

**RECONCILIATION IN RWANDA:
PERSPECTIVES FROM THE PARLIAMENT**

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Reconciliation in Rwanda: Perspectives from the Parliament

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ABSTRACT

The purpose of this thesis is to examine the meaning of political reconciliation in Rwanda and the ways this is expressed. Thus, Rwandan Senators were interviewed to understand their interpretations of reconciliation in Rwanda. Furthermore, it seeks to understand the tools of reconciliation used in Rwanda and how Senators feel these contribute to the reconciliation process. This study attempts to understand the political through the personal. Political reconciliation is approached by analyzing and applying Andrew Schaap's concept of political reconciliation and Carl Schmitt's concept of the political.

The research material was collected in Rwanda by interviewing 12 Senators in the Rwandan Parliament. Of the 12 interviews conducted, 8 are used in this study. Qualitative interviewing was used, with a semistructured interview format.

The study found that the Rwandan concept of political reconciliation is an attempt to reformulate the primary political identification from an ethnic one to a national one. It also finds that this is attempting to be done through the creation of a shared national experience, which the *gacaca* process highlights.

Key words: political reconciliation, Rwanda, *gacaca*, friend-enemy distinction, genocide, Hutu, Tutsi

Preface

This thesis would not have been possible without the support of John Rutsindintwarane and Robin Strickler. Your encouragement and guidance in all things Rwandan was invaluable and I cannot thank you enough. To Maria Murerwa and Jenny Mutesi, thank you both for your assistance, translation, many phone calls, and overall presence. I truly could not have undertaken this thesis without your help.

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Abbreviations

DRC: Democratic Republic of the Congo

FAR: Forces Armées Rwandaises

ICTR: the International Criminal Tribunal for Rwanda

IDP: internally displaced persons

MDR: Mouvement Démocratique Républicain

MRND: Mouvement Révolutionnaire National pour le Développement

PARMEHUTU: Parti du mouvement de l'émancipation des Bahutu

RPF: Rwandese Patriotic Front

RPA: Rwandese Patriotic Army

RTL: Radio-Télévision Libres des Milles Collines

UN: United Nations

UNAMIR: United Nations Assistance Mission for Rwanda

Kinyarwandan Words Used

Akazu: small house, used to describe the group of senior military and civilian officers who played an instrumental part in planning the genocide, centered on the powerful clan of president Habyarima's wife, Agathe

Kangura: "wake it up", a propaganda newspaper running during the genocide, which encouraged the mass killing of Batutsi

Umuganda: work for public good

Génocidaire: French term, commonly used in Rwanda, to describe someone who participates in genocide

Interahamwe: used to describe the militant young men attached to the youth wing of the ruling MRND party, responsible for inciting violence against Batutsi and committing many of the murders during the genocide

Inyenzi: cockroach, a term for Batutsi used by Bahutu extremists

Ibyitso: accomplice

Mwami: king

Gacaca: "on the grass", the traditional method of meting out justice and conflict resolution in Rwanda

INTRODUCTION

Background and Objectives

On a sunny day in October of 2007, I sat on a metal folding chair, under a white tent, in the red-dirt soccer field of the small town of Kibungo, in Eastern Rwanda. I was attending a retirement party for a recently retired Bishop in the Catholic Church of Rwanda. The event was appropriately celebratory: traditional dancers leapt and stamped, clapped and jangled; the retired Bishop was presented with gourds full of grains and produce; cheerful songs were sung in honor of the Bishop and the Catholic Church. Over 1,000 people from all over Rwanda, along with the vast majority of the small town, attended the celebration, representing Rwanda's different dioceses. As each group entered the stadium, they held a sign identifying their diocese. Represented here were parishes where parishioners had killed or mutilated one another in the 1994 genocide; where hundreds were slaughtered within the walls of their church; where Priests had allowed their parishioners to be killed through their actions or non-actions, or worse, even killed their parishioners themselves. These entrances were solemn, lacking the celebration of the rest of the ceremony. The formal entrances of the honored guests were similarly serious. However, as one of the guests strode through the center of the field, the crowd broke into spontaneous and uproarious laughter. As this laughter noticeably broke with the tone of the event, I asked my Rwandan boss¹, John, to explain the sudden change. In response, he explained that this Bishop was particularly well known for his refusal to help the people in his parish during the genocide. As a result, many of his parishioners died or were injured during the genocide. Despite his inaction, the Bishop was never punished or rebuked by the Catholic Church. The audience's reaction of laughter struck me as odd: why not anger or booing or heckling? As John explained, this laughter was more complex than anger or booing would have been. The audience that day laughed at the absurdity of seeing a known contributor to the genocide invited as an honored guest at a major ceremony of the Catholic church of Rwanda. They laughed that such a man could walk with dignity instead of shame. They laughed at his arrogance. They laughed because they could not cry or boo or heckle. I learned that day that Rwanda is a complex country, with people who deal with their terrible history in complex ways.

¹ John Rutsindintwarene of Congregations Rebuilding Communities in Rwanda

Rwanda first caught my attention as an undergraduate studying political science. While on a study exchange in Denmark, I saw for the first time a country in which the national legislature had almost equal representation of men and women. Denmark's, and more broadly the Nordic countries', use of legislative quotas for women struck me as a politically interesting way of approaching the gender disparity in representation that is common in most of the world. Upon further research, I discovered that the African country of Rwanda was equal to the Nordic countries in terms of legislative gender parity. Rwanda's inclusion in this mostly Northern European group intrigued me and propelled me towards further research on the country. In August of 2007, I went to Rwanda to collect data on Rwanda's use of legislative quotas. However, as I interviewed Rwandan politicians, NGO workers, citizens, and friends, I realized that the issue of greater interest was that of political reconciliation. In the 4 months I spent in Rwanda, the concept of reconciliation was made more concrete in the daily conversations and activities of Rwandans. Furthermore, the discrepancy between the international critique of the government's actions in the name of reconciliation and the apparent local support for these actions encouraged me to delve more deeply into Rwanda's process of reconciliation and how it is seen by those who are helping to construct it.

Context of the Study

The Rwandan genocide and its aftermath are widely studied subjects.² However, I know of no studies that seek to understand the political process of reconciliation from the personal view of legislators. Thus, this research adds to the growing base of knowledge on the Rwandan genocide and its aftermath by approaching the process of reconciliation from both a political and a personal point of view. In order to do so, it explores the process of political reconciliation through the lens of the personal. The study fills the gap between institutional, political understandings and personal narratives of the genocide. Much of the thinking of this thesis was shaped by the comments given at conferences and classes where this paper was presented³.

² See: Chrétien, J.-P. 1995; Human Rights Watch, 1995; Gourevitch, P. 1997; Mamdani, M. 1996; Pottier, 1996; Prunier, G. 1995; Uvin, P. 1997

³ Including, but not limited to: the 2008 and 2010 Finnish Society for Development Researchers conferences, the 2009 Jyväskylä Summer School, and the University of Jyväskylä's "On Violence" course.

Collecting Research Material

This research seeks to better understand Rwanda's process of political reconciliation by exploring the ways in which Rwandan Senators view reconciliation. Furthermore, it seeks to understand the tools of reconciliation used in Rwanda and how Rwandan legislators feel these contribute to the reconciliation process. As a methodology, qualitative interviewing best fit the needs of these goals and the context of conducting research in Rwanda.

Qualitative interviewing is a methodology that, according to Herbert and Irene Rubin (1995, p.1), allows the interviewer to understand events and experiences in which the interviewer did not him/herself participate. It is also a means of understanding what others feel and think about their worlds without the researcher imposing his or her own views (Ibid., p.1-5). Qualitative interviewing is used to form theories and explanations grounded in the evidence, details, and examples given in the interviews (Ibid., p.4). It allows subjects to talk back, clarify, or explain their points (Ibid, p.4). Qualitative interviews can be unstructured, where the interviewer suggests a topic for discussion but has few pre-conceived questions; or semistructured (or focused), where an interviewer guides the conversation by asking specific questions on a particular topic; or vary between these two formats (Ibid., p.5). The questions should, as expressed earlier, allow the interviewee to express his or her opinions and experiences in his or her own words, thus making question sets inappropriate (Ibid., p.6). Qualitative interviews have three distinct characteristics: they are extensions of conversations, with the interviewer seeking to understand the meaning of what was said; they attempt to gain insight into an interviewee's understanding, knowledge, or insight rather than classifying events or people into a specific academic theory; and finally, the content and flow of the conversation changes according to the circumstances (Ibid., p.6-7).

Qualitative Interviewing is more than just a methodology to be used in research, it is also a philosophy of research. This philosophy ultimately played a large part in my decision to use qualitative interviewing. The qualitative interviewing philosophy holds that one can more fully understand a subject if he or she is allowed to describe the world in his or her terms (Ibid., p.2). Secondly, the act of interviewing creates a relationship, with obligations for both

the interviewer and interviewee (Ibid., p.2). The interviewee is seen as a “conversational partner”, allowing them active participation in the interview and help direct the flow and direction of the conversation (Ibid., p.11). Thirdly, this philosophy provides standards for judging the completeness of the analysis, the ethicality of the process, and the quality of the research (Ibid., p.2).

This study reflects and analyzes the views of 8 Senators from the Rwandan Parliament. Twelve interviews were conducted in all, though three interviews were deemed inappropriate due to quality of the translation or to the quality of the interview itself and thus not included. Although the Rwandan parliament is bicameral, only Senators answered my request for an interview. Several factors probably contributed to this, though I think most stringent is the ease of access to the Senators. The webpage for the Deputies—which contained their contact information—was often not working, whereas the webpage for the Senators was almost always working, allowing easier access to their contact information. Therefore, I was able to contact Senators with much more ease than with the Deputies. Furthermore, Senators are appointed for a longer period of time and are not directly elected, unlike Deputies. It is highly possible that due to this fact, they were less concerned with the ways their statements could be construed within Rwanda. Should their statements be considered controversial within Rwanda, they need only explain themselves to a small group of decision makers. Senators are also required to have a higher level of education than Deputies, which could also contribute to their willingness to participate in the interview. Consequently, most of those interviewed had at least lived abroad, many of them in Western countries. It is possible that this contributed to their willingness to engage with me. Many of the interviewees expressed a sense of duty in participating in the interviews. They cited the Senate’s responsibility of engaging with the community as an important aspect of their role as Senators, thus possibly contributing to their decision to speak with me.

