field research near Abidjan. He has a Ph.D in Cultural Anthropology from the University of Chicago. He has a Masters from Harvard Divinity School, and a J.D. from Yale Law School. He was a Fulbright Professor of Law at the University of Swaziland from 1989-1990.

a draft agreement with the Cambodian government for an international criminal tribunal, the so called Extraordinary Chambers in the Courts of Cambodia (ECCC), to try former Khmer Rouge leaders some 23 years after they were driven from power. The Cambodia Tribunal consisted of both Cambodian and international judges, with jurisdiction over those most responsible for genocide and crimes against humanity committed by the Khmer Rouge regime.

In the Democratic Kampuchea, the Khmer Rouge had re-classified people from the Eastern Zone, who were re-defined as having “Khmer bodies, but Vietnamese minds” which excluded them from their Khmer ethnicity and Kampuchean nationality. The Khmer Rouge marked them with blue and white checked scarves, which were “killing signs” and which people wore after being forcibly displaced, and which they were required to wear at all times in public. Stanton and Kiernan were chilled to discover this Cambodian equivalent of the Nazi yellow star.<sup>13</sup> In Germany in 1935 the main purpose of the Nuremberg laws was the Nazi re-classification of Jews as non-Germans. The ethnic designation on Rwanda’s mandatory identity cards – symbolization – was a warning of exactly what was threatened in Rwanda.

Five years after his first visit to Rwanda, on April 6, 1994 when the genocide of the Tutsi began, Stanton was in Bangkok, a consular officer at the US Embassy and his first assignment as a US Foreign Service Officer. He was called back to Washington. In July, 1994 the Interagency War Crimes Working Group in the State Department, which had been created in the aftermath of the massacres in Bosnia, now added Rwanda to its agenda. The working group had been instrumental in the creation of an international criminal tribunal for the former Yugoslavia. Stanton was appointed a Political Officer, in the Office for UN Political Affairs, Bureau of International Organization Affairs in the US Department of State responsible for coordinating US government policy towards Africa on the UN Security Council.

Stanton was immediately seconded to the UN Commission of Experts, established by the UN Security Council to urgently investigate

13 Gregory H. Stanton. “The Call”, May 12, 2000. In Samuel Totten and Steven L. Jacobs, eds, “Pioneers in Genocide Studies”, Transaction Publishers 2002.



possible breaches of the 1948 Genocide Convention in Rwanda.<sup>14</sup> After a visit to Rwanda, and in a matter of weeks, the commission members concluded that the documentary evidence collected “proved the existence of a plan for genocide against Tutsi and the murder of moderate Hutu. The Special Rapporteur, gave the Commission of Experts a list of fifty-five people whom he considered to be chiefly responsible for the massacres.” The commission determined that the extermination of the Tutsi had been planned months in advance. It had been premeditated and had been “concerted, systematic and methodical.” The commission described a campaign of racist propaganda disseminated on a widespread basis; posters, leaflets and radio broadcasts which had dehumanized the Tutsi as snakes, cockroaches and animals. Young men had been indoctrinated in hatred against the Tutsi minority and given information about methods of mass murder. It recommended the establishment of an international criminal tribunal for Rwanda. Stanton drafted UN Security Council Resolutions 955 and 978, which created the International Criminal Tribunal for Rwanda (ICTR) and in November 1994 helped to draw up a blueprint for its creation.

Stanton returned to Rwanda, now a devastated land, a few months after the genocide was over. There were bodies concealed in every corner of the landscape. A description was relayed to Washington from John Shattuck, Assistant Secretary of State for Democracy, Human Rights and Labor (1993 to 1998) now available in US archives. It was a “country devoid of human life, depopulated by machete.” He added: “the equivalent of a neutron bomb.”<sup>15</sup> Stanton went to the US embassy building, closed so quickly on April 10, when an efficient exodus had seen 250 US nationals, the first expatriates to abandon Rwanda, left in a convoy of cars -- and with the benefit of the protection of peacekeepers from the UN Assistance Mission in Rwanda (UNAMIR). They left behind Rwandan staff and friends. What a hurried exit it was. Over the period of four days, starting on April 9, 1994, some 3,900 people of 22 nationalities left Rwanda.

14 Security Council Resolution 935 of 1 July 1994 mandated the creation of an impartial commission of experts to examine and analyze information concerning serious violations of international law, including genocide. The experts were Astu-Koffi Amega, a former president of the Supreme Court of Togo; Habi Dieng, a former attorney-general of Guinea; and Salifou Fomba, a law professor in Mali who was a member of the UN International Law Commission.

15 United States Department of State (9 August 1994). Cable Number 02676, “International Criminal Tribunal for Rwanda”.

Not one government on the UN Security Council in 1994 has ever explained its failure to abide by either the moral or the legal obligations enshrined in the 1948 Genocide Convention. No government has held an inquiry into why Rwanda was so rapidly abandoned. From the beginning of the genocide until its end, all UN governments and official bodies continued to recognise as legitimate a government – the so-called Interim Government – hastily sworn into office and which was perpetrating the genocide.

Stanton began to read the cables sent to Washington in the weeks before genocide began, which he found in the US embassy in Kigali. The State Department's Bureau of Intelligence knew that the Rwandan government and military authorities were implicated in widespread, systematic killing of ethnic Tutsi, those who had Tutsi physical characteristics and those who supported Tutsi. There was intelligence that national and local officials had exhorted civilians to take part in massacres and the campaign appeared well planned and systematic. As late as May, even after a staggering estimated death toll of 250,000 people killed was mentioned, there were officials in the Clinton administration determined to play down what was occurring. There were people who did everything they could to undermine action that others wanted to take.<sup>16</sup>

Once back in Washington, Stanton began to ask questions of officials in the US State Department who were directly involved. What he found, he said, was “appalling cowardice,” particularly in the Legal Adviser's Office where officials had kept on denying – as the killing continued -- that the killing did not meet “the intent to destroy” requirement in the definition of genocide in the 1948 Genocide Convention. In 1994 Stanton was awarded the American Foreign Service Association's W. Averell Harriman Award for outstanding service by a junior Foreign Service Officer, “for extraordinary contributions to the practice of diplomacy, exemplifying intellectual courage and a zeal for accomplishment” for his work on post-genocide Rwanda.

In the same week Stanton received the Harriman Award, his immediate superior in the International Organizations bureau wrote in his

16 Melvern. *A People Betrayed* p

“Efficiency Report” that “Stanton should be immediately dismissed from the Foreign Service.” She said, “Stanton apparently does not realize that the Foreign Service is a hierarchical organization.” In fact, he recognized that fact very well. When Stanton left the US State Department, he went on to found Genocide Watch and to create the International Alliance to End Genocide, a broad-based coalition with fifty member organizations in 24 countries which has issued many early warnings of impending genocide world-wide and worked with policy makers around the globe to prevent the crime of crimes.<sup>17</sup>

### **Genocide Denial**

The last of Dr. Greg Stanton’s Eight Stages is genocide denial. This is a time when the perpetrators deny the crime, try to hide evidence and determine to escape justice. The eighth stage is calculated to destroy truth and memory. Stanton believes denial is integral to the crime. The only way to overcome genocide denial was through justice, by creating tribunals and truth commissions. A constant struggle against genocide denial was something that each new generation had to face.<sup>18</sup>

A campaign of denial was waged even as the genocide of the Tutsi was taking place April-July 1994, as the Interim Government used all diplomatic means to try to prove to the world that the huge number of deaths in their country was due to “fighting” in a renewed civil war. The Rwandan ambassador to the UN, Jean-Damascène Bizimana, was a key part of this enterprise which was designed to sow confusion in Security Council meetings and cause doubt about what was really happening. With a non-permanent seat on the Council, Rwanda had the right to participate in procedural decisions, and the right to block the required consensus on presidential statements. For the duration of the genocide the Rwandan embassies abroad – in Paris, Washington and Brussels – managed to fool everyone long enough to get away with their crimes unchallenged.

17 [www.genocidewatch.org](http://www.genocidewatch.org).

18 Frederick Barschak: “Revealed: How a Soviet General inspired Holocaust Memorial Day”, The Jewish Chronicle online. January 23, 2014.

The campaign of denial followed the Interim Government into exile as the genocidal forces fled to the neighboring DRC. Once in exile, a defense strategy was organized by fugitives whose names were appearing on lists of the main genocide suspects. With the news that the first trial at the ICTR was to open in early 1997, in north North Kivu discussions took place with Belgian lawyers, Luc de Temmerman and Johan Scheers, about a common defense. Documents later retrieved from the camps in the DRC show de Temmerman warning they must not fall into the trap of accepting “there had been genocide of the Tutsi by the Hutu” otherwise it would be impossible for him to plead not guilty on their behalf. How could he defend people who could not defend themselves? The Belgian lawyer recommended that “all Hutu had to understand that if the genocide was confirmed, then it was the end of them as a people.”<sup>19</sup>

From the camps in the DRC, genocide denial spread to the courtrooms of the ICTR, where defense lawyers tried to show that a plan to eliminate the Tutsi had never existed — there had never been a conspiracy to murder. This is the foundation stone of the defense case at the tribunal. It means that the 1948 Genocide Convention was not applicable to their clients. The question of intent was a crucial and an integral part of the crime: the Genocide Convention stated that genocide was “the *intent* to destroy, in whole or in part, a national, ethnical, racial or religious group.” With no intent in 1994, and with no conspiracy and no plan, minus this crucial intent, genocide had never existed.<sup>20</sup> The preparations which had taken place had concerned a war-fighting ability and a nation-wide civil defence programme. It is argued that we have all been duped and tricked into believing that genocide had taken place by an “effective and educated pro-Tutsi lobby.” The killing happened spontaneously, and the blame rests not with individuals but with “the people of Rwanda” who had risen up in fear and killed their neighbours. There had been a civil war in progress.

The courtrooms at the ICTR have been used by defendants as a forum: a dedicated campaign of falsehood has been waged from the tribunal and a great deal of court time has been taken up with information

19 Note au Chef d'Etat-Major FAR. De: Harelimana Celestin. Pour@ Chef d'Etat-Major FAR Fait a Bulongo le 01.08.1996.

20 The first sentence of Article II of the 1948 Genocide Convention states that acts of genocide must be committed with the intent to destroy a protected group.

used to distort, obfuscate and deny the genocide – the deception originally planned in exile in refugee camps in the DRC.

A Rwandan academic, Dr. Gatsinzi Basaninyenzi, has categorized the denial in four distinct areas: the first strategy was to erroneously describe the genocide as civil war; the second was to deny it happened because there was a lack of proof of intent and to claim that the killing had been spontaneous; the third was to claim that there had been a double genocide and that Tutsi had also killed Hutu in what had been inter-ethnic conflict and so each annulled the other; and the fourth was to deny genocide by deliberate ambiguity and a lack of precision so as to spread confusion about what really happened. Basaninyenzi, an associate professor of English at Alabama A&M University, where he teaches African American Literature and Literary Criticism, believes that the real intent of denial is to erase memory. The genocide against the Tutsi of Rwanda claimed a number of his relatives' lives; he has watched with fascination and dread as a campaign of denial of the genocide of the Tutsi has been waged in the US and the rate of its growth.

A world-wide network of ICTR lawyers, academics and journalists, continues to support the defence case in whole or in part. In the trials a series of expert witnesses has been called by the defence to testify that the “official narrative” was wrong. An alternative story has been widely circulated on Internet sites with claims that the entire history of the genocide needs to be rewritten. There had been no planning; it had been a question of ‘collective madness’; there was no coup d’état on 6 April; rather the Rwandan military had been obliged to take charge to avoid a state of anarchy. The massacres that followed were but one episode in a long and bloody civil war.<sup>21</sup> Over the years the manipulation of the evidence and disinformation has influenced journalists, students and academics in France, in Belgium, in the USA, in Canada and in the UK.

21 Among these, but not exclusively, are: French historian Bernard Lugan, Associate Professor of African History at the Jean Moulin University, Lyon, with thirty years of study of the countries of Africa; Peter Erlinder, ‘No conspiracy, no genocide planning ... no genocide?’, *Jurist Legal News and Research*, 24 December 2008. Erlinder was lead defense counsel at the ICTR, from the William Mitchell College of Law.) See also [www.taylor-report.com](http://www.taylor-report.com) and Edward S. Herman, ‘Genocide inflation is the real human rights threat’, [www.coldtype.net](http://www.coldtype.net). Also: No Justice, ‘A letter to the UN from some of its political prisoners in Arusha’, 2 January 2008, published on [www.cirqueMinime/Paris](http://www.cirqueMinime/Paris). Sites accessed January 2009. Barrie Collins, ‘Rwanda: obscuring the truth of genocide’, 13 August 2008, [www.spiked-online.org](http://www.spiked-online.org). Pierre Péan, *Noires fureurs, blancs menteurs, Rwanda 1990 1994*, Mille et une nuits, November 2005.

The fact of genocide of the Tutsi is capable of immediate and accurate verification by resort to sources of reasonably indisputable accuracy. There is overwhelming evidence to counter this common denial. The conclusions of the UN Security Council's Independent Commission of Experts in December 1994 reported to the Council that the 1948 Convention on the Prevention and Punishment of the crime of Genocide had been "massively violated" in Rwanda between April 6 and July 15. The experts had found "overwhelming evidence" to show that the extermination of the Tutsi had been premeditated and planned months in advance; a conspiracy to destroy Tutsi is confirmed as fact by judges at the ICTR. The conclusion that genocide happened was accepted by judges at the ICTR, by activists at Human Rights Watch, by politicians and officials in the Belgian Senate, by experts commissioned by the then Organization of African Union (OAU), by Oxfam, Amnesty International -- and anyone else who has carefully evaluated all available evidence so far produced.

There were no sealed trains or secluded camps in Rwanda. A planned and political campaign, the genocide took place in broad daylight. In 1994, between 6 April 1994 and 17 July, up to one million people were murdered. The methods of killing had been tried in the past and were documented in human rights reports. Within a few days information was available that the killing was planned and coordinated. At the end of the first week the International Committee of the Red Cross (ICRC), which maintained a presence in the country throughout, estimated a death toll of 10,000 civilians murdered every day. After three weeks the ICRC, in an unprecedented statement, pleaded for the UN Security Council to act to protect civilians. Throughout May reports continued to arrive at UN headquarters from the UNAMIR staff in Kigali that massacres continued and that there were preparations for more. At the end of May there was a two-day special session of the Human Rights Commission in Geneva with detailed testimony to the effect that the Rwandan government and military authorities were involved in the slaughter. The names of the perpetrators were known. It was possible to determine their identity from the highest to the lowest level.

Here was the direst of all human situations. The crime of genocide – the intent to destroy a human group – is regarded as the first, last and

most serious crime against humanity and its prevention is the single most important commitment of the countries that join together as the United Nations (UN). All warnings went unheeded, and in April 1994 Western politicians were unwilling to acknowledge what was happening and to intervene, and abandoned the Tutsi of Rwanda to their fate.

Not one government called on the perpetrators, the *génocidaires*, to stop the genocide. Not one UN member state severed diplomatic ties with Rwanda and expelled Rwandan ambassadors. Not one government called for the representative of Rwanda's Interim Government, with a non-permanent seat in the council, to be suspended from the chamber. For three months the *génocidaires* remained safe in the knowledge that there would be no outside interference.

## **Chapter 11**

Who is the Real Hero of *Hotel Rwanda*?

Jonathan Beloff



## Abstract

Genocide revisionism has become an important tool for genocide deniers: in particular, the accounts of the Hotel Des Mille Collines, also known by Hollywood as “Hotel Rwanda.” This is an examination of the events that occurred during the Rwandan Tutsi Genocide at the Hotel Des Mille Collines. In this paper, we examine the events that were shaped around and in the hotel from April 6 until its liberation by the Rwandan Patriotic Front on June 21, 1994. In particular, we will examine some of the claims by the hero, Paul Rusesabagina, and determine their accuracy based on the interviews of the workers and survivors of the hotel. In addition, we address how educators should teach the genocide alongside the movie, *Hotel Rwanda*.

## Introduction

On the night of April 6<sup>th</sup>, 1994, unknown assailants shot down the plane of Rwandan President Juvenal Habyarimana. That single moment triggered the Genocide against the Tutsi in Rwanda, which became one of the worst tragedies of the 20<sup>th</sup> century. In a period of 100 days, militia groups known as the *Interhamwe*, as well as the Rwandan military, butchered over one million Tutsis and moderate Hutus.<sup>1</sup> In the depths of the madness was the miracle of the Hotel Des Mille Collines in the heart of Kigali. At the hotel, 1,268 Rwandans were spared from the massacres.<sup>2</sup> The story of the hotel manager Paul Rusesabagina was eventually made into the Hollywood move, *Hotel Rwanda*.<sup>3</sup> The film

1 Nwabatsinda, 2005, 233-6.

2 Dallaire, 2011; Rusesabagina, Zoellner, 2006, ix.

3 Adhikari, 2012, 173-98, 176; Hotel Rwanda, 2005; Ostroff, 2011.

was successful in establishing awareness of the genocide to mainstream audiences. In addition, it elevated Paul Rusesabagina into a hero and a humanitarian by the international community. Since the film's release, he has utilized his elevated status to alter the historical narrative of the genocide in order to lessen the significance of the genocide against Tutsis. In recent speeches, he claims that the genocide were actually massacres that were committed by both the Hutu perpetrators and the Rwandan Patriotic Front.<sup>4</sup> His factious statements are granted validity based on the misconception that he saved the Mille Collines from the surrounding chaos during the genocide.

Survivors of the Hotel Des Mille Collines do not share the belief of Rusesabagina being a hero.<sup>5</sup> In fact, most tell quite a different story of his heroic actions and have labelled him as an opportunist, revisionist, defender of the mass murderers and a man who profited from the genocide. When travelling through Kigali, Rwandans were more than open to discuss how they survived during the genocide as well as their opinions of *Hotel Rwanda*. The appointed saviour of the Rwandan Tutsi Genocide is not considered a hero in his home country, and hotel survivors have expressed their desire for the world to know the shameful truth.

This examination addresses Rwandan history in context of the Hotel Des Mille Collines. It then examines the claims put forth by Paul Rusesabagina on why he should be considered the major reason for the hotel's survivors, such as the United Nations lack of interest in protecting the hotel facilities; not charge the hotel's refugees for their stay; the story of the disgruntled employee named 'Jacques'; and his claims of a 'double genocide'. This paper attempts to determine whether or not Rusesabagina should be credited for the saving the nearly 1,300 people, or if other factors played a bigger and more significant role. In conclusion, it addresses why the elevated status of Rusesabagina provides credibility to genocide deniers and potential future violence.

4 Melvern, 2011; Ndahiro, 2011.

5 Rhoads, 2006.

## Rwanda's Ethnic History

Rwanda's history can be dated to its pre-colonial period as a kingdom in central Africa, which ended in 1884. Residents of the region were classified based on their socioeconomic status rather than their 'ethnicity', which would be later introduced by the Germans and Belgians. The Hutus were farmers of food crops. The Tutsis were pastoralists whose main occupation was husbandry. The Twa were considered travellers who never camped in one location for an extended period of time. Throughout pre-colonial history, the three groups lived in relative harmony.<sup>6</sup> A new historical period commenced from colonization by Germany and Belgium from 1884 to 1962. It was during this time period that the socioeconomic groups became ethnicities and Tutsis were given special privileges over the Hutus.<sup>7</sup> With Belgium leaving Rwanda through its independence in 1962, Rwanda witnessed the rise of Hutu President Gregoire Kayibanda; revenge policies of massacres and forced emigration against the Tutsi populations; and the pro-Hutu ideology of the 'Hutu Revolution'.<sup>8</sup> The Kayibanda administration failed to establish necessary economic development, which led to the 1973 military coup by Major General Juvenal Habyarimana who kept political power to become the next President.<sup>9</sup> After the military coup, he promised stability and economic growth, but his regime resulted in nothing but hardship for the Tutsi minority population still left in Rwanda.<sup>10</sup> By the end of the 1980s, international pressure mounted against Habyarimana to permit Rwandan Tutsi refugees in the surrounding states to return to their homes. However, Habyarimana proclaimed that Rwanda was 'full' and unable to support any additional population.<sup>11</sup>

It was during the same year as the military coup that the Hotel Des Mille Collines was built by the former national Belgian airline, Sabena Corporation, an acronym of Societe Anonyme Belge d'Exploitation de la Navigation Aerienne.<sup>12</sup> The hotel contained 112 guest rooms designed to

6 Prunier, 1997, 5, 14-5; Melvern, 2004, 8-9; Nzabatsinda, 2005, 233.

7 Kigali Memorial Centre. Jenocide. (Kigali: Aegis Trust, 2004), 6-8; Melvern, 2004, 10-1; Prunier, 1997, 5, 26-31, 6.

8 Kigali Memorial Centre, 2004, 8-10; Kinzer, 2007, 12, 35-8, 212-3; Melvern, 2004, 17-21; Prunier, 2004, 54-63.

9 Melvern, 2004, 22; Prunier, 1997, 61.

10 Prunier, 1997, 76-8; Storey, 1999.

11 Kigali Memorial Centre, 2004, 8-10; Prunier, 1997, 72-5, 81.

12 Gutekunst, 1995, 22-7; Rusesabagina, Zoellner, 2006, 30.

satisfy the needs of Westerners who were in Rwanda to perform humanitarian work, or tourists who wished to see the famous wild gorillas.<sup>13</sup> The hotel held special significance for the city as being the highest rated hotel, with four stars, and being one of the tallest buildings in the country with five floors.<sup>14</sup> Anytime an international or governmental person held meetings or conferences to discuss important topics, they would utilize the hotel's facilities.<sup>15</sup> It would even play a significant role during the initial implementing of the Arusha Accords, which would end the civil war between the Rwandan Government and the rebel group, the Rwandan Patriotic Front.

On October 1<sup>st</sup>, 1990, the Rwandan Patriotic Front (RPF) under Major General Fred Rwigyema, and later by General Paul Kagame, infiltrated northern Rwanda to begin a civil war that would continue until the end of the 1994 genocide.<sup>16</sup> After several failed attempts in 1990 and 1992 to invade Rwanda, the RPF was able to force the Habyarimana administration to negotiate for a transitional government that would allow multiparty elections and the return of Rwandan refugees. The international community assisted in the creation of the Arusha Accords, which would create this new coalition government. President Habyarimana retained his political position as president of Rwanda, but the parliament would enjoy a power-sharing agreement between the various political parties representing the interests of both the Hutus and Tutsis.<sup>17</sup> A delegation from the RPF would be the Tutsi representative in the new parliament.<sup>18</sup>

With the signing of the Arusha Accords, the Mille Collines became the base of the early phases of the newly-established peacekeeping mission, the United Nations Assistance Mission for Rwanda (UNAMIR), which would enforce the cease fire between the RPA and the Rwandan military under the command of Canadian General Romero Dallaire.<sup>19</sup> From the end of 1993 to 1994, Paul Rusesabagina was the general manager of the

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13 Ibid., 55-6.

14 Ibid., 39-42.

15 Ibid., 43.

16 Melvern, 2004, 28; Prunier, 1997, 93.

17 Kigali Memorial Centre, 2004, 8-9, 14; Melvern, 2004, 46-8, 52-8; Prunier, 1997, 160, 86-91.

18 Kinzer, 2007, 123.

19 Gutekunst, 1995, 22-27.

Hotel Diplomat.<sup>20</sup> The weeks leading to the genocide, the expatriates who were working on humanitarian causes in Rwanda were still residing at the Mille Collines, because most of their home countries still publically stated that the country was safe for them and their families.<sup>21</sup> The importance of the hotel would dramatically change on the night of April 6, 1994 with the assignation of President Habyarimana.

On the night of April 6, 1994 the presidential plane carrying Habyarimana and his staff was shot down during its returning to Kigali from the finalizing of the last details of the Arusha Accord.<sup>22</sup> An unknown shooter shot down the plane, which killed everyone onboard. The genocide commenced two and half hours after the assassination. The *Interahamwe*, a group of civilians who had been prepared to carry out genocidal acts, began to establish roadblocks throughout Kigali to stop and kill Tutsis and moderate Hutus. The Rwandan Presidential Guard and the Rwanda Army, whose main objective was to fight the RPF, assisted the *Interahamwe* during the genocide. The RPF responded by restarting hostilities against the Rwandan military in order to gain political control and to end the massacres. It took the RPF 100 days to liberate the country and end the massacres. By July 17<sup>th</sup> 1994, an estimated 800,000 to 1.2 million Tutsis and moderate Hutus had been butchered by the *genocidaires*.<sup>23</sup>

During the genocide, the Hotel Des Mille Collines was designated by UNAMIR as a safe haven for anyone who feared for their lives or felt that their families were in danger.<sup>24</sup> By April 9, most of the members of the interim genocidal government fled from its headquarters at the Hotel Diplomates to the western Rwandan city of Gitarama.<sup>25</sup> When the genocide government was leaving the Hotel Diplomates, Rusesabagina decided to follow them to Gitarama.<sup>26</sup> Before leaving Kigali, he stopped at the Mille Collines in order to locate that the hotel general manager, Bik Cornelis, who, unbeknownst to Rusesabagina, had previously been taken out of the

20 Melvern, 11.

21 Barker, Kemp, 2004; Ibid.

22 Kigali Memorial Centre, 2004, 19; Prunier, 1997, 212, 19-20.

23 Barker, Kemp, 2004; Ibid., 19-20; 118-9, 221, 42-53 312.

24 Dollaire, 2004, 268; Melvern, 2011.

25 The only government official that remained in Kigali was Colonel Thoeneste Bagosora, who remained at the Hotel Diplomates in order to lead the Interahamwe.

26 Prunier, 1997, 234-5; Rusesabagina, Zoellner, 2006, 61, 118.

country with all of the other foreigners.<sup>27</sup> When discovering the absence of Cornelis, he quickly took control over the top managerial position, because of his belief that the hotel would be safe from the genocidal militias.<sup>28</sup> For more than seventy-six days, the roaming militias and Rwandan military left the hotel relatively untouched.<sup>29</sup>

Throughout the genocide, the UNAMIR never left the hotel unguarded with seven to eight soldiers guarding the entrance.<sup>30</sup> By the end of May, when the *Interahamwe* began to run out of Tutsis to slaughter, they formulated their only rocket attack against the hotel. There were several occasions that they wanted to storm into the hotel grounds in order to kill the refugees. Tunisian troops, who were protecting the hotel, were able to disperse the *Interahamwe* by claiming that the complex was a UN protected zone.<sup>31</sup> By the time Kigali was liberated, the Mille Collines had been able to protect the lives of 1,268 Hutus and Tutsis.<sup>32</sup> Within the first few days after the genocide, Bik Cornelis returned and relieved Rusesabagina of his hotel duties. It took less than a month for the hotel to be cleaned and ready for guests.<sup>33</sup> Rusesabagina would return to be the manager of the Hotel Diplomates until 1996 when he fled Rwanda to seek asylum in Belgium.<sup>34</sup>

Since the genocide, Rwanda has been able to not only rebuild, but also become a beacon of economic development from bottom-up market-oriented capitalism since the end of the 1994 Genocide against the Tutsi in Rwanda. The World Bank has labelled the country as one of the best places for investment and entrepreneurship in Africa, as well as applauding the lack of large-scale government corruption.<sup>35</sup> In addition, the United States' State Department has labelled the country as one of the safest in Africa for foreign visitors. The relatively high average gross domestic growth rate of 5% to 7%, even during the Great Recession of 2007, is supported by their low inflation rate of 3.9% and growing export from \$297 million

27 Melvern, 2011; *Ibid.*, 110, 217.

28 Rusesabagina, Zoellner, 2006, 110.

29 *Ibid.*, 208; Adhikari, 2012, 173-98, 187.

30 Johnson, 2005.

31 Beardsley, Dallaire, 2004, 305, 60.

32 *Ibid.*, 358.

33 Rusesabagina, Zoellner, 2006, 171.

34 BBC News, 2011.

35 *The Economist*, 2012.

in 2010 to \$372.9 million in 2011.<sup>36</sup> This has changed since 1994, when the new government eliminated identity cards that contained ethnic classifications and make it illegal to negatively identify someone as a Hutu or a Tutsi.<sup>37</sup> The intended desire of ending the ethnic divisions is to prevent a future genocide, but also to unite Rwandans in order to create social capital that will make Rwandan labour look more attractive for foreign businesses. Many Rwandans have taken great pride in the country's recent accomplishments, but they are extremely annoyed by recent comments by Rusesabagina, who has disregarded the countries success.<sup>38</sup>

### **Examining the Truth behind the Hero**

There are many conflicting factual points that Rusesabagina states in his book, *An Ordinary Man: An Autobiography*, and in the film *Hotel Rwanda*. Some of them are very minor details about the events that occurred at the Hotel Mille Collines, such as the characteristics of Colonel Thoeneste Bagosora, portraying him as a decent man who made some terrible decisions. But other statements, such as the lack of United Nation's protection; refugees not needing to pay to seek shelter; the story of the disgruntled employee; the role of the Rwandan Patriotic Front in the liberation of the country; and Rusesabagina's role at the hotel are factors which needs to be corrected in order to properly honour the people who survived at the hotel, and the near one million people who perished in the genocide. There is no defying the fact that Rusesabagina played a role in the saving of the near 1,300 refugees, but the saviour identity that has been proclaimed is a title best given to others who helped their fellow Rwandans.

### **The role of UNAMIR at the Hotel Mille Collines**

The Genocide against the Tutsi in Rwanda will always be a mark of shame for the United Nations. From the dispatching of the first UN troops

36 Central Intelligence Agency, 2012; World Bank, 2012.

37 Kinzer, 2007, 225, 40.

38 Karimi, 2010.

in Rwanda until the end of the genocide, there were many opportunities for UNAMIR to take the necessary actions to stop the militias, or at least prevent the escalation of violence that turned into genocide. These inactions have already been well documented in the book, *Shaking Hands with the Devil* by former commander of the UNIMAR force, Romero Dallaire. The Hotel Des Mille Collines was the original headquarters in 1993 of Dallaire's troops, because of the importance of the hotel for all major political and humanitarian organizations.<sup>39</sup> When UNAMIR moved its headquarters to Amahoro Stadium and the attached athlete's hotel in eastern Kigali, it decided to leave seven to ten soldiers at the Mille Collines in order to provide security for its guests.<sup>40</sup> All around Kigali during the genocide, Dallaire tried to establish safety zones that would be protected by UNAMIR soldiers even if they were unarmed and only there for symbolic purposes. With the departure of expatriates and the formation of a refugee camp, the Mille Collines was one of the fortunate locations, with well-armed UN Tunisian and Ghanaian troops at the entrance of the hotel. Obviously a handful of troops would not have the capability to stop a hoard of armed militia gangs or Rwandan military forces.<sup>41</sup> However, its true strength was just in their presence at the hotel. If the *Interahamwe* were to enter the grounds of the hotel to kill, the world would be informed and this would bring unwanted attention, which could jeopardize the goal of *genocidaires*.<sup>42</sup>

The presence of the few UN troops at the Mille Collines is supported by the testimonies of many of the survivors of the Mille Collines. In addition, news reporters, who either were based at the Mille Collines or were able to shoot video footage of the hotel, show the UNAMIR troops.<sup>43</sup> But in Rusesabagina's book, he claims that United Nation's troops only came two days before the hotel was evacuated in a refugee exchange program between the interim genocidal government and the RPF.<sup>44</sup> Romero Dallaire has spoken against his claim.<sup>45</sup> The film contradicts Rusesabagina's book by showing the hotel being protected by four UNAMIR soldiers and Colonel Oliver, who

39 Beardsley, Dallaire, 2004, 59.

40 Ibid., 109.

41 Ibid., 268; Barker, Kemp, 2004; Gutekunst, 1995, 22-27.

42 Barker, Kemp, 2004.

43 Lilitheking, 2007.

44 Beardsley, Dallaire, 2004, 350; George, 2005; Rusesabagina, Zoellner, 2006, 131-5, 193.

45 Ostroff, 2011.



General Dallaire is portrayed as, stating that, ‘they are his best lieutenants’.<sup>46</sup> UN soldiers protected the hotel even if they did not have the capacity to stop a full attack by the militias. By claiming that there was a lack of protection by UNAMIR troops at the hotel, it enhances the portrayal that during the days of the genocide, it was Rusesabagina who stood between the refugees and the *genocidaires*. Another attempt to make the man into a kind-hearted saviour is his claim of not charging to stay at the hotel.

