

## The Gap in Peacebuilding: Case of Reconciliation in Post-Genocide Rwanda

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**Abstract.** The question of peacebuilding after violent conflicts has been widely debated in International politics, with scholar such as Paris [1] arguing a criticism of liberal theory of peacebuilding. How the international society has constructed peace in the countries which experienced mass violence is the urgent issue. However, this perspective has not adequately addressed the issue of local level peacebuilding. Although literature review has tended to focus on macro level such as the international society and governments, my research addresses the issue of peacebuilding in local level with special attention to the case of post-genocide Rwanda. Specifically, in my project, I will be looking at the case of reconciliation in Rwanda which lies in central Africa and experienced genocide in 1994 in order to show peacebuilding of local people. I will juxtapose Rwandan reconciliation policies after genocide and how victims and perpetrators who encountered mass genocide have tried to reconcile each other to reveal the previously misunderstood connections between the international society and local people. My research is based on the participatory fieldwork for four months and a minute interview to thirteen victims and ten perpetrators who experienced genocide. Through their narratives, I conclude ‘everyday practicies’ of reconciliation and argue that peacebuilding needs the both viewpoints of macro and micro levels. In conclusion, this project, by closely examining the case of Rwandan reconciliation of local village, sheds new light on the neglected acknowledged issue of the large gap of peacebuilding between the international level and local level.

### 1. Introduction

Republic of Rwanda which lies in central Africa experienced genocide in 1994 and the death from genocide reached at least more than five hundred thousand. Rwandan government mobilized ‘ordinary people’ and they were divided from victims (Survivors) and perpetrators (*Génocidaires*) even though they lived together in same villages before genocide. After genocide, perpetrators were judged in the grassroots trial. And perpetrators came back to their home village after prison term and community service. Victims and perpetrators live together in same villages after genocide. Grassroots trial was called *Gacaca* for genocide crimes. It was organized of victims, perpetrators, judges who were selected by village people and witnesses. In *Gacaca* Perpetrators confessed and apologized their crimes in front of victims and witnesses. Victims forgiven and both of victims and perpetrators reconciled each other in *Gacaca*. Thus, one of the aims of *Gacaca* was reconciliation<sup>1</sup>. However, it

<sup>1</sup> Aims of Gacaca were 1) Identifying the truth about what happened during the genocide, 2)Speeding up of trial genocide trials, 3) Fighting against the culture of impunity, 4) Contributing to the national unity and reconciliation process, 5) Demonstrating the capacity of the Rwandan people to resolve their own problems. [2]

has been discussed whether *Gacaca* encourage reconciliation by not only Rwandan people but also international NGO or researchers.

Although Rwandan government has insisted *Gacaca* was the trial which encouraged reconciliation, International NGOs and most of researchers have disagree with it. Where is the gap between Rwandan government and the other sides? I researched in Rwanda from May to August in 2012 and from July to September in 2013. On the other hand, in my interviews with victims and perpetrators, most of them answered that they already reconciled each other. If *Gacaca* did not encourage victims and perpetrators to reconcile such as the opposite sides, why did they answer that they already reconciled each other? This is the research question in this paper. The conclusion is that victims and perpetrators have done 'everyday practices' of reconciliation in their daily lives. In this paper, firstly I mention the background of Rwandan genocide and *Gacaca*. Secondly I survey literature review which criticized the reconciliation of *Gacaca*. Finally, I will clarify everyday practices of reconciliation by local people after raising one of victims and perpetrators narratives.

## 2. The background of Rwandan genocide and *Gacaca*

### 2.1 Rwandan Genocide

Rwandan ethnic groups are constituted in three groups, *Hutu* (84%), *Tutsi* (15%) and *Twa* (1%). These ethnic groups speak same language (*Kinyarwanda*), believe same religion, and live together before the colonial history. However, Belgium colonized Rwanda in 1916 and treated *Tutsi*. *Tutsi* were entitled to good education and job opportunities and they occupied positions of the social authority. Consequently, this perceived unfairness roused dissatisfaction among *Hutu* and the conflict broke out between political parties of *Hutu* and *Tutsi*. Belgium, which had supported the *Tutsi* party all along, changed its stance suddenly and backed the *Hutu* party this time, leading *Hutu* party to victory over the conflict. Subsequently, upon Rwanda's independence in 1962, there emerged the *Hutu* party. Most of *Tutsi* elites were exiled from Rwanda since 1959 and lived as refugees in neighboring countries. They were not permitted to return to Rwanda. The second generation of *Tutsi* refugees then formed an armed group which was called the Rwandan Patriotic Front (RPF) in Uganda and invaded Rwanda in 1990 to demand their homeland back. It was the beginning of Rwandan conflict. The *Hutu* radicals who had the social authority in Rwanda feared losing their power and thus planned the genocide against *Tutsi* and the *Hutu* moderate faction. In April 1994, the plane that the Rwandan president, Juvénal Habyarimana, boarded was shot down. Thus ensued the genocide against *Tutsi* and the *Hutu* moderate faction. Not only soldiers but also ordinary people were mobilized to the genocide. At least more than five hundred thousand people died over three months. However Rwandan government carried out the genocide, the RPF conquered the whole of Rwanda in July 1994. After the conflict and genocide ended, the RPF established its own political party and whose dictatorship has lasted in Rwanda until now.