Of the interviews conducted, 6 were men and 4 were women. The conversational partners varied in age; however, in general, the interviewees were between the ages of 40-55. This small age span is probably a result of the age requirements of the Senate, which requires Senators be at least 40 years of age. The interviewees also differed in background. Several of the interviewees were members of the RPF while it was just a guerrilla army, with one

being a founding member. At least three of the interviewees were present in Rwanda during the genocide. One of the interviewees was a member of the government during the genocide. Several of the interviewees attended high school or university in the United States or Europe, while others stayed within Africa or Rwanda for higher education. The interviewees also came from different professions and disciplines—from banking to farming to medicine to academia. The senators interviewed had also been elected to their position in different ways, with some being appointed by the President and others being appointed by professional councils, and some being elected. The interviewees also differed in party, though 11 of the interviewees are members of the Rwandan Patriotic Front (RPF). The high percentage of RPF interviewees reflects the high number of RPF members in the Parliament (62%), and perhaps also a general willingness to extol their achievements while in power. The interviews were conducted over a 4-week period in November and December of 2007. Many interviews were conducted in English, though some were conducted in Kinyarwanda with the assistance of an interpreter.

The interviews were conducted in a semi-structured manner to allow the interviewee to help guide the process. This method was vital to the overall study, as it attempts to understand the personal aspect of government actors in reconciliation. I used the same set of questions⁴ as the outline for my interviews, but let the conversational partner and the conversation's flow direct the conversation. Interviews lasted between 45-90 minutes and were recorded to preserve the integrity of the interviews. Transcripts were indexed based on theme. Themes were identified through the interviews themselves, but guided by the research questions of this study. The analysis that follows is based on the theme of “reconciliation”.

Challenges of Collecting Research Material

Conducting this research in Rwanda posed several challenges. Before I arrived in Rwanda and during my time there, several prominent researchers had been banned from the country due to their publishing articles and studies critical of the Rwandan government. This resulted in a challenging atmosphere for any researcher, but especially a young researcher. Further considerations for this researcher include me as a researcher, the challenge of interviewing politicians, and the difficulties and consequences of using a translator.

⁴ Appendix 1

As Rubin and Rubin point out, the researcher is not a neutral or distant entity, but instead plays the important role of forming a relationship with the conversational partner, which is somewhat dependant on the interviewer's personality and emotional strengths (Rubin and Rubin 1995, p.12). Furthermore, it is undesirable that the researcher be neutral (if such a thing were possible) because the personality of the researcher allows him or her to elicit stories, descriptions, etc (Ibid., p.13). The ultimate goal is a balance between creating a relationship that encourages the sharing of information and the distance to discern and report the negative (Ibid.). In order to better assess if this balance was ultimately achieved, it is important to reflect on me as a researcher. The most obvious area for consideration is the cultural differences between the interviewees and myself. I am the product of western thinking and outlook and bring those values to the interview process. In many ways, I think my western-ness actually positively contributed to the interview process. I think that perhaps Senators explained things more thickly and deeply because they knew I was not Rwandan, allowing me deeper insight into their thoughts and point-of-view. Especially those who had spent time in the United States seemed eager to explain the Rwandan and African outlook to me. Nevertheless, this western perspective must be considered as inherent in the scope and analysis of this thesis. I also believe that my age impacted the interviews. At the time of the interviews, I was relatively young (24) and conducting research for the first time. In contrast, my interviewees were between the ages of 40-55. This age difference sometimes led to Senators, especially the male Senators, taking control of the interview. I think my youth also contributed to my perceived naiveté. I think this made Senators feel more comfortable taking part in the interviews because they, perhaps, felt I would be less willing to criticize or question what they said. On the other hand, I think it also allowed the Senators to feel they could take advantage of my youth and inexperience to behave in ways they might not with a more experienced or older researcher. For example, one interviewee showed up two hours late to an interview, without informing me until I called him. Another stopped the interview several times to make or answer phone calls.

What links each of these issues is the role of power in the relationship between the interviewees and me. Interactions between the West and Africa, even on a personal level, will always be fraught with power-relations. Especially in Rwanda, where the current

government explicitly attributes the roots of the genocide to Western, colonial influence and blames the scale of the genocide on the inaction of the international (read: Western) community to intervene. As a researcher from a Western country, this automatically brought with it implications in the power relationship. In this, I think it was quite beneficial that I was perceived as young and naïve. These qualities counteracted the power that I might have otherwise derive from my Western status and gave the interviewees much more power. The power relationship is also affected by age. For example, there is the perception that the young should defer to the old; the older, the wiser; and so on. This creates a dynamic of deference, allowing the older potentially more power in the relationship. Finally, gender relations are always power relations. Being a female in Rwanda brings with it certain implications, of which I could never totally rid myself. After my name and where I was from, the most common question was if I was married. As a young woman, studying for her Master's degree, traveling abroad, it was unconceivable to many Rwandans that I was not married. While those I interviewed never explicitly asked my marital status or about other issues connected to being a woman in Rwanda, I cannot say that they were totally devoid of these expectations just as I was not devoid of my own understandings and expressions of my gender.

Interviewing politicians to get beyond the political rhetoric to the more personal is always difficult. As the Rwandan government is increasingly less tolerant of criticism, it is becoming more difficult to reach beyond the approved political narrative. It is important to note that the interviewees are all politicians and their interviews must be understood as part of political speech. For the most part, interviews were conducted in the Senator's offices or other official buildings, adding to the political nature of the interviews. Furthermore, many of my interviewees, as mentioned previously, saw taking part in the interviews as part of their duties and as an opportunity to shed a positive light on Rwanda. Indeed, many Senators expressed their desire that I help to build a positive image of Rwanda and the Rwandan government. This, I believe, affected what they chose to tell me and how they chose to say it. Nevertheless, I feel that some of the interviewees also revealed something beyond the political. It seemed that Senators were more willing to express personal opinions as they felt more comfortable with me, as the interviewer. As the issue of reconciliation came up at the end of the interviews, I believe this positively affected their willingness to share their

personal thoughts on the issues of reconciliation. Although I actively worked to reach beyond the political to the personal, it is up for interpretation whether or not this was ever achieved.

The issue of the language of the interview was also an important consideration. In Rwanda, Kinyarwanda is the so-called “national” language, with a great majority of the population speaking it. However, French and English are also official languages of the country. Although many of the Senators spoke English, some were French-speaking. Though I do speak some French, I felt that it would be preferable to retain an assistant to translate interviews with French-speakers from Kinyarwanda into English. My French, I felt, was not sufficient to clearly express my questions and myself. Using a translator, however, is also difficult. Although completely neutral and accurate translations of what is said are preferable, it is, as discussed earlier, impossible to be completely neutral. Therefore, a researcher hopes that translations can therefore be balanced and accurate. However, it is difficult to determine to what extent the translations were actually balanced and accurate. Due to financial constraints, I was unable to hire a professional translator and therefore employed two young Rwandan women I knew spoke English well. The women are not professional translators, and I believe this came across clearly. The accuracy, or inaccuracy, of the translations is the biggest critique I have of my own data. Oftentimes the translators would *explain* what a Senator said instead of *translating* what the Senator said, often using vocabulary and phrasing comfortable for them, but not necessarily consistent with the vocabulary or phrasing of the Senator. This is problematic when trying to delve into a particular person’s point-of-view as the understandings and interpretations of the translator are inherently included in the translations of the Senator’s words. This makes analyzing the interviews difficult and possibly inaccurate as to what was actually said. One final point for consideration is the appearance of the translators. Both of the young women are thin, very stereotypically Tutsi looking. It is important to note that during the Interviews I never asked the ethnicity of the Senators. In Rwanda, asking for or identifying by ethnic identity is explicitly and implicitly forbidden. The government holds that this identity is the product of colonial influence and is therefore a false construct. Because of this and the importance that was previously placed on this identity, discussing or inquiring after ethnic identity is an extremely sensitive subject and one that is actively discouraged by the current government.

Therefore, I felt it would be inappropriate to discuss this with the Senators. That said, the RPF is made up of primarily Tutsi-identified people. I think it would be naïve to say that this did not impact the perception of my translators and of me; however, I cannot know what actual impact this made.

Contents of the Study

This thesis is divided into four main sections. The chapter, “Rwanda: Les Mille Collines” contextualizes the study, giving the reader a clearer understanding of the setting and circumstances in which the thesis is placed. The section, “The Reconciliation Nexus” sets the conceptual framework for the study by confronting the academic and pragmatic understandings of reconciliation and exploring the link between reconciliation and politics. In the third section, the chapter “Defining Reconciliation: Rwandan Senators” delves into the ways in which Rwandan Senators define reconciliation and the chapter, “Finding Reconciliation: Gacaca” details the *gacaca* system of justice implemented by Rwanda and attempts to understand its role in political reconciliation. The final section, “Conclusions”, takes a sharp look at the meaning of political reconciliation in Rwanda.

RWANDA: LES MILLE COLLINES

One of my favorite memories from Rwanda happened on the first few days of my arrival in the country. I was staying in Kibungo, a town in Eastern Rwanda, and decided to go for a walk to explore the area. As I walked, the striking beauty of the country hit me: purple hills blended into green hills covered in banana trees, which blended into terraced hills full of small agricultural plots, all of which was contrasted with Africa's famous red-tinted dirt. As I walked, a group of school children approached me to practice their English and get my email address. I continued walking on and was soon stopped by a young man on his way to English class. He began talking to me and showed me around the village, explaining parts of the town's history, the people, and culture. He asked me for my email address, then invited me to his English class, which I went to. After the class, a group from the class escorted me home. During our walk back to where I was staying, everyone was laughing and joking and the braver of the bunch asked me questions about the United States and Europe, and, of course, for my email address. As we neared my house, I stopped to photograph the beauty of the bluish purple hills and my new friends. The picture shows a group of young men, paused mid walk, two with huge smiles on their faces and two with more serious expressions. They stand together, and are clearly part of the same group, yet they are apart. There is visible space between each of them; they do not touch. One stands further apart from the other three, clearly separated. In many ways, this photo has come to symbolize, for me, much of the Rwandan experience: a group of people, together yet separated; a story of inclusion and exclusion; one a bit fuzzy and unclear, like the picture itself.