### Payment to seek refuge?

In *An Ordinary Man*, Rusesabagina states that he did not collect any money from the people who sought refuge at the hotel. The money he used to bribe the *Interhamwe* and other *genocidaires* came from the hotel’s ample supply of domestic and foreign currencies from before the genocide. Any money that he collected came from refugees who wished to pay for their hotel rooms or space on the hotel’s grounds.<sup>47</sup> If anyone seeking refugee did not have the financial resources to pay, they would either have to surrender personal items as collateral, such as their cars, or make personal statements committing themselves to pay the Sabina Corporation after the end of the genocide. This is in contradiction to the film, where Rusesabagina states that refugees only needed to pay to seek refuge in order to prevent the hotel from becoming a targeted refugee camp.<sup>48</sup> Also, there was not a scene in the film where the guests go to Rusesabagina and promise to pay Sabina after the genocide.

Both the book and the film seem to contradict the testimonies of many of the hotel’s survivors. Sabina left specific instructions that the hotel should be converted and made available for anyone seeking refuge from the militias, and that they should not be charged for any service provided to them such as room, water and food.<sup>49</sup> Most of the employees, who worked at the Mille Collines, before Rusesabagina came to take the managerial position, knew of Sabina’s wishes. Once Rusesabagina became manager, he

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46 George, 2005.

47 Rusesabagina, Zoellner, 2006, 108.

48 Ibid., 137.

49 Yetu, 2008.

demanded that refugees pay him the standard rate for hotel rooms. If they could not pay the room rate, they could pay to be in the hallways or on the grass adjacent to the swimming pool. Many people who sought refuge did not have any money once they entered the hotel. Many had used their money in the form of bribes just to be able to get through the roadblocks of the *Interahamwe* to get to the hotel.

If a refugee could no longer pay to stay at the hotel, Rusesabagina would threaten to remove them from the compound and allow the militias to kill them. Even the workers of the hotel had to pay a special rate to stay there. When the genocide began, many were told by Bik Cornelis that if they felt threatened by the militias, they could stay at the Mille Collines without being charged. Rusesabagina decided that in addition to their working for the hotel, they and their families had to pay to be able to stay. If they could not, they were instructed that once their work shift was finished, they had to return home. Leaving the compound would likely result in their deaths, so many worked and paid for their stay at the hotel. Many Kigali residents believe that Rusesabagina became one of the richest Rwandans after the genocide, because of how he was able to financially exploit the refugees at the Mille Collines.

### **The Antagonist named Pasa**

In Rusesabagina's book, readers are introduced to an antagonist by the name of Jacques. In the film, his name is changed to Gregoire.<sup>50</sup> He is described as a man who is disgruntled with his position at the hotel's concierge's desk. His loyalties are always questioned and it is hinted that he could aid the *Interahamwe* in a massacre at the hotel if Rusesabagina ever angers him enough. The first time Jacques is mentioned is during an argument between Rusesabagina and him, when Rusesabagina demands the keys to all the hotel rooms.<sup>51</sup> Jacques later takes over the presidential suite and occupies it with his love interest.<sup>52</sup> In the film, they depict him as a boor and a manipulator to make him into the stereotypical 'bad guy' for

50 George, 2005.

51 Rusesabagina, Zoellner, 2006, 128-30.

52 George, 2005; *Ibid.*, 128-34, 38.

the audience to root against.<sup>53</sup> He is also someone that Rusesabagina has to be wary of if he wants to be able to save the people at the hotel.

In Rwanda, Jacques is believed to be a man named Pasa Mwenenganyucye who worked as an assistant to Bik Cornelis. Once Cornelis left, Pasa took charge of the hotel until Rusesabagina arrived. Pasa fulfilled the wishes of Sabina by allowing anyone to seek refuge at the Mille Collines.<sup>54</sup> When Rusesabagina became manager, after contacting Sabina to ask if he could obtain the managerial position, Pasa became very angry and uncertain of the new boss. The uncertainty stemmed from Rusesabagina's former working experience of hosting the genocidal government at the Hotel Diplomes. Pasa was fearful that Rusesabagina would make agreements with the *Interahamwe* to kill the refugees at the Mille Collines in order to save his own life. During the genocide, the two individuals confronted each other many times.

One of the issues that the two argued about was how Pasa took over the hotel's presidential suite. Pasa did occupy the suite, but not as how the film depicts it. In fact, he brought his entire family to stay in the room for protection without making them pay Rusesabagina. When Rusesabagina departed from the Hotel Des Mille Collines to return as the manager of the Hotel Diplomes, he left a letter to the next manager of the hotel to relieve Pasa of his duties at the hotel, because of his alleged role in aiding the militias during the genocide.<sup>55</sup> Despite protests from the hotel staff, when Cornelis returned to orchestrate the clean up and restoration of the hotel, Pasa was relieved of his position. The most ironic aspect of Rusesabagina's description of Pasa, is how he could not determine whether Pasa was loyal to the refugees or the militias. The film enhances this skepticism to the extent that it suggests that he was the one who informed the Hutu militias about the transportation of the 600 refugees from the Mille Collines to the Kigali airport.<sup>56</sup> This accusation is the most preposterous of all, because Pasa is a Tutsi, which meant the *Interahamwe* would kill him if he left the security of the hotel. There is no conceivable way for him to have been able to work with the killers in any of the capacities that Rusesabagina wants

53 Ibid.; Reuters, 2007.

54 Ibid.

55 Rusesabagina, Zoellner, 2006, 224.

56 George, 2005.

his audience to believe. Pasa was at the hotel to save his life and the lives of his family. If the *genocidaires* had been able to enter the hotel to kill the refugees, he would also have been killed.

### Double Genocide by the RPF?

What results from the new focus of Rusesabagina in his speeches and interviews is an image of the evils of the RPF and the current Rwandan President Paul Kagame.<sup>57</sup> He writes that once the RPF liberated an area from the genocidal government, it would often commit horrendous acts that were just as brutal as the genocidal forces.<sup>58</sup> He writes that RPF members would often rape, pillage, and commit revenge killings against those who killed Tutsis, to such an extent that he considers it genocide.<sup>59</sup> He devotes the last two chapters of his book to discrediting the RPF and the country's lack of economic and social progress over the last fifteen years.

Many people who were in Rwanda during the liberation and at the end of the genocide do not support most of the claims made by Rusesabagina. This is not to deny that there were some cases of looting and revenge killings by RPF soldiers.<sup>60</sup> But when examining the proportionality of the bad behavior of the RPF soldiers compared to nearly all other African military groups and governments, they were rather disciplined to try to win public support. The most damaging of Rusesabagina's claims is that the RPF perpetrated a double genocide against the Hutu populations.<sup>61</sup> Most of the Hutus who were killed by the RPF either belonged to the Rwanda military or the *Interahamwe*. Specifically, the *Interahamwe* joined military forces to combat the RPF with gorilla military tactics when the frontline reached their village or neighborhood. It can never be overly stated that the *Interahamwe* were not innocent Hutu victims of the RPF, but were *genocidaires* who desired to eradicate the Rwandan Tutsi population.<sup>62</sup>

57 Rhoads, 2006.

58 Rusesabagina, Zoellner, 2006, 210-2.

59 Ibid., 168-9.

60 Beardsley, Dallaire, 2004, 478.

61 Dallaire, 2011.

62 Ibid., 479.

There is no denying the fact that there were some individual RPF soldiers who did committee revenge killings. When they entered the villages of their families and saw family members killed by the most brutal acts imaginable, they wrongly used their weapons against the Hutu populations.<sup>63</sup> The percentage of people murdered from revenge killings is estimated to be 1-2% of the total deaths during the Civil War and the genocide; in other words, around 25,000.<sup>64</sup> This relatively low percentage stemmed from the RPF policy of trying to stop the cycle of hatred and massacres in order to gain the trust of the populations for the establishment of their new government. Many of the soldiers who participated in the revenge killings either committed suicide or have been convicted in military courts for their crimes.<sup>65</sup> The system to prosecute them has not been perfect, but RPF acts during liberation are nowhere close to the horrific acts that Rusesabagina wants his audience to believe.

### **The real hero of ‘Hotel Rwanda’?**

This leads to the ultimate question of the truth behind Paul Rusesabagina’s story. Can he be solely credited with saving the 1,268 refugees who stayed at the Hotel Des Mille Collines during the Genocide against the Tutsi that so many people around the world believe? The clear and definite answer is no. He played a role in the saving of the refugees who stayed at the Mille Collines, but it is overshadowed by a list of other factors that were the reasons why the hotel was saved from the killing squads.<sup>66</sup> The first is, as mentioned before, the fact that the hotel was protected by UNAMIR troops. Even though there were not enough troops to stop the militias if they ever decided to attack, it was enough to deter them. Another factor is that the hotel was a bargaining chip that the genocidal government used with the RPF during the genocide. As long as the people in the hotel were not harmed, the government could try to use their lives in exchange for important personal captured by the RPF. The major case example is of the failed exchange program, which would have transferred around 600 refu-

63 Prunier, 1997, 342, 59-62.

64 Ibid., 266-8.

65 Ibid., 342, 59-61.

66 Rhoads, 2006.

gees from the hotel to the Amahoro stadium in exchange for the RPF to release some government officials.<sup>67</sup>

In addition is the significance of the hotel for the genocidal government. Every action the government committed was hidden from the international community. The authorities did not want any negative attention given to their genocidal acts. An example supporting this claim was give in a Red Cross news report during the early weeks of the genocide. When information was released that the interim government had stopped a shipment of much-needed medical supplies, it experienced an international public backlash. This led to the government allowing any Red Cross vehicles to travel in the country without threat of it being harmed, in order to prevent any future international exposure of the genocide.<sup>68</sup> The government shared the same mentality of privacy when it came to the Hotel Des Mille Collines. If they had attacked the internationally-known hotel and killed everyone there, every major news station would cover the massacre. That added public attention could have forced the international community to intervene and stop the genocide. That was something that Hutu extremists did not want. For the most part, the hotel was left untouched while the rest of the country was being destroyed. It was not the actions of just one person.

## **Conclusion**

Is Paul Rusesabagina the hero that Hollywood has portrayed him to be? The answer is clearly no, but this is not to discredit what he did for the hotel. There is little doubt that some of his actions might have been able to help save the lives of the refugees, but they were not for the altruistic reason that is usually believed. He was a man who did what he thought was best for his self-interest. When he no longer received protection as manager at the Hotel Diplomates, he looked for another place that would give him security and power. He was able to find that at the Hotel Des Mille Collines, which already had protection from the United Nations and had the unofficial position of being safe from the roaming militias. Many

67 Beardsley, Dollaire, 2004, 296; Rusesabagina, Zoellner, 2006, 184.

68 Beardsley, Dallaire, 2004, 346; PBS: Frontline, 2004.

of his questionable relationships with leaders of the *genocidaires* such as General Augustun Bizimungu might have helped protect the people inside the hotel's compound.<sup>69</sup> However, many Rwandans are frustrated in how he has been able to make a profit during and after the genocide. They are also confused on how he so easily changed the facts of what really occurred at the hotel. Rusesabagina can best respond to their confusion from one important line in his book: "*Facts are almost irrelevant to most people. We make decisions based on emotion and then justify them later with whatever facts we can scrounge up in our defense.*"<sup>70</sup>

*Hotel Rwanda* has been beneficial in the introduction of Rwanda and of the Genocide against the Tutsi to millions of people who were either unaware of what occurred in 1994 or of African events in general.<sup>71</sup> Many visitors come to Rwanda in order to see the infamous Hotel Des Mille Collines similar to how people travel to Auschwitz-Birkenau to understand some of the horrors of the Holocaust. They want to pay their respects and to see the infamous building, which holds great historical significance. Paul Rusesabagina can be thanked for getting more people to become interested in and to travel to Rwanda to learn about the history of the country and its current economic development. However, the movie and his book should not be used as the main texts to teach about the Genocide against the Tutsi. They should be used to give an introductory examination of Rwanda with the emphasis on the events around the hotel rather than just on Rusesabagina. In addition, he should not be given immunity from statements which attempt to create genocide revisionism to condemn the RPF and the current government of Rwanda. His inflated status as hero of the hotel has granted him false credibility to spread fictitious accusations of a new and current genocide occurring against the Rwandan Hutu population by the RPF-led government. This introduces a new danger: that uninformed followers will believe his accusations and support policies that damage Rwanda's growth and development. Lastly, there are many other ordinary people who saved people during the genocide and their sacrifices should not be displaced by the inaccurate story of one man who

69 Adhikari, 2012, 173-98, 191; Ndahiro, 2011; Nzabatsinda, 2005, 235-6.; Rusesabagina, Zoellner, 2006, xiv, 149.

70 Rusesabagina, Zoellner, 2006, 154.

71 Adhikari, 2012, 173-98, 175.

is not the proclaimed saviour of the 1,268 refugees who sought refuge at the Hotel Des Mille Collines.<sup>72</sup>

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72 Melvern, 2011; Rusesabagina, Zoellner, 2006, xvii.



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## **Part IV**

### Developing Preventive Mechanisms



## **Chapter 12**

# Developing Mechanisms for Preventing the Formation of Extremist Groups, Discrimination and Prejudice, and the Culture of Impunity

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## Abstract

**E**arly preventive action has more benefits than costly remedial efforts in the area of genocide and conflicts. The genocide against the Tutsi in 1994 in Rwanda and the conflicts that have devastated most countries of the Great Lakes Region during the last twenty years is evidence of this. In this context, this chapter proposes a reflection from a triple perspective. First, it provides a brief reminder on how the formation of extremist groups, the discrimination and culture of impunity played a key role in preparing the 1994 genocide against the Tutsi in Rwanda. It also presents the consequences of failure to prevent the genocide and its impact on the whole region. Second, it reflects on the regional mechanisms set up during the last decade to put an end to the conflicts in the region and contribute to preventing a new genocide and other crises. A focus is put on the process of the International Conference on the Great Lakes Region (ICGLR). Third, it finally analyses the main challenges of the national and regional mechanisms, in particular ICGLR, in terms of prevention and suggests options to deal with them. Three areas of intervention are highlighted in order to effectively contribute in preventing genocide and other conflicts: strengthening public governance with population participation, promoting an independent judiciary system and sensitization of the population in the area of genocide prevention. It is finally recommended to accelerate the implementation of the *Pact on Security, Stability and Development* because its comprehensive approach has potentialities in terms of preventing genocide and other violent conflicts.

## Introduction

The genocide against Tutsi in 1994 in Rwanda and the conflicts that have devastated many countries in the Great Lakes Region, for example the Democratic Republic of Congo, Burundi, Central African Republic, Sudan and South Sudan during the last twenty years, have demonstrated that early preventive action has more benefits than costly remedial efforts in the area of genocide and conflicts management. This can be done by preventing the main factors that play a significant role in nurturing genocide and violent conflicts, in particular the formation of extremist groups, systematic discrimination and the culture of impunity. In this context, we propose a reflection from a triple perspective in this chapter.

This paper starts by first presenting a brief reminder on how the formation of extremist groups, systematic discrimination and a culture of impunity played a key role in preparing and executing the 1994 genocide against Tutsi in Rwanda. We also recall some consequences of failure to prevent the genocide and its impact not only on Rwanda but also on the whole Great Lakes region. This explains why prevention is an important strategy if the “Never again” strategy is to be transformed into a reality. The second perspective reflects on the national and regional mechanisms set up during the last two decades to put an end to the violent conflicts both in Rwanda and the region, and contribute to preventing further genocide and new crises. We are focusing on the Rwanda experience as well as on regional processes, in particularly the International Conference on the Great Lakes Region (ICGLR)<sup>1</sup> which is the main regional framework set up in mid-2000 to facilitate dealing with the root causes of genocide, conflicts and crises, and promote peace, security and stability for a prosperous region. Finally, the third perspective postulates lessons learned from Rwanda and the region in terms of developing institutions for preventing genocide and violent conflicts. It focuses on opportunities inherent in creating national and regional institutions for preventing the rise of extremists groups, systematic discrimination and the culture of impunity, as well as

1 ICGLR is a regional organization set up by the Pact on Security, Stability and Development in the Great Lakes Region signed by eleven countries on 15<sup>th</sup> December 2006. These Member States are Angola, Burundi, Kenya, Central African Republic, DR Congo, Republic of Congo, Rwanda, Sudan, Tanzania, Uganda and Zambia. The Republic of South Sudan began the 12<sup>th</sup> member on 24 November 2012.



the challenges of effectively ensuring that they are put in operation. Some policy options are proposed for the process of building strong institutions, which should always be considered as a long-term goal.

### **1. Extremism, discrimination and culture of impunity as root causes of genocide**

Numerous studies on the planning and execution of the 1994 genocide against Tutsi in Rwanda indicate the significant role played by systematic discrimination, the culture of impunity and the formation of extremist groups in the process that led to genocide. An understanding of these factors is essential if we want to implement preventive mechanisms relevant to cope and translate the “Never again” into practice. A reminder of the dimensions of these factors and their contribution to the genocidal process is necessary in order to better understand the following analysis. Extremism is a complex phenomenon, and its complexity is often hard to grasp. Simply put, extremism can be defined as activities (beliefs, attitudes, feelings, actions, strategies) of a person or group far removed from the ordinary. In conflict settings it manifests itself as a severe form of conflict engagement. The negative consequences of extremism are varied and include violent atrocities committed by extremists, who enrage, traumatize and alienate their targets, their opponents, and many potential allies to their cause. Extreme acts, even if committed by a small minority within a group, are often attributed to the entire group, and elicit an escalated response from the other side.

In Rwanda, extremist groups were created between 1991 and 1993 under the ideology of *Hutu Power*. The latter included *Interahamwe* which were young people affiliated to the former state-party MRND, as well as *Impuzamugambi* which were young people supporting an extremist political party called CDR. The creation of the two groups was politically

2 See, inter alia, African Rights, Rwanda: Death, Despair and Defiance. London, African Rights, 2<sup>nd</sup> edition, 1995; Alison Des Forges, Leave None to Tell the Story: Genocide in Rwanda. HRW, 1999; Linda Melvern, Conspiracy to murder: the Genocide against the Tutsi, London: Ed. Verso. 2004; Organization of the African Unity, Rwanda: The Preventable Genocide. The Report of International Panel of Eminent Personalities to investigate the 1994 genocide in Rwanda and the surrounding events, Addis-Ababa, July 2000; Roméo Dallaire, Shake Hands with the Devil: The Failure of Humanity in Rwanda, Random House Canada, 2003.

motivated and this was illustrated by their involvement in genocide against Tutsi between April and July 1994.

If extremist groups<sup>3</sup> emerged in Rwanda after the political liberalisation in 1991 under the guise of democracy and freedom of the press, discrimination based on ethnic groups had already begun during the colonial period with the introduction of the identity card bearing mention of ethnicity (Hutu, Tutsi and Twa). This policy deepened the ethnic divide amongst the Rwandans based on differences that were previously more of a social nature<sup>4</sup>. Instead of putting an end to the divisive policy, the post-colonial government went ahead and institutionalized the ethnic divide through the retention of ethnic identity in the identity card and the use of this factor in public administration, education and recruitment in the army and the police. In this context, the impunity granted to those who were guilty of ethnic discrimination and violence against Tutsi from 1959 until 1993 facilitated the preparation of a fertile ground for the implementation of the extermination plan against the Tutsi in 1994<sup>5</sup>. In order words, “the genocide was not an accident. It is the consequence of ethnicity-based ideologies leading to exclusion and discrimination and which were institutionalized by successive powers.”<sup>6</sup>

The failure to prevent the formation of extremist groups, discrimination and culture of impunity facilitated the execution of the genocide against the Tutsi and the emergence of its multiple consequences, both internal and regional. On the one hand, more than estimated one million Tutsi were killed, survivors injured and traumatised, the national economy destroyed in various areas, including human resources and infrastructure. On the other hand, the arrival of two million people in the Eastern DR Congo (former Zaire) Including former members of Rwandese Army and armed militias contributed to the proliferation of small arms and light

3 “These militias include the youths of both political parties. The Interahamwe recruited youth from MRND, the party of President Juvenal Habyarimana. Impuzamugambi belonged to the CDR, the most strongly extremist”, (translated from), Hélène Dumas, “Histoire, justice et réconciliation: les juridictions gacaca au Rwanda”. Mouvement, La Découverte, Paris, 2008/1, n° 53, p. 110-117.

4 Pamphile Sebahara, « The Creation of Ethnic Division in Rwanda », ACP-EU Courier, N° 168, Brussels, 1998.

5 “The culture of impunity refers in particular to the lack of prosecutions against the instigators and perpetrators of anti-Tutsi pogroms peppering the history of Rwanda since 1959” (translated from), Hélène Dumas, *op.cit.*, p.4.

6 Anastase Shyaka, *The Rwandan Conflict: Origin, Development, Exit Strategies*. The National Unity and Reconciliation Commission, Kigali, 2005, p.38.

weapons in the region, as well as to the formation of extremist groups, the most notorious being the Democratic Forces for the Liberation of Rwanda (FDLR). These consequences illustrate both the high cost of lack of prevention and the relevance of efforts to invest in combating root causes of genocide and other violent conflicts.

## **2. Developing mechanisms for preventing genocide and violent conflicts**

### **2.1. Rwanda post genocide experience: priority on State and Nation building**

The post-genocide period in Rwanda was characterized by ambitious policies of socio-economic, political and institutional reconstruction undertaken by the government with the support of development partners. The results achieved over the past twenty years are now recognized internationally as a successful model in post-conflict reconstruction. Many challenges have been met in many areas, particularly in terms of institution building since the country was completely destroyed in 1994. Although challenges of strengthening democratic governance and the consolidation of socio-economic development still persist, the experience of Rwanda deserves to be known as a lesson for other countries in post-conflicts situation.

We propose to examine four examples of initiatives taken by the government of National Unity which was set up in 1994 by Rwanda Patriotic Front (RPF) and other political parties to deal with the consequences of genocide and the demands of state building.

First, the establishment of long-term vision through a document entitled “*Vision 2020.*” Indeed, in 1998 - 1999, the Office of the President of the Republic organized at Village *Urugwiro* reflection sessions on the future of the country. On the basis of the ideas expressed, a document on vision entitled “*The Vision 2020*” was developed with ideas on the future of the country. The *Vision to Horizon 2020* provides hints as to how to address the current, future and fundamental questions: what does Rwanda

want to look like and with what type of population and society? How can Rwanda be made a real homeland for all of its citizens and a well-integrated country at regional and international levels?

The *Vision 2020* is based on 6 pillars and 4 cross-cutting areas. The pillars are as follows: The Reconstruction of the Nation; an efficient State capable of unifying and mobilizing its population; Human resource development; Town and Country Planning and Development of Basic Infrastructure; Development of Entrepreneurship and Private Sector; and the modernization of Agriculture and Livestock. Cross-cutting areas include gender, environment protection, science and technology, including ICT as well as regional and international integration.<sup>8</sup> It has a comprehensive approach and its objective is to “to develop Rwandan population as a whole”<sup>9</sup> In that perspective, “there is need for conflicts to be resolved and the national identity to be recovered.”<sup>10</sup>

The second initiative was the setting up of the National Unity and Reconciliation Commission as a response to the consequences of genocide. Its objective was “to re-unify a society which has been torn apart”<sup>11</sup> and this contributed to the implementation of one priority of the government of National Unity set up in July 1994. The Commission was established as a non-judicial entity in March 1999 after the vote of the law by the parliament. It launched activities of civic education as well as carrying out operational studies on the strategies for rebuilding the Nation after the genocide.

The third initiative is the development and vote of a new Constitution as a tool for conflict resolution and building sustainable peace in the country. It was developed through a participatory approach and was voted for by 90% in a referendum organised on 26<sup>th</sup> May 2003. “The key ideas at the root of this Constitution show that its elaboration was strongly based on the country’s context and challenges and is concerned with finding

7 République Rwandaise, Ministère des Finances et de la Planification Economique, *Vision 2020*, Kigali, Novembre 2002; cited by Anastase Shyaka., *The Rwandan Conflict*, op.cit., p.35.

8 Ibid.

9 Ibid.

10 Anastase Shyaka. *The Rwandan conflict*, op. cit., p.35.

11 Ibid., p.37.

adequate solutions to the problem. Those fundamental principles revolve around the following: equitable power sharing, establishing the rule of law aimed at improving people's social welfare and social justice, a pluralist democratic system, fighting the ideology of genocide and all its manifestations, eradication of any identity-based divisionism, promoting national unity, equality of all Rwandans, both men and women; and the constant quest for solutions through dialogue and social consensus"<sup>12</sup>. This new constitution grants 30% of seats in the Chamber of Deputies to women (art.78). Since that period, Rwanda has become the first country in the world with the highest proportion of women parliamentarians.

Promoting the idea of minimising conflicts through dialogue and consensus from grassroots level, the new Constitution takes its inspiration from Rwandan culture and has institutionalized the '*Gacaca*'<sup>13</sup> courts, and created the 'Committee of Mediation' (*Abunzi*) in each sector. The purpose is to provide people with a reconciliation framework prior to the submission of any conflict case to the first-degree jurisdictions (art. 170).<sup>14</sup> Other innovations include the creation of new commissions: the National Commission for the Fight against Genocide (art. 179); the Office of the Ombudsman (art. 182); the Public Service Commission (art. 181); the Office of the Auditor General of State Finances (art. 183); the Rwandan Academy for Language and Culture (art. 47) and the 'Gender' Monitoring office (art. 185.)<sup>15</sup>

The fourth initiative gives priority to post-conflict state building through two main aspects, its capacity and its legitimacy. In the first instance, the government has undertaken and implemented different reforms of public institutions, including a decentralization policy and transfer of resources to local authorities to allow them to deliver services to the people. In that perspective, a security sector reform and demobilisation, disarmament and reintegration programmes have been implemented. The professionalism and discipline of Rwandese security forces are today

12 Ibid.

13 The gacaca thus are "at the crossroads of the reinvention of local modes of conflict resolution and Western law, and are also an undertaking setting of the story of genocide and reconstruction of a national identity, in Hélène Dumas, Histoire, justice et réconciliation: les juridictions gacaca au Rwanda", Mouvements, La Découverte, Paris, 2008/1, n° 53, p.111.

14 Ibid., p.136.

15 Ibid.

recognised at regional and international levels. The country has been stable for more than fifteen years, since the establishment of an efficient security system has given the State the capacity to assume its sovereignty functions in the aftermath of the 1994 genocide. Moreover, the recognition of professionalism and discipline of Rwanda Defence Forces (RDF) can be assessed on the basis of their contribution to the peacekeeping operations under the UN and/or the AU<sup>16</sup>, for example in Darfur (Sudan), South Sudan and Central African Republic. In addition to security matters, the RDF are also contributing to national economic and social development through projects and programmes undertaken in the agro-pastoral sector as well as in the development of infrastructure.

## **2.2. Regional experience: the process of the International Conference on the Great Lakes Region (ICGLR) for a stable and prosperous region**

The consequences of the genocide were also felt in neighbouring countries, through the influx of refugees, particularly the former Rwandese Armed Forces and *Interahamwe* militia who had participated in the genocide. Their presence in the DRC facilitated the strengthening of extremist groups in a context where the Congolese state had been eroded by several years of crisis. To put an end to a regional crisis, the United Nations and the African Union facilitated the organization of a process of dialogue among countries in the region to agree on the diagnosis of the root causes of the multiple crises affecting the region and define strategies for regional reconstruction. This precipitated the launch of the process of the International Conference on the Great Lakes Region in the early 2000s, resulting in the signing of the Dar-es-Salaam Declaration in November 2004 and subsequently a regional Pact on Security, Stability and Development in the Great Lakes Region on 15 December 2006 by 11 countries. These countries include Angola, Burundi, Central African Republic (CAR), Democratic Republic of Congo (DRC), Republic of Congo, Kenya, Rwanda,

16 As of 31<sup>st</sup> January 2014, Rwanda has deployed 5101 soldiers and 483 policemen in different peacekeeping operations in Africa, namely MINUAD (African Union – United Nations Mission in Darfur – 3043), UN Mission in the South Sudan (MINUSS- 1032) and MISCA (African Union Mission in the Central African Republic - 850). Source: Website of the French Network on Peace Operations: <http://www.operationspaix.net/153-etat-rwanda.html> (accessed on 18<sup>th</sup> February 2014).

Sudan, Tanzania, Uganda and Zambia. An organization with the same name, the ICGLR was created in order to implement commitments contained in the Pact.

### **2.2.1. Participatory approach in developing the *Pact on Security, Stability and Development in the Great Lakes Region***

The idea of an international conference on the Great Lakes Region took root in the late 90s, following numerous violent and political conflicts experienced by several countries in the region (namely Burundi, CAR, the Republic of Congo, the DRC, Uganda, Rwanda and Sudan). The most notable were the genocide against the Tutsi in Rwanda in 1994 and the subsequent civil war and political conflict in the DRC. Its launching was based on the premise that political instability and conflicts in these countries had a considerable regional dimension and impact, and thus required a concerted effort in order to find a durable solution. Indeed, the peoples of the region are closely linked in multiple cultural, ethnic, social, political and linguistic aspects, so that instability in a country caused by internal causes can spread rapidly throughout the region.

In the early 2000s, the United Nations (UN) and the African Union (AU) jointly launched the process of the International Conference using a participatory strategy in order to support the countries of the region to promote peace, security, democracy and development. The participatory approach was chosen to diagnose the causes of conflicts and formulate recommendations to the policy makers. Representatives of civil society organizations, women, youth and governments of all the signatory States participated in preparatory meetings at national and regional levels. Then the Foreign Affairs Ministers proposed resolutions to the two summit meetings of Heads of State and Governments in Dar-es-Salaam on November 20<sup>th</sup>, 2004 and in Nairobi on December 15<sup>th</sup>, 2006.

The *Dar-es-Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes Region* reflects the political will to tackle the root causes of conflict and obstacles to development in a regional

and innovative approach. It recognizes that the accumulated deficits in governance and bankruptcy processes of democratization are the main factors behind the violent political conflicts in the region. Indeed, poor governance practices such as massive violations of human rights, policies of exclusion and marginalization, impunity, the disparities between men and women, and the persistence of undemocratic modes of governance, growing phenomena of corruption and illegal exploitation of natural resources are the main factors behind the endemic conflicts that plague the region.

The *Dar-es-Salaam Declaration* reflects the will to restore the rule of law and entrench the values and principles of democracy and good governance through transparent and accountable management of public resources, operationalization of effective state institutions and the participation of all social actors in political and development processes. The Heads of State decided to call the Great Lakes Region “Specific Area for Reconstruction and Development” and launched a “Special Fund for Reconstruction and Development.”

The *Dar-es-Salaam Declaration* also identified four thematic areas where Programmes of Action and Protocols needed to be developed in order to translate political commitments into practice. These are: Peace and Security; Democracy and Good Governance; Economic Development and Regional Integration; and Humanitarian and Social Affairs.

After adoption of the *Dar-es-Salaam Declaration*, national and regional stakeholders developed several Protocols, Programmes of Action and projects covering the above four thematic areas. The Heads of State and Government adopted the *Pact on Security, Stability and Development* at the Second Great Lakes Summit of Heads of State and Government in Nairobi, on 15<sup>th</sup> December 2006. The Pact contains the following ten Protocols:

- Protocol on Non-aggression and Mutual Defence in the Great Lakes Region;
- Protocol on Democracy and Good Governance;
- Protocol on Judicial Cooperation;



- Protocol for the Prevention and the Punishment of the Crime of Genocide, War Crimes and Crimes against Humanity and all forms of Discrimination;
- Protocol Against the Illegal Exploitation of Natural Resources;
- Protocol on the Specific Reconstruction and Development Zone;
- Protocol on the Prevention and Suppression of Sexual Violence Against Women and Children;
- Protocol on the Protection and Assistance to Internally Displaced Persons;
- Protocol on the Property Rights of Returning Persons;
- Protocol on the Management of Information and Communication.

### **2.2.2. Experiences of implementation of the *Pact on Security, Stability and Development***

The Regional Pact entered into force in 2008 and ushered in the operationalisation of the ICGLR Executive Secretariat with the mission to support member states in the task of implementing the Pact. Indeed, the Secretariat is the technical body responsible for coordinating, facilitating and ensuring the implementation of the Pact in conjunction with other ICGLR organs, namely the National Coordination Mechanisms, the Regional Inter-Ministerial Committee (RIMC) and the Summit of Heads of State and Government.