### 2.2 *Gacaca*

After the genocide, the Rwandan government faced the serious problem of how to judge the genocide crimes by numerous Rwandan citizens. Due to the severity of the genocide, these crimes could not be judged in the regular courts. As such, the Rwandan government instituted *Gacaca* specially for judging genocide crimes and established them in every city and village. Interestingly, ordinary people who were not lawyers of law were elected as judges to sentence the perpetrators. The judges made lists of perpetrators through the witness accounts of citizens. The perpetrators were then summoned to *Gacaca* and dealt penalties according to their crimes. The crimes were divided from three categories as masterminding of genocide, murders and thefts. In addition, these categories were divided more finely (refer with: Table. 1). Furthermore, if perpetrators were willing to confess their crimes and apologize to their victims before being indicted, their prison terms were reduced drastically (refer

with: Table. 2). In *Gacaca*, 1,958,634 crimes were judged and 1,003,227 people were accused. *Gacaca* was closed in 2012 June because most of genocide crimes were already judged [2].

Table 1. Categories of those accused of the crime of genocide and other crimes against humanity in Rwanda and the court used for their trial.

Category	Sub-Category	Description	Court
1	1	Planners or organisers of the genocide or crimes against humanity as well as their accomplices.	Ordinary or military courts
	2	Persons who committed or encouraged others to commit crimes of genocide or crimes against humanity, together with their accomplices, while they were in positions of authority at the national or the prefecture level in public administration, political parties, army, gendarmerie, religious denominations or militias.	
	3	Persons who incited, supervised or played the role of ringleaders of the genocide or crimes against humanity as well as their accomplices.	Gacaca Sector Court
	4	Persons who committed or encouraged others to commit crimes of genocide or crimes against humanity, together with their accomplices, while they were in positions of authority at the sub-prefecture and commune levels in public administration, political parties, army, gendarmerie, communal police, religious denominations or militias.	
	5	Persons who committed the offence of rape or sexual torture, as well as their accomplices.	
2	1	Notorious murderers who demonstrated excessive cruelty, as well as their accomplices.	Gacaca Sector Court
	2	Persons who committed torture, as well as their accomplices.	
	3	Persons who committed dehumanising acts on the dead body, as well as their accomplices.	
	4	Persons who killed or attacked others resulting in death, as well as their accomplices.	
	5	Persons who injured or attacked others with the intention to kill, as well as their accomplices.	
	6	Persons who committed assault or aided others in assault without the intention to kill, as well as their accomplices.	
3		Persons who only committed offences against property	Gacaca Cell Court

Source: produced by the author based on Articles 1 and 9 of the Organic Law N° 13/2008 Sasaki: 271[3]

Table 2. Penalties for persons convicted of genocide-related crimes.

	Subcategory	Penalty		
		No Confession Or Confession Rejected	Confession <b>After</b> the Inclusion to the List of the Accused	Confession <b>Before</b> the Inclusion to the List of the Accused
1	1	Life imprisonment	25 to 30 years of imprisonment. No commutation to Community Service (CS)	20 to 24 years of imprisonment. No commutation to Community Service (CS)
	2			
	3			
	4			
	5			
2	1	30 years or life imprisonment	25 to 29 years of imprisonment, but: a) 1/3 of the sentence in custody; b) 1/6 of it suspended; c) 1/2 of it commuted to CS.	20 to 24 years of imprisonment, but: a) 1/6 of the sentence in custody; b) 1/3 of it suspended; c) 1/2 of it commuted to CS.
	2			
	3			
	4	15 to 19 years of imprisonment	12 to 14 years of imprisonment, but: a) 1/3 of the sentence in custody; b) 1/6 of it suspended; c) 1/2 of it commuted to CS.	8 to 11 years of imprisonment, but: a) 1/6 of the sentence in custody; b) 1/3 of it suspended; c) 1/2 of it commuted to CS.
	5			
	6			
6	5 to 7 years of imprisonment, but: a) 1/3 of the sentence in custody; b) 1/6 of it suspended; c) 1/2 of it commuted to CS.	3 to 4 years of imprisonment, but: a) 1/3 of the sentence in custody; b) 1/6 of it suspended; c) 1/2 of it commuted to CS.	1 to 2 years of imprisonment, but: a) 1/6 of the sentence in custody; b) 1/3 of it suspended; c) 1/2 of it commuted to CS.	
3	Civil reparation in case no amicable settlement reached. Provisions for confessions, guilty pleas, repentance and apologies not applicable.			