The country of Rwanda is located in the Great Lakes region of Eastern Africa. It is home to 10,746,311 million people, making it the most densely populated country in Africa. Rwanda has three main ethnic groups: Hutu, Tutsi, and Twa. Bahutu⁵ make up 84% of the population, Batutsi, 15%, and Twa 1%. In general, Rwandans speak Kinyarwanda as their mother tongue, with English, French, and Kiswahili as secondary languages⁶. While many countries have experienced violent conflict, internal and external, few have undergone the

⁵ Ba- being a prefix that refers to a group of people

⁶ Ki- being a prefix that refers to a language

extremity of Rwanda's genocide. Beginning on April 6, 1994 and lasting the space of 100 days, almost 1 million Tutsis and moderate Hutus were killed in the small country of Rwanda (Gourevitch 1998, p. 4).

Rwanda's History: Constructing Identity

Much of Rwanda's history is subject to guesswork, academic supposition, and piecemeal accounts (Gourevitch 1998, p48). Much of what passes as history, especially during pre-colonial times, is based on oral tradition and on the accounts of western explorers, both of which lead to problematic formulations of historical contexts. Pre-colonial historical knowledge is, by all accounts, subject to the point of view of the speaker (Ibid.) and much of Rwanda's understanding of itself is based on this knowledge. Everything is contested: there is no consensus on the answers to even the most basic questions. What is the nature of the distinction between Hutu, Tutsi, and Twa? While some contend the difference is ethnic or even racial, others believe the difference is one of socioeconomics (Uvin 1998, p.13). What was the role of the cow in Rwandan society (traditionally thought of as the source of wealth)? How much power did the *mwami* (or king) actually have? The inability to answer these questions has come to mean that two distinctly different—and political—histories have come to dominate, each with the support of a plethora of scientific and not-so scientific research. What some might term the “official” Hutu version is that a race of foreign Batutsi cattle herders entered Rwanda, traditionally Bahutu land, and through economic and military means, oppressed the agrarian Bahutu people (Ibid., p.14). Contrarily, the “official” Tutsi version claims that the Bahutu and Batutsi people are all a single ethnicity, with the differences between them resulting from socioeconomic differences (Ibid.). For them, it is the colonizers who are responsible for the racialization of the differences, as they created and rigidified racial categories, which served as the basis for oppression (Ibid.). As Hintjens (1999, p.251-2) points out, it is impossible to distinguish myth from truth in Rwandan history and a quixotic task to attempt to do so. Furthermore, this contested history has been reported as fact and has been used in distinctly political ways. Mamdani (1996, p.8) notes that after the genocide, historians have come to recognize that they must consider the impact of their work and how it may be used. So while much of this history is up for debate, what is clear is that throughout this history, identity is consistently formulated and constructed on the basis of supposed ethnicity and ethnic differences and that the state and its functionaries play a vital

role in this construction. This stress on the importance of identity not only impacts the formulation of the genocide, but is also salient in Rwandan politics today.

The oft-cited origin myth of the Rwandan peoples claims that the Bantu people, now called Bahutu, immigrated into the area, coming from the south and west; a Nilotic people, now called Batutsi, came from the north and east (Chrétien 2003, p.47). Traditionally, the Bantu are believed to have maintained a primarily agricultural way of life; the Nilotic, a cattle rearing, pastoral one (D Newbury 2001, p.258). This division of work as based on ethnicity alone has, however, been debunked⁷. Yet, there is no consensus as to what this division was based on: some argue that Western influence created these work-based categories of identity based on mistaken ethnic assumptions, while others argue that ecological constraints created the division of labor (Chrétien 2003, p.71-2, 74, 81). What is clear is that once the two groups arrived, they integrated so fully as to share the same beliefs, language, culture, etc (Uvin 1998, p.14). This integration was due to a number of factors: the primacy of clan identification (as opposed to ethnic identification); the importance of inter-clan relationships; the highly structured nature of clans; intermarriage between clans and between the Bahutu and Batutsi; and flexibility with the use of the terms Bahutu and Batutsi, which were historically used in patron-client (i.e. Tutsi-Hutu) relationships (Chrétien 2003, Coquery-Vidrovitch 1997, Gourevitch 1998, Hintjens 1999, C Newbury 1983, D Newbury 2001, Uvin 1998)⁸. Despite the similarities of the Bantu (Hutu) and Nilotic (Tutsi) people, Western explorers, such as John Hanning Speke, to the region insisted on classifying and re-classifying⁹ the Great Lakes peoples, often using perceived ethnicity as their baseline. In this sense, an identity-centered system of reference emerges for the people of the Great Lakes. Because identity—or as it is perceived by others—is of utmost importance in these groupings, the necessity of belonging to a group becomes apparent.

⁷ See: Czekanowski (1917), Gille (1937), Gourevitch (1998), D Newbury (2001), Posnansky (1966), Uvin (1998)

⁸ Due to the restraints on the length and scope of this thesis, I will not go into a deeper explanation or analysis of these factors. For a more thorough understanding of these, please see any of the cited works.

⁹ See Chrétien's *The Great Lakes of Africa* for an in-depth list of foreign-given classifications, including but not limited to: ethnic division, linguistic delineation and identification, etc.

Despite this early integration of Bahutu and Batutsi and the complete amalgamation of beliefs, language, culture, etc, a break did eventually occur. At first, the divide was primarily economic—those with wealth were referred to as Tutsi, whereas those with less were referred to as Hutu (Chrétien 2003, p.186). Those in positions of power were “tutsized”, regardless of their ethnic origins (Ibid., p.187-8). However, these divisions were crystallized and made more rigid during colonial times (Hintjens 1999, p.250). Germany, Rwanda’s first colonial power, administered the Rwandan state by keeping the *Mwami* (or King) in power and controlling him in order to control the population. The conceptualization of the state was, according to Chrétien a “pyramidal feudalization...with ‘Tutsi lords’ and colonialists at the top and the missionary church’s religious backing” (Chrétien 2003, p.256). Indeed, the “Tutsi Lords” often exploited this position within the colonial government, using their power to increase their local importance and maintain a Tutsi leadership at the expense of a shared one (Uvin 1998, p.16). What is clear is that the ethnic classification became part of a political identity (Mamdani 1996, p10). Characterization of that identity was flexible and dependant not only on ethnicity, but wealth, power, and ownership (Ibid.).

Colonial power in Rwanda changed hands after World War I and the signing of the 1919 Orts-Milner Convention (Steed and Sundkler 2000, p.861). The League of Nations later ratified this convention, though adding a mandate ensuring the eventual return of sovereign power to the people of each nation (C Newbury 1983, p.257). Belgian rule of Rwanda furthered the ethnic divide in society. Batutsi began to be associated with the tightening colonial power, leading to clashes (Chrétien 2003, p.272). Batutsi were placed in high-ranking positions within the system while Bahutu were expected to only work the fields (often with Batutsi bosses), quotas for schools and work were implemented, etc (Gourevitch 1998, p.57). Furthermore, the Belgian government instituted extensive administrative controls, reforming the political geography of the country and thus making it easier to control the Rwandan population (Human Rights Watch, 1999). In this tradition, the Belgian government demanded, in 1933-4, that the population carry ethnic identity cards—cards that declared each person as Hutu or Tutsi—further implementing their systematic ethnic split in society (Gourevitch 1998, p.57). The problem, of course, was that due to hundreds years of intermarriage and sexual relations, it was difficult to positively identify Hutu from Tutsi (Hintjens 1999, p.253). Furthermore, ethnic identity was based on paternal ethnicity, making

it more difficult to determine than a basis on maternity would have been (Hintjens 1999, p.247). These identity cards served to not only allow for the easy identification of ethnicity, making the targeting of a specific race easier, but also to remove the importance of any other forms of identity, creating a system in which ethnic identity was the only meaningful identity (Ibid., p.254). Accentuating this separation was the missionary Catholic Church's view that in order for Rwanda to succeed it should implement a feudal system with a ruling Tutsi class and a Hutu peasantry (Chrétien 2003, p.273). Schooling, often done by the missionaries, reflected these beliefs, with segregation starting as early as 1928 (Chrétien 2003, p.286). It is important to note that Rwandan officials were not impotent tools of the Belgian colonial government. As Alison des Forges points out, the Rwandan administrators were politically astute contributors to Rwandan reform (Human Rights Watch, 1999). In this sense, they helped to institute the far-reaching administrative controls that later exemplified the Bahutu-lead government.

The critical point here is that conceptions of identity were simplified from the originally complex understanding to a singular conception, with the formation of ethnicity as the primary mode of identification. Rwanda's colonizers exploited, adapted, and solidified the racial traditions beginning in the pre-colonial era. Not only did they grasp at the critical function of identity, but unintentionally ensured that it played a critical role in the socio-political culture of Rwanda. The colonizers adhere to these identity formations, first using them as a means of convincing the population and monarchy of their goodwill, then later as a means of ensuring their power over the population. However, colonizers did not exploit these identities in isolation. In fact, privileged Batutsi utilized their favorable position and increased the extent to which racial categories were used to secure social and financial advantages. Bahutu, in response, formulated an opposition based on these ethnic categories, further enshrining the ethnic separation and politicizing identity. The terms "Hutu" and "Tutsi," begin to have distinctly political meanings. As Mahmood Mamdani (1996, p.14) points out, "Batutsi consciousness was a consciousness of power while Bahutu consciousness would come to be one of lack of power, and of a struggle for power". Mamdani goes on to argue that over time, these identities become intrinsically linked: if there is a group called Batutsi, then there is a group called Bahutu (Ibid., p16). These identities cannot exist in isolation, but are instead bipolar and interdependent (Ibid.). Therefore, the construction of

politically meaningful ethnicities is complete. Also important here is growing power and centralization of the state. The state, led by the Belgian colonial government, introduced centralizing measures to ensure the easy administration of Rwanda. Heavy taxes, ethnic identity cards, and quotas ensured the state's control of resources and the population. Furthermore, the state placed a central role in the politicizing and constructing of "Hutu" and "Tutsi" as ethnic identities and through its policies makes ethnic identity a monolith.