It is important to note that for the first time in the Great Lakes Region, a regional mechanism, i.e. ICGLR, was created based on a comprehensive approach and commitment to share responsibility in dealing with political and security issues at the regional level. In other words, the member states, through their Heads of State and governments, accepted to share sovereignty in order to ensure security and stability as conditions for the development and prosperity of each country and the region as a

whole. These security issues include, *inter alia*, preventing the formation of extremist groups, discrimination and culture of impunity, as well as initiatives to deal with their consequences if they occur. If the protocols were to be implemented effectively, the major problems affronting the region should disappear, or be considerably reduced. Unfortunately, this is not yet the case as some ICGLR Member States are still facing challenges in the formation of extremist groups, discrimination, prejudice and culture of impunity. This is because, even if the commitments contained in the Regional Pact are relevant, their implementation requires strong political will and a large amount of resources that are not yet available. However, since 2008 a number of achievements have been accomplished, as is shown in the following two examples.

#### **2.2.2.1. Example 1: ICGLR Protocol for the Prevention and the Punishment of the Crime of Genocide, War Crimes and Crimes against Humanity and all forms of Discrimination (2006.)<sup>17</sup>**

The overall objective of the protocol is to contribute to the elimination of such crimes in the Great Lakes Region and take effective measures to prosecute their perpetrators. This is because the Heads of State and the governments of ICGLR member states were “deeply concerned by endemic conflicts and persistent insecurity, aggravated by massive violations of human rights, policies of exclusion and marginalisation, impunity with respect to the crime of genocide, war crimes, and crimes against humanity”<sup>18</sup>, and determined, *inter alia*, “to promote and enshrine good governance and the rule of law, and strengthen the protection of human and peoples’ rights, and to consolidate democratic institutions and culture in order to combat all forms of discrimination.”<sup>19</sup>

This protocol reaffirms the obligations from different international legal instruments adopted under the UN and other international organizations, particularly the AU, on the same. These norms include, among

17 See the Protocol on ICGLR website: [www.icglr.org](http://www.icglr.org).

18 ICGLR, Protocol for the Prevention and the Punishment of the Crime of Genocide, War Crimes and Crimes against Humanity and all forms of Discrimination, 2006, preamble, §3.

19 ICGLR, Protocol for the Prevention and the Punishment of the Crime of Genocide, op. cit., preamble, §12.

others, the *Convention on the Prevention and Punishment of the Crime of Genocide* adopted on 9 December 1948; the *Geneva Convention* of 1949 and the related Additional Protocols of 1977; *the Convention of 1951 Relating to the Status of Refugees* and its Protocol of 1967; the *Convention on the Elimination of All Forms of Racial Discrimination* of 1965; the *Convention on the Elimination of all Forms of Discrimination against Women* of 1979 and its Optional Protocol of 1999; the *United Nations Convention on the Rights of the Child* of 1989 and its two Optional Protocols of 25 May 2000; the *African Charter on the Rights and Welfare of the Child* of 1990.

Chapter II of the protocol is entitled “Combating Discriminatory Ideologies and Practices” and covers “Non-discrimination Principle, Equality before the Law, Right to Equitable Justice, Condemnation of Discriminatory Ideologies, and Combating Prejudices” (art. 2 to 7). In this Chapter, the member states undertake to immediately adopt concrete measures intended to eliminate any incitement to such discrimination, or any acts of discrimination.

Chapter III entitled “Combating the Crime of Genocide, War Crimes, and Crimes against Humanity” states that “the crime of genocide and complicity in genocide as defined in Articles 2 and 3 of the *Convention on the Prevention and Punishment of the Crime of Genocide* as well as in Article 6 of the *Statute of the International Criminal Court*, shall be punished by member states” (art.8, §2). In order to combat impunity (art.9), the protocol reaffirms the importance for member states “to take the necessary measures to ensure that the provisions of this protocol are domesticated and enforced, and in particular to provide for effective penalties for persons guilty of the crime of genocide, war crimes, and crimes against humanity” (art.9, §1). In particular, “the member states undertake to take appropriate measures to neutralize, disarm, arrest and bring before the competent courts the perpetrators of genocide, in accordance with *the Convention on the Prevention and Punishment of the Crime of Genocide*, and authors of war crimes or crimes against humanity in accordance with the provisions of the *Statute of the International Criminal Court* and the relevant resolutions of the United Nations Security Council” (art.9, §3).

Chapter IV covers “Judicial Cooperation” and insists on actions which member states should undertake, namely, “to mutually assist one another through cooperation of their respective institutions with a view to preventing, detecting and punishing the perpetrators of genocide, war crimes, and crimes against humanity” (art.13). Other issues are related to the Legal Basis for Extradition (art.14), Conditions for Extradition (art.15), Joint Commissions of Enquiry (art.18), Exchange of Information (art.20) and Cooperation with the International Criminal Court (art.21).

Finally, the Protocol establishes a Committee for the prevention and the punishment of the crime of genocide, war crimes, and crimes against humanity and all form of discrimination (art.26 to 42) as the main structure to facilitate its implementation. The Committee’s Mission (art.38) is “to prevent crimes of genocide, war crimes, and crimes against humanity in the Great Lakes Region.” For this purpose it shall be responsible for: (a) Regularly reviewing situations in each member state for the purpose of preventing genocide, war crimes, crimes against humanity, and discrimination; (b) Collecting and analysing information related to genocide, war crimes, crimes against humanity, and discrimination; (c) Alerting the Summit of the Conference in good time in order to take urgent measures to prevent potential crimes; (d) Suggesting specific measures to effectively fight impunity for these crimes; (e) Contributing to raising awareness and education on peace and reconciliation through regional and national programmes; (f) Recommending policies and measures to guarantee the rights of victims of the crime of genocide, war crimes, and crimes against humanity to truth, justice and compensation, as well as their rehabilitation, taking into account gender-specific issues and ensuring that gender-sensitive measures are implemented; (g) Monitoring amongst the member states, where applicable, national programmes on Disarmament, Demobilization, Rehabilitation, Repatriation and Reinstallation (DDRRR) for former child soldiers, ex-combatants and combatants; (h) Carrying out any other tasks that the Inter-Ministerial Committee may entrust it with.

This first example illustrates that, in the light of the experience of the genocide against Tutsi in 1994 in Rwanda and other conflicts in the Region, the ICGLR has set up a legal framework and relevant instruments

for preventing genocide. The main challenge now is their effective implementation in each country and at the regional level.

#### **2.2.2.2. Example 2: ICGLR Protocol on Democracy and Good Governance**

The Protocol on Democracy and Good Governance has three main objectives: to consolidate democratic institutions and culture; to promote good governance and the rule of law; and to promote and protect human and people's rights<sup>20</sup>. Through this protocol, the member states undertake to abide by the following constitutional principles of constitutional convergence<sup>21</sup>: separation of powers; accession to power through regular, free, fair and transparent elections; prohibition of unconstitutional change and any other undemocratic means of acceding to or maintaining power; public participation in decision-making processes in accordance with democratic principles and decentralization; decentralization of power at all levels of governments; non-partisan character of the defence and security forces; secular nature of the state and its institutions; promotion of national unity of the state and its institutions; prohibition of any ethnic, religious, racial, gender or regional discrimination; equality of men and women, including affirmative action policies; political pluralism; freedom of association, assembly and peaceful demonstration; freedom of expression; and the freedom of movement and prohibition of forced exile.

In order to implement the above protocol, a Programme of Action was developed with three sub-programmes containing several projects each. The first sub-programme is related to "*Promoting the rule of law, fight against crimes against humanity and human rights.*" It has three projects: the Regional Centre for promoting democracy, good governance, human rights and civic education; the Regional Forum on the Administration of Justice and Law Enforcement, under the rule of law; and the Regional Initiative for the prevention of war crimes, crimes against humanity, crimes of genocide and the fight against impunity. Out of the three projects,

20 ICGLR, Protocol on Democracy and Good Governance, Preamble, p.2, December 2006: [www.icglr.org](http://www.icglr.org)

21 ICGLR, Protocol on Democracy and Good Governance, December 2006, art. 2: [www.icglr.org](http://www.icglr.org).

the Regional Centre for Democracy and Good Governance was formally launched during the August 2009 ICGLR Heads of State and Governments Summit that was held in Lusaka, Zambia.

The vision of the Regional Centre is “An authoritative and autonomous *Think Tank* that catalyzes reforms and promotes best practices on complex governance issues in the Great Lakes Region,” while its mission is “to reinforce the capacities of the social and political institutions of ICGLR member states in the areas of Democracy, Good Governance, Human Rights and Civic Education”<sup>22</sup>. Working as a scientific organ of the ICGLR Secretariat, the Regional Centre is also willing to strengthen cooperation with national stakeholders in member states to identify risks and propose options to decision makers before crises erupt. It has planned in its Strategic Plan 2012-2016 to conduct research on exclusion, marginalisation and discrimination as root causes of conflicts in the Great Lakes Region.

The second sub-programme is on “*Strengthening the process of democratisation*” with six projects: the Regional Forum of Parliamentarians; the Regional Women Forum; the Regional Youth Forum; the Regional Civil Society Forum; the Management of Information and Communication; and the Advisory Committee on vulnerable groups. The four mentioned forums are already conducting their activities in collaboration with their counterparts, the national forums. However, with the exception of the Regional Forum of Parliaments that has its Secretariat in Kinshasa, DRC, the other forums do not have yet permanent coordination offices because of challenges of resources mobilization. They are, however, key stakeholders that can play a critical role preventing conflicts and strengthening democracy and state building, if and when resources can be mobilised.

The third sub-programme is the “*Management of resources,*” with two projects: the Regional anti-corruption Forum; and the Regional Initiative to fight against the illegal exploitation of natural resources (RINR). The overall objective of the late Initiative is to put an end to the predatory use of natural resources, in particular by breaking the link between mineral

22 It was on that occasion that the Regional Centre was named after the late President Levy Mwanawasa, the former Zambian President who died during his term as President of the ICGLR Heads of State and Governments Summit. See [www.icglr-lmrc.org](http://www.icglr-lmrc.org).

revenues and rebel financing<sup>23</sup>. The protocol provides the legal basis for the implementation of the Initiative which conversely aims at translating the protocol into concrete actions. It outlines the actions that member states have agreed to take. In 2010, the ICGLR Heads of State and Governments held a special summit in Lusaka on the issue of fighting against illegal exploitation of natural resources and decided upon the use of six specific tools which the Initiative shall put into practice. These include: Regional Certification Mechanism; Harmonization of National Legislations; Regional Database on Mineral Flows; Formalization of the Artisanal Mining Sector; Promotion of the Extractive Industry Transparency Initiative (EITI) and Whistle Blowing Mechanism<sup>24</sup>. The implementation process of the six tools is ongoing.

The above examples demonstrate the relevance of ICGLR as a legal and action framework with ambitious objectives to transform the region into a stable and prosperous one. Globally, different protocols, programmes of action and projects are being implemented gradually according to resource availability. They all contribute in promoting the principles and practices of dialogue and good governance among stakeholders at the national and regional levels. However, there is a need to accelerate the process of implementation to allow people of the region live in sustainable peace and benefit from inclusive growth and development.

### **3. Drawing lessons and building inclusive institutions for better prevention**

#### **3.1. Rwanda: consolidating institutions and accelerating economic development**

Progress in Rwanda over the past twenty years in terms of rebuilding institutions and economic and social development are outstanding. They were made possible by the presence of public institutions capable of ensuring peace and security and of delivering basic public services. The evolu-

23 For more information, see : <http://www.icglr.org/index.php/en/natural-resources>.

24 ICGLR, Lusaka Declaration of the ICGLR Special Summit to Fight Illegal Exploitation of Natural Resources in the Great Lakes Region, Lusaka, Zambia, 15<sup>th</sup> December 2010, p. 3.

tion of Rwanda in human development, as well as improving the business environment, is instructive in this regard. The progress has avoided falling into deadly violence as is often the case for countries emerging from violent conflict. Therefore, the experience of Rwanda should be more fully documented to serve as a lesson to many countries in the region that still face violence and conflicts.

Four main factors have played a key role in the progress made over the past twenty years. First, the reconstruction of state capacity has ensured order and security as well as the provision of basic public services to the population. Legal frameworks have been established and ambitious sectorial policies developed to achieve the long term national action programme, *Vision 2020*. Second, political stability based on visionary leadership also played a key role. The decision to involve stakeholders in the development of *Vision 2020* has fostered ownership thereof by the entire population. Third, the search for a balance between justice, reconciliation and the reconstruction of national identity through the use of traditional values of forgiveness has contributed in the reconstruction of national cohesion, although the process is still ongoing. Fourth, significant support of partners focused on national development priorities, facilitated strengthening national capacities in the management of public policies, and improved the coherence, complementarity and coordination of external interventions in the country.

In general, the experience of post-genocide Rwanda can be analysed as a process of building a capable developmental state. The latter can be defined as a “state that acts with authority, credibility and legitimacy to meet the needs of its people in social justice, accountability, job creation, and promotion of human capacities, private investment and industrialization. These capable states have the ability to mobilize society and citizens around achieving their developmental project which must be inclusive”<sup>25</sup> If Rwanda is engaged in this process, it can learn from experience of East Asia and Latin America in creating a capable developmental state. Five elements made success of this kind of state in the two regions: “the preference for

25 African Governance Institute (AGI), Creating capable developmental states: a key driver for socio-economic transformation of Africa. Policy Brief, n° 5, Dakar, 2013, p. 1.



pragmatism over dogmatism with a focus on results, (...); the investment in human capital by educating a critical mass of the citizenry, building and developing the skills demanded for a transformed economy, and by putting a premium on meritocracy in their education systems; the mobilization of domestic resources to finance the developmental policies; the competition in export markets to drive increases in productive investment and raise productivity; managing natural resource rents to diversify the economy and to avoid boom-and-bust cycles”<sup>26</sup>. Therefore, the challenge of Rwanda lies in the consolidation of institutions and in accelerating inclusive economic and social development with enhanced capacity to prevent genocide or other violent conflicts.

### **3.2. Dealing with challenges of implementing *ICGLR Pact on Security, Stability and Development***

The *Pact on Security, Stability and Development* was established by the countries of the Great Lakes Region to enable them to work better together for conflicts prevention and management, but also the promotion of development for their respective populations. It provides a legal framework in global terms, as it covers issues of peace and security, democracy and good governance, economic development and regional integration, and finally social and humanitarian issues. Six years after the Pact entered into force in 2008, achievements are still low compared to the needs in terms of fighting the formation of extremist groups, discrimination and the culture of impunity in the ICGLR member states. This is confirmed by the current violent conflicts in the Central African Republic and the South Sudan Republic, where ongoing conflicts seem to be based on religious and ethnic identity respectively. Furthermore, the signing of the *Peace, Security and Cooperation Framework for the Democratic Republic of Congo and the Region* on 24<sup>th</sup> February 2013 in Addis-Ababa can be considered as a strategy to call for a quick implementation of the ICGLR Pact which is supposed to put an end to the vicious cycle of violent conflicts in the region. Indeed, the vision and commitments articulated in the Addis-Ababa

26 African Governance Institute (AGI), op. cit., p.3.

Framework seem to be an update of commitments included in the *ICGLR Pact on Security, Stability and Development*.<sup>27</sup>

Even though the level of implementation of the ICGLR Pact varies from one country to another, the major challenges cut across the board in the twelve member states and at the regional level. A combination of five factors reduces potentialities of this legal framework. These are as follows: low level of political commitment to implement protocols and action programmes in some countries; lack of expertise in domestication and harmonization of protocols and national legislations; lack of financial resources for implementing programmes and projects contained in the Pact; low level of coordination and complementarity of interventions and initiatives implemented in the region by bilateral and multilateral partners; lack of enough resources for the Secretariat which is supposed to mobilise member states for the regional Agenda.

However, these challenges are not insurmountable, and policy options can be identified on a case-by-case basis. We are proposing five. First, mobilization of political leaders of member states, including parliamentarians, for effective implementation of protocols and programmes contained in the Pact; second, priority should be given to reconstruction of the internal capacities of member states in post-conflict situations to enable them to fulfil their missions; third, strengthening the mobilization of national resources for the implementation of regional projects and programmes without relying only on external support; fourth, sensitization of development partners for support to the ICGLR Secretariat and its decentralised organs in order to enable them to better coordinate the implementation of the Pact; fifth, increasing awareness of key regional, pan-African and international stakeholders active in the Great Lakes Region for greater coherence, coordination and complementarity of interventions in different areas and sectors.

27 ICGLR LM Regional Centre for Democracy and Good Governance, Strengthening post-conflict recovery in the DRC: Lessons from a decade of peace initiatives and challenges. Working Paper, n° 1, Lusaka, November 2013, p.19.

## Conclusion

Even though the above analysis and reflections are not exhaustive, they nevertheless allow us to draw lessons and open avenues for research and action both for Rwanda and the Great Lakes Region as a whole. Indeed, the development of mechanisms to prevent the formation of extremist groups, discrimination and the culture of impunity can only be done within the framework of a global strategy for the prevention of genocide and violent conflicts. These are often caused or facilitated, directly or indirectly, by extremism, discrimination and impunity.

Any strategy prevention has to be developed through strengthening public institutions capable of regulating peacefully political, social and economic relations in a country or a region. Strengthening civil society and the private sector is also essential, because this helps to balance power relations and contribute to better reflect the needs of people in public-policy prioritisation. Rwanda's experience is instructive, even though twenty years is a relatively short period to draw definitive conclusions about the process of state- and peace-building in a post-genocide society where the social, economic and cultural fabric was completely destroyed. It is the same for the reconstruction process in other societies torn by violent large-scale conflicts.

More fundamentally, institutional building is a complex process that requires constant questioning to consolidate strengths and provide remedies for weaknesses. If the establishment of an institution begins with the development of a legal and regulatory framework, its implementation is a key step because it offers opportunity to assess the impact on the ground and to make the necessary adaptations. Therefore, the existence of monitoring and evaluation mechanisms is acutely relevant. In the case of Rwanda, the roles played by the Rwanda Governance Board (RGB)<sup>28</sup>, and more recently by the Kigali Centre for Research and Documentation on

28 The mission of RGB is "to promote the principles of good governance and decentralization, monitor the practices of good governance in public and private institutions and conduct research related to governance for achieving good service delivery, sustainable development and prosperity", "Law N° 41/2011 of 30/09/2011 establishing the Rwanda Governance Board and determining its mission, organization and functioning", Official Gazette n° 46, Kigali, 14<sup>th</sup> November 2011. See also <http://www.rgb.rw> (accessed on 18<sup>th</sup> February 2014).

Genocide<sup>29</sup>, in improving public policies are remarkable. Their activities, based on, among other things, operational research on governance and genocide issues respectively, organising multi-actor policy dialogues, and publication of policy options for decision makers have facilitated a gradual adaptation of public policies to better meet the needs of populations<sup>30</sup>. At the regional level, the ICGLR Levy Mwanawasa Regional Centre for Democracy and Good Governance has a similar mission to analyze and propose policy options in order to improve and strengthen governance processes, including peace and security. Its action should contribute to accelerating the implementation of the *Pact on Security, Stability and Development*.

One lesson learned from Rwanda is the importance of pragmatism and policy innovation in peace and state building, in particular in the aftermath of genocide or violent conflicts. Ambitious political leadership and inclusive economic and social public policies implemented after 1994 facilitated rebuilding the state and national cohesion. However, this is a long-term process. The challenge lies nowadays in consolidating progress made in building inclusive economic and political institutions<sup>31</sup>, which are the foundation of prosperity as well as a guarantee for efficient prevention against a new genocide or violent conflicts. This process will be influenced by regional and international dynamics because of interdependence among countries in the region and the current globalization process. This is why the implementation of the regional *Pact on Security, Stability and Development*, as well as initiatives to put an end to the negative forces in the region, should be given priority. The current crises in the Central African Republic and South Sudan should remind all stakeholders that prevention is better than crisis- and conflict-management. The experience of Rwanda should serve as an example in developing institutional mechanisms for preventing both genocide and other violent conflicts.

29 The Research and Documentation Centre on Genocide is under the National Commission for the Fight against the Genocide: <http://www.cnlg.gov.rw/>.

30 The Citizen Report Card (CRC) published annually by RGB is a relevant example. Its aim is to provide public and policy makers with systematic feedback from citizens regarding the quality of services delivery to them. The Report provides a barometer of how citizens perceive the quality of services received from leaders at different levels. The CRC 2012 covers seven sectors: Education, Health, Agriculture, Local Administration, Land, Water and Sanitation and Justice. See RGB, Rwanda Citizen Report Card 2012: Citizen's Voice on Service Delivery. Vol.II, Kigali, December 2012, 132p.

31 For a development of this concept and its potentialities, see Daron Acemoglu and James A. Robinson, *Why Nations Fail. The Origins of Power, Prosperity and Poverty*. Profile Books, London, 2012, 529 p.



## **Chapter 13**

Conflict management in Eastern DRC  
(Democratic Republic of the Congo):  
the path of education, science and culture

Godefroid Kä Mana

## Abstract

The proposed course of action to solve the crisis in eastern DRC has thus far been misleading. The military path has produced no fertile results. The path of political and diplomatic settlement has not dispelled the doubts, suspicion, and prejudice that characterize the relationships between actors of the region. The path of sanctions recommended by international agencies is symptomatic of an evident blindness to the root issues at stake in the Kivu war. The weakness of all these solutions represents a clumsy short-sightedness at a time where we ought to examine problems on the long run and come up with lasting solutions for the Great Lakes Region and the African horizon of sustainable development. A pan-African strategy is the only viable way forward for our countries and our peoples. This strategy consists of educating new generations to understand the need to transform social imaginaries and promote a new culture of peace and togetherness, in order to build an Africa of shared happiness.

**Construire une paix durable et ouvrir les horizons du développement solidaire entre le Rwanda et la République démocratique du Congo: Les exigences d'avenir.**

## Introduction

Dans les débats sur les relations fortement tendues aujourd'hui entre le Rwanda et la République démocratique du Congo autour du groupe M23 et de ses actions politico-militaires, je suis sensible à deux préoccupations qui méritent une attention particulière de la part de toutes les forces sociales et politiques qui veulent bâtir des ponts de concorde et d'inter-fécondation réussie entre les deux pays et promouvoir une paix durable

au sein de leurs populations. Particulièrement au sein des populations du Kivu meurtries par des idéologies meurtrières et des guerres à répétition, avec tout leur cortège de souffrances, de tragédies et de cauchemars profondément destructeurs.

La première préoccupation, c'est celle que tout le monde appelle maintenant les causes profondes de la guerre du Kivu. Causes auxquelles il convient de donner des réponses, tout aussi profondes, contrairement aux solutions superficielles dont il faut dénoncer l'insignifiance, l'infécondité et l'inefficacité.

La deuxième préoccupation concerne les capacités réelles, pour les forces de la paix, d'endiguer les houles de la guerre et de mettre en place des conditions, des mécanismes et des dynamiques de paix sur le long terme, autrement que par des discours actuels et des pratiques manifestement inaptes à changer le cours de la situation qui prévaut maintenant dans les relations entre le Rwanda et le Congo.

### **Du superficiel au profond**

Il est frappant de voir comment l'expression « causes profondes de la guerre du Kivu » est devenue, en peu de temps, un élément nouveau qui se popularise comme expression de langage dans tous les milieux qui parlent de la situation actuelle dans la région. Du haut de la pyramide politico-militaire du M23 comme dans la parole courante des milieux intellectuels et des acteurs de la paix que je rencontre; dans les hautes sphères des autorités religieuses comme dans les mouvements des jeunes en quête de nouvelles espérances pour le peuple du Congo comme pour celui du Rwanda, tout donne l'impression qu'il y a un niveau de lecture de la guerre qui est superficiel et un palier plus en profondeur, comme dirait Georges Balandier, que l'on veut maintenant atteindre pour penser et vivre une paix véritable. Une paix durable, fertile, basée sur une analyse solide du vécu actuel des populations du Kivu et des relations qu'entretiennent le Rwanda et la RDC.

Pour pouvoir accéder à ce palier plus en profondeur de la situation rwando-congolaise aujourd'hui, j'ai pensé qu'il est de bonne méthode de chercher clairement à savoir avant tout quelle est la lecture superficielle



contre laquelle on doit s'insurger maintenant et pourquoi une telle lecture masque les causes profondes qu'il convient de mettre en lumière.

Face à cette exigence, mon regard et ma pensée se sont tournés spontanément vers la gestion militaire, politique et diplomatique actuelle du problème de la guerre du Kivu. Dans la mesure où c'est cette gestion elle-même qui, par ses limites et ses étroitesse de réflexion et d'action, pousse vers l'exigence de chercher les causes profonde de la guerre, il est utile de se demander ce qui, en elle, pose problème.

J'ai le sentiment que la solution militaire au problème du Kivu n'a été, jusqu'à ce jour, qu'une avalanche des catastrophes humaines, sociales et écologiques, dans des fleuves et des lacs de sang qui inondent la région et la détruisent littéralement. La logique meurtrière des armées et des innombrables milices, les ravages dans les villages et les folies des vengeances sans fin dans les zones des conflits, la banalisation des assassinats et les torrents d'insécurité dans une ville comme Goma, la culture de la violence avec ses viols permanents, ses terreurs entretenues et ses haines semées dans les consciences, qui ne voit pas que tout cela n'est qu'anéantissement de tout sens de l'humain et des valeurs de vie dans une région dont les meurtrissures ne cesseront jamais par la guerre ? Malheureusement, il est inquiétant de voir encore certaines personnalités parmi les plus prestigieuses comme Jacques Chirac, Robert Badinter, Federico Mayor, Abdou Diouf, le docteur Mukwege ainsi que la ministre française de la francophonie et la compagne du président de la République française, proposer encore cette voie de guerre en toute tranquillité d'esprit. Dans une déclaration récente, qui circule aujourd'hui dans tous les médias, ces personnalités demandent que la Monusco règle militairement la question du Kivu pour mettre fin aux souffrances des populations et imposer aux groupes armés, particulièrement au M23, une paix à la Françafrique, dans les fracas des bombes, les déflagrations des canons, les fureurs des missiles et la marche funèbre des tanks qui iraient jusqu'à décourager et à maîtriser le pays qui est soupçonné d'être le vrai soutien aux rebelles et le vrai commanditaire de la guerre du Kivu : le Rwanda. L'intention est louable peut-être et elle relève sans doute de bons sentiments d'indignation et de révolte, mais elle est fondée sur une analyse courte, étroite et, pour tout dire, fausse. Une analyse qui réduit la

guerre du Kivu à une simple question d'intérêts économiques autour des richesses immenses de la RDC, alors que la situation est plus complexe et ses enjeux plus vastes. Il faut aujourd'hui creuser plus en profondeur et regarder plus loin vers l'avenir du Congo et de la région des Grands Lacs, si l'on veut des solutions durables au drame de la RDC.

La voie politique d'alliances hautement médiatisées et de ruptures fracassantes, tout aussi hautement médiatisées, entre le Congo et le Rwanda, n'a pas non plus abouti à une paix durable, du moins jusqu'à ce jour. La raison en est qu'il n'y a pas sur cette voie, telle qu'elle est pratiquée actuellement, une prise en charge concrète du bien commun des peuples du Rwanda et du Congo comme base d'une politique intelligente, guidée par une sagesse des valeurs fondamentales. Une sagesse qui refuserait les mensonges, le double langage, les méfiances et les haines qui tissent aujourd'hui les relations entre les dirigeants de ces deux pays. Une sagesse capable d'instaurer une vision des intérêts vitaux communs où devraient être unies toutes les nations des Grands Lacs à partir de l'axe RDC-Rwanda. Il est curieux et surprenant que, dans la déclaration d'éminentes personnalités comme Chirac, Mayor, Diouf, Badinter, Mukwege et les autres, une telle vision ne soit pas proposée en vue d'un dialogue fertile entre les deux pays, autour des grandes attentes des populations, des grandes aspirations de la société et des grands rêves de nos peuples. Attentes, aspirations et rêves où la guerre n'est pas du tout vue comme une solution d'avenir.

Il en est de même de la voie de diplomatie aveugle qui engage aujourd'hui la communauté internationale dans les négociations entre les pouvoirs en place au Congo et au Rwanda, soit dans le cadre de la CIR-GL pour l'envoi d'une force militaire neutre sur le terrain, soit dans l'implication de la SADC comme arbitre possible dans le conflit, avec des contingents militaires lourdement armés, soit dans les rapports d'experts des Nations unies toujours plus prompts à attiser le feu de la guerre qu'à insuffler une dynamique de paix durable. Parce qu'elle mise sur l'usage de la force militaire comme solution au lieu d'ouvrir l'horizon d'une paix fondée sur un vrai sens de responsabilité politique de la part des dirigeants ; parce qu'elle ignore les vrais intérêts des peuples au profit du pouvoir en place en RDC, cette voie est devenue un cul-de-sac et un sarcophage

pour nos espérances. Il est incroyable que Chirac, Diouf, Badinter, Mayor, Benguigui, Mukwege, Kidjo et les autres, entraînés par la plume vive de M. Eric Orsenna et par son humanitarisme sentimentaliste dénué de tout sens de l'analyse lucide des problèmes, n'aient pas vu qu'une diplomatie des bombes et des tanks ne peut résoudre en profondeur les problèmes que pose la guerre du Kivu.

En vérité, si l'on veut sortir du sarcophage et casser la logique du cul-de-sac qui caractérisent les voies militaires, politiques et diplomatiques qui font de l'usage des armes une solution alors que cet usage est, en lui-même, un problème, il est impératif de se consacrer à une analyse claire, rigoureuse et globale de la situation, avec un regard fructueux sur la manière dont le Rwanda et le Congo, du point de vue des dirigeants comme du point de vue des populations, regardent, considèrent et problématisent leurs relations, au sein des récits qu'ils promeuvent publiquement concernant les sources et les enjeux des différends qui les opposent.

### **Le récit congolais sur la guerre du Kivu**

Le récit congolais sur la guerre du Kivu est une trame bien connue aujourd'hui. Il se déroule et s'étire sur une vaste lame de fond ardemment aiguisée par mille intrigues et péripéties selon le narrateur. En le considérant comme un récit fondateur d'une logique socialement partagée en RDC, on peut le reconstruire, globalement, de la manière suivante :

Après le génocide, raconte-il, le pouvoir rwandais s'enfonça dans la logique du tout-sécuritaire et d'anéantissement de toute menace de déstabilisation de son espace par ce que l'on a désigné, dès ces temps-là, par le terme de forces négatives. Une guerre de traque implacable de ces forces négatives sur le sol congolais fut déclenchée, avec toute la mécanique destructrice indispensable. Les forces négatives s'organisèrent à leur tour et mirent sur pied une machine guerrière sur le sol congolais : la machine dite des Forces démocratiques pour la libération du Rwanda (FDLR).

Mais les deux machines guerrières, celle du tout-sécuritaire au cœur du Rwanda et celle des forces génocidaires rwandaises à l'intérieur du

Congo, loin de s'affronter dans leurs enjeux rwando-rwandais, se muèrent vite en rouleau compresseur destructeur pour le Congo. Leur guerre devint vite une guerre contre le Congo.

Ici le récit prend la tonalité de haine congolaise contre cette subversion du sens de la guerre entre le Rwanda de l'intérieur et les Rwandais génocidaires du Congo. Ceux-ci, devenus un mouvement militairement organisé, s'employèrent à conquérir des espaces vitaux sur le dos des Congolais qui les avaient pourtant fraternellement accueillis, dit le récit. Ils commencèrent à massacrer les populations congolaises pour occuper leur terre, avec le terrible esprit de destruction dont ils avaient déjà fait montre dans le génocide des Tutsi au Rwanda. Face à ce retournement de la situation contre eux, les Congolais furent contraints de se défendre sur leur propre terre. Ainsi naquit la logique des milices congolaises, destructrices dans leur essence, pour répondre à la destruction dont leurs ressortissants sont victimes de la part des forces négatives rwandaises. Cette logique s'intensifia d'année en année en un volcan de haine contre tout qui est rwandais et en une volonté d'anéantir le Rwanda considéré comme la cause de tous les malheurs du Congo.