Source: produced by the author based mainly on Article 17 of Organic Law N° 13/2008 of 19/05/2008, Article 14 of Organic Law N° 10/2007 of 01/03/2007 and Article 75 of Organic Law N° 16/2004 of 19/6/2004. Sasaki: 276[3]

### 3. Literature Review

There are various reviews focusing on the relation with *Gacaca* and reconciliation. Rwandan government has declared *Gacaca* as ‘the justice that brings reconciliation’ (*ubutabera bwunga*). However, much academia have criticized that *Gacaca* did not encourage reconciliation between

victims and perpetrators. Criticisms are divided into two points, first point refers to *Gacaca* system by itself and second one mentions Rwandan government policy for reconciliation. For instance, Ingeraere evaluated strengths and weaknesses of *Gacaca*. First strength is that Rwandans prefer *Gacaca* over national courts and the ICTR (International Criminal Tribunal for Rwanda) and second strength is Women had taken up an important role in *Gacaca* proceedings. However, the weakness is that ordinary people could not take part in *Gacaca* actively. If village people testify at *Gacaca*, some people who will have disadvantage may take revenge. Ingeraere criticized that *Gacaca* did not encourage reconciliation because people could not join *Gacaca* actively due to fear from revenge [4].

Second, I raise the criticism about Rwandan government. For instance, Thomson considered *Gacaca* in governmental policies. She criticized that ordinary people were compelled to take part in *Gacaca*. In order to her interview to victims and perpetrators, Rwandan government only took opportunity of *Gacaca* to appeal to the international society that Rwanda already recovered from genocide. She insisted that *Gacaca* did not encourage reconciliation of local level actually [5]. For another instance, Sasaki looked on with *Gacaca* from the viewpoint of ethnicity. RPF claimed that genocide 'against *Tutsi*', but there are *Hutu* victims who lost their family members by the attack from RPF. The RPF was an armed group to begin with, which killed about thirty thousand *Hutu* citizens between 1990 and 1994. These *Hutu* included not only soldiers but also ordinary citizens. Although RPF tended to define that victims of genocide were *Tutsi* and perpetrators of genocide were *Hutu*, *Hutu* who lost their family members have dilemma because they are also victims even though they are *Hutu*. Sasaki defined reconciliation as the process of changing identity and emphasized how Rwandan people could get over the dichotomic identity between *Tutsi* and *Hutu*. On the contrary, Rwandan government may dig a ditch of the identity [3].

These three literature reviews proposed two types of criticism, the system of *Gacaca* by itself and government policy for reconciliation. I also stand on these critical literature reviews, however, why victims and perpetrators insisted that they reconciled each other in my research even though *Gacaca* did not encourage their reconciliation? Although these reviews were written during *Gacaca*, we should redefine about reconciliation after *Gacaca*.

#### **4. Narratives of a victims and a perpetrator**

##### **4.1 The research method**

In this chapter, I mention a research method and raise narratives concretely. The main research method is interview with twenty-eight local people. I interviewed in four regions, Kigali city, R cell of Ngoma district in Eastern province, N cell of Ngoma district in Eastern province and M cell of Huye district in Southern province. And I interviewed with thirteen victims, ten perpetrators and five *Gacaca* judged from 30<sup>th</sup> May to 1<sup>st</sup> August in 2012, and from 21<sup>st</sup> July to 22<sup>nd</sup> September in 2013. In my interview, I asked them what was forgiveness and reconciliation for yourself and what *Gacaca* had impact on your forgiveness and reconciliation. I spoke through an interpreter if interviewees speak *Kinyarwanda*, but I spoke without interpreter if interviewees are able to speak Swahili. I did not record their narratives because they were really sensitive. I assume a fictitious name. I selected only four regions, therefore, it does not represent Rwanda as a whole.

##### **4.2 The narrative of a victim**

The following narrative is a woman who is called Maria, she is 38 years old and lives in N cell of Ngoma district. Maria is a farmer and experienced genocide. In the genocide, *Interahamwe*<sup>2</sup> attacked her house and killed all family members except of her. Then, one of *interahamwe* raped her. After the

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<sup>2</sup> In Rwandan conflict and genocide, MRND (Mouvement Révolutionnaire national pour développement) which was the ministerial party formed the youth organization. It was called *Interahamwe*, and its members led genocide as militia.

genocide, Maria lived in a facility for genocide orphans and saw that she was pregnant. She gave birth there and got married another victim man after few years. She is bringing up her child with other two children between her husband.