For the growing Bahutu elite, opposition to this system of discrimination was voiced in racial terms (Hintjens 1999, p.253). Thus, "colonial-style feudalization was...accompanied by a racialization of society" (Chrétien 2003, p.285). The Bahutu elite began demanding representation within the centers of power and the same opportunities the Batutsi enjoyed (Hintjens 1999, p.254). Though the reasons for this are contested, a new class of Belgian officials encouraged the Bahutu movement and supported their demands (Ibid.). Thus, a transformation in the standing of the Batutsi and Bahutu occurred. The once noble and aristocratic Batutsi began to be seen as foreign rulers, unworthy of their superior role, whereas Bahutu claimed to be the rightful leaders of Rwanda (ibid., p.255). Batutsi qualities that were once lauded as proof of their nobility suddenly became proof of their "foreignness" and a reason for distrust (Human Rights Watch, 1999).

Rwanda thus experienced a significant change in the organization of the country. Beginning in 1959, Batutsi were the targets of small pogroms in several provinces, resulting in many Batutsi fleeing the country (Uvin 1998, p.19). Belgian officials then oversaw the replacement of much of the local authorities from Batutsi to Bahutu control (Human Rights Watch, 1999). This, in turn, led to the 1960 and 1961 elections in which the Bahutu party, Parmehutu (Parti du mouvement de l'émancipation des Bahutu), won a majority of votes and the Batutsi monarchy was abolished, replaced by a presidential regime (Uvin 1998, p.20; Human Rights Watch, 1999). In order to cement their control over Rwanda, the Parmehutu government attacked and ousted economically or politically powerful Tutsi leaders and their families (Human Rights Watch, 1999). More Batutsi fled the country in response to these changes, which came to be known as the "Social Revolution" (Uvin 1998, p.20; Human Rights Watch, 1999). Batutsi refugees—known as *inyenzi*, or cockroaches—began forming communities in neighboring countries, which sporadically lead military incursions into Rwanda in the hopes

of returning to their country (Human Rights Watch, 1999). In 1961, the first of these invasions took place, leading to reprisal killings of ordinary Batutsi (Mamdani 1996, p.15). After each of these Batutsi incursions into the country, government leaders claimed that Batutsi living in Rwanda aided and supported the rebel attacks, serving to significantly strengthen Hutu extremism, cement their control over the country, and destroy any remaining sense of Batutsi authority (Human Rights Watch, 1999). Over the year, this led to large pogroms of Batutsi and the exodus of 40-70% of the surviving Batutsi population (Uvin 1998, p.20). The Parmehutu government also saw the economic benefits of expelling Batutsi: displaced Batutsi left valuable land and goods that could be used to benefit Bahutu and the government (Human Rights Watch, 1999). Thus, all Batutsi became targets for attack, instead of the narrow group of power-holders (Ibid.). Unsurprisingly, the Parmehutu government maintained the system of ethnic identity cards to enable their discrimination and targeting of Batutsi. However, a growing divide was also taking place between Bahutu, as those in power tended to come from the South and those from the North increasingly felt excluded from power (Ibid.). “Public Safety Committees” were formed, targeting Batutsi, with the ultimate goal of re-uniting Bahutu against a common enemy (Ibid.). Here again, the state used propaganda and fear to construct the notion of Hutu and Tutsi. The supposed differences between Bahutu and Batutsi were emphasized, furthering the sense of strangeness between the two groups.

In July of 1973, General Juvénal Habyarimana, a Hutu extremist within the Rwandan army, took power, ousting the Parmehutu government (Human Rights Watch, 1999). Habyarimana soon morphed the democratic Rwandan republic into a one-party state, under the Mouvement Révolutionnaire National pour le Développement (MRND), with a highly structured administrative system that served to control and mobilize the population (Ibid.). The government regulated and scrutinized all spheres of life, which included the continuation of ethnic identity cards and the use of *umuganda*, or unpaid work for the public good (Hintjens 1999, p.245; Human Rights Watch, 1999). The system was supported, maintained, and propagated at all levels of Rwandan society: by the extensive amount of government officials to religious authorities and leaders to business owners to personal relationships (Human Rights Watch, 1999). Habyarimana used these controls to not only maintain control of the population, but to reward those in favor as well. However, while those in Habyarimana’s

inner circle were rewarded with governmental posts, lucrative jobs, business contracts, land, and other perks, those outside were excluded from the power and benefits associated with it (Ibid.). The locus of power also shifted during this transition in leadership from the civilian government to the military (Mamdani 1996, p.16). Habyarimana repositioned the military as the true shepherds of the revolution, as it was based in the fight against the *inyenzi* invasion (Ibid.). Habyarimana greatly strengthened the power of the state, not just nationally, but locally and regionally as well. He implemented regulations at all levels of society, which allowed the state control in ways hitherto impossible.

During the 1970s and 1980s, Habyarimana attracted significant amounts of development aid, allowing the construction of one of the most impressive infrastructures in Africa (Uvin 1998, p.24; Human Rights Watch, 1999). Rwanda represented, to many donor nations, a promising “model” for development (Human Rights Watch, 1999). However, this success was primarily superficial, with a huge gap between the development rhetoric and reality (Uvin 1998, p.25). Indeed, most development projects failed in Rwanda once development aid money was withdrawn (Ibid.). Furthermore, the development aid system unintentionally strengthened the ability of the state to monitor and control the population (Ibid.). With the help of the international community, Rwanda was able to ensure the easy transport of people, goods, and information. An impressive system of paved roads, a cadre of internationally trained party followers, the unquestioning support of the international community, and access to technology (such as arms and vehicles) supported the strengthening of the already strong state. However, the rest of the country was exceptionally poor, without enough land to support itself and an ever-growing population (Human Rights Watch, 1999). Indeed, economic crisis hit Rwanda in the 1980s when the price of coffee, Rwanda’s main export, dropped significantly, followed by a drought, which left the rural poor increasingly desperate (Ibid.). As a result, Rwanda was forced to implement structural adjustment programs to qualify for debt relief from international agencies and donor nations (Hintjens 1999, p.257).

Rwandan refugees and their sons and daughters living abroad¹⁰ formed the Rwandan Patriotic Front (RPF), a military and political organization with the aim of supporting the resettlement

¹⁰ Most notably in Uganda, Tanzania, and the Democratic Republic of the Congo

of Rwandan refugees in Rwanda and putting an end to the oppressive Habyarimana regime. The RPF began their campaign against Rwanda in the early 1990s (Human Rights Watch, 1999). Habyarimana responded to these attacks by accusing all Batutsi living in the country of being *ibytso*, or accomplices, of the RPF. He used these attacks to combat the growing call for political reform in the country and again unite the Bahutu population against a common enemy (Human Rights Watch, 1999). Batutsi were blamed for both the economic problems facing the country and for the RPF threat (Hintjens 1999, p.258) and internal “enemies” were rounded up and questioned. Lists of these so-called “internal enemies” had already been prepared and included: educated Batutsi, Batutsi who had worked or traveled abroad, and Bahutu who were considered a threat to the regime (Gourevitch 1998, p.83). Here again, the “Hutu” and “Tutsi” identity divide was reinforced and politicized. However, this did not completely halt the criticism aimed at the MRND. Indeed, during the early 1990s, opposition parties were formed and forced themselves into the politic realm (Human Rights Watch, 1999). These parties threatened the unlimited power of the MRND and opposition to them from within the MRND was fierce and often included violence. The opposition parties responded similarly, and soon youth wings of all the parties were formed, which were often violent (Ibid.). The MRND responded by turning its youth wing, the *interahamwe*, into a militia (Ibid.). Hence, violence became an accepted and normal part of Rwandan political life. On October 11, 1990, local residents of Kibilira in Gisenyi were told that killing their Batutsi neighbors would be part of their *umuganda*. Some 400 Batutsi were killed in the pogrom and, importantly, violence and killing Batutsi became part of *umuganda*, a duty for Bahutu.

The media in Rwanda was almost completely controlled and approved by the government and served to flamboyantly convey the government’s message. And the people listened. In October of 1990, a newspaper called *Kangura* was launched, backed financially and ideologically by the *azuku*, the small group of power individuals supporting President. The newspaper propagated and elaborated the accusations against Batutsi and criticized the President for not doing enough to fight the RPF (Gourevitch 1998, p.86-7). The newspaper published lists of Batutsi and moderate Bahutu who had “infiltrated” important positions within the governmental, business, and social strata. They also were the first to publish what

would become the credo of the genocide, “The Hutu Ten Commandments” (Ibid.)¹¹. State-run Radio Rwanda reported increasingly suggestive messages to its listeners, including fake RPF attacks and supposed Batutsi plans to massacre Bahutu (Ibid., p.94-5). Later, in 1993, Radio Télévision Libres des Milles Collines (RTLM) was formed, financed by the *azuku*, and meant to propagate genocidal ideology (Ibid., p.99). The RTLM would go on to serve as one of the main propagators of genocidal propaganda. The media intensified the dichotomy between Bahutu and Bututsi, helping to ensure the necessity to either kill or be killed. Even before the genocide, radio and newspapers were used to as an effective means to encourage and incite violence.