Il serait intéressant à ce niveau du récit de signaler un point d'analyse important. Le récit se déroule comme si dans l'imaginaire congolais, le Rwanda était un et qu'il était uniformément perçu par les Congolais, avec une vision claire où les Hutu et les Tutsi seraient traités au même titre comme des ennemis de la nation congolaise. La situation n'a pas été vraiment telle que le récit la présente. Bien avant le génocide, grâce à l'ambiance d'amitié que le régime de Mobutu Sese Sese au Zaïre et celui de Juvénal Habyarimana au Rwanda avaient créée, la politique de marginalisation ethnique des Tutsi au Rwanda n'avait jamais été remise en cause par les Congolais. Elle était même acceptée et l'analyse de l'imaginaire du congolais moyen qui s'intéressait au Rwanda en ces temps-là montrerait aujourd'hui que le Rwandais qui posait problème au Congo n'était pas celui qui appartenait à la tribu au pouvoir au Rwanda, mais celui que le pouvoir avait marginalisé : le Tutsi. Mais cette vérité était longtemps masquée par le fait que Mobutu avait mis à côté de lui un Tutsi comme directeur du Bureau de la présidence, poste d'importance capitale dans le fonctionnement du système politique zaïrois de l'époque. Cepen-

dant, le masque, au lieu de fonctionner comme un masque utile, avait plutôt suscité une animosité contre la tribu même que représentait le tout-puissant directeur de cabinet du président de la République, M. Bisengimana Rweema. Ce tutsi était perçu comme l'étranger exploiteur, dont les concurrents à l'intérieur du système mobutiste non seulement jalouaient la réussite, mais mettaient en lumière la présence incongrue au cœur du pouvoir congolais, avec l'argument sournois de nationalité douteuse. Cet argument allait devenir de plus en plus une arme contre tous les Tutsi au Congo, autant ceux qui étaient dans les leviers du pouvoir politique que ceux qui avaient des assises fortes dans les affaires ou dans la propriété foncière. Une congolité anti-tutsi a pu ainsi prendre corps et on a vu à la Conférence nationale souveraine un haut dignitaire de la hiérarchie catholique, Mgr Kanyamachumbi, se faire éjecter de cette instance pour nationalité douteuse, nonobstant le fait qu'il avait la nationalité congolaise, qu'il avait servi toute sa vie l'Eglise du Congo et qu'il avait consacré son sacerdoce et son épiscopat au service du peuple congolais. On avait vu aussi, bien avant, certains Congolais qui travaillaient au Rwanda au temps de Habyarimana prendre part à l'idéologie ethniciste du régime politique en place et partager sans peine sa vision désastreuse qui allait conduire au génocide des Tutsi. Sous cet angle, l'accueil des Hutu au Congo après le génocide n'a pas eu du tout le potentiel de haine que celui que le réflexe anti-tutsi avait déjà semé dans l'imaginaire congolais. Le récit occulte ce potentiel primordial de haine en présentant le Rwanda sécuritaire de l'intérieur sous la figure du diable exploiteur, en oubliant que c'est grâce à ce diable que le régime de Mobutu est tombé et que Laurent Désiré Kabila a pu prendre le pouvoir. Le récit oublie aussi de dire que les miliciens hutu eurent de soutien de la part des Congolais et que le gouvernement de Kinshasa, juste après le renvoi des soldats rwandais chez eux par Laurent Désiré Kabila, instrumentalisa les milices hutu au Congo pour une déstabilisation du Rwanda à partir du sol congolais. Ces manœuvres de déstabilisation ont montré à quel point le Congo ne fut pas une simple victime pitoyable que le récit présente, mais un acteur dans un système global de violence que l'espace Rwanda-Congo était devenu.

Il peut même être intéressant ici de voir que la diabolisation actuelle du RII peut même être intéressant ici de voir que la diabolisation actuelle du Rwanda comme bloc monolithique dans le récit congolais date exac-

tement, non pas de la première guerre menée par l'AFDL comme mouvement dit de libération, mais de la deuxième guerre lancée par le Rwanda sous la bannière du RCD pour répondre au choix de Laurent Désiré Kabila de se séparer de ses parrains du temps de l'AFDL. L'imaginaire anti-tutsi fut alors attisé le plus officiellement du monde pour condamner l'agression du Congo. Le Rwanda, celui des Tutsi, devint ainsi l'agresseur, le pillleur, le balkanisateur et le destructeur dans le discours comme dans le champ politique congolais. Dans le chaos des crimes, des carnages, des viols et des violences indescriptibles que la guerre, dans ses folies, déploya au sein d'un Congo devenu enfer, la construction du récit congolais sur sa situation s'acharna sur les Rwandais de l'intérieur du Rwanda et prit alors tous les Rwandais du Congo pour le cheval de Troie du régime de Kigali. Les ressorts guerriers de la haine meurtrière se tendirent et l'imaginaire congolais devint un imaginaire meurtrier, qui ne peut pas reculer devant un génocide au Rwanda même, si l'occasion lui en était donnée. On peut considérer actuellement que la fixation du discours congolais contre le Rwanda comme ennemi implacable et cause de tous les malheurs du Congo est une manière de cacher la volonté congolaise de détruire ce pays voisin sur la tête duquel on met tous les péchés, tous les vices et toutes les turpitudes du monde, selon une logique de victimisation et de bouc-émissaire que l'anthropologie contemporaine a bien analysée. Selon cette logique, le Rwanda doit mourir pour que le Congo soit uni et construire sa paix et sa prospérité.

Selon le récit congolais chauffé au brasier de l'anéantissement de l'ennemi, le pouvoir rwandais de l'intérieur, dans sa logique du tout-sécuritaire, découvrit que sa force militaire ne pouvait pas seulement servir contre les forces négatives constituées par les compatriotes rwandais génocidaires, mais aussi contre le Congo et pour la conquête du Congo, un immense pays aux richesses infinies, dont les terres et le sous-sol pouvaient servir au règlement du problème démographique au Rwanda et donner au nouveau pouvoir rwandais des réserves gigantesques d'enrichissement.

Ici finit le premier épisode de ce récit congolais pour justifier la guerre comme seul moyen de se libérer de l'étreinte des deux Rwanda: celui, envahisseur, constitué par le pouvoir rwandais actuel et celui, au cœur

même du Congo, constitué par les Tutsi à nationalité douteuse au Congo et les anciens génocidaires militairement organisés sur le sol du Kivu.

Vous avez compris : nous sommes au cœur d'un discours d'un Congo qui se trouve entre le marteau tutsi et l'enclume hutu. Pitoyable victime qui cherche à se défendre sans y parvenir, ignorant que dans les logiques complexes des guerres humaines, ceux qui se croient victimes développent en eux tous les ingrédients pour devenir bourreaux, s'ils restent enchaînés au cycle terrible de la haine et de la vengeance.

Abordons maintenant le deuxième épisode du récit congolais: l'épisode des accords mythiques de Lemera et de la prise militaire de Kinshasa par l'AFDL, sous l'égide de l'armée rwandaise.

Je n'ai jamais vu le texte des accords de Lemera mais le récit congolais leur donne une inquiétante substance, qui nous fait passer de la gestion guerrière de la situation du Kivu à la gestion politique. Le récit couramment colporté au Congo stipule que la chute du régime de Mobutu a été obtenue grâce à la promesse de céder au Rwanda une part du territoire congolais. Promesse qui n'aurait pas été tenue par le président Laurent-Désiré Kabila, dans une monumentale trahison qui a valu à la nation congolaise non seulement une guerre d'agression et de pillage dont le Rwanda a été l'auteur, mais une situation de déstabilisation constante avec des groupes politico-militaires successifs dont les noms sont maintenant connus de toutes les Congolaises et de tous les Congolais : RCD, CNDP et M23. Pour l'opinion congolaise, la situation de guerre permanente dont souffre le pays est due au projet de balkanisation au profit du Rwanda. Un projet dont on ne peut comprendre les tenants et les aboutissants qu'en voyant dans le Rwanda un exécutant d'un ordre qui vient de plus haut et de plus loin, dans un complot international piloté par ceux que les Congolais ne désignent que sous le non générique d'Anglo-saxons, une galaxie d'intérêts militaro-industriels et économique-financiers qui veulent dépecer la RDC pour mieux l'exploiter. Tout le chaos des guerres qui ravagent l'est du pays, avec la multitude des milices est une entreprise planifiée. Le récit congolais va jusqu'à accuser le pouvoir en place à Kinshasa d'être complice de ce plan, ce qui explique l'impossibilité d'une gestion politique claire de la guerre dans le Kivu.

A ce niveau spécifiquement politique, on constate curieusement qu'au lieu que la guerre soit une guerre imposée au Congo par le Rwanda ou une guerre des milices aux motifs tribalo-ethniques, elle est, dans un certain imaginaire populaire, une guerre de la sphère politico-militaire rwando-congolaise contre le peuple congolais. Le récit est, à ce niveau aussi, celui d'une victimisation de soi dans laquelle les populations congolaises s'enfoncent pour justifier leur propre processus des violences meurtrières exercées par des milices qui prétendent agir en leur nom : Mai-Mai, Raia Mutomboki et beaucoup d'autres non clairement identifiées comme telles. Selon cette logique, les gesticulations des hauts responsables politiques congolais et rwandais ne laissent personne dupe : elles sont au service de la balkanisation du Congo. L'épisode, bien médiatisé, du DVD montrant les militaires rwandais dire glorieusement au revoir aux FARDC sous l'œil d'une inspectrice militaire américaine, au moment même où Kinshasa criait à l'agression du pays par le Rwanda, a fait réfléchir plus d'une personne. L'accusation de haute trahison du président de la République par certains parlementaires et le télégramme aujourd'hui diffusé sur l'internet pour montrer jusqu'à quel point le Chef d'Etat congolais joue la carte du Rwanda sont là pour indiquer les limites de l'approche politique pour une solution durable entre les autorités rwandaises et les autorités congolaises. Et si la guerre du Kivu était justement leur carte maîtresse de manipulation politicienne dans un projet dont ils connaissent bel et bien les tenants et les aboutissants, au grand dam du peuple congolais dont on aurait pu dire qu'il est le dindon de la farce, n'eût été la tragédie humaine des carnages dont les conséquences sont loin d'être une farce ! Le comble dans cette tragédie, c'est qu'elle se déroule dans une certaine conception de la politique d'où le peuple est exclu. Une conception d'où est absente également l'idée du bien commun et des intérêts des populations, clef de voûte de toute politique d'humanité et de civilisation.

Au Congo, cette absence est manifeste, même si le peuple congolais ne se rend pas compte que le récit qu'il colporte est une construction idéologique utilisée par le pouvoir en place pour masquer ses pathologies et ses incompétences. Il est intéressant en effet de poser un regard lucide sur les moments où cette portion du récit sur les accords de Lemera jaillit dans la vie politique au Congo sous le vocable de balkanisation. On l'a vu



flamboyer lorsque Laurent Désiré Kabila voulut se débarrasser de la tutelle de ses parrains rwandais. Elle a resplendi quand le Rwanda fit l'option de s'attaquer aux FDLR dans l'est de la RDC. Elle a été un tonitruant leitmotiv après les élections présidentielles de 2011, quand il s'avéra que le vainqueur réel, aux yeux du peuple, n'était pas celui qui fut proclamé. Devant la colère d'un peuple auquel le pouvoir en place avait ainsi volé la victoire, ce pouvoir sortit sa chanson fétiche de la balkanisation et de l'agression rwandaise. Tout le monde tomba dans le panneau : l'Eglise, la communauté intellectuelle, l'opposition politique et les forces populaires. La prestidigitatation et la mystification furent telles qu'elles enfermèrent l'homme congolais dans la caverne d'une psychologie de la haine et de la victimisation facile.

Sur cette lancée prestidigitatrice et mystificatrice, les populations congolaises ne virent pas qu'elles devenaient aveugles face à leurs vrais problèmes et que cela arrangeait le pouvoir en place.

Je suis même tenté de dire que la diabolisation du Rwanda nous lavait de la honte que nous devrions éprouver dans le miroir que le vrai Rwanda nous renvoie de nous-mêmes comme peuple face aux réussites de ce petit pays voisin :

- l'image d'un Congo sans leadership de qualité alors que le petit pays voisin donne l'impression d'avoir un vrai leadership d'ordre, de discipline et d'organisation ;
- l'image d'une classe politique engluée dans la corruption et l'impunité alors que le petit pays voisin développe une politique réussie en matière de lutte contre la corruption et l'impunité ;
- l'image d'une nation sans vision d'ensemble des solutions à donner à ses défis fondamentaux au moment où le petit pays voisin impressionne par sa politique en matière d'infrastructures, de santé, d'éducation, de logement et de restructuration de l'imaginaire national.

Quand j'ai entendu le président rwandais parler de son pays en affirmant : « nous sommes un petit pays, mais un grand peuple », j'ai compris qu'il avait en tête un nation voisine, un grand pays, mais un petit peuple. Il

posait clairement le problème du Congo dans les termes qu'il convient aux Congolais eux-mêmes de s'approprier pour s'engager la révolution qu'ils doivent faire en eux-mêmes. La révolution de la grandeur d'un peuple qui se dote de l'esprit, du dynamisme et des moyens pour résoudre ses vrais problèmes, au lieu de noyer sa honte dans la haine du voisin.

Lorsque, sur la même lancée, le chef de l'Etat rwandais parle du Congo comme d'un cadavre qu'on est venu déposer devant sa porte afin de l'accuser d'être l'assassin, je suis frappé non pas par son système de défense, mais par la métaphore du cadavre et je cherche à savoir qui a tué le Congo. S'agit-il d'un crime dont Paul Kagame connaît les auteurs sans les nommer ou s'agit-il d'un pays qui s'est suicidé par ses propres incompétences et ses propres étourderies? Nous sommes là au cœur de vraies questions que la haine du Rwanda dans les cœurs des Congolais occulte.

Pourtant, à certains moments de lucidité, l'homme congolais sent qu'il n'est pas totalement victime. Cela se passe quand il accuse les dirigeants de son propre pays d'être complices des destructeurs du Congo, même s'il ne voit pas que cette hypothèse de complicité devrait conduire à casser le monolithisme interprétatif qui a fait du Rwanda la source de tous les malheurs du Congo. S'il y a complicité des pouvoirs en place à Kinshasa dans la situation de guerre vécue par le Kivu, s'il existe des vérités cachées entre le pouvoir rwandais et le pouvoir congolais à partir desquelles, selon un certain discours congolais, on doit douter de ce que le gouvernement congolais affirme, il devrait s'en suivre une analyse conduisant à une dévictimisation nécessaire et à la prise de responsabilité des Congolais pour un dialogue interne de vérité et de lucidité.

Or, ce processus n'a pas pu s'enclencher de manière radicale, malgré des voix qui, ça et là, exigent que le Congo sorte de son aveuglement sur lui-même. La raison pour laquelle un tel processus ne prend pas, c'est le fait que l'orientation du discours congolais est trop marquée par l'affect de destruction du Rwanda, ou plus exactement des Tutsi au pouvoir au Rwanda, pour ouvrir les yeux sur les responsabilités congolaises dans le désastre du Congo et comprendre que le problème du Congo n'est pas Kigali mais Kinshasa.

C'est du fond de ce refus de voir toute la vérité en face que jaillit alors la troisième partie du récit congolais, la partie qui remet en cause la diplomatie mondiale et la capacité des institutions internationale à agir en RDC. La force emblématique de cette diplomatie, la Monusco, est perçue de manière négative, globalement parlant. Force inutilement coûteuse et militairement inefficace pour les uns, mission sans objectif convaincant et Club Méditerrané des militaires pour les autres, elle sommeille, comme dirait François Soudan de l'Hebdomadaire Jeune Afrique, dans une présence perçue comme de plus en plus inutile pour les populations locales. Quant aux rencontres diplomatiques qui se déroulent à Kampala, à Addis-Abeba ou à New-York, le discours populaire les considère avec un sourire sceptique, dans la conviction que l'essentiel ne peut pas se jouer là-bas. Le récit se termine par ce constat tragi-comique.

On voit alors ici l'imaginaire de l'homme congolais s'enfermer dans son système d'interprétation partielle et partiale de sa propre situation. Il est alors l'imaginaire d'un homme dont l'état d'esprit est impuissance pratique pendant que la bouche crache des volcans de paroles contre un ennemi qu'on ne peut pas vaincre. Il faut alors rêver constamment de guerre victorieuse contre cet ennemi, amener le monde entier contre lui, rappeler à tout moment ses crimes passés et présents tout en annonçant ses cruautés futures, attirer les foudres du monde entier contre lui et montrer à tout moment que c'est dans l'être même de ce monstre que réside le mal que l'ont doit éradiquer. C'est un discours de génocide psychique qui s'est emparé de la RDC et auquel personne ne fait sérieusement attention mais qui fragilise le Congo lui-même dans ses capacités créatrices et organisatrices, dans la perspective d'une paix vraiment durable avec le Rwanda.

### **L'ambition de la parole rwandaise**

Et côté Rwanda? « *Ne cherche pas à savoir s'il y a un discours public rwandais sur la guerre du Congo, m'a dit un intellectuel congolais dans un débat à Kinshasa; ce pays-là est une caserne et tout le monde y murmure seulement ce que le pouvoir murmure lui-même pour séduire le monde ou vocifère pour faire peur aux Congolais.* » J'ai voulu lutter contre ce cliché significatif

et j'ai posé souvent à mes connaissances rwandophones du Congo et à mes proches amis rwandais la question de savoir comment les Congolais rwandophones et l'intelligentsia militaro-politique du Rwanda interprètent la crise du Kivu et l'implication rwandaise dans cette guerre. Je n'ai pas obtenu un récit unique partout répété.

J'ai eu avant tout un certain regard de pitié et une réflexion de tristesse désolée: « *Il n y a rien à faire dans un pays comme le Congo, sans Etat, sans infrastructures, sans grand leader ni gouvernance digne d'un pays moderne?* » L'officier rwandais qui parle ainsi se défend de porter un quelconque jugement de valeurs. Il porte un regard froid sur une situation et regrette seulement que cette situation soit ainsi pour un pays qui a tout pour réussir.

A cet acte de pitié lourde s'ajoute parfois une interrogation déprimante. Cette interrogation, un penseur rwandais l'a ainsi formulée devant un parterre des parlementaires de son pays engagés sur la voie de la recherche de la paix dans les pays des Grands Lacs : « *Et si le Congo refusait la libération?* » a-t-il demandé. « *Nous avons fait tout ce que nous pouvons comme Rwandais pour renverser Mobutu et donner à la société congolaise l'occasion de construire sa liberté. La liberté n'est pas là. A sa place ce sont des guerres sans fin.* »

Quand j'ai osé poser la question de la place du Rwanda dans ces guerres, j'ai eu des justifications qui sonnaient comme des injonctions pour une action qui va dans le sens de l'histoire. « *Il faut que les tribus congolaises du Kivu reconnaissent l'espace vital des Rwandophones au cœur du Congo comme une réalité historique, avec des Hutu et des Tutsi qui sont bel et bien congolais, sans contestation possible que cache le terme de nationalité douteuse.* » La phrase m'a frappé par sa fermeté et sa suite m'a sonné par son acuité : « *Nous sommes congolais et nous défendrons notre congolité envers et contre tout* ». Logique guerrière donc, et assumée comme telle. Je n'ai jamais oublié cette réponse, elle est à interpréter sans doute, côté congolais, comme le masque de la volonté rwandaise de se servir des ressortissants hutu et tutsi du Congo comme prétexte pour une guerre de conquête, d'agression et de pillage systématique.

Je n'ai pas non plus oublié cette autre réponse : « *l'horizon congolais est vital pour les Rwandais, à court, à moyen comme à long terme, démographiquement parlant. La loi des migrations pour des raisons de vie et de survie est une constante historique des mouvements des peuples. Si on ne veut pas une solution pacifique devant cette loi, la guerre l'imposera tout de même. Les Congolais devraient comprendre cela un jour ou l'autre, de gré ou de force.* » C'était vif et net, clairement et distinctement dit par une intellectuelle outrée d'entendre dire partout au Congo que les Rwandais sont maîtres dans l'art de la dissimulation, du mensonge et du double langage.

*Revendication identitaire et nécessité vitale*, j'avais là les deux lames de fond qui me semblaient pouvoir justifier une certaine vision de la présence rwandaise dans la guerre du Kivu. Avec ses logiques guerrières, ses élans dévastateurs, ses volontés de puissance pour un Rwanda nouveau, celui qui se construit sur les charniers du génocide de 1994 et qui a décidé de remonter du fond de son gouffre pour devenir une nation digne et respectable, contrairement au Congo qui est, lui, sur la pente de sa descente aux enfers depuis Mobutu jusqu'à aujourd'hui, par manque de force de grandeur, par accoutumance aux médiocrités de toutes sortes et par habitude du malheur et de l'autodestruction.

Lorsque j'ai discuté avec un autre intellectuel rwandais sur la dimension guerrière du discours que j'ai entendu sur l'avenir des relations entre le Rwanda et le Congo, il m'a dit : « *Il y a trois dimensions du problème. Une dimension interne au Rwanda, elle concerne la construction d'une politique de sécurité et de développement. Il y a une dimension interne au Congo que vous-même, professeur Kä Mana, vous désignez par le terme d'imbécillité congolaise, le refus de construire une vraie politique de sécurité et de développement au service de la population. Et il y a la dimension de l'intrusion des forces extérieures au Rwanda et au Congo, pour des raisons géostratégiques ou pour des logiques mafieuses. La guerre est attisée et justifiée par ces trois dimensions et chaque partie cherche à y tirer ses marrons du feu, sauf le Congo, sans doute, perdue dans les irrationalités, les étourderies, les miasmes et les folies de son imbécillités. Je reprends vos mots, professeur Kä Mana. »*

Dans le contexte d'un tel discours qui oppose manifestement deux imaginaires politiques et sociaux, celui du Rwanda, ambitieux, froid et réaliste d'une part, et d'autre part, celui du Congo, incohérent, désordonné, sans boussole ni ambition au sein d'un contexte mondial compétitif et sans pitié, on ne peut pas croire le pouvoir rwandais quand il parle comme s'il n'avait aucun intérêt au Congo aujourd'hui. Comme si la guerre du Congo n'avait d'enjeu que congolo-congolais, sans que l'avenir rwandais ne soit du tout concerné non seulement pour des motifs sécuritaires à court terme, mais pour les enjeux vitaux du futur, dont une guerre victorieuse au Congo garantirait une certaine tranquillité intérieure et un développement véritablement durable construit par un peuple qui veut être grand, prospère et dominateur. Un peuple dont les dirigeants ambitionnent de se donner tous les moyens utiles et indispensables à cet effet : les moyens militaires, les moyens politiques, les moyens économiques et les moyens diplomatiques, dans un pragmatisme et un réalisme politiques toujours pas conformes aux valeurs et aux exigences d'humanité profonde.

### **Dans les logiques de profondeur**

Tout ce que je viens d'évoquer comme récit au Congo et comme logique d'action au Rwanda, tout le monde le sait, tout le monde peut aujourd'hui le constater sans effort, si l'on ouvre les oreilles et le cœur au drame du Kivu.

Et pourtant, tout le monde cherche les causes profondes de la guerre, comme si tout ce j'ai présenté jusqu'ici n'était que des causes de surface. J'ai mis beaucoup de temps à interpréter cette quête des causes profondes en vue des solutions profondes. J'ai longtemps pensé que l'on parlait des causes profondes pour fuir des évidences et pour ne pas parler concrètement de ce qu'il fallait faire d'urgence ici et maintenant. J'étais dans cet état jusqu'au jour où, devant un journaliste congolais zélé qui me racontait pour la millième fois le récit congolais tel que je l'ai reconstruit dans cette réflexion, je me suis entendu moi-même articuler cette étrange question :

- *Pourquoi me racontez-vous tout que vous me racontez là?*

- *Pour que vous compreniez ce qui se passe vraiment dans le Kivu.*

Mes yeux s'ouvrirent et mon esprit saisit tout d'un coup le problème de fond qui échappe à l'attention et que la logique de type philosophique peut aider à clarifier : la recherche des rationalités propres à un discours dans une situation d'échanges entre les personnes. Il s'agit, en fait, de chercher à comprendre le récit que l'on fait de soi à travers une grille scientifique qui en dévoile quatre dimensions essentielles mises en lumière par les sciences de la communication<sup>32</sup>.

Voyons ces quatre dimensions telles qu'elles opèrent dans l'imaginaire congolais.

La première dimension est *la dimension narrative*. Le philosophe congolais Jean-Baptiste Malenge Kalunzu, qui est expert en sciences de la communication, la définit comme *la dynamique par laquelle on construit sa vie comme une totalité dans le devenir*, en mettant l'accent sur la raison profonde qui fait vivre et qui fait agir. Si, dans sa relation avec le Rwanda, le Congo se raconte comme il se raconte, le récit n'est pas un neutre exposé des souffrances et des malheurs, mais une volonté manifeste de faire de la guerre une nécessité vitale et de la justifier par les tragédies et les carnages qu'elle a causés. *Il ne vise pas à sortir de la guerre, mais à l'attiser par une activation permanente de sa nécessité. En s'accoutumant à ce récit, l'homme congolais se conforme et s'offre à la logique de la guerre, comme si toute perspective de la paix lui était impossible.*

La deuxième dimension est la dimension argumentative du récit. Elle consiste, toujours selon Malenge Kalunzu, à convaincre l'interlocuteur de la solidité, de la pertinence et de la fécondité de ce que l'on affirme. Pour cela, le recours aux images chocs et aux forces émotionnelles de fond est de rigueur. *On doit décrire tout ce qui suscite la colère, la pitié et la justification de la vengeance. La guerre devient alors quelque chose d'indispensable: elle cesse d'être un acte de sauvagerie et de barbarie pour devenir un état d'es-*

32 C'est dans le très lumineux livre de Jean-Baptiste Malenge Kalunzu, *Philosophie africaine, Philosophie de la communication* (Kinshasa, Baobab, 2011) que j'ai découvert ces dimensions mises en lumière par le philosophe français Jean-Marc Ferry. J'en ai fait une grille actuelle de compréhension du discours congolais et de ses significations.

*prit justifié et justifiable*, comme si tous les carnages et tous les naufrages de l'humain qu'elle entraîne devenaient tout d'un coup compréhensibles; comme s'ils ne sont, en fait, que des actes de vengeance masqués sous le vocabulaire d'une volonté de libération. Quand le récit congolais sur les crimes du Rwanda au Congo, armée rwandaise et FDLR compris, se sert de ces crimes comme socle pour une guerre de libération du pays, il ne se rend pas compte que la guerre c'est la guerre et qu'il ne suffit pas de la justifier pour qu'elle devienne un acte de paix. Surtout quand d'autres possibilités de paix existent et qu'on ne les met même pas dans la trame même du discours sur l'avenir.

C'est ici que, selon Malenge Kalunzu, la troisième dimension de tout récit en situation d'échange entre personne devient capitale : la dimension constructrice. Dans le cas du récit congolais, nous sommes dans une situation où on ne se rend même pas compte que le récit construit un type d'être, une force de personnalité. Qu'il est un formatage guerrier des esprits, des consciences et des cœurs. Qu'il est une arme de guerre au service d'un projet de guerre excluant tout dialogue de paix pour la paix et toute possibilité de construction d'un ordre social de paix.

Quand on comprend cela, on peut atteindre la quatrième dimension à laquelle Malenge Kalunzu nous convie : la dimension interprétative, celle grâce à laquelle on voit bien ce que visent les trois premières dimensions. Selon cette dernière dimension, on voit que le discours est producteur d'une mentalité susceptible de devenir vite une pratique, que cette pratique entretient elle-même le discours dans une inter-fécondation mutuelle devenue un cercle vicieux : le cercle même des paliers les plus profonds de l'être. Cette guerre est ainsi dans l'esprit des hommes qu'elle produit et qui la produisent.

Et qu'en est-il, en ce qui concerne en profondeur l'imaginaire rwandais?

A l'analyse du récit congolais tel que je m'y livre ici correspond une analyse des convictions profondes que j'ai entendues du côté du Rwanda. Comme il ne s'agit pas d'un récit, mais plutôt d'affirmations péremptoires qui jouent comme des hypothèses de travail et des pétitions de principes pour l'action, je ne vais pas leur appliquer la logique des sciences de la



communication. Les réponses des intellectuels rwandais sur la guerre du Kivu renvoient plus à un besoin d'action, à la dynamique d'une action concrète qu'à celle d'un discours justificatif ou évaluatif. Pour en comprendre le sens, je vais me fonder sur un autre type d'analyse, inspirée de la rationalité sociologique développée par le grand sociologue allemand Max Weber sur les types d'action.

Max Weber distingue quatre types d'action liés chacun à une rationalité spécifique : l'action rationnelle par rapport à un but, l'action rationnelle par rapport à une valeur, l'action affective ou émotionnelle et l'action traditionnelle.

L'action rationnelle par rapport à un but est « *définie par le fait que l'acteur conçoit clairement le but et combine les moyens en vue d'atteindre celui-ci* ». C'est « *celle de l'ingénieur qui construit un pont, du spéculateur qui s'efforce de gagner de l'argent, du général qui veut remporter la victoire.* » Pour le Rwanda, la guerre au Kivu a dès le départ obéi à ce type d'action rationnelle. Les buts étaient clairs autant que les moyens étaient conséquents. Une organisation militaire dans un pays militairement ordonné visait une sécurisation intérieure par la maîtrise des frontières après le génocide. Mais cette machine de la rationalité militaire s'est emballée depuis la chute de Kinshasa, les conflits avec Laurent Désiré Kabila, le soutien de celui-ci aux FDLR, les aléas politico-militaires du RCD, du CNDP et aujourd'hui du M23. On est entré dans les exigences de revoir les stratégies à chaque instant, de redéfinir les objectifs et de ne plus savoir manier la machine militaire de manière conforme à des buts partout acceptables dans le monde. Au Congo aujourd'hui, ce n'est plus le Rwanda qui mène la guerre, c'est la guerre qui mène le Rwanda. Nous assistons à un phénomène de brouillage stratégique qui échappe aux acteurs.

Sur l'action rationnelle par rapport à une valeur, voici ce qu'écrit Max Weber:

*« Elle est celle du socialiste allemand Lassalle se faisant tuer dans un duel, ou celle du capitaine qui se laisse couler avec son vaisseau. L'action est rationnelle non parce qu'elle tend à atteindre un but défini et extérieur, mais parce ce que ne pas relever le défi ou*

*abandonner un navire qui sombre serait considéré comme déshonorant. L'acteur agit rationnellement en acceptant tous les risques, non pour obtenir un résultat extrinsèque, mais pour rester fidèle à l'idée qu'il se fait de l'honneur. »*

Dans la guerre du Kivu, il y a eu à plusieurs reprises une question d'honneur pour le Rwanda, liée à la haute idée que les nouvelles autorités politiques se faisaient de leur puissance, de leur dignité, de leurs ambitions et de leur volonté d'entrer dans l'histoire. La question des FDLR et de leur neutralisation était une question d'honneur ; l'exigence de laver l'humiliation des troupes rwandaises chassées du Congo était une question d'honneur ; la garantie de sécurité pour les Tutsi congolais menacés de « solution finale » dans leur propre pays était une question d'honneur. Quand on a conscience de se battre pour l'honneur, la guerre est un instrument qui vous possède plus que vous ne la posséder. Et quand on a, comme le Rwanda, les moyens et la force militaire de la faire, on n'y va sans trop se poser de questions, même si on se rend compte que la cause rwandaise de l'honneur n'est plus acceptée dans l'ordre mondial actuellement. On cherche alors à agir par d'autres moyens: la politique et le lobbying diplomatique, par exemple : avec l'investissement militaire du pays dans les troupes des Nations unies dans les zones de conflits ou le succès d'entrer au Conseil de Sécurité comme membre non permanent.

On le fait alors dans la logique de l'action émotionnelle, « *celle qui est dictée immédiatement par l'état de conscience ou par l'humeur du sujet.* » Quand le Rwanda répond aux accusations de soutenir le M23 en exhibant ses militaires à côté des FARDC dans une ambiance bon enfant, il fait la guerre émotionnelle. Quand le président Kagame claque la porte des négociations de New-York pour répondre aux maladroites du Secrétaire général Ban Ki-Moon, il fait la guerre émotionnelle. Une guerre liée à tous les souvenirs douloureux et inacceptables des soldats de de l'ONU qui ont assisté sans réagir au génocide, qui ont vu des femmes, des hommes, des vieillards et des enfants tutsi exterminés sans rien faire et qui veulent maintenant s'ériger en donneurs de leçon au Rwanda du haut des bureaux lambrissés de New-York. C'est à des occasions émotionnelles pareilles que l'on comprend que cette guerre du Kivu n'est pas une simple question

d'affrontements militaires et des déflagrations immédiates. C'est aussi une question d'émotions fortes, d'affects profonds que l'on ne contrôle pas et que l'on ne peut pas contrôler côté rwandais dans l'idée négative que l'on a des autorités congolaises et du désordre congolais. Même quand les armes se taisent, la guerre entre le pouvoir rwandais et le pouvoir congolais continue parce qu'elle est déterminée par des conditionnements émotionnels liés à des préjugés négatifs inflammables.