I have been agonized because I did not accept the fact that my family members died except of me. I prayed the God everyday. Finally, I decided to forgive the perpetrator who he raped because he did not kill me even though most of women who were raped were killed. These days I visited the perpetrator when I came back to my hometown because we were friends before genocide.

Perpetrators confessed and apologized to Maria at *Gacaca*. Although she continued to agonize that she was raped and survived only herself even though her family members died, she decided to forgive the perpetrator who he raped. The reason why she forgave him was he did not kill her nonetheless most of women who were raped were killed at once. The perpetrator did not pay her reparations, however, he visited her and apologized to her many times after he finished a prison term. He gave her a lot of domestic animals such as cows and chickens. These days Maria always visits him to greet when she comes back to her hometown.

When I analyze that how *Gacaca* had impact on the relation between Maria and the perpetrator, I should focus on how Maria grasped the reconciliation. She focused on how she restored the relation to the perpetrator after *Gacaca*. For instance, the perpetrator apologized and gave her a lot of domestic animals. Consequently, she became to visit and greet him these days in order to get along with him such as before Genocide. Maria told that forgiveness equaled reconciliation. She agonized whether she gave birth or not when she was pregnant, but she decided to give birth and forgive him. At that time, the relation between Maria and the perpetrator stepped into reconciliation.

### 4.3 The narrative of a perpetrator

The following narrative is a man who is called Paul and he is 48 years old living in M cell of Huye district. Paul is a farmer and he was accused of murder and damage to articles for eleven years. After the prison term, he came back to his hometown. He was a member of *interahamwe*. He remembered the chief of cell incited him that Paul could pillage *Tutsis*' properties and domestic animals if he killed *Tutsi* people. After genocide, Paul confessed his crimes and apologized at *Gacaca*. He could not pay all reparations because it was difficult for farmers to get cash. However, some victims rejected to receive reparations because Paul was friend before genocide. Recently Paul usually visits the victim and continues to exchange victim's family members.

A motive for the crime was I could pillage *Tutsis*' properties. ... I could not pay the victim reparations, however, one of victims refused to receive cash because we were friends before the genocide. This is the way of reconciliation. Thesedays we visit each other. My children always play with her children.

When I analyze that how *Gacaca* had impact on the relation with Paul and the victim, I should focus on how Paul grasped the reconciliation. Paul emphasized that he apologized to the victim again after *Gacaca* and negotiated about the reparation. Furthermore, he stressed that the victim did not receive reparations because they were friends.

## 5. 'Everyday practices' of Reconciliation

In this chapter, I conclude that why victims and perpetrators reconciled each other even though *Gacaca* did not encourage the reconciliation between victims and perpetrators. In the context of *Gacaca*, reconciliation means the apology of perpetrators and the forgiveness of victims. The

reconciliation in *Gacaca* context is the automatic process. Despite of their mental state and payments of reparations, reconciliation of *Gacaca* focuses whether perpetrators apologized and whether victims forgave. However, when Maria and Paul told about reconciliation, they emphasized how they have made the relationship each other after *Gacaca*. In my interview, for instance, they emphasized that they often dropped in each other, helped to cultivate their fields together, drank banana beer together, shared bicycles, invited ceremonies each other, children of victims and perpetrators got married, and victims employed perpetrators in order to build houses. That is to say, victims and perpetrators continue everyday practices of reconciliation for long time after *Gacaca*. In the context of *Gacaca*, reconciliation means only apology and forgiveness. However, every day practices of reconciliation present reconciliation after *Gacaca*. Although *Gacaca* was already closed, the problem of reconciliation between victims and perpetrators continues all the way. For victims and perpetrators, the reconciliation of *Gacaca* and the reconciliation of their daily lives are not divided. Consequently, we should expand the timespan of reconciliation in post-genocide Rwanda.

## 6. Conclusion

In this paper, firstly I mentioned the background of Rwandan genocide and *Gacaca*, secondly I referred literature review to understand how *Gacaca* was evaluated especially in the point of reconciliation, and finally I showed narratives of a victim and a perpetrator. The question of this paper is why victims and perpetrators told that they reconciled each other even though *Gacaca* did not encourage reconciliation. I concluded the everyday practices of reconciliation between people concerned, such as they try to do something together in their daily lives. In study of peacebuilding, local level of peacebuilding has been disregarded up to the present. These everyday practices of reconciliation as a case in post genocide Rwanda proposes the possibility for fill the gap of peacebuilding study between macro and local levels.

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