The RPF continued its offensive against Rwanda, with some success. However, in the summer of 1993, the RPF and the Rwandan government signed a set of agreements, including a ceasefire agreement, known as the Arusha Accords (Human Rights Watch, 1999). A substantial group within the Rwandan army opposed and feared the agreements, as it would mean a return to a less comfortable lifestyle (Ibid.). Habyarimana and the MRND supporters within the army used this fear to build support for the MRND within the army and to further

¹¹ The commandments: 1) Every Hutu must know that the Tutsi woman, wherever she may be, is working for the Tutsi ethnic cause. In consequence, any Hutu is a traitor who: acquires a Tutsi wife; acquires a Tutsi concubine; acquires a Tutsi secretary or protégée. 2) Every Hutu must know that our Hutu daughters are more worthy and more conscientious as women, as wives and as mothers. Aren't they lovely, excellent secretaries, and more honest! 3) Hutu women, be vigilant and make sure that your husbands, brothers and sons see reason. 4) All Hutus must know that all Tutsis are dishonest in business. Their only goal is ethnic superiority. We have learned this by experience from experience. In consequence, any Hutu is a traitor who: forms a business alliance with a Tutsi, invests his own funds or public funds in a Tutsi enterprise, borrows money from or loans money to a Tutsi, grants favors to Tutsis (import licenses, bank loans, land for construction, public markets...). 5) Strategic positions such as politics, administration, economics, the military and security must be restricted to the Hutu. 6) A Hutu majority must prevail throughout the educational system (pupils, scholars, teachers). 7) The Rwandan army must be exclusively Hutu. The war of October 1990 has taught us that. No soldier may marry a Tutsi woman. 8) Hutu must stop taking pity on the Tutsi. 9) Hutu wherever they be must stand united, in solidarity, and concerned with the fate of their Hutu brothers. Hutu within and without Rwanda must constantly search for Friends and allies to the Hutu Cause, beginning with their Bantu brothers. Hutu must constantly counter Tutsi propaganda. Hutu must stand firm and vigilant against their common enemy: the Tutsi. 10) The Social Revolution of 1959, the Referendum of 1961 and the Hutu Ideology must be taught to Hutu of every age. Every Hutu must spread the word wherever he goes. Any Hutu who persecutes his brother Hutu for spreading and teaching this ideology is a traitor. Available from: <http://www.trumanwebdesign.com/~catalina/commandments.htm>

promote the concept of the enemy as all Batutsi and those Bahutu who did not support the MRND (Ibid.). Facing criticism from party extremists, Habyarimana ignored the implementation of the requirements of the Arusha Accords, thus cutting Rwanda off from \$30 million guaranteed funds from the Structural Adjustment Programs that were only to be given upon the implementation of the Arusha Accords (Hintjens 1999, p.258). Within the political, military, business, and media elite, the need for eliminating Batutsi as a “final solution” to their problems began to be discussed and was accelerated by the harsh demands implemented by the international community (Ibid.).

100 Days of Hell: The Rwandan Genocide

On April 6, 1994, a plane carrying the Rwandan leader, General Habyarimana, and the President of Burundi, Cyprien Ntaryamira, was shot down near the Kigali airport. The responsibility for this has never been established. Some theories posit that it was extremists within the MRND who shot down the plane as an excuse to initiate the genocide, while others believe it was the RPF looking to gain control of the country. Whoever the culprit, the first killings of the Rwandan genocide took place that night. What is important to note, however, is that the Rwandan genocide did not take place spontaneously, as a common reaction to the death of Rwanda’s leader. Instead, the genocide was well planned, intentionally executed, and warnings were given.

During the RPF threat of invasion in 1993, Habyarimana and his closest associates were coalescing power in a small group of civilian and military elite, the *akazu*, who planned the mass execution of Batutsi and opposing Bahutu (Human Rights Watch, 1999; Hintjens 1999, p.258-9). In early 1993, Colonel Théoneste Bagosora began designing the genocide, which was later distributed to those close to the *akazu* and used as an impetus to compile lists of soldiers who could command a genocidal effort (Human Rights Watch, 1999). Civilian and military militias expanded and were given an increasing amount of guns, machetes, grenades, and training (Human Rights Watch, 1999; Mamdani 1996, p.19). Originally soccer clubs, associations, and groups for unemployed youth, these militias expanded dramatically during the 1990s making them a perfect recruiting ground for the military (Hintjens 1999, p.267). By March, 1994 Bagosora and others were ready to begin the genocide, but were unsure of their hold in areas furthest from Kigali and the North (Human Rights Watch, 1999).

After the destruction of Habyarimana's plane, Col. Bagosora and members of the *akazu* held an emergency meeting ratifying their power as the leaders of Rwanda and began implementing the planned genocide (Gourevitch 1998, p.114). This began with the murder of political opposition, allowing Bagosora and his supporters to fill the power vacuum left in their and Habyarimana's absence (Human Rights Watch, 1999). At the same time, militias and the military all over the country began the systematic killing of Batutsi, facilitated by the highly organized state structure and well-formulated plans (Ibid.). Just 24 hours after Habyarimana's death, the RPF resumed its military operations, taking the high ground around the parliament building (Gourevitch 1998, p.114).

At the encouragement of community leaders, the military, the media, peers, and the threat of violence, mass killings began. Lists had been drawn up, cataloging the Batutsi in each community. Neighbors killed neighbors, husbands killed wives, doctors killed patients, no relationship was too sacred to prevent violence. Killing Batutsi was considered *umuganda*, work, and was promoted as such. Participation in killing was widespread and mandatory—it was either kill or be killed (Gourevitch 1998). However, that is not to say that protecting Batutsi was unheard of. On the contrary, it was not uncommon for *génocidaires* to spare, or even protect, those meant to die (Ibid., p.130-1). Rape of Batutsi women and girls was systematic—the goal was not only the shame that comes with rape, but the proliferation of the Bahutu people (remember, ethnicity was based on paternity). Roadblocks were set-up by the military and the *interahamwe* to stop and kill Batutsi. As the RPF gained more territory in Rwanda, an increasing number of Bahutu fled Rwanda, for the perceived safety of large UN refugee camps (Ibid., p.155). Facing an army more than twice its size, the RPF was able to move surprisingly quickly through the country. By late May, the fury of killing had subsided, as many of the Batutsi were either already killed or had fled (Ibid.). The RPF continued its offensive, taking more of the country, and by July 19th a coalition government between the RPF and the surviving members of opposition parties was formed and sworn in (Ibid., p.163). By the 20th of July, the genocide as such had ended (Ibid.).

Despite several warnings of the impending genocide, the United Nations Assistance Mission for Rwanda, UNAMIR, failed to prevent its inception. On January 11, 1994, Major General

Roméo Dallaire sent a fax to the Department of Peacekeeping Operations at UN headquarters detailing the planning of and capacity for ethnically targeted violence within Rwanda (Gourevitch 1998, p.103-4). The UN, however, refused to allow Dallaire to proceed with his plan of raiding weapons caches, instead telling him to inform President Habyarimana of the plans (Ibid., p.105). After the genocide began, UNAMIR was unable to intervene. The UN peacekeepers suffered from a limited mandate, which prohibited the use of force except for in self-defense. When interpreted strictly (as Major General Dallaire's superiors did), this meant only acting if attacked. Thus, the UN soldiers were only able to watch the genocide unfold. On April 21, 1994, at the height of the killings, the UN Security Council passed a resolution cutting the number of soldiers in Rwanda from over 2,000 to just 270, despite Major General Dallaire's assertion that he could end the genocide with 5,000 soldiers and the equipment and mandate allowing him to do so (Ibid., p.150). In the meantime, the United States refused to use the term "genocide" to describe the events taking place in Rwanda (Ibid., p.151). The term "genocide" brings with it legal and moral obligations that the United States was unwilling to agree to. In June, after two months of what the U.S. government termed "genocidal acts", did the U.S. use the word "genocide" to describe the events in Rwanda. However, the term was only used after the government formulated a new reading of the Genocide Convention, which they claimed merely "enables" preventative action in the face of genocide, as opposed to the more common understanding which obliges intervention (Ibid., p.153).

Throughout the genocide, the French government remained in close contact with the Rwandan government (Gourevitch 1998, 154). Ever on the side of the Rwandan government, the official French line held that the mass killings were due to outrage at President Habyarimana's death and French military command even promoted the fallacy of a double-sided genocide (Ibid.). However, in mid-June the French government decided to undertake a "humanitarian" mission in Rwanda (Ibid., 155). On the 15th and 16th, arms shipments for the acting government landed in Rwanda and on June 22nd, the United Nations granted the French mission a two-month mandate, with permission to use force—a stronger mandate than they allowed their own peacekeepers (Ibid.). Thus, *Opération Turquoise* got underway. Within a week of their arrival, the French Army turned a quarter of the country into a "safe zone", while simultaneously countering the RPF advancement (Ibid, p.157-8). However,

despite this so-called safe zone, the French army maintained and supported the same political leadership that oversaw the genocide (Ibid., p.158). Indeed on July 16th, Bagosora and his cabinet fled to the *Zone Turquoise*, the safe zone, and, despite promises to arrest him, the French army allowed the Colonel and his genocidal cabinet free passage to the Democratic Republic of Congo (Ibid, p.163).

An important aspect of the Rwandan genocide was the use of propaganda to prepare and spur on the *génocidaires*. Before the genocide began, extremist newspapers and radio stations were utilized to proclaim the inferiority and threat of Batutsi (Hintjens 1999; Human Rights Watch, 1999; Gourevitch 1998). Hintjens (1999, p266) reports that propaganda stories from World War II were re-told, almost word-for-word, during the first months of the genocide. Furthermore, fictitious attacks against Kigali were staged and reported to citizens and international groups, as were other fictitious reports of RPF genocidal plans against the Bahutu (Hintjens 1999, p.266; Human Rights Watch, 1999). The popular radio station Radio-Télévision des Mille Collines (RTL) was used during the genocide to spur on genocidal activity. The RTL broadcast the names of Batutsi, and other targets of the Rwandan government, the whereabouts of those hiding, and generally reported propaganda as fact (Hintjens 1999, Gourevitch 1998). Popular music was also used to encourage *génocidaires* and to continue killing Batutsi (Hintjens 1999, p.267).

While the RPF had effectively taken control of Rwanda, thousands of Bahutu refugees fled to the Democratic Republic of the Congo (DRC), Tanzania, and other neighboring countries. Especially in the DRC, the camps were teeming with machetes and other weapons, with *interahamwe* groups and the ex-FAR left virtually intact (Gourevitch 1998, p.165-7). The camps suffered from the same rigid hierarchy that had characterized the Rwandan state before the genocide, with the UN refugee camps essentially sheltering the *génocidaires*, allowing them to re-group in order to conduct guerilla-like intrusions into the country to continue the killing (Ibid.). The camps, of course, were not easy places to live (the refugee camp in the DRC suffered from a mass outbreak of Cholera), but they did serve as a safe place that gave access to food, shelter, and arms (Ibid.). These camps turned what was the crisis of one country into a regional crisis, which continues to this day.