Ce sont ces préjugés négatifs qui nous renvoient à ce que Max Weber appelle l'action traditionnelle, « *celle qui est dictée par des habitudes, des coutumes, des croyances devenues comme une deuxième nature* ». Les autorités rwandaises actuelles s'inscrivent dans une tradition des victoires militaires qui est devenue pour elles une seconde nature, depuis la guerre d'indépendance au Mozambique jusqu'à la prise de Kinshasa, en passant par la guerre de l'Ouganda qui installa Museveni au pouvoir. Selon cette tradition, tant que l'actuelle guerre du Kivu ne débouche pas sur une victoire claire et nette sur les FDLR, tant qu'elle ne se conclut pas sur la sécurité absolue des Tutsi congolais et de toute la communauté rwandophone de la RDC et sur des relations rwando-congolaises conformes aux attentes et aux ambitions du Rwanda, elle continuera, sous une forme ou sous une autre. On voit que dans cette logique aussi, nous sommes dans une guerre qui fait les hommes au lieu d'être faite par les hommes.

### **La corruption de l'être par la guerre**

Nous atteignons maintenant le fond du problème. L'analyse du récit congolais et des logiques de l'action au Rwanda nous conduit à comprendre que derrière les enjeux politiques, économiques, sécuritaires et géostratégiques visibles à l'œil nu aujourd'hui, le problème de fond est celui de la corruption de l'être par la guerre dans l'imaginaire rwandais comme dans l'imaginaire congolais. J'entends par corruption de l'être une maladie dont les symptômes dévastateurs sont les suivants :

- la pollution du regard : l'incapacité de voir l'autre comme une personne tout simplement, un être dont le visage, comme dirait Emma-

nuel Levinas, me convoque à la responsabilité de la réussite de notre rencontre;

- la pollution du langage que l'on tient sur l'autre, à travers les mots, les expressions et les modulations linguistiques ravageurs et meurtriers, où l'autre est soit diabolisé, soit méprisé, soit détesté dans ce qu'il est et pour ce qu'il est :
- La pollution de la pensée, c'est-à-dire l'impossibilité de réfléchir avec des véritables catégories d'humanité comme des déterminants fondamentaux d'une relation basée sur les valeurs d'humanité.
- La pollution des utopies, notamment la capacité de l'imagination créatrice à rompre avec l'ordre du négatif pour projeter un avenir du bonheur partagé aux échelles économiques, financières, politiques, sociales et culturelles.

Si l'on est profondément attentif au regard, au langage, à la pensée et aux utopies qui portent les relations entre le Rwanda et le Congo, on n'aura pas de difficultés à déceler les symptômes dont je parle. Dans une récente étude de Pole Institute sur la manière dont les Rwandais et les Congolais se voient et se considèrent les uns les autres, tout ce que l'on pouvait classer dans la catégorie du bien relevait du niveau de surface, c'est-à-dire des qualités qui n'engagent vraiment pas l'être profond, du type sape et musique chez les Congolais, ordre et discipline chez les Rwandais. Mais dès qu'on abordait les paliers des valeurs profondes de l'être, on pénétrait dans l'enfer de la dépréciation implacable, du type : culture du mensonge et de la dissimulation pour décrire les Rwandais ; culture de l'imbécillité (peuple sans cerveau) et de l'immoralité (peuple sans normes) pour décrire les Congolais. On devine bien, avec de telles amabilités injurieuses, que les utopies que l'on promet ne peuvent être ni celles de l'être-ensemble dans la prospérité, ni celle du vivre-ensemble dans la paix, ni celle du rêver-ensemble un avenir d'inter-fécondation enrichissante.

Quand je dis qu'il s'agit là d'une maladie de l'être dans l'imaginaire des deux peuples aujourd'hui, je veux insister sur le fait que ce cancer se métastase aux trois niveaux essentiels de la vie d'un peuple : le niveau

de l'inconscient ou du subconscient collectif, le niveau du moi ou de la personnalité communautaire et au niveau du surmoi ou des institutions politico-sociales qui régulent l'ensemble de la société. Je précise: ce dont je parle constitue des conditionnements dont on ne peut pas ne pas se rendre compte, mais cela se dévoile fortement dès qu'on se met à analyser les attitudes, les pratiques et les discours dans les deux pays, surtout en cette période de la guerre du Kivu comme dynamique révélatrice.

Quand on parle des causes profondes de la guerre aujourd'hui, c'est du côté de cet être qu'il faut se tourner, pour imaginer des solutions de profondeur, celles qui ne s'accrochent pas aux causes passées, mais plutôt à leurs réalités actuelles qui sont celles d'une maladie de l'être. Il suffit de regarder l'image que les médias congolais ont donnée de leur pays à tous les participants au XIVe Sommet de la Francophonie et à tous les pays du monde par le canal de la télévision pour voir à quel point l'inconscient collectif, le moi communautaire et le surmoi institutionnel du Congo n'ont que le Rwanda et sa diabolisation comme préoccupation fondamentale, comme si le Congo n'avait pas de richesses hautement magnifiques à montrer au monde aujourd'hui. De même, il faut regarder l'orientation actuelle de la diplomatie rwandaise dans le monde pour constater à quel point le Congo y est comme une obsession négative. Ce sont là les effets d'une guerre qui est le principal conditionnement de l'imaginaire : une pathologie de l'être.

### **Les forces de la paix : une autre destinée est possible**

Si j'ai conduit mon analyse jusqu'à ce niveau de l'être profond, c'est parce que je suis convaincu que les solutions à proposer appartiennent aux forces qui sont chargées, dans les deux pays, des domaines les plus essentiels dans la vie profonde d'un peuple: l'éducation, la science et la culture.

Ce sont les domaines par excellence du monde du savoir et de la connaissance (les universités, notamment), des forces religieuses (les Eglises selon toutes leurs orientations confessionnelles) et des dynamiques de l'action culturelle (la littérature, le théâtre et la musique (par exemple). Je ne minimise ici ni les enjeux politiques ni les tenants et les aboutissants écono-

miques. J'affirme seulement leur secondarité dans le contexte d'une guerre qui est devenue une machine infernale auto-productrice et une maladie profonde de l'être, comme c'est le cas au Kivu aujourd'hui. Avec le poids des arrière-pensées sur lesquelles personne ne songe aujourd'hui à travailler pour détruire leur venin ici et maintenant, dans la perspective de permettre l'émergence d'un nouveau subconscient socioculturel fécondé par un arrière-fond d'idées et d'images positives, à court, à moyen et à long terme.

Dans un tel contexte, la science, l'éducation et la culture sont le plus susceptible d'affronter les enjeux les plus fondamentaux de la paix entre le Rwanda et la RDC. A Savoir:

- La conversion du regard et du langage sur l'autre d'abord. A travers un travail de fond dans la connaissance des richesses du voisin, surtout maintenant où les traitements inhumains commis par les acteurs des deux côtés ont montré à quel point la barbarie nous est commune et sa justification très facile pour se donner bonne conscience au Congo comme au Rwanda. Ce n'est pas avec le regard de haine, le langage de déshumanisation qu'on arrivera à rompre avec ses ressorts de la barbarie, mais avec une science de la connaissance positive de nos richesses communes et une éducation à la construction d'une paix durable pour que ces richesses deviennent source du bonheur partagé, sans qu'un tel horizon se délite en vœux pieux.
- La conversion de la pensée et des utopies ensuite. A travers des Facultés universitaires, des centres culturels, des manifestations artistiques et des initiatives populaires fortement orchestrées, il faut que l'on arrive à faire que ce ne soit plus la guerre qui mène les deux pays dans leurs imaginaires mais les hautes idées de paix et de développement commun durable.
- A cette dimension de déconditionnement du regard, du langage et des utopies dans le contexte actuel, il y a lieu d'ajouter un reformatage global de l'imaginaire de deux pays, dans le sens de la guérison de traumatismes, de blessures et de meurtrissures par un travail sur nos mémoires pathologiquement atteintes et sur nos identités devenues meurtrières, consciemment ou inconsciemment. Un regard nouveau

est possible, dans ce sens. Un langage nouveau aussi. Tout comme une pensée nouvelle et de nouvelles utopies. Avec un nouvel impact sur nos inconscients ou nos subconscients collectifs réciproques, nos « moi » communautaires et nos « surmoi » institutionnels.

Ces dynamiques de guérison de l'être et de reformatage de l'imaginaire, toutes les structures éducatives dans la Région des Grands et toutes les forces éprises de paix ont le devoir d'en ouvrir les horizons et d'en produire les mécanismes, dans un labeur d'organisation et d'invention qui est leur tâche la plus urgente.

Si ce labeur se fait, on pourra déceler les vrais problèmes sur lesquels il faut aujourd'hui se concentrer pour les résoudre selon des perspectives de solutions viables.

Ces problèmes et ces solutions, une lettre adressée au Secrétaire général des Nations unies par un groupe de chercheur, d'universitaires, d'artistes et d'experts de tous horizons les a inventoriés avec succès<sup>33</sup>. A leurs yeux et dans une analyse visant les profondeurs du problème rwando-congolais dans sa globalité aujourd'hui, la meilleure façon de contribuer à la paix et à la sécurité dans la région des Grands Lacs consisterait, entre autres :

- *à décourager tout appui du Rwanda au M23 afin de permettre aux communautés congolaises d'initier des discussions de fond sur leurs problèmes nationaux ;*
- *à décourager toute association du Congo avec le FDLR et tout soutien du gouvernement congolais aux groupes armés qui sévissent actuellement sur son territoire ;*
- *à s'attaquer à tous ces groupes armés et aux logiques qui en alimentent l'esprit destructeur ;*
- *à prendre au sérieux les légitimes revendications sécuritaires du Rwanda;*

33 Cette lettre a été écrite sous l'impulsion de Boubacar Boris Diop, (romancier, enseignant à l'Université de Saint-Louis, Sénégal), Kā Mana (philosophe, analyste politique et théologien, professeur à l'Université évangélique du Cameroun et à l'Institut catholique de Goma, RDC), Jean-Pierre Karegeye (professeur assistant au Macalester College, Minnesota, USA), Kously Lamko (directeur de la Casa Hankili Arica, Centro Historico in Mexico, Mexique), Aloys Mahwa ( Chercheur à l'Interdisciplinary Genocide Studies Center, Kigali, Rwanda) et Wandja Njoya professeur assistant à Dastar University, Nairobi, Kenya).

- *à œuvrer sans relâche pour un rapprochement entre les gouvernements du Congo et du Rwanda ;*
- *à favoriser un échange franc et respectueux entre les forces intellectuelles, éthiques et spirituelles rwandaises et congolaises pour qu'elles initient et promeuvent un « vivre-ensemble » fertile entre les communautés ;*
- *à initier des solutions qui intègrent les différents paramètres de la crise à l'Est du Congo*
- *à réexaminer les accords occultes entre le gouvernement congolais et les compagnies minières opérant sur son sol,*
- *à exiger une gestion saine des ressources du Congo par l'Etat congolais,*
- *à diligenter une enquête sur le clientélisme et l'enrichissement illicite de la classe dirigeante congolaise actuelle, afin d'impulser une dynamique de gouvernance saine en RDC ;*
- *à privilégier la voie du dialogue initiée par la conférence des Grands Lacs et non les menées bellicistes qui risquent de provoquer une grande guerre africaine aux conséquences incalculables;*
- *à protéger des communautés marginalisées prêtes à s'enrôler par désespoir dans des rébellions sans lendemain ;*
- *à défendre l'intangibilité des frontières congolaises, conformément aux vœux du peuple congolais convaincu de la communauté de destin de toutes ses composantes ethniques;*
- *à lier la notion d'intangibilité des frontières aux droits des communautés propriétaires de leurs terres à vivre tranquillement et en toute sécurité dans leur pays en tant que citoyens congolais de plein droit;*
- *à améliorer les méthodes de recrutement des enquêteurs de l'ONU dont les rapports ont une si grande influence sur le cours des événements. Il est hautement souhaitable de veiller à ce qu'ils ne soient engagés qu'à l'issue de procédures transparentes et contradictoires, de nature à écarter tout risque ou soupçon de partialité de leur part.*



Si l'on s'inscrit dans une logique éducative qui considère les problèmes de fond et cherche à les résoudre selon les dimensions ainsi définies, une autre politique rwando-congolaise sera possible, ainsi qu'une nouvelle vision des relations économiques entre la RDC et le Rwanda, sans que le Congo ait peur d'être pillé et spolié ni les Rwandais d'être en insécurité permanente face aux forces négatives, asphyxiés dans un espace étroit et sans horizon de richesses et de développement à long terme.

## **Chapter 14**

Red Light Green Light – Building trust,  
participation and development through  
Ubudehe and Imihigo

Margee M. Ensign

## Abstract

**M**ost analyses of democracy, accountability and participation in Rwanda since 1994 have focused at the national level, when in fact the most significant and innovative programs and policies have occurred at the local level. Beginning in 1999, Rwanda embarked on a widespread decentralization process that has included the poorest in needs assessment, planning, budgeting, performance evaluation, and accountability (such as *Ubudehe* and *Imihigo*). This chapter traces the history and functions of *Imihigo* or performance-based governance, citizen report cards, participatory planning and budgeting, social audits, and *Umudugudu* and *Ubudehe*, and evaluates the impact they have had in Rwanda on increasing participation and accountability and in improving human development.

## Introduction

How does a country that has experienced genocide begin to rebuild trust, social cohesion and institutions?

What role, if any, does citizen participation in local governance play in reconciliation and building such social cohesion? When poor citizens are able to identify their needs while holding their leaders directly accountable for meeting these needs, does trust result? Can programs designed to increase local collective action and accountability rebuild a society after genocide, and can these programs really contribute to peace and development?

This chapter focuses on two of what some have called Rwandan “home-grown solutions.” After the 1994 genocide, the new leaders in

Rwanda reached back to a rich cultural history to design, implement, and—with the assistance of international donors—fund several innovative programs. These programs have improved the level of trust and participation in Rwanda, and have contributed to stunning development successes in a society that had been physically and socially devastated.

Few outside of Rwanda understand Rwanda's innovations in citizen participation and accountability at the local level, and how these innovations have contributed to peace, reconciliation and development. *In missing this key element of decentralization and democracy, they have missed the vibrancy and innovativeness of Rwanda's emerging democracy.* And they have missed how it has contributed to the indisputable progress in education, health, gender equity and economic growth in the country.

This chapter focuses on two so-called home-grown solutions, Ubudehe and Imihigo. It presents evidence that both programs have not only increased political participation at the local level, but have led to accountability, to increased trust in fellow citizens and community leaders, and to the remarkable poverty reduction and development that Rwanda has experienced since 1994.

**Ubudehe is founded on this core principle: Citizens must be empowered to act. (Protais Musoni 2008 Interview)**

**The idea of Ubudehe was conceived as an opportunity to demonstrate the power of citizen participation in its truest form, UN, Good Practices and Innovations in Public Governance.**

In 1994, with the infrastructure in ruins, families divided, citizens traumatized, and schools and hospitals reduced to rubble, one of greatest needs was to begin establishing trust among citizens, and to address the desperate poverty throughout Rwanda. Rwanda's new leaders traveled throughout the country setting up discussion groups in hopes of understanding these problems and addressing the most pressing needs.

“We only asked one question: ‘What caused the disunity among us?’” explained Minister Musoni.

Each community was broken up into five groups: 1) the survivors of the genocide, 2) the returnees from Tanzania, Zaire, Uganda and other countries, 3) the 1959 returnees, 4) those who had stayed in their location, and 5) the elite and highly educated. To facilitate the discussions, all participants were told three things:

1. There is to be no revenge.
2. Share what you have with the rest.
3. We are going to discuss and dialogue. Here is an account of the meetings.

“We knew that everyone was afraid. In fact, fear and insecurity are what everyone shared. The results were surprising. After a long process of discussions and meetings, four reasons for the genocide emerged. The first was *Inda Nini*, which literally means big stomach, in other words that people had been selfish and the nation had been misgoverned. Poverty, ignorance and colonialism were the other three reasons given.

There was no civil society; so two people were elected from each of the five groups to discuss the problem more, and to come up with solutions. We were trying to create a process that people could trust.

Everything was written down and tabulated. At the end of this long process one old man asked me: ‘Why didn’t you ask this question before we killed each other?’ The process was as important as the answers. People began talking to each other again. “It was not easy but it was the beginning of the dialogue.” Minister Protais Musoni, Interview, 2006. During several years of nation-wide discussions (and simultaneously with the development of the first Poverty Reduction Strategy Paper, and Participatory Poverty Assessment) the idea of resurrecting traditional Rwandan cultural practices and redesigning them for the current, post-genocide needs emerged. *Ubudehe* was one of these cultural practices that was reborn.

In Rwanda’s early history, *Ubudehe* was a time for individuals to assist each other with collective activities, such as planting crops and

building houses. Thus there had been a tradition of communal action and mutual assistance in times of need. The architects of the new Ubudehe thought that a program built on this tradition could address some of the overwhelming challenges facing the country.

They considered many questions:

- How could citizen apathy towards government and towards their own problems be reduced?
- How could citizens take charge of their own lives and how could participation be increased and local governance democratized?
- How do you strengthen each citizen's power to act and therefore build active Rwandan citizens?
- How could trust be built between groups to start the difficult process of healing and working together to build greater social capital and facilitate the inclusion of different social groups?
- How could the preferences and needs of excluded groups be highlighted and acted upon by an active citizenry?
- How could national policy making be influenced and informed by better, more rigorous information and statistics, generated by citizens themselves, so as to improve resource allocation and the accountability of government and donors.<sup>1</sup>

The challenges facing the nation in 1994 were daunting. Rebuilding trust, holding leaders accountable to the will of the citizens, establishing self-governance, and improving livelihoods required a courageous and innovative response from Rwanda's leaders. One of these responses was Ubudehe. Another was Imihigo.

The key goals of the decentralization plan that emerged in 2000 were 1) to bring power and decision making closer to the people and 2) to make local leaders more accountable to the citizens in their districts.

1 Good Practices and Innovations in Public Governance: United Nations Public Service Award Winners, 2003-2011, United Nations: Department of Economic and Social Affairs, New York, 2011.

Ubudehe addressed the first goal and Imihigo the second. Ubudehe was formally launched in 2001 by the Ministry of Finance and Economic Planning and what was then called the Ministry of Local Government, Good Governance, Community Development and Social Affairs. It was funded by the European Union.

The following were the key architects of Ubudehe, as well as several other innovative and effective programs: Mr. Protais Musoni, the then Secretary General at the Ministry of Local Government, Good Governance, Community Development and Social Affairs (who went on to be Minister of Local Governance); Vincent Karega who was the Director of the Strategic Planning Unit in the Ministry of Finance; Mr. Sam Joseph, who was a consultant from India; and Dr. David Macrae, who was then the European Union Ambassador to Rwanda. The EU funded the first experiment in Ubudehe and went on to fund most of the program nationally through Rwanda's Common Development Fund.

The idea and vision to encourage people, especially the poor, to identify their own problems and develop and implement solutions, has its roots not only in traditional Rwanda culture, but, according to Sam Joseph, has its theoretical roots in systems thinking, constructivism, and the political theories of De Tocqueville and Gandhi.

The key notion is that the poor “often best understand the problems they face and know their priorities, but do not have sufficient information or resources to design effective solutions...” Building the foundation for citizenship in a democracy occurs by “helping diverse forms of associational experience to express local liberties at the family, neighbourhood, and village levels.”<sup>2</sup>

Rebuilding trust, according to Joseph, was a key goal of Ubudehe. “Conflict destroys relationships of trust and reciprocity. People need to be helped to come together around neutral issues that affect them. Some external resources provide the motivation for coming together in meetings. The allocation of resources, their use, and monitoring: all of these activities require people to interact and to have some hope that others will behave in

2 Joseph, Sam, “Rwanda Ubudehe.” Ubudehe Update, Kigali, Rwanda June 2005, pp 9-10.

a reciprocal way. Each round of successful interactions builds incremental trust.”<sup>3</sup>

The Ambassador of the European Union in Rwanda also played a key role in evaluating the idea as well as providing the critical funding for the early Ubudehe projects. He reflects on the origins of the Ubudehe idea and goals:

“The Ubudehe program was an innovative attempt to address the issue of extreme poverty and to rebuild trust at both village community and individual family levels. Rebuilding trust was indeed important in bringing people back together again.

“Communities were asked to work together in developing a poverty map - the villagers themselves working together developed the maps and, in so doing, identified the priority micro projects which needed funding, as well as the two poorest families most in need of help.

“Speaking from memory, we allotted the equivalent of around 1,000 euro per community (the size of the amount changed between programs and was expressed in FRW) of which 800 euro was for the community micro project - which could be whatever it was they wanted - an access road, grain store, health post, water well.... - and the two families were each accorded 100 euro towards some income earning activity.

“The objective of the family component was to reach the very poorest and provide a lifeline without which their chances of climbing out of poverty were almost non-existent. We relied on the communities themselves to identify who these families were, as well as to identify their own priorities, which, we maintained, would emerge from the mapping exercise, which by and large they did.”

Ubudehe was formally launched as a pilot scheme in 2001 in Butare with 631 cells or villages. It was designed to reach the poorest and understand their needs, which became translated into projects and plans. To reach the poorest, the focus was on the lowest administrative unit: the

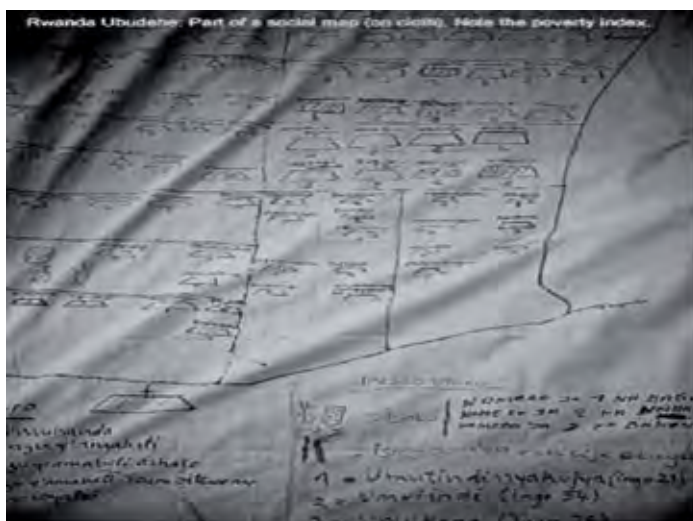
.....  
3 Ibid.



cells or villages in 2001, and then the “Umudugudu” or cells after the redesign of local government entities in 2006. Two volunteers from each village were trained to accomplish the following tasks:

- a) Define the social categories of poverty
- b) Draw a social map of the village on a cloth (See Figure One below)
- c) Identify the problems and the priorities
- d) Develop a locally-generated action plan to solve problems
- e) Choose one of the most vulnerable households to assist

**Figure One: Social Map for Butare, 2001**



The social map above lists the names of the heads of households along with location of the households, infrastructure and roads. Every household in the community is located. The next step is to understand the level of poverty in the community as well as possible causes and solutions.

By 2002, villagers in the 681 cellules for Butare came together to develop their social maps, and identify the number of people living in four categories of poverty.

This first Ubudehe pilot program was from Sholi Cellule in Nyanza District, Butare Province. At the time it had a population of 229 households. As can be seen from Table I, the categories of poverty capture those in a range from abject poverty to those with some resources.

**Table One: Poverty Categories**

Category of poor	Total	Characteristics
<i>Umutindi/Umukene Nyakujya</i> <b>(Extreme poverty)</b>	43	They have to beg and have nothing; no clothes, no food, no shelter. Their children cannot go to school; they cannot afford medical care and have no farmland.
<i>Umutindi/Umukene</i> <b>(Very poor)</b>	114	They do not have sufficient food but can work for others to survive, they dress poorly, have insufficient farmland and can hardly get medical care. They have shelter but no livestock and are always suffering.
<i>Umutindi/Umukene Wifashije</i> <b>(Poor)</b>	60	They have small and poor shelter, and a minimal harvest, their children can go to primary school, they can clothe themselves but with difficulty, they can hardly access medical care, but manage to have sufficient to eat, and they have a small number of ruminants (livestock).
<i>Umukungu</i> <b>(Poor with some resources)</b>	13	They have excess harvest to sell and livestock, they can afford medical care, and have a little money. Their children can go to secondary school. They eat well, are neat, have a good house and a bicycle, and can engage others as labour.

Source: Joseph, Rwanda Ubudehe, pp 4-5

Once individuals were categorized, the next step was to understand the types and dimensions of problems facing them and their fellow villagers. Villagers scaled the issues from 1-10, with 10 being the most severe. Table II identifies hunger as the biggest problem, along with some of the identified causes such as insufficient harvests, lack of knowledge, and variations in the weather among the most important. “At the end of the debate, the community confirmed that combating insufficient harvests would be their best option for transforming their situation of poverty. Consequently they formulated a strategy that was to raise goats so as to provide some manure for cultivation.”

**Table Two: Identification of Problems**

Problems \ Characteristics	Insufficient harvest	Lack of Knowledge	Vagaries in the weather	Laziness	Illness
Hunger	8	9	9	3	5
Negative thoughts	2	8	9	7	2
Lack of clothes	4	5	8	2	3
Lack of energy	4	2	7	2	3
Malnutrition	4	3	9	2	3
Selected problem	*				

Source: Joseph, Rwanda Ubudehe, P. 5

The final step was to identify one family which could be assisted by this process. A 35-year-old widow with two sons was chosen by the Sholi Cell in this first example of Ubudehe.

The hope was that through the poverty analysis, identification of problems, and solutions, people would talk to each other and begin to

trust each other. It was a bold experiment. Indeed, given the recent slaughter, it was an extraordinary experiment. And it was an extraordinary act of trust in ordinary people to understand their own situation and come up with solutions to their most pressing problems.

Once these tasks were completed, the data gathered and priorities for the villages self-identified, this information was passed along to the district, province and finally national levels. When approved, funds—including the EU contribution—were channelled through the Community Development Fund. The data gathered during Ubudehe formed the basis for developing solutions as well as providing data for many other national programs such as Vision 2020, the first Economic Development and Poverty Reduction Strategy (EDPRS), and other parts of national planning such as Vision 2020.

By 2005, 10,000 individuals had been trained in the Ubudehe process and in three short years, by 2008, over 32,000 had participated in training for the Ubudehe process and the program had reached 100% coverage in the country. Poor people were beginning to identify their own problems and develop solutions to solve them.

The data from the Ubudehe process became critical in understanding the dimensions of poverty, developing national level strategies, monitoring progress, and developing national data bases on poverty and strategies.

The early results on Ubudehe were very encouraging, according to Ambassador Macrae. In 2004 the EU allocated 10 million euros for a nationwide program. In 2008 Ubudehe and the Common Development Fund won the United Nations Public Service award for Improving Transparency, Accountability and Responsiveness in the Public Service. In the description of the award, the UN stated:

Several independent audits and studies have consistently demonstrated that Ubudehe has achieved high value for money by ensuring resources go directly to citizens and contributed to increased citizenship and democratization in Rwanda. But most importantly, across all villages in Rwanda,

Ubudehe is known and citizens have actively engaged in one way or another in problem defining and solving processes. The Ubudehe program has promoted: self-governance and poverty reduction; services that respond to citizens' needs; the development of a formal economy, as well as trust, tolerance and community spirit.”<sup>4</sup>

For a country just a few years from one of the worst genocides in modern history, this is really an extraordinary finding.

In 2008 the EU conducted a survey of the Ubudehe program in 60 sectors and 120 villages. It evaluated effectiveness, efficiency, impact, and sustainability. The data on impact are compelling and worth quoting at some length: (The emphasis is in the original)

“During the two nation-wide phases of Ubudehe (2005 -2006 and 2007 -2008), some 50,000 people have been trained on Ubudehe concepts and procedures, according to the requirements of the Community Development Fund, which has greatly contributed to the improvement of local community skills, the capacity of self-management and the ability to acquire new skills in terms of participation, planning and management of the collective and individual initiatives.

**The Ubudehe objectives can be considered as widely achieved in terms of the empowerment of people and community participation, with a very high feeling of ownership.** There is little doubt that the participatory approach, leaving the field wide open for communities to choose their own priorities has been a major factor in terms of ownership and success achieved.

Regarding the **impact, with close to 89% answers of our sample asserting a “great” and even a “very great change” in terms of social cohesion, we register one of the main**

4 Good Practices and Innovations in Public Governance: United Nations Public Service Award Winners, 2003-2011, United Nations: Department of Economic and Social Affairs, New York, 2011

**successes of Ubudehe in terms of social impact.** It does not seem exaggerated to assert that the EU financed Development Program for Rural Poverty Reduction in Rwanda has truly supported the national reconciliation process undertaken with conviction and determination by the government.

Ubudehe also took part in a **notable cultural change** with the progressive birth in the rural world of what we called “a spirit of entrepreneurship.” While learning how to prioritise their needs, to implement projects together, the population gradually improves their knowledge with regard to their management, investment and productivity. It seems that we currently observe the emergence of a rural micro-capitalism, which is certainly still developing, but will be promising for the future.

In addition, **unplanned and unintended changes** occurred through Ubudehe, as we actually noticed, in our sample of villages, the creation of 4,805 temporary or more long-term jobs, through the construction of class-rooms, health centres, roads and bridges, mills, electricity and water infrastructures, as well as the creation of radical terraces. New jobs have also been created for teachers, shepherds, employees of mills, small traders or distributors of water.

Within our sample, we also detected the **creation of new activities** in different fields, as an unexpected impact of Ubudehe: co-operatives, mills, water sale, small shops, new breeding and agricultural projects.

Moreover, analysis has confirmed that **incomes have noticeably improved at household level** thanks to Ubudehe projects: about 71% of our respondents consider that their own income has doubled, and 22% confirm that they have more than tripled.

In addition, one of the most significant answers in terms of impact is that **more than 96% of our respondents estimate they are less poor today than before the project**, thus significantly confirming the statement of “Voices of Ubudehe” that this programme appreciably empowers the poor. It might only be the perception of the respondents, but it is psychologically very important.”<sup>5</sup>

The fundamental goals for Ubudehe – namely, to rebuild trust and establish the foundation of democracy at the grass roots level, and to allow the poor to identify and address their own extreme poverty - were being met. By 2009, it is clear that, against all odds, trust and social cohesion were genuinely and almost miraculously being rebuilt.

The results of Ubudehe and the nationwide poverty analysis it enabled also showed the government the severity and depths of poverty the nation faced, and the pressing need to accelerate efforts to improve economic and social development. This led President Kagame to address the reduction of poverty as a central issue and to hold leaders accountable for performance.

In March 2006, President Kagame introduced the idea of resurrecting another cultural tradition from the past called Imihigo. It would focus on improving development through performance contracts, which leaders would have to sign.

In a District Executive Committee meeting in Murambi, he asked the assembled leaders to prepare “an activity program for the remaining part of the year, which he would sign with them.” He also requested that an evaluation of the program be conducted in six months. This is the origin of the new Imihigo. The first performance contracts or Imihigo were publicly signed on the 4th of April 2006, and the author had the privilege of attending this ceremony.

5 KPMG (2008). Audit and evaluation of the “Ubudehe Mu Kurwanya Ubukene” Poverty Reduction Programme – KPMG Business Advisory Services – Draft report, June.

### **Imihigo - Social or Performance Contracts**

Imihigo was a traditional cultural practice in Rwanda where individuals declared publicly their intention and then competed for the best performance in a particular endeavour. In its new incarnation, it is best described as a social contract between a leader and the citizens he or she represents. The most recent Imihigo evaluation describes the goals of Imihigo as:

1. Speeding up the development through the implementation of the country's policies;
2. Promoting the culture of displaying, publicizing, and venting our achievements;
3. Promoting the culture of working on targets;
4. Promoting the culture of competition and innovation;
5. Promoting cooperation with partners in development programs;
6. Using all possible energy with the objective to reach targets rapidly;
7. Promoting the culture of continuous self-assessment in our activities.

