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STS390 Brief – Rwanda and Genocide:

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Address to the National Unity and Reconciliation Commission’s (NURC)

2008 National Summit

Presented by Andrea Smith

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Good morning President Kagame, dignitaries, ladies and gentlemen,

I would like to begin by extending my gratitude to the National Unity and Reconciliation Commission for inviting me to this momentous occasion¹.

As a research analyst for *Real Reconciliation*, it is my job to monitor, assess, and report on the process of reconciliation in numerous countries across the world,

¹ Since 1999, the National Unity and Reconciliation Commission (NURC) has been a semi-autonomous national institution, provided for by the National Constitution in its Article 178. NURC aims to eliminate the devastating consequences of the policies of discrimination and exclusion that permeated the successive repressive regimes of Rwanda. See National Unity and Reconciliation Commission, *Background of the NURC*, <http://www.nurc.gov.rw/index.php?back>.

One of the tools for reconciliation implemented by NURC is the National Summit that has been held every second year since 2000. This summit is a prominent national event chaired by the President and attended by Rwandans and dignitaries from the international community. It publicly reviews progress, adopts recommendations, and leads to various stakeholders being held accountable and making a commitment to those accepted recommendations related to the process of reconciliation in the country. See National Unity and Reconciliation Commission, *National Summit*, <http://www.nurc.gov.rw/index.php?Nat>.

many of which have been traumatized by the act of genocide². Of all the projects I am currently working on, Rwandan reconciliation has been the most engaging due the perceived willingness of the national, regional and international community to seek positive change in Rwanda since 1994³.

Today I would like to share my independent analysis of Rwandan reconciliation thus far, and make recommendations that will be relevant to all of those who are stakeholders in the future of this extraordinary country – that is, citizens, organizations, leaders of Rwanda, and the international community.

In order to pursue reconciliation, it is of course necessary to have a common understanding of the term. I consider reconciliation to mean a long-term process of rebuilding relations on an individual and collective basis⁴. Reconciliation entails building trust among former antagonists; trust being a dimension of social

² Raphael Lemkin was the man who coined the term 'genocide', placed it in a global-historical context, and demanded intervention and remedial action at the end of the Second World War (p.8). In 1948 the United Nations adopted the Convention on the Prevention and Punishment of the Crime of Genocide, which incorporated Lemkin's ideas into a detailed and technical definition: "acts committed with the intent to destroy, whole or in part, a national, ethnical, racial or religious group" (p.12). The drafters of the Convention did define the meaning of these group classifications and hence, they have been subject to considerable interpretation (p.13). Jones, A, 2006, 'Genocide: A Comprehensive Introduction', Routledge, Abingdon, Oxon.

Another significant genocide theorist is Kurt Jonassohn who defines genocide as "as form of one-sided mass killing in which a state or other authority intends to destroy a group, as that group and membership in it are defined by the perpetrator", Jonassohn, K, 2002, 'How I Came To The Study of Genocide' in Totten, S & Jacobs, S (eds.), 'Pioneers of Genocide Studies', Transaction Publishers, New Brunswick, New Jersey, p. 134.

³ Rwanda is comprised of three ethnic groups – the Twas, Hutus and Tutsis (p.9). On the 6th April 1994, the Rwandan President Habyarimana was assassinated which sparked the genocide that killed an estimated 800, 000 Tutsis and moderate Hutus over the next 100 days (p.17). This represented around 10 per cent of the Rwandan population and became the fastest genocide in history (p.17). Meanwhile, political leaders from across the world were occupied with a debate about military intervention or nonintervention in the Balkan wars (p.18). Moghalu, KC, 2005, 'Rwanda's Genocide: The Politics of Global Justice', Palgrave MacMillan, New York, N.Y.

⁴ Hodgkin, M, 2006, 'Reconciliation in Rwanda: Education, History and the State', *Journal of International Affairs*, vol. 60, no. 1, p.200.

capital that is an essential characteristic of stable, democratic, and prosperous societies⁵.