At the same time the refugee camps were set-up in the countries surrounding Rwanda, internal camps were set up within Rwanda. Like the refugee camps, these were run by the *interahamwe* and what was left of those formerly in power. They housed many *génocidaires*, accommodating approximately 400,000 IDPs, and were a threat to the internal security and peace of Rwanda. Therefore, the new coalition government decided to close the camps and reintegrate the IDPs back into their communities (Gourevitch 1998, p.188). According to studies conducted by relief agencies and the UN, at least 95% of those in the camps returned home peacefully (Ibid., p.189). However, the remaining scattered from camp to camp or were arrested on acts of genocide or were killed in revenge killings (Ibid.). In April 1995, the Kibeho IDP camp, which housed at least 80,000 IDPs, was scheduled for closing by the RPA. As the RPA tried to close the camp, the crowd, frightened by the presence of the army and the propaganda spread by the *interahamwe*, broke through the barricades set-up for the orderly exiting of the camp (Ibid., p.191). The RPA responded by opening fire, indiscriminately, into the crowd, using machine guns, rocket-propelled grenades, and at least one mortar (Ibid.). Reports of attack by machete from the *interahamwe* and others within the camp were reported (Ibid., p.193). Once again, UNAMIR troops were hindered by their mandate and could do nothing to stop the attack. The RPA, and the government today, argues that these deaths were collateral damage, the result of a military operation.

Explaining the Genocide

Something as profoundly widespread and effective as the Rwandan genocide is not easy to explain. However, several authors and theorists have attempted to do so. As Helen M. Hintjens (1999, p.243) outlines in her article “Explaining the 1994 genocide in Rwanda”, existing literature on the genocide tends to categorize the root causes for the genocide in three different, though not mutually-exclusive ways: 1) as influenced by external forces on Rwanda, both colonial and neo-colonial; 2) as influenced by internal forces, e.g. overpopulation and social cleavages; and 3) as influenced by the psychosocial make-up of Rwandans, e.g. a propensity towards extreme obedience. Hintjens (1999) adds a fourth cause to this list, as influenced by the Rwandan government. Each of these theories, on their own, cannot sufficiently explain the atrocities that occurred in 1994, but when seen as roots to the same tree, give a more complete explanation. It should be made explicit that racial or ethnic identity did not cause the Rwandan genocide. Rather, ethnic identity was used to justify

killings, mobilize fighters and rebels, and incite fear and tensions, thus making the genocide possible. As Jean-François Bayart argues, identities are not the cause of conflicts, but the way that they are expressed (in Hintjens 1999, p.251).

The Rwandan Parliament

After the genocide, the government was essentially being run by the RPF. In accordance with the Arusha Accords, the RPF-led transition government instituted a coalition government. In 2000, the government started on a process of writing and instituting a new constitution, which was ultimately ratified in May 2003. The constitution has several progressive features, such as implementing quotas for women's participation in the legislature, at all levels of government; a commission for national unity and reconciliation; and mandatory primary education. The constitution also details the responsibilities of the Parliament.

The Parliament consists of two chambers: the upper house, called the Senate and the lower house, the Chamber of Deputies. The Senate is composed of 26 members, 11 of which are women. Senators are appointed in a variety of manners: 12 are elected by councils within each province; 8 are appointed by the President; 4 are appointed by the Forum of Political Organizations; 1 is a university lecturer appointed by staff of Rwandan public universities; and 1 is university lecturer appointed by the staff of Rwandan private universities (The Constitution of the Republic of Rwanda, Art. 82). Nominating committees are expected to consider issues of "national unity" (The Constitution of the Republic of Rwanda, Art. 82). In addition, Senators are expected to be:

...citizens of impeccable character possessing the qualities of 'inararibonye' who are elected or appointed objectively on the basis of individual merit without regard to political affiliation. They shall be highly skilled in the fields of science, law, economics, politics, sociology, culture, or be persons who have held senior positions in the public or private sectors.

(The Constitution of the Republic of Rwanda, Art. 83)

Article 87 of the Constitution gives the Senate the responsibility of upholding and applying the principles of Articles 9 and 54 of the Constitution, which state, respectively:

The State of Rwanda commits itself to conform to the following fundamental principles and to promote and enforce the respect thereof: 1° fighting the ideology of genocide and all its manifestations; 2° eradication of ethnic, regional and other divisions and promotion of national unity; 3° equitable

sharing of power; 4° building a state governed by the rule of law, a pluralistic democratic government, equality of all Rwandans and between women and men reflected by ensuring that women are granted at least thirty per cent of posts in decision making organs; 5° building a state committed to promoting social welfare and establishing appropriate mechanisms for ensuring social justice; 6° the constant quest for solutions through dialogue and consensus. (The Constitution of the Republic of Rwanda, Art. 9)

and,

Political Organizations are prohibited from basing themselves on race, ethnic group, tribe, clan, region, sex, religion or any other divisions which may give rise to discrimination.

Political organizations must constantly reflect the unity of the people of Rwanda and gender equality and complementarity, whether in the recruitment of members, putting in place organs of leadership and in their operations and activities. (The Constitution of the Republic of Rwanda, Art. 54)

In addition, the Senate is allowed to vote on, but not initiate, legislation and approve the appointment of various heads of public and some governmental organizations (The Constitution of the Republic of Rwanda, Art. 88).

The Chamber of Deputies is composed of 80 members, of which 44 are women. Of the 80 members: 53 are universally directly elected, 24 women are elected by specific Provincial committees, 2 are elected by the National Youth Council, and 1 is elected by the Federation of the Associations of the Disabled (The Constitution of the Republic of Rwanda, Art. 76, amend. 2). The Chamber of Deputies is responsible for initiating (along with the President via Cabinet Members) bills as well as approving the Government's budget (The Constitution of the Republic of Rwandan, Art. 79, amend. 2; Art. 90).

Rwanda's history, the genocide, and the functioning of the Parliament are essential components of the country's current process of reconciliation. The understanding of political reconciliation in Rwanda was not formed in isolation, but is the result of this history and the way the country is and was governed. Throughout Rwanda's history, identity is clearly used as the basis for inclusion and exclusion, propaganda, and as a means of controlling the population. This identity was intentionally built and exploited. It is also clear, however, that Rwanda's present government, through the formulation and ratification of the constitution, is seeking to change this identity formulation. Does political reconciliation in Rwanda also revolve around identity politics or is it more nuanced? In what ways does this history affect

the present understanding of Rwanda's process of political reconciliation? The next section will attempt to understand these questions by exploring the academic understanding of political reconciliation, then delving into the ways Rwandan Senator's view reconciliation.

THE RECONCILIATION NEXUS

Kigali is an exceptional city. Like Rwanda itself, the city is built around and on hills. Every hillside is developed, with large, fenced houses next to neighborhoods of mud-brick houses; new IT centers and malls next to small kiosks; small patches banana trees within packed neighborhoods. The center of the city is full of people, children running to and fro, men watching the crowd walk by, young boys selling newspapers and phone cards, women walking to unknown destinations; matatus¹² with their conductors musically calling the name of their destination; the smell of smoke and exhaust and spices and people constantly in the air. Yet despite all this commotion it is still one of the more peaceful capital cities in Africa. Crime is almost non-existent, pollution is lower than in most places, and people do not rush in the same way they do in other cities. And while all these characteristics are distinct in my memories from Rwanda, so too are my thoughts from the first few weeks of my arrival. As we would drive through the busy Kigali streets, I would often find myself wondering who amongst the Rwandans that I was looking at had participated in the genocide. I wondered how it was possible that all these people were able to interact with one another in any kind of normal way, how it was possible that the streets were not erupting in violence, how it was possible that life goes on from a tragedy on the scale of the genocide. While it is ultimately impossible to understand how each individual in Rwanda reconciles, it is possible to get a larger understanding of the reconciliation process. Although I am somewhat ashamed of these questions now, they helped shape the ultimate question of this thesis. From my research, conversations, and reflections with Rwandans, one main research question became clear: What does political reconciliation mean in Rwanda? How do legislators define reconciliation and how might this definition impact reconciliation in Rwanda? In order to answer this question, one must first examine the literature on reconciliation and political reconciliation.

¹² Matatus are mini-buses commonly used as buses in Africa and other parts of the developing world. They are quite cheap and often very crowded.

What is Reconciliation?

An array of literature exists that seeks to define and explain the process of reconciliation. These authors help frame a global understanding of reconciliation and the more practical steps to attaining this generally theoretical concept. However, the concept of reconciliation is one rife with debate over its implications and scope, resulting in an array of differing opinions. It is, as Dr. David Bloomfield (2003, p.12) points out, both a goal and a process. At the same time, it constitutes a religious concept, a political concept, a rhetorical concept, and a psychological process. Because of this, the term itself is problematic, leading to great debate as to the extent and meaning of the concept, not only in theoretical terms but also in the practical implementation of reconciliation. As a result, authors often limit their usage of the concept to fit the context of their discussion (Bloomfield 2006, p.5). Instead of working as an umbrella concept, it is only applied to certain aspects of reconciliation, i.e. justice, politics, or forgiveness. This confusion over the usage and application is felt not just in academic circles, but is also an important hindrance to countries emerging from a period of violence or conflict (Ibid., p.4). Can reconciliation really take place if no one can agree on what reconciliation is or what it entails? While it may be impossible to achieve a consensus on a single definition of reconciliation, it is possible to understand the varied ways it is interpreted.

Reconciliation is generally defined in two competing, though not mutually exclusive, ways. The first identifies the *process of change* from conflict into cooperation as reconciliation. The second identifies the *result* as reconciliation. The stress on the first is both on the process and on the change: both are necessary for reconciliation. Bloomfield (2006, p.12) argues that the goal of reconciliation cannot be understood independently from the process a person, relationship, or society undergoes in order to achieve it. Therefore, this process must fundamentally address and “redesign” the relationship between the two conflicting sides in order to attain this goal (Ibid.). John Paul Lederach agrees, saying it is the: “dynamic, adaptive processes aimed at building and healing...a process of change and redefinition of relationships” (Lederach in Bloomfield 2006, p.6). Within these two complimentary understandings lies the importance of changing or reformulating preexisting relationships that lead to conflict. This process can be either individual or political, depending on the author or context, and in many cases is applied to both (Bloomfield 2006, p.9). Mani (2005, p.513)

points out that even this understanding of reconciliation is limited. Reconciliation done on a national level does not necessarily create the reconciliation of individuals, and vice versa (Ibid.). Yet, he argues, reconciliation in total is dependent on both of these forms of reconciliation (Ibid.). Process and change go hand-in-hand, each an integral aspect of the other. Philosopher Susan Dwyer's (2003, p.106) argument coincides: "reconciliation is fundamentally a process whose aim is to lessen the sting of tension." She sees reconciliation as necessarily addressing the tensions and responses to differing beliefs, interpretation of events, and values (Ibid., p.96), or the process. Reconciliation helps individuals or countries incorporate disturbances or tensions into their personal or national narrative (Ibid., p.98), or change.