If these are the goals, none of which are exceptional in the developing world, what is unusual is their implementation through Imihigo; that is, through social contracts.

Introduced in 2006 to make leaders more accountable for reducing poverty and improving livelihoods, like the tradition of old, the Imihigo contracts encourage competition. In this new incarnation, the competition is between local governments for best performance. Mayors are held accountable for reaching their goals (and are rated on the traffic light system discussed below) and transparency is ensured as all community members participate in choosing those goals, through Ubudehe.

The annual planning for Imihigo is integrated with national programs and ideals: Vision 2020, Economic Development and Poverty Re-

6 Government of Rwanda, Terms of Reference for Evaluation of 2012/13 Districts Imihigo.



duction Strategy (EDPRS), the Millennium Development Goals, sector development plans, and District Development Plans (DDPs). Imihigo budgets are based on past evidence of good performance.

Each Imihigo competition is unique, but covers the areas of economic development, social development, and governance and justice. As discussed in the Ubudehe section, district mayors engage their communities in understanding what the needs are, but go one step further with Imihigo in developing specific goals for the district and annual performance targets.

Table III shows some of the priorities that emerged from Ubudehe, and Imihigo discussions for the 2011-12 Imihigos.

**Table Three: Activities at the Level of Household, Village and Cell: Performance Contracts for the Year 2011/2012**

HOUSEHOLD	VILLAGE	CELL
<b>GOOD GOVERNANCE AND JUSTICE</b>		
1. Relationships in the household and the neighbours;	1. Safeguarding security;	1. Having an Office building for the Cells;
2. Participating in safeguarding the security	2. Helping households for good neighbourhood	2. To safeguard the security
3. Providing information on cases of corruption	3. Sensitizing the population to participate in the Country's programs;	3. To eradicate delinquency
4. Light on each household's gate (security right);	4. Sensitizing the population to participate in community works (Umuganda) and knowing those who do not participate;	4. To promote patriotism among the population
5. Supporting each other in case of emergency;	5. Participating in the population's meetings	5. To sensitize the population to display good values characterizing the Rwandan citizen;

6. Rainwater harvesting;	6. Creating innovations to speed up the development of the inhabitants of the Village;	6. To render good service and on time and fighting corruption;
7. Participating in Community works (Umu-ganda) and meetings in which the population is invited;	7. Participating in technology programs of the Village	7. To be constantly informed and provide relevant information on time;
8. Having a Telephone, Radio, Television, ...		8. To follow up and support Ubudehe committees for the proper functioning;
9. Participating in population assemblies		9. To organize and lead the meetings of the population and settle issues raised by the population;
		10. To create innovations that help the population to speed up their development;
<b>HOUSEHOLD</b>	<b>VILLAGE</b>	<b>CELL</b>
<b>ECONOMY</b>		
1. Saving in SACCOs or Banks;	1. Sensitizing the population to use the support from Ubudehe	1. To safeguard the environment and plant trees;
2. Planting fruit and environment safekeeping trees;	2. To sensitize and exhort the population to carry out income generating activities;	2. To increase the production and store agricultural harvest and modern livestock
3. To safeguard the environment by controlling erosion;	3. Planting trees in regrouped settlements (Imidugudu)	3. To sensitize the population to settle in Villages and to stop anarchy house constructions
4. To rear a cattle, small ruminant or poultry for each household (live-stock);	4. To sensitize the population on saving and to regroup into cooperatives;	4. To sensitize the population on saving and to regroup into cooperatives;
5. To settle in regrouped settlements (Umidugudu)	5. To safeguard basic infrastructures	5. To promote trade and investment;

6. Having biogas and Rondereza cooking stove	6. To sensitize the population on having trading houses in the regrouped settlements (Imidugudu);	6. Having a tree nursery;
7. Increasing the production from household crops (maize, rice, banana, Irish potato, beans...);	7. Land consolidation and planting one crop and increasing production	
8. Harvest storage		
9. Trade and investment activities;		
10. Having a paid activity;		
<b>HOUSEHOLD</b>	<b>VILLAGE</b>	<b>CELL</b>
<b>POPULATION SOCIAL WELFARE</b>		
1. Enrolling all children having reached schooling age in schools	1. Sensitizing the population to enrol children in schools;	1. To support the parents committees in school to run properly
2. Mutual health insurance for all the members of the household	2. To sensitize the population to settle in regrouped settlements (Imidugudu)	2. To sensitize the population to live in regrouped settlements;
3. Cleanliness of the homestead, food, and body (having a waste pit, toilet, homestead garden, mattress, bed, a place where to keep clean drinking water...);	3. To Sensitize the population for birth control and to deliver in hospitals	3. To increase the number of the population participating in birth control programs and delivering at hospitals;
4. Following birth control programs	4. To have a clean Village (Umudugudu);	4. Cleanliness in the Cell;
5. Delivering at hospitals and following vaccination programs	5. To do the necessary for the population to access clean water	5. To sensitize the population on the cleanliness of the body, food and habitat;
6. A vegetable garden	6. To bring all the population to have a mutual health insurance	6. having 100% of the population enrolled in mutual health insurance

7. Sleeping under a treated mosquito net	7. To make all the necessary for the population to sleep under a treated mosquito net;	7. Follow on the progress of those supported by VUP
	8. To sensitize the population to have a vegetable garden	9. Sensitizing the population that did not complete schooling to enroll in vocational training centers;

Once mayors have determined the content of their Imihigo – working closely with district councils and the population--, they sign a social contract with the President. Thus, just as Ubudehe links local leaders with village communities, Imihigo in a similar way links the leaders to the national structure. The figure below is an Imihigo from 2006, when Imihigo's were first introduced.



In English, the document says:

I, \_\_\_\_\_, in the name of the population that I represent, pledge to the citizens and President of the Republic that the population of the District will achieve the objectives that are stated in this contract document. The Republic of Rwanda, through the ministries and other state institutions, will support the activity programs described in the document.

By signing the Imihigo document, local leaders commit both the local population and themselves to fulfil the Imihigo; the president commits the support of his government and funding from the central government.

At the end of each year, teams of national evaluators assess, and rank, the achievements of the districts based on their targets. There is a **traffic light** rating system, where green is used for activities completed at the range of 90-100%, yellow for activities completed at the range between 50- 89% and red for anything below 50%. The scores are weighted: economic activities receive 60% of the total, social projects 30%, and governance (including justice) 10%.

**Table Four: Imihigo Scoring Template**

Administrative entities (District)	Average score of implementation of imihigo (%)	Grade and Traffic light rating
	90-100	Achieved
	50-89	Partially Achieved
	0-49	Not Achieved

Green (G) Achieved – at least 90% of progress towards target from baseline; indicates that either the activity has been completed satisfactorily or will be completed within the time frame.

Yellow (Y) Partially achieved – at least 50% to 89% progress towards target from baseline, indicates that the target has not been achieved to a

satisfactory level; but that it is still possible to achieve the target if appropriate actions are taken.

Red (R) Not achieved; less than 50% of progress towards target from baseline, or absence of reporting, indicates that the target is unlikely to be achieved even with concerted action; either because of internal mismanagement or outside factors.

As a way of enforcing accountability, District Mayors make presentations on their performances in a public session organized twice a year at a special ceremony organized in Kigali. President Kagame and national and local leaders attend and the sessions are broadcast live on national television and radio stations

Evaluation of the past four years, 2009-2013, of Imihigo shows strong improvement in every district. In 2009, all of the districts were in the yellow range and by 2012-13 all had reached the green level. The lowest district, Gatsibo, which barely made it out of the red range in 2009, received a green score of 92% in the most recent evaluation. The nationwide evaluation team attributed the success to better planning and coordination, improved capacity of district leaders in budgeting and management. In addition, “Districts have improved Imihigo priority setting – they commit themselves to activities for which they are able to mobilize resources – including funds and human resources and time, to undertake.”<sup>7</sup>

### **Trust, Accountability and Performance**

Ubudehe and Imihigo were designed to improve trust through participation, accountability and performance in Rwanda following the 1994 genocide. Have these programs succeeded?

A 2011 International Monetary Fund (IMF) country progress report which analyzed Rwanda’s Poverty Reduction Strategy states in their review of decentralization, citizen participation empowerment, transparency and accountability:

7 Government of Rwanda, Districts Imihigo Evaluation Report, 2012-2013.

“In 2008, 67% of districts achieved a minimum of 80% of their service delivery targets (against a target of 62%) ...the percentage of citizens who feel they participate actively in local decision making and that (the) local government is listening to and addressing their priority concerns was between 65% and 83.6% in 2009, 2010, against a target of 72%.”<sup>8</sup>

These data show that the majority of districts (67%) were achieving their Imihigo’s or service delivery targets, and that, by 2010, an overwhelming majority of citizens (83.5%) were actively participating at the local level, and that the government was addressing their needs.

This IMF report also points to the importance of “strengthening of partnerships in data collection and commissioning of surveys,”<sup>9</sup> which is very important for validation of these significant findings, and also to expose those outside of Rwanda to the model and accomplishments.

There are two additional studies that have addressed the issues of trust and participation. The Rwanda Governance Board, (RGB) consisting of both national and international members, the first conducted in 2012. The Citizen Report Card, 2012 used a stratified, random sample from 4,000 villages and households to address satisfaction with the delivery of services in education, health, local administration, agriculture, justice, water and sanitation. The second study, conducted by the Institute of Policy Analysis and Research in Rwanda, is also based on a random sample of 3,840 individuals aged 18 and above.

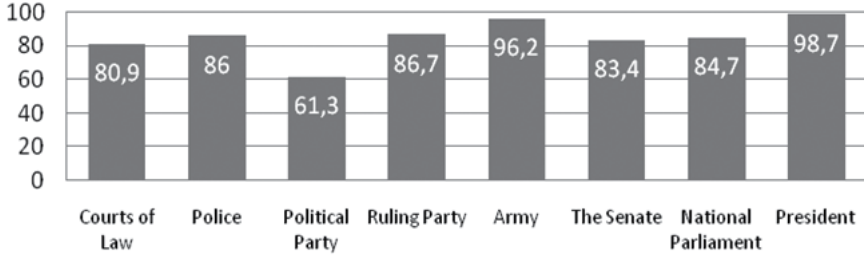
The result of the Institute’s survey show high levels of trust of local politicians and national political institutions, and very high levels of trust among members of the same family.

8 International Monetary Fund, Rwanda: Poverty Reduction Strategy Paper-Progress Report, IMF Country Report No 11/154 June, 2011, p. 12.

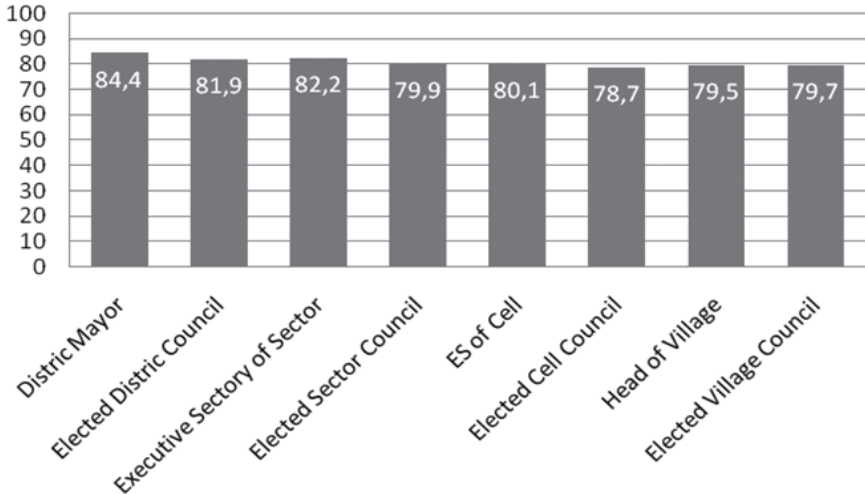
9 Ibid.



### High Trust in National Political Institutions



### High Trust in Local Politicians



Source: "Dialogue and Consensus" Institute of Policy Analysis and Research, November 2013. P, 14

The results from the RGB survey also show high levels of engagement, especially with community work. However, there is far less engagement with Imihigo-related activities, a fact which is recorded in activities 6-10 below.

**Table Five: Level of Participation in Different Domains of Local Government Activities**

No	Area of Participation	Ranking
1	Community Work	93.2%
2	Election of leaders	92.2%
3	Financial contribution	84.8%
4	Expression of views in different meetings	82.2%
5	Being assigned of voluntary responsibilities in local administration	66.4%
6	Monitoring services and holding leaders accountable	36.7%
7	Formulation of district council agenda	35.0%
8	Elaboration of Districts budgetary plans	34.9%
9	Formulation of district development plans	34.1%
10	Formulation of Imihigo performance contracts activities	30.8%

Source: Rwanda Governance Board, Citizen Report Card, 2012, p 58.

Most interestingly, a recent evaluation of Imihigo shows that the regions of Rwanda where citizens participate are the ones making the most progress in achieving their Imihigos.

**Table Six: People participation level in Imihigo process compared to Imihigo Performance ranking by Province**

Province	Participation	Imihigo Process (1)	Imihigo Performance (2)
	%	Rank	Rank
Western Province	74.2	1	2
Kigali City	63.3	2	1
Southern Province	51.7	3	4
Northern Province	43.3	4	3
Eastern Province	42.5	5	5
RWANDA	55	-	-

Source (1): Rwanda Civil Society Platform, 2011: Citizens’ Participation in Imihigo Process Source (2): MINALOC, 2011: Districts Imihigo Evaluation Report 2010-2011

But are there appraisals from outside the country? In 2013, the Commonwealth Local Government Forum (CLGF), a part of the Commonwealth Secretariat, commissioned a study to evaluate Rwanda’s decentralization programs compared to what are called “the Aberdeen principles.”

The “Twelve Principles for Local Democracy and Good Governance” were adopted by all members of the Commonwealth Local Government Forum (CLGF) on March 18, 2005. These principles include: Constitutional and legal recognition for local democracy, political freedom to elect local representatives, partnership and cooperation between spheres of government, defined legislative framework, citizens’ participation in local decision making, open local government – accountability, open local government – transparency, scrutiny of the executive, inclusiveness, adequate and equitable resource allocation, equitable services, and capacity building for effective leadership.

These Aberdeen principles were used as the basis, or benchmarks, for analyzing and assessing Rwanda’s local government system, including

Ubudehe and Imihigo. The study was financed by the Commonwealth Secretariat.

The CLGF study concluded that:

Through the analysis and assessment of the Rwanda local government system, structures and processes, the study has established that local governments in Rwanda have, through decentralization process, implemented the Aberdeen principles as a continuation of Decentralization process that was started in 2001. Considerable progress has been made in terms of citizen participation, political freedom of choice of local leadership, inclusiveness, transparency and accountability of local governments to mention a few.

In conclusion, local governments in Rwanda have, through a decentralization process, implemented the Aberdeen Agenda since 2001.<sup>10</sup>

A table listing the commission's analysis and recommendation is listed in Appendix A.

These internal and external evaluations of Imihigo show great progress and promise. A critical step however that should be taken by the government is to establish a team of external evaluators who would evaluate the framework, methodology, and indicators and conduct independent evaluations.

## Performance

In the seven years that Imihigo has been in place, development performance in Rwanda has increased dramatically. Since 2000, the economy has grown on average by 8% per year; life expectancy has doubled since 1994 and reached 63 years in 2011. Health indicators including maternal and child mortality have improved dramatically, as over 95% of the

10 Commonwealth Secretariat, *Local Democracy and Local Governance: Benchmarking Rwanda Against the Aberdeen Principles*, April, 2013, p. 13.

population has access to health insurance. Over a million people have been lifted out of poverty.<sup>11</sup> In terms of security Rwanda is now also considered one of the safest places in Africa. The Gallup Poll Global States of Mind: New Metrics for World Leaders ranks Rwanda as the safest place to live in the world,<sup>12</sup> with 92% of respondents saying they have confidence in the local police force, feel safe walking at night and have experienced very little crime. These are almost inconceivable accomplishments twenty years after genocide.

## Conclusion

So where are we in 2014? Does Rwanda get a red light or a green light? The evaluations of Ubudehe and Imihigo, and improvements in development performance, tell us there is great reason for optimism and hope. Leaders are held in trust, development progress is accelerating, and citizens, especially at the local level, are shaping their own futures. Local governance structures are in place that encourage and facilitate collective action for the common good.

Of course, there are many areas that can be improved: Rwanda's economy is still overly dependent on foreign aid, and higher levels of education are needed in order for citizens to participate fully in the technical aspects of Imihigo (such as setting budgets and the like.)

While external consultants are part of the nationwide Imihigo evaluation teams, a comprehensive independent external evaluation of Imihigo should be conducted.

Despite the many challenges facing Rwanda, it is not too soon to conclude that Ubudehe and Imihigo are models for all countries trying to involve the poor in decision making, to improve trust, tolerance and peace, to identify and build collective goals, and ultimately to improve development performance.

11 Overseas Development Institute, 'Rwanda's Story,' London, 2011, United National Development Program: MDGs Progress and the Macroeconomic State of Rwanda, 2012, [www.undp.org/content/rwanda](http://www.undp.org/content/rwanda) Accessed on January 1-, 2014.  
12 Gallup, "Global State of Mind Report: New Metrics for World Leaders." Gallup, October 2012." P. 3

**Appendix A**

No	ABERDEN PRINCIPLES	CURRENT STATUS	IDENTIFIED GAP	SUGGESTED RECOMMENDATION	TIME FRAME (SHORT, MEDIUM & LONG TERM)
1	Political freedom to elect local representatives	Citizens elect their representatives (local Government councillors) freely at all levels from village to district level.	Some citizens are not fully aware that councillors are accountable to them.	The study appreciates the spirit of volunteering and part-time local government councillors who are not paid for the service they offer. However, the study recommends awareness/ educating both the councillors and the population on decentralization policy in general and their rights and obligations in particular.	Medium term
2	Citizen participation in decision making	Citizens participate in local government decision process directly at grassroots level (Village) and indirectly through their elected representatives (councillors) at the sector and district levels.	The study reveals that citizen participation is inadequate at the sector and district levels, due to indirect representation through local councillors and due to lack of technical skill in terms of planning and budgeting, normally done by people with technical knowhow.	The study appreciates the level of citizen participation in decision making process in areas of community work, elections and financial contribution towards community development. However, the study recommends continuous and enhanced capacity building for effective participation especially in area of monitoring services, technical skills, holding leaders accountable, planning and budgeting. Also, the role of civil society in building citizens capacities and awareness for effective participation in decision making is vital and needs enhancement.	Medium term

3		<p>The participation of the citizens in the planning and budgeting process is a very good practice often done through preparation of local government performance contract targets. Local governments are doing well in involving citizenry in budget preparation and execution and the study appreciates a new approach of local government budget publication.</p>	<p>The study noted that district budget publication is new and few people are aware of this practice. Also, budget publication is done at the districts notice boards and few districts on district website.</p>	<p>The study appreciates the new initiative of budget publication in LG; however, it recommends Local Government to start sensitization and public awareness on the importance of budget publication to ensure that the community is aware and makes use of this initiative.</p>	Short term
4	-do-	<p>Government of Rwanda has established an excellent enabling environment for dialogue between local government and central government called the national dialogue council, which is a constitutional obligation. The national dialogue council meets on annual basis and among others; discuss issues pertaining to local governments</p>	<p>The study has observed that citizens have interest and desire to know more and participate in national dialogue council sessions. However, very often the forum has a specific agenda to cover within a number of days commonly two days, which sometimes does not allow for enough citizen involvement and participation.</p>	<p>The study recommends pre-national dialogue council both at the Local Governments and Central Government level. The pre-national dialogue should be given enough publicity to attract citizen participation and input</p>	Medium term

5	Open local government – accountability	In addition to several mechanism and systems of accountability in local government system, service charter in Local Governments is a recently adopted strategy to improve service delivery and enhanced accountability.	Whereas service charter is a well appreciated new strategy, it's not yet effectively in use and there is need for awareness creation and sensitization around its importance in terms of service delivery and accountability. Also, the study observed that service charters have the same conditions in all local governments, yet different working environment and conditions.	The study recommends strong enforcement on the use of service charter coupled with awareness creation and sensitization to local government official and the general public on the importance of service charter. Also, there is need for adaptability and a customization of service charter to suit each local government specific context.	Short term
6	Open local government – Transparent	Regarding local governments transparency, there are numerous channels of communicating local government programmes and activities to the citizens, which include regular open days organized by local governments, community radio stations, district websites, district journals and different notices and announcements through radios and newspapers and different village meetings and community works and events.	Although there is adequate transparency in local governments, whereby citizen have a sense of what local governments are doing for them, there are no formalized and structured communication strategies in place.	The study appreciates the level of transparency in LGs, where citizens are aware and own what LG are doing for them. However, the existing channels of communication should be streamlined into a public information and communication strategy for local governments to reach out to the local communities. The use of ICT, which is generally advance in Rwanda, should be used to enhance information sharing and communication between local governments and the citizens.	Short term



7	Scrutiny of the Executive	<p>The study noted the relevance and importance of Joint Action Development Forum (JADF) currently operational at the sector and district levels. The forum coordinates development partners including civil society; its coordination role is very important for local government development.</p>	<p>The study appreciated the establishment of JADF as a forum of organization, coordination and information sharing for district development agenda. However, the role of JADF should go beyond information sharing and coordination to dialogue forum for local government development agenda. Also, Civil Society should be empowered to enable it scrutinize the executive.</p>	<p>The study recommends strengthening and upgrading of JADF from information sharing and coordinating channel to dialogue forum for more strategic local development issues. Also, the study recommends empowering Civil Society to enable it play its rightful role of scrutinizing the executive council.</p>	Medium term
8	Continuous Improvement	<p>Local government capacity building began with decentralization program in 2001. Local government capacity has grown with time and currently districts are capable of handling complex tasks that were unheard of before the start of decentralization process. Each phase of the decentralization had an accompanied capacity building package. Rwanda Governance Board, which was recently created and entrusted with among others the role of coordinating local government capacity building, has developed Local governments' capacity building strategy. Apparently, each district has developed a capacity building plan.</p>	<p>Considerable effort and resources have been invested in capacity building since the start of decentralization and a lot has been achieved in terms of planning, budgeting, monitoring and evaluation. However, there are more areas that need more capacity building intervention especially in the technical fields.</p>	<p>The study appreciates increased capacity in local governments, where local government capacities in planning and budgeting, projects monitoring and evaluation. However, local governments continue to design packages that both attract and retain their employees. Given the size of the institution and local government staff, there is need to mobilize more resources for local government capacity building in technical and specialized areas such as infrastructure development, urban planning and development.</p>	Short term
9	-do-	<p>The second phase of decentralization brought with it the attraction of skilled personnel to local governments due to attractive packages and sometimes good promises offered to local government employees.</p>	<p>The study noted lack of institutional memory and retention strategies in local governments and high staff turnover. Very often this has led to loss of developed capacities.</p>	<p>The study recommends Rwanda Governance Board in cooperation with Local Governments to develop mechanisms and strategies for developing sustainable institutional memory and LG staff retention measures.</p>	Short and medium term

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## Chapter 15

# Transitional Justice as Genocide Prevention: From a Culture of Impunity to a Culture of Accountability

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## Abstract

The 1994 genocide against Tutsi in Rwanda was the latest—and the most widespread, systematic, destructive, and gruesome—in a series of atrocities that the country had faced over the prior half-century. In light of the culture of impunity that had developed in Rwanda throughout previous decades and that contributed to the genocide in 1994, this chapter surveys the major “transitional justice” initiatives implemented over the last nineteen years. This chapter argues that such mechanisms have played a role in preventing future genocides in Rwanda—and, to some extent, elsewhere—by fostering a culture of accountability.

### Atrocities in Rwanda Before 1994

In Rwanda throughout the four decades preceding 1994, Hutu extremists slaughtered Tutsi. Such methodical atrocities began during a revolution in 1959.<sup>1</sup> For instance, in 1963, during one particularly devastating massacre, between 10,000 and 14,000 Tutsi were reportedly killed.<sup>2</sup> Linda

1 See, e.g., AFRICAN RIGHTS, RWANDA: DEATH, DESPAIR AND DEFIANCE 11 (rev. ed. 1995); AFTER GENOCIDE, *supra* note 1; ETOF Marcador no definido., at 22-24, 27, 33-35, 86, 113-14, 125, 132-33, 135, 186, 236, 265 n.12, 321-23; MICHAEL BARNETT, EYEWITNESS TO A GENOCIDE: THE UNITED NATIONS AND RWANDA 52-57 (2002); PHIL CLARK, THE GACACA COURTS, POST-GENOCIDE JUSTICE AND RECONCILIATION IN RWANDA: JUSTICE WITHOUT LAWYERS 18-19 (2010) [hereinafter CLARK, THE GACACA COURTS]; ALISON DES FORGES, LEAVE NONE TO TELL THE STORY: GENOCIDE IN RWANDA 38-40 (1999); NIGEL ELTRINGHAM, ACCOUNTING FOR HORROR: POST-GENOCIDE DEBATES IN RWANDA 34-50 (2004); PHILIP GOUREVITCH, WE WISH TO INFORM YOU THAT TOMORROW WE WILL BE KILLED WITH OUR FAMILIES: STORIES FROM RWANDA 58-62, 88, 97, 180 (1998); LINDA MELVERN, A PEOPLE BETRAYED: THE ROLE OF THE WEST IN RWANDA'S GENOCIDE 14-23 (2000); LINDA MELVERN, CONSPIRACY TO MURDER: THE RWANDAN GENOCIDE 6-19 (rev. ed. 2006); KINGSLEY MOGHALU, RWANDA'S GENOCIDE: THE POLITICS OF GLOBAL JUSTICE 12-13 (2005); GÉRARD PRUNIER, THE RWANDA CRISIS: HISTORY OF A GENOCIDE 41-92 (1995); SCOTT STRAUS, THE ORDER OF GENOCIDE: RACE, POWER, AND WAR IN RWANDA 21-31, 175-200 (2006); DINA TEMPLE-RASTON, JUSTICE ON THE GRASS: THREE RWANDAN JOURNALISTS, THEIR TRIAL FOR WAR CRIMES, AND A NATION'S QUEST FOR REDEMPTION 19-21 (2005).

2 AFRICAN RIGHTS, *supra* note 1, at 12-13; Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions, Report by Mr. B.W. Ndiaye, Special Rapporteur, on his Mission to Rwanda from 8 to 17 April 1993, U.N. Comm'n on Human Rights, ¶16, U.N. Doc. E/CN.4/1994/7/Add.1 (Aug. 11, 1993) [hereinafter 1993 UN Special Rapporteur Report]; Special Rapporteur of the Commission on Human Rights, Report on the Situation of Human Rights in Rwanda Submitted by Mr. R. Degni-Ségui, Special Rapporteur of the Commission on Human Rights, Under Paragraph 20 of Commission Resolution E/CN.4/S-3/1 of 25 May 1994, U.N. Comm'n on Human Rights, ¶20, U.N. Doc. E/CN.4/1995/7 (June 28, 1994) [hereinafter 1994 UN Special Rapporteur Report] (adding that “those [massacres] being perpetrated at present are unprecedented in the history of the country and even in that of the entire African continent. They have taken on an extent unequalled in space and in time.”)

Melvern, an investigative journalist, refers to the atrocities in 1959 and 1963 as “genocide.”<sup>3</sup> Paul Kagame, Rwanda’s current president, similarly characterizes events during those two years (as well as in 1966, 1967, 1973, and 1993) as “genocide.”<sup>4</sup> While agreeing that some of these mass murders legally qualify as genocide, Martin Ngoga, Rwanda’s Prosecutor General and former representative to the United Nations (“UN”) International Criminal Tribunal for Rwanda (“ICTR”), reminds us, however, that there never has been a legal or political decision at the international level to that effect.<sup>5</sup> Regardless of the proper terminology for these atrocities, it is clear that Tutsi in Rwanda were being slaughtered *en masse* even before the 1990s.

After visiting Rwanda from April 8 to 17 of 1993, Bacre Waly Ndiaye, then the UN Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions, submitted a report on August 11, 1993, to the UN Commission on Human Rights (UNCHR).<sup>6</sup> Ndiaye noted that he had received intelligence between October 1990 and January 1993 indicating at least 2,000 civilian casualties in Rwanda through extrajudicial, summary, or arbitrary executions.<sup>7</sup> These “rehearsals” (as historian and human rights advocate Alison Des Forges referred to them) for the genocide that would soon erupt occurred intermittently in more than 12 communities, including in Kibilira from October 1990 to January 1993, in north western Rwanda in January and February 1991, and again in December 1992 and January 1993, in Kanzenze in March 1992, and in Kibuye in August 1992.<sup>8</sup> In addition, Ndiaye stated that at least 300 Tutsi and political opponents were reportedly killed in Gisenyi, Ruhengeri, Kibuye, and Byumba between February 8, 1993, and the date of his report.<sup>9</sup> Ndiaye noted that these massacres were perpetrated either by Rwandan security forces or by certain sectors of the population (including youth militias) and often with the support and involvement of officials of the government of Rwanda (“GoR”).<sup>10</sup>

3 Linda Melvern, *The Past is Prologue: Planning the 1994 Rwandan Genocide*, in *AFTER GENOCIDE*, supra note; Error! Marcador no definido., at 21, 24.

4 Regina Jere-Malanda, *Kagame Speaks*, *NEW AFR.*, July-Aug. 2000, at 8, 9 (quoting Kagame).

5 Martin Ngoga, *The Institutionalisation of Impunity: A Judicial Perspective on the Genocide against the Tutsi*, in *AFTER GENOCIDE*, supra note, at 321, 321 n. 1.

6 1993 UN Special Rapporteur Report, supra note 2.

7 *Id.* at 27; see also *DES FORGES*, supra note 1, at 87 (noting that “some 2,000 Tutsi and dozens of Hutu” were slaughtered).

8 *DES FORGES*, supra note 1, at 87.

9 1993 UN Special Rapporteur Report, supra note 2, at 27.

10 *Id.* at 28-29, 32-43.

While averring that it was premature to pass judgment at that time, Ndiaye was nonetheless willing to offer some preliminary reflections on whether the massacres in Rwanda from 1990 to 1993 constituted genocide.<sup>11</sup> Observing that “[t]he cases of inter-communal violence brought to the Special Rapporteur’s attention indicate very clearly that the victims of the attacks, Tutsis in the overwhelming majority of cases, have been targeted solely because of their membership of a certain ethnic group, and for no other objective reason,” Ndiaye concluded that the violations of the right to life could fall within the purview of the Convention on the Prevention and Punishment of the Crime of Genocide<sup>12</sup> (the “Genocide Convention”).<sup>13</sup>

The consequences of the 1959-1993 slaughters were twofold. First, Hutu extremists practiced and refined the planning and perpetration of mass murder. Second, these extremists learned that they could commit atrocities with impunity from both domestic authorities and the international community.

### A Culture of Impunity

Myriad economic, political, social, and cultural factors contributed to the 1994 Genocide against the Tutsi. They include racial superiority theories introduced, and ethnic tension exacerbated, by the German and then Belgian colonial powers; inter-ethnic and other forms of political inequality and violence; ethnic discrimination against and mistrust of Tutsi; Hutu political extremism; internal displacement of civilians; expulsion of Tutsi from the country and refusal to allow them to return; regional rivalries; severe poverty; a rise in both crime and criminal organizations; high population density; a poorly trained and under-resourced judiciary without political independence; lack of protection for human and minority rights; the obligation to carry identity cards referencing ethnicity; a popular culture of obedience towards social and political leaders; a highly-centralized government; mas-

11 *Id.* at 78.

12 Convention on the Prevention and Punishment of the Crime of Genocide, Dec. 9, 1948, 102 Stat. 3045, 78 U.N.T.S. 277. Rwanda acceded to the Genocide Convention on April 16, 1975. *See* Convention on the Prevention and Punishment of the Crime of Genocide, [http://treaties.un.org/Pages/ViewDetails.aspx?src=UNTSO&tabid=2&cmdsg\\_no=IV-1&chapter=4&lang=en#Participants](http://treaties.un.org/Pages/ViewDetails.aspx?src=UNTSO&tabid=2&cmdsg_no=IV-1&chapter=4&lang=en#Participants) (last visited June 28, 2013).