Since the atrocities of 1994, reconciliation has become a priority for many Rwandans and some international organizations⁶. Many tools of reconciliation that are being adopted by organizations, such as the NURC⁷, have a considerable influence at a grassroots level. Whilst progress at this level is imperative, I will be focusing on the macro issue that shapes the nature of this change – politics!

President Kagame, you have repeatedly declared that legal justice and reconciliation are both being pursued in order for Rwanda to move forward⁸. Most will agree that reconciliation must address those held accountable for the atrocities, which would include authorities in the Rwandan state accepting responsibility for their crimes against humanity and acts of genocide⁹. Would it not? Soldiers of the former government accused of genocide will apparently be judged in gacaca¹⁰ jurisdictions, but RPF soldiers accused of crimes against

⁵ Amstutz, M, 2006, 'Is Reconciliation Possible After Genocide?: The Case of Rwanda', *Journal and Church and State*, vol. 48, no. 3, p. 545.

⁶ Umutesi, MB, 2006, 'Is Reconciliation Between Hutus and Tutsis Possible?', *Journal of International Affairs*, vol. 60, no. 1, p.158.

⁷ Ingandos are a traditional practice of stopping normal activities to reflect on, and find solutions to national challenges that inhibit. These Ingandos are currently held in residential camps and are being carried out by NURC in a nation-wide program to build coexistence. See National Unity and Reconciliation Commission, *Ingando*, <http://www.nurc.gov.rw/index.php?Sol>. NURC also provides community initiative support by providing grants to over 60 community-based associations and assisting the formation of NURC Clubs in schools and institutions of higher learning. See National Unity and Reconciliation Commission, *Community Initiative Support*, <http://www.nurc.gov.rw/index.php?Init>. NURC has also employed art and theatre as important tools for fostering unity and reconciliation among Rwandans at an individual and group level. See National Unity and Reconciliation Commission, *Community Festivals*, <http://www.nurc.gov.rw/index.php?Comm>.

⁸ Amtutz, *Op Cit*, p. 544.

⁹ Umutesi, *Op Cit*, p. 164.

¹⁰ Gacaca is a traditional institution of restorative justice which emphasis reintegration of the convicted back into the community, rather than punishment. 'Gacaca Law' was officially adopted by the government in March 2001 to deal with the overburdened criminal justice system that cannot deal with the sheer numbers of suspects in prison and the backlog of cases after the

humanity will continue to be judged only in military courts¹¹. Initiatives to reconcile the Tutsi-Hutu conflict have been concerned primarily with crimes committed by Hutus and only against Tutsi victims¹². Is this not grossly hypocritical? Is this not contributing to the existing division between these two groups in Rwandan society? Is this not worthy of intense debate and pressure from the local and international community?

If you agree that justice should be equitable, then compensation for victims is essential; despite the fact that justice will be dramatically imbalanced and inadequate¹³. The Survivors of Genocide Fund (FARG) has existed in Rwanda since 1998 and provides monetary assistance to approximately 300,000 Tutsi survivors who have been judged needy on the basis of the 1996 census¹⁴. If indemnification is to support national reconciliation then all victims – Hutu and Tutsi – must be taken into account¹⁵. Therefore, there is a desperate need to reassess the current policies and practice of indemnification to ensure that systematic inequality can be removed from Rwandan society and heal national wounds. If such a revision of policy were to occur, it would be an opportunity for those political players that had the greatest impact on the outcome of the genocide, including the US, France and Belgium¹⁶, to attempt to redeem themselves by contributing financially to the FARG.

genocide. Graybill, LS, 2004, 'Ten Years After, Rwanda Tries Reconciliation', *Current History*, vol. 103, no. 673, pp. 202 – 205.