The second understanding views reconciliation not as the process of change, but as the change itself. For some scholars, this understanding of reconciliation is too idealistic, advocating a utopian end-state that is impossible to attain (Bloomfield 2006, p.6). However, for many practitioners and policy-makers, this change or end is vital to their understanding of reconciliation (Ibid.). Donald G. Ellis (2006 p.177) understands reconciliation as: "a change in relationship between two conflicting cultures that represents a move toward increased cooperation." Daniel Bar-Tal and Gemma Bennink, while recognizing that reconciliation is a process, define the outcome of reconciliation as:

mutual recognition and acceptance, invested interests and goals in developing peaceful relations, mutual trust, positive attitudes, as well as sensitivity and consideration for the other party's needs and interests (in Bloomfield 2006, p.8).

Victims in post-violence contexts have criticized this conception of definition, believing that this narrow understanding of reconciliation will force them to accept reconciliation sooner than they may be ready (Ibid., p6). For Crocker (2003, p.54), there are several levels to the end result of reconciliation between conflicting groups. This reconciliation may be more basic or comprehensive depending on the conception of reconciliation for each government or commission. At the very least, groups must have "simple coexistence" to claim any kind of reconciliation (Ibid.). From here, reconciliation can and should extend to opposing groups having the ability to live peacefully together or even to respect the other as a fellow citizen (Ibid.). The final step in this process is to develop a space for public deliberation and debate on the goals, institutions, and strategies of reconciliation (Ibid., p.55). This space would

allow for a conversation between groups as to how and what must be done towards reconciliation. Although groups are not expected to always agree, the initiation of discussion will allow for considering of both sides' positions and tolerance in their differences (Ibid.). Luc Huyse (2006, p.19-22) also identifies three stages in reconciliation. The first stage is characterized by non-violent coexistence between the conflicting groups (Ibid.). Although there is not an end to hostilities, there is an end to the violence (Ibid.). Communication is a key aspect of this stage. Opposing sides must have an opening or re-establishing of dialogue in order to change the isolation that breeds conflict. So too, a safe environment must exist in order for hostilities to cease. Without the guarantee of personal or institutional safety, no group will cease violence. While this stage will not end in cooperation of conflicting parties, it will begin the process. The second phase is characterized by the (re)building of confidence and trust both internally and with the opposing group. At the very base of this is the understanding of the humanity of the other. In addition, the victim begins to understand gradations in guilt. Trials and other forms of appropriating guilt often emerge during this stage (Ibid.). Of course for this to happen, institutional capacity to undertake these must be in place (Ibid.). The third and final stage is the movement of both victims and perpetrators to an increased understanding and empathy of the other. Truth telling is a precondition to this stage—empathy cannot occur if there is not a basic understanding of what happened. Oftentimes, truth and reconciliation commissions or other such bodies arise during this stage in order to find the truth. Increased cooperation between formerly opposed sides takes place, with other issues superceding the sources of conflict (Ibid.).

Political Reconciliation

Emerging from the field of reconciliation, a third understanding has taken shape, that of political reconciliation. Andrew Schaap (2006) focuses his attention specifically on a theoretical understanding of political reconciliation. Schaap's theory on reconciliation relies on the ideas of Carl Schmitt and Hannah Arendt. He begins by first differentiating between *politics* and *the political*. Schaap's understanding of *politics*, based on the theories of Sheldon Wolin and Chantal Mouffe, defines it as the competition for access to those resources held by the authority of the collective (Ibid., p.271). *The political*, however, is based on the Arendtian concept that refers to an extraordinary moment or potential within political action "by which a 'we' (and hence the idea of a general interest) comes to be

articulated” (Ibid.). *The political* allows for the spontaneous cohesion of individuals toiling towards a shared goal and creates the space for political action (Ibid. p.271-2). Schaap admits this understanding of *the political* takes on aspects of the utopian, yet for him, it is precisely in this utopianess that political reconciliation lies (Ibid.). Political reconciliation strives to achieve a “we” between former enemies, allowing them to reconstitute former violence and current conflict (Ibid.). However, achievement of this “we” is not certain, but merely a political potential, engendering this action with the added risk of vulnerability (Ibid.). This potential, however, is always constrained and resisted by the intensification of the friend-enemy distinction, which is, for Schmitt, the moment of the political (Ibid, 272). Therefore, for Schapp, political reconciliation depends highly on the Arendtian moment within *the political* in that it serves to redistribute power from the state to the “we” of its citizens (Ibid.). Thus, “reconciliation is not about restoring a moral order but initiating a new political order...since it seeks to enact a radical break with the social order that underpinned the violence of the past” (Ibid.). This is an important point to note. For Schaap, political reconciliation is not just the creation of the Arendtian “we”, but is contingent on the risk of the Schmittian friend-enemy distinction.

Schaap’s understanding of political reconciliation relies heavily on Carl Schmitt’s theories on what constitutes the political. In order to more fully explore the concept of political reconciliation, it is thus important to understand Schmitt’s work on the subject. Articulated in *The Concept of the Political*, Schmitt’s theory is based on the central distinction between friend and enemy (Schmitt 2007, p.26). For Schmitt, the political can only be determined by finding and defining specifically political categories and in the distinctions between these categories, to which actions may ultimately be linked (Ibid., p.25-26). Thus, the ultimate category and distinction is that of friend and enemy (Ibid.). For Schmitt, “the high points of politics are simultaneously the moments in which the enemy is, in concrete clarity, recognized as the enemy” (Ibid., p67).

The enemy is identifiable in that s/he is “the other, the stranger...existentially something different and alien” (Ibid., p.27). The enemy, however, is not merely an individual or personal enemy. It is a public enemy, a collectivity of people that confronts another collectivity (Ibid., p.28). Importantly, it is not required that the enemy be something

essentially bad or evil, but someone who is, fundamentally, different in some important way (Ibid., p.27). Moreover, the enemy is solely a public enemy, which only the participants of the public can determine (Ibid., p.27-8). The enemy only exists when there is at least the potential, in extreme cases, for armed conflict (Ibid., p.28). If this potential is never reached, or ceases to exist, then the political is never achieved or is terminated (Ibid., p.35). If the public loses its ability to determine the enemy or lets the enemy be decided for them, even in only the most extreme case, then it has lost its political nature or its political freedom (Ibid., p.49). As the potential for conflict intensifies, so too does the political (Ibid., p.29). Thus, for Schmitt, the political is objective: the public or state is left to decide who is friend and who is enemy based on qualifications that are meaningful to them (Ibid., p.27). This is not a personal decision and the enemy is not a personal enemy, therefore it is not subjective. This distinction between friend and enemy is made independent of other characteristics or antitheses, proving its objectivity (Ibid.). Other antitheses may emerge, based on the primary political antithesis, which are also encompassed by the state (Ibid., p.30). These antitheses may become political if they have the capacity to create the friend-enemy distinction (Ibid., p.37). However, what normally follows is a sort of widening spiral of relevant antitheses, all of which relate less and less to the original political antithesis. What connects them all is “some sort of antagonistic moment” from the original friend-enemy antithesis (Ibid., p30).

Schmitt introduces the idea that the enemy is a politically constructed concept. S/he is not an inherent enemy, but something that is ultimately formulated by the main political entity, the state, and propelled by its citizens. This is important because it highlights the possibility of reformulating this friend-enemy distinction. If the enemy is not intrinsically an enemy, then this classification is subject to reformulation based on the political needs of the state. Thus, reconciliation is possible via this reformulation. Furthermore, the citizens always have the opportunity to deny this distinction, in which cases the state can no longer be considered the main political entity. In this denial, the state loses its ability to determine and direct the distinction, thus losing its political capital. Therefore, citizens have the ultimate political power in this equation. While they may not construct or reconstruct political categories on their own, they may accept or reject them. If a reformulation of who is considered an enemy is denied, then the possibilities for reconciliation become nullified. Schmitt also explores the idea of an antagonistic moment during the political process when the friend-enemy antithesis

is fully realized. Schapp, interestingly, echoes this idea in his conception of the moment in which a “we” is formulated. While Schmitt conceives of this idea as a break in the relationship, in a way, when the enemy is clearly identified as such, Schaap applies this same idea to the re-formation, in a way, of relationships, when the enemy becomes part of the “we”. This antagonistic moment can be reutilized to create reconciliation.

Schmitt (2007, p.30) argues that everyday language expresses and reinforces the friend-enemy distinction. This is shown in two different ways. Firstly, all political concepts, images, etc have disputed meanings (Ibid.). Debate over these meanings slowly creates oppositional groupings, which ultimately lead to the friend enemy distinction (Ibid.). This debate and the meanings that emerge are bound, however, to the context and situation to which they refer (Ibid.). Once these situations and contexts become void, their meanings become unclear (Ibid.). Secondly, the friend-enemy distinction is meant to refer to one state against another. However, the term “political” has come to refer to the politics within a country (Ibid., p32). Thus, the internal conflicts of a state weaken it, and as a result, the common identity (Ibid.). However, if party politics (or, one might argue, ethnic or identity politics) become the sole political difference, then the highest level of the friend-enemy antithesis has been reached (Ibid.). Thus, internal disputes are capable of creating armed war (Ibid.). Because war is always a possibility, though not always a goal, of political action, human thoughts and actions in response to this become characteristic, thus creating specifically political behavior (Ibid., p.34).

For Schmitt, words and their meanings are bound to the contexts in which they are used. Once they are released from these contexts, they become incomprehensible, and thus, open to re-contextualization. If the debate and context around these words is changed, their meanings can change and expand, too. However, this too must take place through a radical break, one radical enough to release the words from their contexts. Thus debates and words with formally explosive meanings can be re-imagined to create new friend-enemy distinctions. Words, and the reformulation of their meanings, have the potential for reuniting what was previously divided, for reconciling previous enemies. Schmitt also recognizes the importance of internal politics in the friend-enemy distinction. Although writing from the perspective of International Relations, Schmitt still acknowledges that internal disputes can reach the

ultimate distinction, resulting in civil war. This is important in that it recognizes that internal conflicts may be of such importance or that internal division be so great as to permit war. Furthermore, the ever-present possibility of this war creates behavior that further intensifies the friend-enemy groupings. Thus, national identity or cohesion is weakened as internal divisions, and the resulting friend enemy distinctions, grow larger.