13 1993 UN Special Rapporteur Report, *supra* note 2, at 78-81.

sive importation of arms; distribution of weapons to civilians by government officials; government-controlled media that broadcasted propaganda against Tutsi; and the international community's apathy.<sup>14</sup>

One additional factor contributing to the genocide — a factor which some view as the most significant — was the culture of impunity, born from historically unaddressed atrocities. In addition to declining to hold atrocity perpetrators accountable, the GoR proactively shielded them from punishment. Some scholars trace this lax attitude to periods even before Rwanda's independence in 1962.<sup>15</sup> Starting that year (under the administrations of Grégoire Kayibanda and then Juvénal Habyarimana), the GoR passed a series of what Ngoga calls "legislations of impunity," which provided amnesty to perpetrators of serious violations of human rights. These laws became so entrenched in Rwandan society that they led to what Ngoga calls the "institutionalization of impunity," or the permissive legal environment in which mass violence could be perpetrated without concern for accountability.<sup>16</sup> As Des Forges observed, for example, no one was convicted of any offenses relating to the 1990-1993 massacres.<sup>17</sup> In her evaluation, that these massacres went unpunished "fostered a sense that violence for political ends was 'normal.'"<sup>18</sup> Phil Clark, Lecturer in Comparative and International Politics at the University of London's School of Oriental and African Studies and an expert on Rwanda and *gacaca*,<sup>19</sup> concurs, writing: "One of the root causes of the [1994] genocide in Rwanda was a culture of impunity, as political leaders were rarely held accountable for their crimes, thus encouraging them to continue orchestrating violence and creating the conditions whereby mass crime such as genocide became possible."<sup>20</sup>

14 See, e.g., GOUREVITCH, *supra* note 1, at 180; Paul J. Magnarella, The Background and Causes of the Genocide in Rwanda, 3 J. INT'L CRIM. JUST. 801 (2005); see generally sources cited *supra* note 1.

15 William A. Schabas, Post-Genocide Justice in Rwanda: A Spectrum of Options, in AFTER GENOCIDE, *supra* note 1; Error! Marcador no definido., at 207, 207 [hereinafter Schabas, Post-Genocide Justice in Rwanda].

16 Ngoga, *supra* note 5, at 322-24.

17 DES FORGES, *supra* note 1, at 91; see also AFRICAN RIGHTS, *supra* note 1, at 50-51 (noting that the Rwandan "judicial system was extremely rapid in releasing those accused of killing Tutsis and government opponents" and that, "[t]hroughout 1993 and early 1994, the judiciary was effectively paralyzed by continuing harassment and interference by the [Rwandan] government").

18 DES FORGES, *supra* note 1, at 4.

19 "Gacaca" is Kinyarwanda for "the grass" or "the lawn," referring to the fact that its proceedings occurred outside while participants and observers sat or stood on the ground. See AFTER GENOCIDE, *supra*, at xii; CLARK, THE GACACA COURTS, *supra* note 1, at 3; Schabas, Post-Genocide Justice in Rwanda, *supra* note 15, at 221.

20 See CLARK, THE GACACA COURTS, *supra* note 1, at 35-36.



UN officials have similarly emphasized the role impunity played in igniting the 1994 genocide. In his 1993 report, Ndiaye noted that, “as in the past, the fact that persons responsible for violations of the right to life can be certain of impunity is the *chief reason* for the current renewed phenomenon of summary executions.”<sup>21</sup> René Degni-Ségui, then the Special Rapporteur of the UNCHR, observed in a 1994 report he submitted while the genocide raged, that “impunity . . . is a recurrent cause of the massacres.”<sup>22</sup> Degni-Ségui remarked that political party militias, the armed forces, and local authorities not only did not intervene in atrocities, but actually participated personally in the arbitrary arrest and execution of Tutsi and moderate Hutu. Degni-Ségui further stated:

No legal steps have been taken against those responsible for the earliest and present massacres, although they are known to the public and the authorities. On the contrary, they continue to live quietly and move about freely, quite undisturbed and with complete impunity. Worse still, many local officials who particularly distinguished themselves by their acts of cruelty, have been promoted, whereas those who managed to keep the peace and prevent massacres were quite simply dismissed.<sup>23</sup>

Rwandan and foreign officials who have focused on the investigation and prosecution of *génocidaires* (French for “genocide perpetrators”) similarly emphasize how impunity contributed to the genocide. Ngoga observed that “the failure of previous governments to bring such perpetrators to justice allowed the organizers and perpetrators of the 1994 genocide to commit crimes with no fear of punishment.”<sup>24</sup> Likewise, current ICTR Prosecutor Hassan Bubacar Jallow declared that “one structural precondition that appears to have paved the way towards genocide in Rwanda was immunity from prosecution for those who had perpetrated violence against the Tutsi

21 1993 UN Special Rapporteur Report, *supra* note 2, at 45 (emphasis added).

22 1994 UN Special Rapporteur Report, *supra* note 2, at 60.

23 *Id.* at 61.

24 Ngoga, *supra* note 5, at 321.

minority in the second half of the 20th century.”<sup>25</sup> Numerous other commentators agree.<sup>26</sup>

### Transitional Justice after the 1994 Genocide

After the genocide against the Tutsi in 1994, Rwanda and the international community faced difficult questions about whether – or how, when, and where – *génocidaires* could be brought to justice. There have been four main transitional justice mechanisms for Rwanda: two outside Rwanda—prosecutions through the ICTR and in foreign countries—and two inside Rwanda—namely, prosecutions by ordinary domestic courts and *gacaca* (also known as “*gacaca* courts” or “*gacaca* jurisdictions”).

#### A. ICTR

On November 8, 1994, the UN Security Council (UNSC) adopted Resolution 955, establishing the ICTR through the UN Charter’s Chapter VII authority.<sup>27</sup> This resolution was intended to compel state compliance with, among other things, arresting suspected *génocidaires* and transferring them to the tribunal. On February 22, 1995, the UNSC adopted Resolution 977 locating the seat of the ICTR at Arusha, Tanzania.<sup>28</sup>

When fugitives from ICTR arrest warrants have sought refuge abroad, the ICTR has requested state compliance with arresting and transferring the individuals. For example, in 2000 Elizaphan Ntakirutimana, who was arrested in Texas, became the first person to be handed over by the United States to an international tribunal.<sup>29</sup>

On August 28, 2003, the UNSC called upon the ICTR to establish a “Completion Strategy” for concluding investigations by the end of 2004,

25 Hassan Bubacar Jallow, The Contribution of the United Nations International Criminal Tribunal for Rwanda to the Development of International Criminal Law, in *AFTER GENOCIDE*, supra note 1; Error! Marcador no definido., at 261, 265.

26 See CLARK, *THE GACACA COURTS*, supra note 1, at 19.

27 S.C. Res. 955, U.N. Doc. S/RES/955 (Nov. 8, 1994).

28 S.C. Res. 977, U.N. Doc. S/RES/977 (Feb. 22, 1995).

29 Subsequently, Ntakirutimana, a former Seventh-day Adventist Church leader, became the first clergyman to be convicted of genocide by an international tribunal. See, e.g., Barbara Crossette, Way Clear for U.S. to Deliver Rwanda War Crimes Suspect, *N.Y. TIMES*, Jan. 25, 2000, at A3; Marlise Simons, Rwandan Pastor and his Son are Convicted of Genocide, *N.Y. TIMES*, Feb. 20, 2003, at A3.

all trial activities at first instance by the end of 2008, and all of its work in 2010.<sup>30</sup> On December 22, 2010, the UNSC established the International Residual Mechanism for Criminal Tribunals (“Residual Mechanism”) with two branches, one for the ICTR (to commence functioning on July 1, 2012) and the other for the UN International Criminal Tribunal for the Former Yugoslavia (“ICTY”) (to commence functioning on July 1, 2013).<sup>31</sup> Noting that the envisaged dates for the Completion Strategy had not been met, the UNSC established the Residual Mechanism to continue the jurisdiction, rights and obligations, and essential functions of the two tribunals.<sup>32</sup> The UNSC described the Residual Mechanism as “a small, temporary and efficient structure, whose functions and size will diminish over time, with a small number of staff commensurate with its reduced functions . . . .”<sup>33</sup>

According to the ICTR, by May 10, 2013 (the date of the ICTR’s most recent report to the UNSC on implementing its Completion Strategy), the tribunal had completed trial-level work for all of its 93 accused individuals.<sup>34</sup> The ICTR had delivered judgments at the first instance of 75 defendants and judgments at the appellate level of 46 defendants.<sup>35</sup> The tribunal had referred 10 cases to national jurisdictions (two apprehended individuals to France, two apprehended individuals to Rwanda, and six who remain fugitives to Rwanda), and the Residual Mechanism assumed responsibility for the trial of three additional fugitives.<sup>36</sup> In addition, the ICTR had withdrawn two indictments, and three indictees had died before or during their trials.<sup>37</sup> The ICTR projects that its remaining appellate proceedings will be completed by July 2015.<sup>38</sup>

30 S.C. Res. 1503, 7, U.N. Doc. S/RES/1503 (Aug. 28, 2003).

31 S.C. Res. 1966, 1, U.N. Doc. S/RES/1966 (Dec. 22, 2010).

32 *Id.* at 4.

33 *Id.* at preamble.

34 The President of the Int’l Criminal Tribunal for Rwanda, Letter dated 23 May 2013 from the President of the International Criminal Tribunal for Rwanda Addressed to the President of the Security Council, 3, 36, 79, delivered to the Security Council, U.N. Doc. S/2013/310 (May 23, 2013) [hereinafter May 2013 ICTR Completion Strategy Report].

35 *Id.* at 3, 7, 9, 16, Annex I.

36 *Id.* at 3, 5, 10, 15, 28, 37, 58, Annex II, Annex III; see also The President of the Int’l Residual Mechanism for Criminal Tribunals, Letter dated 23 May 2013 from the President of the International Residual Mechanism for Criminal Tribunals Addressed to the President of the Security Council, Annex I 42, 46-48, Annex II 7, 11-12, delivered to the Security Council, U.N. Doc. S/2013/309 (May 23, 2013).

37 May 2013 ICTR Completion Strategy Report, *supra* note 34, at 3.

38 *Id.* at 3, 17, 26, 80, Annex IV.

## B. Prosecutions by Foreign Countries

Often invoking the controversial exercise of “universal jurisdiction,”<sup>39</sup> some foreign countries have sought to hold accountable, in their domestic courts, suspected *génocidaires* found within their borders. To date, at least Belgium,<sup>40</sup> Canada,<sup>41</sup> Denmark,<sup>42</sup> Finland,<sup>43</sup> France,<sup>44</sup> Germany,<sup>45</sup> The Netherlands,<sup>46</sup> Norway,<sup>47</sup> Sweden,<sup>48</sup> and Switzerland<sup>49</sup> have held or are considering holding such trials.<sup>50</sup>

- 39 The principle of universal jurisdiction holds that some crimes are so heinous that they fall within the jurisdiction of any state or institution and, as such, their suspected perpetrators can be prosecuted at any time anywhere in the world. See, e.g., MITSUE INAZUMI, *UNIVERSAL JURISDICTION IN MODERN INTERNATIONAL LAW: EXPANSION OF NATIONAL JURISDICTION FOR PROSECUTING SERIOUS CRIMES UNDER INTERNATIONAL LAW* (2005); LUC REYDAMS, *UNIVERSAL JURISDICTION: INTERNATIONAL AND MUNICIPAL LEGAL PERSPECTIVES* (2003); *UNIVERSAL JURISDICTION: NATIONAL COURTS AND THE PROSECUTION OF SERIOUS CRIMES UNDER INTERNATIONAL LAW* (Stephen Macedo ed., 2004); Antonio Cassese, *Is the Bell Tolling for Universality? A Plea for a Sensible Notion of Universal Jurisdiction*, 1 J. INT'L CRIM. JUST. 589 (2003); George P. Fletcher, *Against Universal Jurisdiction*, 1 J. INT'L CRIM. JUST. 580 (2003); Christopher C. Joyner, *Arresting Impunity: The Case for Universal Jurisdiction in Bringing War Criminals to Accountability*, 59 LAW & CONTEMP. PROBS. 153 (1996); Henry A. Kissinger, *The Pitfalls of Universal Jurisdiction*, FOREIGN AFF., July-Aug. 2001, at 86; Kenneth Roth, *The Case for Universal Jurisdiction*, FOREIGN AFF., Sept.-Oct. 2001, at 150; Zachary D. Kaufman, Naomi Roht-Arriaza's *The Pinochet Effect: Transnational Justice in the Age of Human Rights*, 32 YALE J. INT'L L. 297 (2006) (book review) [hereinafter Kaufman, Roht-Arriaza book review].
- 40 Belgian Court Convicts Rwandan Banker in Genocide Trial, RADIO NETHERLANDS WORLDWIDE, Dec. 1, 2009, <http://www.rnw.nl/international-justice/article/belgian-court-convicts-rwandan-banker-genocide-trial> (noting that a Belgian court sentenced Ephrem Nkezabera, a banker, to 30 years imprisonment, and that Belgium has already sentenced two nuns, a university teacher, and a businessman in a trial in 2001, two traders in a trial in 2005, and a former major in 2007); see also Luc Reydam, *Belgium's First Application of Universal Jurisdiction: the Butare Four Case*, 1 J. INT'L CRIM. JUST. 428 (2003); Damien Vandermeersch, *Prosecuting International Crimes in Belgium*, 3 J. INT'L CRIM. JUST. 400 (2005.)
- 41 Michael Aubry, *Genocide Trial Begins for Rwandan Man*, TORONTO SUN, May 28, 2012, <http://www.torontosun.com/2012/05/28/genocide-trial-begins-for-rwandan-man> (noting that a Canadian court was prosecuting Jacques Mungwarere); *Rwandan Gets Life Sentence for War Crimes*, NBC NEWS, Oct. 29, 2009, [http://www.nbcnews.com/id/33536894/ns/world\\_news-africa/t/rwandan-gets-life-sentence-war-crimes/#.UZKWKJUzuF0](http://www.nbcnews.com/id/33536894/ns/world_news-africa/t/rwandan-gets-life-sentence-war-crimes/#.UZKWKJUzuF0) (noting that a Canadian court sentenced Desire Munyaneza to life imprisonment.)
- 42 Steve Terrill, *Rwanda Genocide Suspect Loses Danish Extradition Appeal*, YAHOO! NEWS, Mar. 22, 2013, <http://za.news.yahoo.com/rwanda-genocide-suspect-loses-danish-extradition-appeal-121524660.html> (noting that a Danish court has indicted an anonymous Rwandan man for murder during the genocide.)
- 43 Finland Sentences Rwanda Preacher to Life for Genocide, BBC NEWS, June 11, 2010, <http://www.bbc.co.uk/news/10294529> (noting that a Finnish court sentenced Francois Bazaramba to life imprisonment.)
- 44 *France Orders First Rwandan Genocide Trial*, AGENCE FRANCE-PRESS, Apr. 3, 2013, <http://www.france24.com/en/20130402-france-rwanda-genocide-trial-pascal-simbikangwa> (noting that that a French court was planning to try Pascal Simbikangwa, a former Rwandan army captain.)
- 45 German Court Opens Rwandan Genocide Trial, DEUTSCHE WELLE, Jan. 18, 2011, <http://www.dw.de/german-court-opens-rwandan-genocide-trial/a-14772468> (noting that a German court was prosecuting Onesphore R., a former Rwandan mayor.)
- 46 Rwandan-Born Dutch Woman Jailed for Inciting Genocide, GUARDIAN (United Kingdom), Mar. 1, 2013, <http://www.guardian.co.uk/world/2013/mar/01/rwandan-born-dutch-woman-inciting-genocide> (noting that a Dutch court sentenced Yvonne Basebya to six years and eight months imprisonment.)
- 47 Norway Jails Rwandan for 21 Years Over Role in 1994 Genocide, GUARDIAN (United Kingdom), Feb. 14, 2013, <http://www.guardian.co.uk/world/2013/feb/14/norway-jails-rwandan-genocide> (noting that a Norwegian court sentenced Sadi Bugingo, a former Rwandan businessman, to 21 years imprisonment.)
- 48 Jens Hanségard, *Sweden Gets Life in Prison for Rwanda Genocide*, WALL ST. J. ONLINE, June 20, 2013, <http://online.wsj.com/article/SB10001424127887323893504578557201745073448.html> (noting that a Swedish court sentenced Stanislas Mbanenande, a former civil engineer and university lecturer in Rwanda as well as the first person in Sweden to be convicted of genocide, to life imprisonment); Stanislas Mbanenande, *Trial*, <http://www.trial-ch.org/en/resources/trial-watch/trial-watch/profiles/profile/3623/action/show/controller/Profile/tab/legal-procedure.html> (last visited June 28, 2013.)
- 49 Swiss Jail for Rwandan Genocide Mayor, BBC NEWS, May 26, 2000, <http://news.bbc.co.uk/2/hi/africa/765169.stm> (noting that a Swiss military tribunal sentenced Fulgence Niyonteze, a former mayor of Mushubati, to 14 years imprisonment); see also Jallow, *supra* note 25, at 277 n. 47.
- 50 For additional discussion of such prosecutions by foreign countries, see, e.g., JÜRGEN SCHURR, *EXTRADITING GENOCIDE*

Some of these trials have occurred after the ICTR transferred the case to the third-party state.<sup>51</sup> Others have occurred after the third-party state, citing a concern that the suspect may not receive a fair trial in his or her former home country, declined the GoR's request for extradition.<sup>52</sup> In some cases in which a third-party country arrested a suspect on its territory pursuant to the GoR's extradition request, that third-party country, citing the same concern, has ordered the suspect's release.<sup>53</sup> In still other cases, both Rwanda and a third-party state have sought to try suspected *génocidaires*, but the ICTR asserted its statutorily mandated primary jurisdiction and did so instead.<sup>54</sup>

As an alternative to prosecutions for alleged conduct during the genocide, some countries in which suspected *génocidaires* seek refuge have tried those individuals for lying on their immigration applications about their whereabouts and activities during the genocide. For example, in 2013, a U.S. federal court convicted Beatrice Munyenyezi of making false statements in her asylum application and stripped her of American citizenship. The United States may eventually deport Munyenyezi to Rwanda to face trial for suspected crimes during the genocide.<sup>55</sup>

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SUSPECTS FROM EUROPE TO RWANDA (2008), available at [http://www.redress.org/downloads/publications/Extradition\\_Report\\_Final\\_Version\\_Sept\\_08.pdf](http://www.redress.org/downloads/publications/Extradition_Report_Final_Version_Sept_08.pdf); Karen Corrie, Beyond Arusha: The Global Effort to Prosecute Rwanda's Genocide, Open Society Justice Initiative, Apr. 17, 2013, <http://www.opensocietyfoundations.org/voices/beyond-arusha-global-effort-prosecute-rwandas-genocide>; Mark A. Drumbl, *Law and Atrocity: Settling Accounts in Rwanda*, 31 OHIO N.U. L. REV. 41, 48 (2005); William A. Schabas, *National Courts Finally Begin to Prosecute Genocide, the 'Crime of Crimes'*, 1 J. INT'L CRIM. JUST. 39, 47-53 (2003) [hereinafter Schabas, *National Courts*]; William A. Schabas, *Justice, Democracy, and Impunity in Post-Genocide Rwanda: Searching for Solutions to Impossible Problems*, 7 CRIM. L.F. 523, 554-58 (1996); Chandra Lekha Sriram, *Exercising Universal Jurisdiction: Contemporary Disparate Practice*, 6 INT'L J. HUM. RTS. 49, 62-63 (2002.)

51 On November 20, 2007, the ICTR transferred the cases of both Laurent Bucyibaruta and Wenceslas Munyeshyaka to France. See May 2013 ICTR Completion Strategy Report, supra note 34, at 11, 37, 60, Annex II; Laurent Bucyibaruta, Trial, <http://www.trial-ch.org/en/resources/trial-watch/trial-watch/profiles/profile/653/action/show/controller/Profile/tab/legal-procedure.html> (last visited June 28, 2013); Wenceslas Munyeshyaka, Trial, <http://www.trial-ch.org/en/resources/trial-watch/trial-watch/profiles/profile/112/action/show/controller/Profile/tab/legal-procedure.html> (last visited June 28, 2013).

52 See, e.g., Finland Sentences Rwanda Preacher to Life for Genocide, supra note 43 ("Last year Finland declined a request by Rwanda to extradite Bazaramba, saying he might not receive a fair trial at home."); Claude Muhayimana, Trial, <http://www.trial-ch.org/en/resources/trial-watch/trial-watch/profiles/profile/3677/action/show/controller/Profile/tab/legal-procedure.html> (last visited June 28, 2013) ("To this date, the French judicial authorities have rejected several extradition requests from Rwanda, concluding that the rights of the defendant could not be guaranteed in that country.")

53 See, e.g., Vincent Bajinya, Trial, <http://www.trial-ch.org/en/resources/trial-watch/trial-watch/profiles/profile/611/action/show/controller/Profile/tab/legal-procedure.html> (last visited June 28, 2013) (noting that a U.K. high court ordered the release of Vincent Bajinya, Célestin Ugirashebuja, Emmanuel Nteziryayo, and Charles Munyaneza after ruling that there was "a real risk the four persons would suffer a flagrant denial of justice by reason of their likely inability to adduce the evidence of supporting witnesses" if returned to Rwanda to face trial.)

54 See, e.g., Nvanethem Pillay, The Rwanda Tribunal and its Relationship to National Trials in Rwanda, 13 AM. U. INT'L L. REV. 1473, 1474 (1998) (describing how, after the arrest of Colonel Théoneste Bagasora in Cameroon, both Rwanda and Belgium sought his extradition but the ICTR prevailed in having him transferred to its detention facilities.)

55 Chris McGreal, *Rwandan Woman Stripped of US Citizenship After Lying about Genocide*, GUARDIAN (United Kingdom), Feb. 22, 2013, <http://www.guardian.co.uk/world/2013/feb/22/rwandan-woman-stripped-citizenship-genocide>.

### C. Prosecutions by Rwanda's Ordinary Courts

Even at the time of its establishment, the UNSC acknowledged that the ICTR alone would not have the capacity to prosecute the huge quantity of *génocidaires* and that the GoR would need to address the majority of such cases. Accordingly, in the preamble to the ICTR's statute, the UNSC stressed "the need for international cooperation to strengthen the Courts and Judicial System of Rwanda, having regard in particular to the necessity for those Courts to deal with large numbers of suspects . . ." <sup>56</sup>

Despite acceding to the Genocide Convention in 1975,<sup>57</sup> it was not until after the 1994 genocide that Rwanda codified genocide and crimes against humanity into its domestic law. On September 1, 1996, the GoR enacted legislation ("the 1996 Organic Law") to facilitate the prosecution of individuals suspected of committing atrocities between October 1, 1990, and December 31, 1994.<sup>58</sup> This law divided suspected perpetrators into four categories of severity,<sup>59</sup> instituted a confession and plea bargaining system,<sup>60</sup> and established "Specialized Chambers" within Rwanda's civilian and military courts that exercised exclusive jurisdiction over the newly codified offences.<sup>61</sup>

A few months later (on December 27, 1996<sup>62</sup>) and two weeks before the ICTR commenced its first trial (on January 9, 1997<sup>63</sup>), Rwanda's ordinary courts initiated their genocide prosecutions.<sup>64</sup> By that time,

56 S.C. Res. 955, *supra* note 27, at preamble.

57 See generally sources cited *supra* note 12.

58 Organic Law No. 08/1996 of 31 August 1996 on the Organization of Prosecutions for Offenses Constituting the Crime of Genocide or Crimes Against Humanity Committed since 1 October 1990 (Sept. 1, 1990), *in* OFFICIAL GAZETTE OF THE REPUBLIC OF RWANDA, *available at* <http://www.refworld.org/country,LEGAL,RTA,3ae6b4f64.0.html> [hereinafter Organic Law No. 08/1996].

59 *Id.*, at art. 2 (Category One: planners, organizers, instigators, supervisors, and leaders of the atrocities; authorities; particularly zealous or malicious murderers; and perpetrators of sexual torture; Category Two: perpetrators, conspirators, or accomplices of intentional homicide or serious assault causing death; Category Three: perpetrators of other serious assaults; and Category Four: perpetrators of property crimes).

60 *Id.*, at arts. 4-13.

61 *Id.*, at arts. 19-23.

62 NATIONAL SERVICE OF GACACA COURTS, GACACA COURTS IN RWANDA 21 (2012) (on file with author) [hereinafter 2012 NSGC REPORT] (noting that the first suspect to be tried for the crime of genocide and other crimes against humanity was Egide Gatanazi, whose trial started on December 27, 1996, and on January 3, 1997, was convicted and sentenced to capital punishment).

63 Prosecutor v. Akayesu, Case No. ICTR-96-4-T, Judgment, 17 (Sept. 2, 1998) (noting that the trial of Jean-Paul Akayesu opened on January 9, 1997).

64 Schabas, National Courts, *supra* note 50, at 46; Schabas, Post-Genocide Justice in Rwanda, *supra* note 15, at 215.

the GoR had arrested over 87,000 suspected *génocidaires*.<sup>65</sup> According to Michel Moussalli, then the Special Representative to the UNCHR, by November 30, 1999, the Rwandan courts had tried 2,406 out of 121,500 individuals in detention, resulting in 14% sentenced to capital punishment, 30% to life imprisonment, 34% to between 1 and 20 years imprisonment, and 19% acquittals.<sup>66</sup> By the end of 2002, the Rwandan courts had tried between 7,181 (according to LIPRODHOR and Jacques Fierens, an academic<sup>67</sup>) and 8,363 suspects (according to the National Service of Gacaca Courts (“NSGC”), a GoR division that managed the *gacaca* system<sup>68</sup>). LIPRODHOR calculates that 9.5% of the suspects in this time frame were sentenced to capital punishment, 27.1% to life imprisonment, 40.5% to prison terms, and that 19.1% were acquitted.<sup>69</sup>

In 1998 the GoR publicly executed 22 individuals convicted by the Rwanda courts of genocide-related crimes.<sup>70</sup> Even though death sentences would be imposed in Rwanda until 2003, these 1998 executions were the last actually carried out.<sup>71</sup> The GoR eventually abolished the death penalty on July 25, 2007.<sup>72</sup> In 2011, President Kagame stated that the GoR “never regretted that decision” because “the government could not become a mass executioner in order to correct mass murder.”<sup>73</sup> Besides avoiding what he estimated to be a

65 See, e.g., First Trial in Rwanda of Suspects in '94 Killings, N.Y. TIMES, Dec. 28, 1996, at 5.

66 Special Representative to the UN Commission on Human Rights, *Report on the Situation of Human Rights in Rwanda* Submitted by the Special Representative, Mr. Michel Moussalli, Pursuant to Commission Resolution 1999/20, U.N. Comm'n on Human Rights, ¶136, U.N. Doc. E/CN.4/2000/41 (Feb. 25, 2000); see also 400 Sentenced to Death in Rwanda Genocide Trials, CNN.COM, July 19, 2000, <http://archives.cnn.com/2000/WORLD/africa/07/19/rwanda.genocide.reut/> (citing report from the League for the Promotion and Defense of Human Rights in Rwanda (LIPRODHOR)).

67 AMNESTY INT'L, *GACACA: A QUESTION OF JUSTICE* 17 (2002), available at <http://www.amnesty.org/en/library/info/AFR47/007/2002> (noting that 379 accused were tried in 1997, 895 in 1998, 1,306 in 1999, 2,458 in 2000, 1,416 in 2001, and 727 in 2002, and citing LIPRODHOR as the source of the data); Jacques Fierens, *Gacaca Courts: Between Fantasy and Reality*, 3 J. INT'L CRIM. JUST. 896, 899 (2005) (noting, without citation, that “346 accused were tried in 1997, 928 in 1998, 1,318 in 1999, 2,458 in 2000, 1,416 in 2001[,] and 727 in 2000.”)

68 2012 NSGC REPORT, supra note 62, at 21. When cases (instead of suspects) are the observational unit, see NATIONAL SERVICE OF GACACA COURTS, SUMMARY OF THE REPORT PRESENTED AT THE CLOSING OF GACACA COURTS ACTIVITIES 26 (2002) (on file with author) [hereinafter 2012 NSGC REPORT SUMMARY] (“These speciali[z]ed courts began the trial of genocide cases in December 1996. Five years later, an assessment of progress showed that only 6,000 cases had been tried and closed.”)

69 AMNESTY INT'L, supra note 67, at 17.

70 James C. McKinley, As Crowds Vent Their Rage, Rwanda Publicly Executes 22, N.Y. TIMES, Apr. 25, 1998, at A1.

71 Amnesty Int'l, Rwanda Abolishes the Death Penalty, Aug. 2, 2007, <http://www.amnesty.org/en/news-and-updates/good-news/rwanda-abolishes-death-penalty-20070802>.

72 Organic Law No. 31/2007 of 25/07/2007 Relating to the Abolition of the Death Penalty (July 25, 2007), in OFFICIAL GAZETTE OF THE REPUBLIC OF RWANDA, available at <http://www.refworld.org/docid/46bada1c2.html>.

73 *Rwanda has Never Regretted Decision to Abolish Death Penalty – President Kagame*, Government of Rwanda, Oct. 13, 2011, <http://www.gov.rw/Rwanda-has-never-regretted-decision-to-abolish-death-penalty-President-Kagame?lang=rv> (quoting Kagame).



possible million executions,<sup>74</sup> the GoR's abolition of capital punishment paved the way for the ICTR, which was otherwise barred by its own Rules of Procedure and Evidence from doing so,<sup>75</sup> to transfer cases to Rwanda.<sup>76</sup>

Like the ICTR, where fugitives from the Rwandan justice system have sought refuge abroad, the GoR has requested state compliance with arresting and extraditing suspected *génocidaires*. For example, in 2012 Canada deported Léon Mugesera to Rwanda's ordinary courts to face trial for genocide incitement.<sup>77</sup> More recently, in May 2013, the United Kingdom arrested five Rwandans suspected of involvement in the 1994 genocide: Vincent Bajinya, Charles Munyaneza, Emmanuel Nteziryayo, Celestin Ugirashebuja, and Celestin Mutabaruka.<sup>78</sup> The UK, which had previously arrested four of the men in 2006, but released them in 2009 over concerns about the fairness of Rwanda's judicial system, is scheduled to hold a hearing in October 2013 to consider extraditing the suspects to Rwanda for trial.<sup>79</sup>

#### D. *Gacaca*

Even after the GoR began prosecuting genocide offenders in late-1996 in its ordinary courts, the GoR was unsatisfied with the pace of these trials.<sup>80</sup> Reviving and revising *gacaca* was thus a controversial innovation born out of necessity: the GoR needed to address its backlog of genocide cases.

The NSGC explains that post-genocide *gacaca* courts “originate from the traditional system of conflict resolution [in Rwanda] called GACACA,” which was used by communities to promote, among other

74 *Id.*

75 See ICTR R. P. & Evid. 11bis(c) (as amended), available at <http://www.unictr.org/Portals/0/English/Legal/ROP/100209.pdf> (“In determining whether to refer the case . . . the Trial Chamber shall satisfy itself that the accused will receive a fair trial in the courts of the State concerned and that the death penalty will not be imposed or carried out.”)

76 William A. Schabas, *Anti-Complementarity: Referral to National Jurisdictions by the UN International Criminal Tribunal for Rwanda*, 13 MAX PLANCK Y.B. U.N. L. 29, 37-38 (2009).

77 *Rwanda has Never Regretted Decision to Abolish Death Penalty – President Kagame*, Government of Rwanda, Oct. 13, 2011, <http://www.gov.rw/Rwanda-has-never-regretted-decision-to-abolish-death-penalty-President-Kagame?lang=rw> (quoting Kagame.)

78 Antonia Mortensen, UK Arrests Five Rwandans over 1994 Genocide, May 31, 2013, <http://www.cnn.com/2013/05/30/world/europe/uk-rwanda-genocide-arrests>.

79 Cahal Milimo & Patience Akumu, *Men Facing Extradition over Rwandan Genocide Face “Most Serious Charges,”* INDEPENDENT (United Kingdom), June 5, 2013, <http://www.independent.co.uk/news/uk/crime/men-facing-extradition-over-rwanda-genocide-face-most-serious-charges-8646337.html>.