The two other justice systems that are currently used to deal with perpetrators of the Rwandan genocide are western inspired: the International Tribunal for Rwanda (ICTR) and the formal domestic justice system. Uvin, P, & Mironko, C, 2003, 'Western and Local Approaches to Justice in Rwanda', *Global Governance*, vol. 9, p219.

¹¹See Human Rights Watch, *Rwanda Backgrounder*, <http://www.hrw.org/backgrounder/africa/rwanda-bck-0131.htm>.

¹² Umutesi, *Op Cit*, p. 158.

¹³ Uvin & Mironko, *Op Cit*, p.221.

¹⁴ Rugendo, L-M, 2006, 'Battle to control survivors fund in Rwanda', *International Justice Tribune*. See http://www.justicetribune.com/index.php?page=v2_article&id=3528.

¹⁵ Umutesi, *Op Cit*, p.169.

¹⁶ Moghalu, *Op Cit*, p.19.

Whilst we can all recognize the value in legal accountability for genocide, a major factor that would facilitate reconciliation in Rwanda would be the transition to real democracy¹⁷. Throughout Rwanda's political history, various regimes have always been dominated by one clan, ethnic group or region that excludes others and incites power struggles, persecutions, and assassinations¹⁸. The current government regime is a minority that excludes the majority from political participation and rejects any opposition whatsoever¹⁹. Unfortunately President Kagame, you have not delivered on your promise of democracy²⁰!

The government's decision to indefinitely postpone the teaching of education since the genocide has become an outdated policy²¹. Understandably, the highly sensitive and contested nature of Rwanda's history²² makes it more convenient to promote a unified national identity, but democracy is not about convenience! Surely the construction of one unchallenged history fails to develop critical thinking and independent analysis skills among those whom Rwanda wishes to educate; the very same skills that many argue allowed the ideology of genocide to engulf much of the nation in the lead-up to the genocide of 1994²³? Whilst many of those directly involved with educational reform since the genocide – teachers, parents, and students – have shown support for the current system²⁴, I fear that passive absorption of a unified history is a potentially dangerous path to take because suppression of underlying tension could manifest in the future.

If the current government were at all serious about striving for democracy, which is by no means an easy task, then an appropriate starting point would be an

¹⁷ Gahima, G, 2007, 'Accountability for Atrocity: Lessons from Rwanda, *Georgetown Journal of International Affairs*, vol. 8, no.2, p109.

¹⁸ Umutesi, *Op Cit*, p. 167.

¹⁹ Gahima, *Op Cit*, p. 109.

²⁰ *Ibid*

²¹ Since the genocide in 1994, the government has fostered a unified national identity by removing the teaching of formal history from all school curricula. The government believes that the country's modern history, which is steeped in brutality, ethnic hatred, distrust and prejudice, is potentially too divisive to be taught in schools. Hodgkin, *Op Cit*, p.202.

²² Hodgkin, *Op Cit*, p.203.

²³ Hodgkin, *Op Cit*, p.205.

²⁴ *Ibid*

inter-Rwandan dialogue in which all social and political groups would participate²⁵. This dialogue would address all of the issues that are currently hindering Rwanda's reconciliation process – justice and indemnification of victims, current socio-economic and political conditions, and history – most importantly, in a democratic environment²⁶.

Despite the positive developments that have been seen in Rwanda over the past decade, and I do sincerely acknowledge these, this project will not be initiated if the international community continues supporting Kagame's rule unconditionally and using it as a model of democracy for all of Africa²⁷.

I hope that you do not walk away from this summit recalling a brutal attack on the current political system, but rather an analytical presentation that recommended options for REAL reconciliation. I firmly believe that despite great challenges the ideal of reconciliation is a vision that all Rwandans have. It is a vision that may come to fruition if you, as prominent leaders of the local and international community, are genuinely willing to realize.

²⁵ Umutesi, *Op Cit*, p.167.

²⁶ Umutesi, *Op Cit*, p.168.

²⁷ *Ibid*

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