80 2012 NSGC REPORT, *supra* note 62, at 20 (“The trials started by December 1996, as time went on the judicial system was restored, the trials were well organi[z]ed and the stakeholders were able to play their role efficiently. Nevertheless, the speed of the trials was not satisfying.”)



things, reconciliation among the families of antagonistic parties.<sup>81</sup> The NSGC further describes that, after the atrocities committed in 1994, “the Rwandan community . . . found it wise to use this system for dealing with genocide cases, as well as rebuilding the social fabric which had been completely destroyed, a task that was practically impossible to carry out using the classical system of justice.”<sup>82</sup> Clark, however, challenges what he calls “a romanticized mythology about *gacaca* . . . . The institution is referred to as a ‘traditional’ or ‘village’ practice, implying that *gacaca*, as a ritual and a set of ideas, is deeply entrenched in Rwandan society, particularly in rural communities, and automatically comprehensible to, and considered legitimate by, the population.”<sup>83</sup> “Rather than seeing *gacaca* as a static, traditional system,” Clark contends, “we should view it as designed specifically to meet the needs of the post-genocide environment and as a dynamic practice that, in the modern context, comes in various forms, both state-run and outside of any official political or judicial structures.”<sup>84</sup>

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81 *Id.* at 11 (all caps in original) (“The [*gacaca*] system dealt mainly with civil and social conflicts between members of the community. It referred to a physical green space where people used to meet. It was especially used by elders in the community, individuals well-known for their integrity and wisdom, to discuss and resolve problems and conflicts within the community. Among the measures taken against an offender, traditional *Gacaca* called upon the family of the latter to reconcile with the offended family.”).

82 *Id.* at 11.

83 CLARK, *THE GACACA COURTS*, *supra* note 1, at 49.

84 *Id.* at 50.

On January 26, 2001, the GoR enacted legislation (“the 2001 Organic Law”) establishing “Gacaca Jurisdictions.”<sup>85</sup> (The 2001 Organic Law would be modified five times—on June 22, 2001;<sup>86</sup> June 19, 2004;<sup>87</sup> June 26, 2006;<sup>88</sup> January 3, 2007;<sup>89</sup> and May 19, 2008.<sup>90</sup>)

Shortly after passing the 2001 Organic Law, the GoR began provisionally releasing thousands of detainees, many of whom would then be housed in *ingando* (Kinyarwanda for “to reflect,” referring to solidarity camps or civic education centers<sup>91</sup>) for several weeks before eventually coming before *gacaca*. For example, in 2003, the GoR released approximately 24,000 inmates; in 2004, the GoR released 4,000; and in 2005, the GoR released 36,000.<sup>92</sup>

The 2001 Organic Law established four categories of crime: category 1 (planners, organizers, inciters, supervisors, leaders, especially zealous or wicked murderers, rapists, and torturers of sex organs); category 2 (attempted, actual, or accomplices to killers who intended to cause death); category 3 (perpetrators of, or accomplices to, serious attacks but who

85 Organic Law No. 40/2000 of 26/01/2001 Setting Up “Gacaca Jurisdictions” and Organizing Prosecutions for Offences Constituting the Crime of Genocide or Crimes Against Humanity Committed Between October 1, 1990 and December 31, 1994 (January 26, 2001), in OFFICIAL GAZETTE OF THE REPUBLIC OF RWANDA, available at <http://www.refworld.org/country,RWA,452e37514,0.html> [hereinafter Organic Law No. 40/2000.]

86 Organic Law No. 33/2001 of 22/6/2001 Modifying and Completing Organic Law No 40/2000 of January 26, 2001 Setting Up “Gacaca Jurisdictions” and Organising Prosecutions for Offences Constituting the Crime of Genocide or Crimes Against Humanity, Committed Between October 1, 1990 and December 31, 1994 (June 22, 2001), in OFFICIAL GAZETTE OF THE REPUBLIC OF RWANDA, available at <http://www.refworld.org/country,,,RWA,,452e37e84,0.html> [hereinafter Organic Law No. 33/2001.]

87 Organic Law No. 16/2004 of 19/6/2004 Establishing the Organization, Competence and Functioning of Gacaca Courts Charged with Prosecuting and Trying the Perpetrators of the Crime of Genocide and Other Crimes Against Humanity, Committed Between October 1, 1990 and December 31, 1994 (June 19, 2004), in OFFICIAL GAZETTE OF THE REPUBLIC OF RWANDA, available at <http://www.refworld.org/country,,,RWA,,452e38a94,0.html> [hereinafter Organic Law No. 16/2004].

88 Organic Law No. 28/2006 of 27/06/2006 Modifying and Complementing Organic Law No 16/2004 of 19/06/2004 Establishing the Organization, Competence and Functioning of Gacaca Courts Charged with Prosecuting and Trying the Perpetrators of the Crime of Genocide and Other Crimes Against Humanity, Committed Between October 1, 1990 and December 31, 1994 (June 27, 2006), in OFFICIAL GAZETTE OF THE REPUBLIC OF RWANDA, available at <http://www.refworld.org/country,,,RWA,,452e391c4,0.html> [hereinafter Organic Law No. 28/2006.]

89 Organic Law No. 10/2007 of 01/03/2007 Modifying and Complementing Organic Law No 16/2004 of 19/6/2004 Establishing the Organization, Competence and Functioning of Gacaca Courts Charged with Prosecuting and Trying the Perpetrators of the Crime of Genocide and Other Crimes Against Humanity, Committed Between October 1, 1990 and December 31, 1994 as Modified and Complemented to Date (March 1, 2007), in OFFICIAL GAZETTE OF THE REPUBLIC OF RWANDA, available at [http://www.geneva-academy.ch/RULAC/pdf\\_state/2007-Gacaca-Crts-Organic-Law-10-2007-3-languages-.pdf](http://www.geneva-academy.ch/RULAC/pdf_state/2007-Gacaca-Crts-Organic-Law-10-2007-3-languages-.pdf) [hereinafter Organic Law No. 10/2007.]

90 Organic Law No. 13/2008 of 19/05/2008 Modifying and Complementing Organic Law No 16/2004 of 19/6/2004 Establishing the Organization, Competence and Functioning of Gacaca Courts Charged with Prosecuting and Trying the Perpetrators of the Crime of Genocide and Other Crimes Against Humanity, Committed Between October 1, 1990 and December 31, 1994 as Modified and Complemented to Date (May 19, 2008), in OFFICIAL GAZETTE OF THE REPUBLIC OF RWANDA, available at [http://www.geneva-academy.ch/RULAC/pdf\\_state/2008-Gacaca-Courts-Organic-Law-13-2008.pdf](http://www.geneva-academy.ch/RULAC/pdf_state/2008-Gacaca-Courts-Organic-Law-13-2008.pdf) [hereinafter Organic Law No. 13/2008.]

91 See AFTER GENOCIDE, supra note, at xii.

92 IRIN, RWANDA: Release of Thousands of Prisoners Begins, Aug. 1, 2005, <http://www.irinnews.org/Report/55647/RWANDA-Release-of-thousands-of-prisoners-begins>.

did not intend to cause death); and category 4 (property criminals)<sup>93</sup> This mirrored the categories established in the 1996 Organic Law.<sup>94</sup> This 2001 legislation directed Rwanda's ordinary courts to address category 1 suspects and *gacaca* to address suspects in categories 2, 3, and 4.<sup>95</sup>

The 2004 amendment to the 2001 Organic Law consolidated the four categories into three by combining categories 2 and 3 to create a new category 2, and renaming category 4 as category 3.<sup>96</sup> This 2004 amendment directed Rwanda's ordinary courts to address category 1 suspects and *gacaca* to address suspects in categories 2 and 3.<sup>97</sup>

The 2008 amendment to the 2001 Organic Law provided that *gacaca* would continue to address suspects in categories 2 and 3 but that *gacaca* would also now address some suspects in category 1: actual or accomplice inciters, supervisors, and ringleaders; leaders and their accomplices at the sub-prefecture and commune levels; and actual or accomplice rapists or sexual torturers.<sup>98</sup> The 2008 amendment directed Rwanda's ordinary and military courts to address the remaining suspects in category 1: actual or accomplice planners or organizers as well as leaders and their accomplices at the national and prefecture levels.<sup>99</sup>

*Gacaca* courts were presided over by judges called "*inyangamugayo*" (Kinyarwanda for "honorable elders or people of integrity").<sup>100</sup> The judges were chosen via elections held from October 4 to 7 of 2001.<sup>101</sup> Approximately 260,000 judges were elected.<sup>102</sup> One commentator, Peter Harrell, refers to the proportion of these elected judges relative to the country's adult population, which was about six percent at the time, as "perhaps the largest experiment in popular justice in modern history."<sup>103</sup> Clark similarly describes the significant number of elected judges in *gacaca* as "unique

93 Organic Law No. 40/2000, *supra* note 85, at art. 51.

94 *See supra* note 59.

95 *See* Organic Law No. 40/2000, *supra* note 85, at arts. 2, 39-42, 62.

96 *See* Organic Law No. 16/2004, *supra* note 87, at art. 51.

97 *See id.* At art. 2.

98 *See* Organic Law No. 13/2008, *supra* note 90, at arts. 1, 9.

99 *See id.*

100 *See* AFTER GENOCIDE, at xii.

101 2012 NSGC REPORT, *supra* note 62, at 43.

102 IRIN, Rwanda: Gacaca Genocide Trials to Begin in May 2002, Dec. 12, 2001, <http://www.irinnews.org/report/29083/rwanda-gacaca-genocide-trials-to-begin-in-may-2002>.

103 PETER E. HARRELL, RWANDA'S GAMBLE: GACACA AND A NEW MODEL OF TRANSITIONAL JUSTICE 71 (2003).

among post-conflict judicial structures around the world in its mass involvement of the population in the delivery of justice.”<sup>104</sup>

Over a total of six days between April and May of 2002, trainers—including judges of district courts, university graduates, human rights advocates, GoR officials, and law school students—provided instruction to each *inyangamugayo* on legal principles (particularly related to *gacaca*); organizational, equipment, and financial management; conflict resolution; judicial ethics; trauma; and human resources.<sup>105</sup> Professional attorneys and judges were barred from participating in any official capacity in *gacaca*, including as *inyangamugayo* and defense counsel.<sup>106</sup>

The *gacaca* process officially operated for exactly 10 years, from June 18, 2002, to June 18, 2012.<sup>107</sup> As Clark documents, unofficial versions of *gacaca*—“prison *gacaca*” and “*gacaca nkiristu*” (Kinyarwanda for “Christian *gacaca*”)—also emerged around Rwanda parallel to the GoR’s official system of *gacaca*.<sup>108</sup>

In its report presented at the closing of the GoR’s official system of *gacaca*, the NSGC stated that these *gacaca* courts had tried 1,958,634 cases, convicting 1,681,648 (86%) and acquitting 277,066 (14%).<sup>109</sup> The NSGC also reported that *gacaca* courts heard appeals from 178,741 (9%) of the cases that were tried, affirming 132,902 (74%) and reversing 45,839 (26%).<sup>110</sup> When suspects (instead of cases) are the observational unit, the NSGC reported that the *gacaca* courts tried 1,003,227 people, 96,653 (10%) of whom were women, and 906,574 (90%) of whom were men.<sup>111</sup> Clark attributes the discrepancy in the numbers of cases and suspects to the fact that “many suspects are accused of committing multiple crimes and many crimes were committed by groups.”<sup>112</sup>

104 CLARK, THE GACACA COURTS, *supra* note 1, at 75.

105 AFRICAN RIGHTS, GACACA JUSTICE: A SHARED RESPONSIBILITY 4-5 (2003); AMNESTY INT’L, RWANDA: GACACA: A QUESTION OF JUSTICE 26 (2002), *available at* <http://www.amnesty.org/en/library/info/AFR47/007/2002>.

106 CLARK, THE GACACA COURTS, HUMAN RIGHTS WATCH, JUSTICE COMPROMISED: THE LEGACY OF RWANDA’S COMMUNITY-BASED GACACA COURT 28-31, 139-40 (2011).

107 2012 NSGC REPORT, 253-54.

108 CLARK, THE GACACA COURTS, *supra* note 1, at 66-67; *see also* AFTER GENOCIDE, , at xii.

109 2012 NSGC REPORT SUMMARY, *supra* note 68, at 34.

110 *Id.* at 35.

111 *Id.* at 36-37.

112 CLARK, THE GACACA COURTS, *supra* note 1, at 51 n. 8.

Clark underscores the scale of the *gacaca* enterprise with his observation that “nearly every Rwandan adult has participated in *gacaca* in some way, either as a witness, defendant, or by attending weekly hearings.”<sup>113</sup> He characterizes *gacaca* as “the most comprehensive post-conflict justice program attempted anywhere in the world.”<sup>114</sup>

### Toward a Culture of Accountability

Jon Elster, the Robert K. Merton Professor of the Social Sciences at Columbia University, describes transitional justice as both “backward-looking” and “forward-looking.”<sup>115</sup> Combating impunity certainly is a transitional justice objective with retrospective and prospective components. In the case of Rwanda, multiple transitional justice mechanisms, often operating simultaneously, have sought to hold previous atrocity perpetrators accountable by prosecuting and punishing suspected *génocidaires*. At the same time, these mechanisms were created to bring to justice future atrocity perpetrators through the development of political, social, legal, and institutional precedents and processes. Both initiatives have helped transform Rwanda’s culture of impunity into one of accountability.

In addition, these efforts have also aided the promotion of a culture of accountability more generally throughout the world. For example, the ICTR was the first institution to receive a guilty plea for genocide,<sup>116</sup> to impose the first genocide conviction,<sup>117</sup> to indict and subsequently convict the first head of government for genocide,<sup>118</sup> to clarify the definition of rape and sexual violence in international law and hold that they could

113 Phil Clark, *The Legacy of Rwanda’s Gacaca Courts*, THINK AFRICA PRESS, Mar. 23, 2012, <http://thinkafricapress.com/rwanda/legacy-gacaca-courts-genocide> [hereinafter Clark, *The Legacy of Rwanda’s Gacaca Courts*]; see also CLARK, *THE GACACA COURTS*, supra note 1, at 3 (“In the face of extreme individual and social devastation, *gacaca* represents an ambitious attempt to involve the entire population in the process of justice, reconciliation and post-genocide reconstruction. Among transitional justice institutions around the world, *gacaca* is unique in its mass involvement of the population that experienced mass conflict first-hand. Today, a huge percentage of Rwandan adults have participated in *gacaca* in some way, including hundreds of thousands who have been judges or testified during hearings.”).

114 Clark, *The Legacy of Rwanda’s Gacaca Courts*, supra note 113.

115 JON ELSTER, *CLOSING THE BOOKS: TRANSITIONAL JUSTICE IN HISTORICAL PERSPECTIVE* ix (2004).

116 *Prosecutor v. Kambanda*, Case No. ICTR-97-23, Judgment (Sept. 4, 1998).

117 *Prosecutor v. Akayesu*, Case No. ICTR-96-4, Judgment (Sept. 2, 1998).

118 *Prosecutor v. Kambanda*, Case No. ICTR-97-23, Judgment (Sept. 4, 1998).

constitute genocide,<sup>119</sup> and to pass the first conviction of journalists for direct and public incitement to genocide.<sup>120</sup> The ICTR's jurisprudence has contributed to the development of international criminal law in other judicial forums.<sup>121</sup> Moreover, in contrast to the ICTY and the Nuremberg and Tokyo tribunals, which addressed *international* conflicts,<sup>122</sup> the ICTR is the first international court to have jurisdiction over atrocities committed during an *internal* conflict.<sup>123</sup> And the ICTR's design and operations served as a model for the creation of the world's first permanent war crimes tribunal, the International Criminal Court (ICC).<sup>124</sup>

Even considering the contributions the four main transitional justice bodies have made to promoting a culture of accountability in Rwanda and beyond, they have been far from perfect. It is beyond the scope of this chapter to enumerate and analyze these critiques; however, it must be noted that commentators have raised serious objections to the design, operation, and legacy of prosecutions through the four mechanisms. For example, the ICTR is often criticized for functioning too slowly, too expensively, and with too little consideration for victims' needs; for not effectively promoting reconciliation within Rwanda; for bringing a meager number of *génocidaires* to justice; and for not sufficiently deterring the commission of atrocities elsewhere in the world.<sup>125</sup>

119 Prosecutor v. Akayesu, Case No. ICTR-96-4, Judgment (Sept. 2, 1998).

120 Prosecutor v. Barayagwiza, Case No. ICTR-97-19, Judgment (Dec. 3, 2003); Prosecutor v. Nahimana, Case No. ICTR-96-11, Judgment (Dec. 3, 2003); Prosecutor v. Ngeze, Case No. ICTR-97-27, Judgment (Dec. 3, 2003).

121 See generally SYMPOSIUM ON THE LEGACY OF INTERNATIONAL CRIMINAL COURTS AND TRIBUNALS IN AFRICA (2010), available at [http://www.brandeis.edu/ethics/pdfs/internationaljustice/Legacy\\_of\\_ICTR\\_in\\_Africa\\_IJPL.pdf](http://www.brandeis.edu/ethics/pdfs/internationaljustice/Legacy_of_ICTR_in_Africa_IJPL.pdf).

122 See, e.g., Zachary D. Kaufman, The Nuremberg Tribunal v. The Tokyo Tribunal: Designs, Staffs, and Operations, 43 J. MARSHALL L. REV. 753 (2010); Zachary D. Kaufman, Transitional Justice Delayed is not Transitional Justice Denied: Contemporary Confrontation of Japanese Human Experimentation During World War II through a People's Tribunal, 26 YALE L. & POL'Y REV. 645 (2008).

123 Roy S. Lee, The Rwanda Tribunal, 9 LEIDEN J. INT'L L. 37, 37 (1996).

124 See, e.g., Morten Bergsmo & Philippa Webb, Some Lessons for the International Criminal Court from the International Judicial Response to the Rwandan Genocide, in AFTER GENOCIDE, supra note [Error! Marcador no definido.], at 351; Luis Moreno Ocampo, Foreword: Ending the Culture of Impunity to Prevent Crimes, in AFTER GENOCIDE, supra note [Error! Marcador no definido.], at xxviii; Jallow, supra note 25, at 279 ("[T]he ICTR, alongside other ad hoc tribunals, provided the building blocks upon which the permanent ICC was founded, and will bequeath it a substantial corpus of law, both substantive and procedural, that will guide it in the execution of its challenging mandate.").

125 For critiques of the ICTR, see, e.g., Phil Clark & Zachary D. Kaufman, Rwanda: Recent History, in AFRICA SOUTH OF THE SAHARA 2014 (Iain Frame ed., forthcoming 2013); Zachary D. Kaufman, International Criminal Tribunal for Rwanda, in THE ENCYCLOPEDIA OF TRANSITIONAL JUSTICE 233 (Lavinia Stan & Nadya Nedelsky eds., 2012); Zachary D. Kaufman, The United States Role in the Establishment of the United Nations International Criminal Tribunal for Rwanda, in AFTER GENOCIDE, supra note [Error! Marcador no definido.], at 229; Zachary D. Kaufman, The Future of Transitional Justice, 1 ST. ANTHONY'S INT'L REV. 58 (2005); Kaufman, Roht-Arriaza book review, supra note 39; Zachary D. Kaufman, Steven D. Roper & Lilian A. Barria's Designing Criminal Tribunals: Sovereignty and International Concerns in the Protection of Human Rights, 10 YALE HUM. RTS. & DEV. L.J. 209 (2006-07) (book review).

But the work these innovative institutions have initiated is not yet complete. As recently as the 19th annual commemoration of the genocide, in April 2013, UN Secretary-General Ban Ki-moon urged the international community to arrest and prosecute suspected *génocidaires* still at large.<sup>126</sup> Some governments have gone beyond their minimum obligations under UNSC Chapter VII to merely cooperate with the ICTR in order to proactively hunt these suspected atrocity perpetrators. For instance, the U.S. government has established a “War Crimes Rewards Program” that “offers rewards of up to \$5 million (USD) to individuals who provide information regarding designated defendants who have been charged with the commission of international crimes,” including fugitives from ICTR indictments.<sup>127</sup>

## Conclusion

The four main transitional justice methods used to address the 1994 genocide against Tutsi – the ICTR, foreign courts, Rwanda’s ordinary courts, and *gacaca* – mark a watershed in the development of international, foreign, domestic, and local transitional justice, respectively. Although imperfect, these mechanisms have helped combat the rampant impunity that pervaded in Rwanda before 1994.

While there is reason to be hopeful that future genocides in Rwanda can be prevented,<sup>128</sup> we must not become complacent. After all, the Srebrenica massacre in 1995 – the largest single mass atrocity in Europe since World

126 Ban Marks Rwandan Genocide with Call for Arrest and Prosecution of Remaining Fugitives, UN NEWS CENTRE, Apr. 15, 2013, <http://www.un.org/apps/news/story.asp?NewsID=44687&Cr=rwanda&Cr1#.UYkT4ZUzt0U>.

127 U.S. Department of State, War Crimes Rewards Program, <http://www.state.gov/j/gcj/wcrp/index.htm> (last visited June 28, 2013). The War Crimes Rewards Program provides such awards for the following individuals sought in connection with the 1994 Genocide against the Tutsi, all of whom are fugitives indicted by the ICTR: Augustin Bizimana, Félicien Kabuga, Fulgence Kayishema, Protais Mpiranya, Phénéas Munyarugarama, Aloys Ndimbati, Ladislav Ntaganzwa, Charles Ryandikayo, and Charles Sikubwabo). See U.S. Department of State, Fugitives from Justice, <http://www.state.gov/j/gcj/wcrp/c56848.htm> (last visited June 28, 2013); May 2013 ICTR Completion Strategy Report, supra note 34, at ¶¶ 11, 42, Annex III.

128 Indeed, in July 2013, Rwanda’s National Unity and Reconciliation Commission published the results of a survey finding that 83% of Rwandans believe genocide will not recur in their country. Irene Nayebara & Sarah Kwihangana, *Rwanda: 83 Percent Rwandans Believe Genocide Will Never Occur Again – Survey*, NEW TIMES (Rwanda), July 19, 2013, available at <http://allafrica.com/stories/201307191111.html>.

War II<sup>129</sup> – occurred *after* the establishment of the ICTY in 1993.<sup>130</sup> And, despite the advent in 2002 of the ICC,<sup>131</sup> atrocities have continued to rage around the world, including in the Democratic Republic of Congo, Libya, Sudan, Syria, and Uganda. Given the aforementioned constellation of factors that ignited the Genocide against the Tutsi in 1994, transitional justice is but one of several objectives – such as economic development, political moderation, ethnic equality and reconciliation, public access to accurate information,<sup>132</sup> and the international community’s support and attention – that must be pursued in order to realize a holistic, effective genocide prevention strategy.

129 In July 1995, Bosnian Serbs summarily executed an estimated 7,000 Muslim men and boys in Srebrenica, Bosnia. See generally, DAVID ROHDE, *ENDGAME: THE BETRAYAL AND FALL OF SREBRENICA, EUROPE’S WORST MASSACRE SINCE WORLD WAR II* (1997).

130 The UNSC created the ICTY on May 25, 1993. S.C. Res. 827, U.N. Doc. S/RES/827 (May 25, 1993).

131 The Rome Statute of the ICC entered into force on July 1, 2002, after the treaty had been ratified by 60 states. See Rome Statute of the International Criminal Court, [http://treaties.un.org/Pages/ViewDetails.aspx?mtidsg\\_no=XVIII-10&chapter=18&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?mtidsg_no=XVIII-10&chapter=18&lang=en) (last visited June 28, 2013).

132 For a discussion of the importance of public access to accurate information in genocidal contexts generally and Rwanda specifically, see ZACHARY D. KAUFMAN, *Social Entrepreneurship in a Post-Genocide Society: Building Rwanda’s First Public Library, the Kigali Public Library*, in *SOCIAL ENTREPRENEURSHIP IN THE AGE OF ATROCITIES: CHANGING OUR WORLD* 58, 58-62 (2012).





**Part V**  
Conclusion



## **Chapter 16**

# Reflections on Rwanda, 20 Years after the Genocide against the Tutsi

Jean-Damascène Gasanabo and David J. Simon

The foregoing analyses offer many different approaches to the study of genocide. It may be tempting to conclude that just as many different perspectives have emerged. This is only appropriate of course as the objective of a volume such as this, with its global collection of contributors, is to move beyond the orthodoxies that tend to emerge from within any given scholarly tradition. Yet for all their differences, it is no exaggeration – and may actually belabour the obvious – to claim that genocide scholars across traditions are united in their motivation, which is to condemn the occurrence and prevent the emergence of genocide. None of us, to put it crassly, is “for it.”

The hope, then, is that we can glean from a collection of wide-ranging scholarly approaches to various elements of a single genocide – the Genocide against the Tutsi in Rwanda – some commonalities that aid mankind in the fight against genocide (to use a phrase embedded in the name of the institution that sponsored this volume). Each of the components of this volume, and their cross-implications, provide a means for doing so.

The volume has taken classification as a starting point, for a key aspect of any genocide is the classification of a people into different and distinct groups. As Stanton makes clear, classification does not necessarily lead to genocide, but genocide cannot occur – practically as a matter of definition – without classification. So the best hope to prevent genocide within the realm of classifications is not necessarily to prevent them altogether, but to defuse them of their “us” *versus* “them” potential. Much of colonised Africa – Rwanda included – has been limited in the capacity to transcend classifications because the classifications were often created artificially, by outsiders, and with the very intent of establishing opposition between groups.

At its worst, the classification complex descended into extremism. Often it did so using the tools of dehumanization. As Simon points out, to do so is not necessarily – or solely – as an end unto itself, but rather a means for excluding targets from eligibility for the benefits accruing to members of the political community. In other words, although it carries emotive value for those who use it (and on those against whom it is intended),

dehumanization is perhaps primarily part of a strategy to intensify the stakes of classification. Dehumanization facilitates the separation of who is said to belong to the nation, and conversely, who does not.

If dehumanization is a tool of exclusion, it is worth noting that tools also exist for the promotion of inclusion. Those that do so thereby serve the objective of preventing genocides. In many African countries, post-colonial leaders took it upon themselves to transcend the legacies of pre-colonial and colonial divisions through the tireless promotion of narratives of nationalism. National mottos give a small hint of the larger effort: “One Nation, One Zambia,” “Freedom and Unity” (in both Tanzania and Malawi), “One People, One Goal, One Faith” (in both Senegal and Mali), “Harambee” in Kenya, and (perhaps unofficially) “Ubuntu” in South Africa. Invocations of unity, togetherness, and shared fate insist upon taking common and equal membership in the political community of the nation as the starting point for social discussion.

In contrast, other post-colonial leaders apparently sought to exploit classifications within their country, rather than attempt to overcome them. The successive regimes of Gregoire Kayabanda and Juvenal Habyarimana are prime examples, and the 1994 genocide against the Tutsi the result of the catastrophic consequences of deepening divides that might otherwise be overcome.

One obvious call to action, in the name of prevention, is to ban the type of speech that divides, dehumanizes, and delegitimizes. Yet there is a strong possibility that such a policy could produce an adverse and unintended consequence even in situations where the prohibition could be neutrally and apolitically administered: the creation of a narrative of persecution, itself divisive. For these and other reasons, Gordon recommends prohibiting certain types of speech only in instances of imminent danger.

If it is to succeed, the latter solution requires that an anti-hate speech norm exists. This norm rests on the recognition of the danger of divisive rhetoric. Its effectiveness depends upon the willingness of members of the political community to defend it – that is, to speak out forcefully against

hateful speech and the people who use it when it occurs. Both the inculcation of the norm and the willingness to defend it are necessary for this strategy to succeed. As Gasanabo's and Mironko's respective insights imply, such conclusions point to the centrality of anti-genocide education in genocide prevention efforts.

Other contributions also speak to the elements of a society that is better inoculated than that of Rwanda's prior to 1994 against genocidal incitement. It may be the forging of shared experiences and the inculcation of a sense of civic rights and responsibilities – more so than the rhetoric of togetherness – that most effectively transcends identity-based divisions. As Ensign makes clear, the government policies of *Ubudehe* and *Imihigo* offer the promise of reconstructing the Rwandan nation by focussing on rebuilding society and combating poverty, through community-level participation.

As the state seeks to rebuild society from the ground up in the wake of genocide, transitional justice also plays a role. Beyond the application of the laudable principle of ending the cycle of impunity, and the policy goal of lowering prison populations, the real value of *gacaca* may lie in its creation of a rhetorical space for dialogue about the genocide at the local level. It is probably unrealistic to expect dialogue alone to create thoroughgoing healing in the brief lapse during which the local justice system has been exercised. And in the short term the process could even reopen wounds or foster resentment among some who go through it. However, the process strives to create a common narrative about the genocide. While many focus on the efforts to do this at the national level, it may be at the local level where it matters most. It is there that people encounter neighbours with differing experiences on a daily basis, and it is between neighbours that it is most essential for the bonds of a community to become strong. The greatest promise – and crucial test – for *gacaca* is that it become a basis for establishing a common future, and not just a reckoning of a divided past.

The spectre of genocide denial and revisionism, corresponding with Stanton's final stage of genocide, poses a particular challenge to efforts to overcome the past. Denial is a pervasive and destructive force in a society

that has suffered through genocide, precisely because it seeks to preserve the divisions of the past, thereby making impossible the creation and advancement of an inclusive political community.

Perhaps the first element of a strategy against denial is to recognize it in its various forms. Several of the authors in this volume exercise vigilance in this regard, detecting strains of denial where many others might miss it. Equally important, though, are the proactive measures identified to combat denial, perhaps even before it happens. Lamko suggests ways in which art can combat the strangulating effects of silence. Gasanabo's emphasis on education once again deserves highlighting as well. Ultimately, the construction of an inclusive national community is required, one that recognizes that past atrocities have occurred while appreciating the difficult, and even risky, steps needed to reconcile the country with its past. A strong society can only emerge through rejecting denial. Once it does, it can become the best antidote to denial as well.

In summary, over the evolution of this book, what has become clear is that we know more about genocide than we ever have before. We know about its roots, we know about its consequences and we know how to put a stop to it. Our analysis has been broken down into four sections, but the fight against genocide cannot be carried out piecemeal. Any effort at preventing the extermination of sections of society needs to be strong, united and wide-ranging.

Through education, younger generations can be taught respect and good citizenship, to realise that the "other" as a construct does not really exist; everyone is an "other" to someone, it's all a matter of perspective. Education can lead to the improvement of critical faculties, the encouragement of discussion and the belief in working together for a common good.

Through legal institutions, the culture of impunity can be stamped out, as those responsible for atrocity get what they deserve, whether in international courts or local tribunals. Public participation needs to be promoted, so that those who witnessed can come forward to give evidence, but also so that, in the pre-genocide phase, people can warn of the impending crisis.



Everywhere there should be a new emphasis on tolerance and unity, especially through media outlets. Hate-speech can never be tolerated; neither can speech denying, trivialising or reframing genocide. The power of communication has never been greater or more instantaneous, and there has never been more need to encourage the considered use of this technology, and to educate so as to be vigilant against its abuse.

Finally, the need for an international desire to prevent all genocide is necessary. Working together, states can help in the rebuilding of legal institutions, of social mores and of economies post-genocide. However, it is much more cost-effective, not to mention life-effective, to prevent genocide before it occurs. Institutions that exist – the United Nations, international courts, regional state groupings, and ratified conventions – have the capacity to do so. They must make sure they have the will for it as well.

Genocide will be eradicated for good when international actors shoulder the responsibility that is theirs, when schools, when national and international leaders embrace inclusive political communities, when religious persons preach tolerance instead of hate, and when all individuals cherish the fruits of living in diverse – yet unified – societies. The genocide against the Tutsi reminds us that the phrase “Never again” has not yet been realised. The authors in this volume dare us to continue to strive to make it become a reality.

# Confronting Genocide in Rwanda:

## Dehumanization, Denial, and Strategies for Prevention

Recognition of an event as filled with human pain and suffering as the Rwandan Genocide carries with it a certain obligation. That obligation is foremost to document, analyze, and learn from the events that led to the genocide and those that resulted from it. Such a careful analysis needs to provide the elements that will help the world community act to prevent and intervene at all levels to forever assure that such events do not repeat themselves.

The developed nations led by the US ignored all of the signs that the genocide was taking place when it could, in all likelihood, have been stopped by a relatively small intervention. The scholars and activists who have contributed to these chapters have taken that important first step of reflecting upon the events of 1994 and that which has happened since to better provide guidance for the future. For their major effort to present data and solutions we applaud them. We urge upon them to continue to provide practical evidence-based conclusions that build upon the solid analytical framework presented here that will lead to improvement of all of our lives.