Of importance is Schmitt's idea of the political entity. The political entity is something decisive, a political community that transcends all other societal groupings, but is still related to them (Schmitt 2007, p.45). This entity is usually the state. As such, the state has the power to decide the enemy and what must be done to fight this enemy, as long as its politically united people are prepared to fight for it (Ibid., p.45-6). However, as a political entity, the state is also compelled to ensure internal peace, meaning that the state also has the capacity to determine internal enemies (Ibid., p.46). If an internal enemy is declared, then a state of civil war is upon a nation, the conclusion of which determines the future of the political entity (Ibid., p.47).

Here again Schmitt presents the idea of the enemy as something that is politically constructed. Yet in this explanation of the political entity, he explicitly articulates the state's ability to determine internal enemies. Declaring an internal enemy, however, is risky. The legitimacy of the state is tied to the outcome of any civil war that takes place. If the state loses, it is no longer considered a political entity. Contrarily, if the state loses an external war it does not necessarily lose its internal legitimacy. This dichotomy makes the declaration of an internal enemy more dangerous, in many ways, than that of an external enemy. Thus, this declaration must be carefully made, with the full assurance of the people's acceptance of this declaration.

This study draws on both Andrew Schaap and Carl Schmitt's ideas to understand political reconciliation. As Schaap argues, political reconciliation is made possible in the space opened up by the Arendtian moment of the creation of the "we", which is constantly conditioned by intensification of Schmitt's friend-enemy distinction. Taking this further, this thesis understands political reconciliation as the re-formulation of Schmitt's "antagonistic moment" (Schmitt 2007, p.30) from one enemy into another. Political reconciliation, then,

takes place when former enemies are included into the “friend” category and another enemy is identified.

In countries emerging from periods of violence, conflict, or genocide, the need for a process or program of reconciliation is clear. In the cases of internal conflicts, the need for political reconciliation is also apparent. Therefore, it is helpful to understand what political reconciliation means to a country embarking on a process of political reconciliation. The following chapter will investigate how Rwandan Senators define reconciliation in order to better understand the Rwandan process of reconciliation. The understandings presented by the Senators will be analyzed and interpreted through the framework for political reconciliation presented above.

UNDERSTANDING RECONCILIATION: RWANDAN SENATORS

As the discussion above illustrates, the nature of the concept of reconciliation is one exceedingly fluid, subject to individual and theoretical variation. Indeed, much of the importance of the concept lies in the different ways it is defined and applied. Thus, it is worthwhile to investigate the definition and application of the concept at the political level in order to better understand what political reconciliation means within a country actually undertaking a process of reconciliation.

It is interesting to note that the government of Rwanda uses the words “reconciliation”, “unity” and “reconstruction” to describe their attempts at reconciliation. In a study published by the Senate of Rwanda, entitled “Rwanda: Genocide Ideology and Strategies for its Eradication”, unity and reconciliation are defined. According to the study, “unity evokes the reconstruction of the national identity dismantled by historical processes” whereas reconciliation “refers to the healing of the wounds of genocide and the creation of conditions favourable to the emergence of new relations among Rwandans” (Rwanda Senate 2006, p.178). While these definitions represent the official government’s definitions, it is important to also understand the ways in which those legislating in Rwanda interpret reconciliation. Through a thematic analysis of the interviews with Senators, three different points of view were identified in their understandings of reconciliation. This analysis investigates the different ways Senators interpret reconciliation and seeks to classify these in a systematic and logical manner. From this three unique understandings of reconciliation emerge: reconciliation as an individual, idealistic goal; reconciliation as an individual, pragmatic goal; and reconciliation as a national goal. Importantly, the Senators promoting these definitions do not consider them mutually exclusive. Instead, Senators often define reconciliation using two or more of the categories presented below. The following investigates each of these interpretations, then attempts to better understand them through the lens of the larger discussion on reconciliation presented above.

Individual, Pragmatic

The first definition of reconciliation tends to view reconciliation from a more individual and pragmatic point-of-view. This interpretation stresses the importance of knowing the truth and having a basic mutual respect for one another. Though this respect is limited, it is an essential aspect of reconciliation. Reconciliation is understood not in an overly idealistic sense, but by what is possible to expect from those who have survived something as traumatic as the genocide.

Senator 6 stresses the importance of finding and knowing the truth. She says:

Yeah, because it is difficult to think that somebody coming to tell me, “You know I killed your brother, I killed your sister. I apologize.” What do I say? I say, “Ok, at least I know who did it.” But, I never trust that person, I never go to his home, I don’t think I should go to his home—I’ll not feel comfortable. I even try to avoid to meet that person often. But at least I know that he lives there. If I meet with him in the road, I just, we can even say hello and go ahead. Yeah, and try, I can say, maintain a kind of serenity in living together and working together (2007)

For Senator 6, finding the truth seems to function as a way to achieve a sort of inner peace. For her, it is important to know who did what. She wants to be able to identify those who committed wrongs against her or her family. Important, however, is the fact that trust and forgiveness are not part of the equation. While knowing the truth may bring her some level of “serenity”, it does not bring forgiveness.

Interestingly, this definition does not focus on the apology. While it is indeed part of the equation, the emphasis is on the revelation of knowledge, not on the act of apology. For Senator 6, the apology is important only in that it gives relevant information, not that it is, as Minow (2006) claims, a legitimization of suffering. This definition, however, only fulfills the first stage of Luc Huyse’s three stages of reconciliation (2006, p.19-22). In the first stage, violence ceases and there is a stress on communication between conflicting groups. In order to move to the second stage of reconciliation, confidence and trust must be rebuilt between the conflicting groups. This Senator’s definition clearly does not reach that far, thus limiting its scope to the first stage of reconciliation.

An important question is if this knowledge, without forgiveness or increased trust, can produce the kind of change of relationship that Lederach and Bloomfield claim necessary for

reconciliation? She cannot trust the other, a component in Daniel Bar-Tal and Gemma Bennink's criteria for reconciliation (Bloomfield 2006, p.8). Here it seems the other's presence is merely tolerated. Yet, she does search for an acceptance with living and working with the other. In this, she takes the vital steps towards reformulating her relationship with the other. Hate or feelings of revenge do not promote serenity, therefore maintaining these feelings (part of the previous definition of the relationship) run counter to reconciliation. Despite being a small step, it is a necessary one in the long *process* that is reconciliation.

Furthermore, her emphasis on truth telling echoes Martha Minow's (2006, p.70) assertion that truth telling works for both the individual and the community. For Minow (Ibid.) and others, reconciliation cannot occur without understanding what happened and, Crocker (2003) would argue, why. Understanding the facts of conflict allow them to be processed and shaped into a narrative of the conflict, one Minow argues is essential for reconciliation. Furthermore, understanding not just what happened, but why it happened serves as a basis for further reconciliation. Reconciliation cannot happen without the attainment of some certain truths. For Senator 6, these are an important aspect of her definition of reconciliation.

Senator 6 also calls for a limited type of respect. She calls for "...maintain[ing] a kind of serenity in living together and working together" (2007). Her use of the word "serenity" invokes the idea of both inner and outer calm. In this, she goes beyond many of the other definitions by Senators as she recognizes the personal and community aspect of reconciliation. For her, reconciliation is both internal and external; it is thoughts and feelings as much as actions. This places an important stress on the role of the individual in the reconciliation process. Government may work towards external serenity or peace, however the individual must work on the internal. For this Senator, reconciliation is limited. It is not a panacea that can create forgiveness, trust, or friendship between conflicting groups. Nor is it only the capacity to merely live together. Instead, it is both finding out the truth and having the ability to respect the other in order to live and work together peacefully.

Importantly, this interpretation comes from a very victim-centric point-of-view. The focus is not necessarily on the perpetrator, but focused internally. This definition concentrates on the actions of the victim. It does not, as mentioned above, center on the apology, but on the

inability to forgive. It does not focus on the withholding of information (as only a perpetrator can do), but the receiving of information. It focuses on what the victim will or will not do, not what the perpetrator can or cannot do to encourage reconciliation.

As a survivor of the genocide, Senator 6 knows the challenges of creating reconciliation within oneself and within a community. This understanding of reconciliation may, therefore, be a reflection of her experience. She cannot forgive, so she will not ask others to do so either. In order for citizens to share a vision for the future or to even say hello to someone who killed a member of his or her family, a basic level of respect is needed for the other person. A recognition of the humanity of the other and basic, if grudging, acceptance of their place in the country is implied in this interpretation of reconciliation. However, it is questionable whether this can be said to engender political reconciliation. Missing from this interpretation of reconciliation is the “we” necessary to re-formulate the friend-enemy distinction. This understanding focuses almost exclusively on the individual: the individual responsibility of a perpetrator to tell the truth and the individual feeling of serenity for the victim that accompanies the revelation. This leaves no opening for a political space in which this formulation of the “we” can materialize. Thus, this understanding seems to avoid the existence of a specifically political reconciliation, and instead formulate a purely personal one.

Individual, Idealistic

The second interpretation also considers reconciliation from an individual point-of-view. However, this perspective is far more idealistic. It aspires to more than just simple reconciliation, and therefore asks for more. For the Senators interviewed, this interpretation centers on the ability to understand and observe the basic rights of each individual Rwandan. Without this level of respect they argue that Rwanda cannot and will not reconcile.

Senator 8 interprets reconciliation on a very personal level. She believes that, “We need to be together, we need to apologize, to apologize for my crime. As survivors, or as a country, or as a population, if I apologize, I accept I do a bad thing...and when I ask a pardon you have also take a step and pardon me” (2007). Here, the point-of-view is from that of the perpetrator. It is “I”, the guilty, who must apologize, but “you”, the victim, who must accept

this apology. In this formulation, the action is focused on the perpetrator: they must take the initiative to apologize. While the victim must also act, it is only in *reaction* to the actions of the perpetrator.

Interestingly, Senator 8 begins this definition of reconciliation not by focusing on the individual, but by focusing on the “we” of the larger community. In this, she articulates the need for reconciliation both on the national and on the individual level. Rwanda, as a nation, must reconcile, but individuals must reconcile as well. In conceptualizing and expressing this notion of a “we”, she opens the space for the expression of this “we” in a political manner. This interpretation begins the re-formulation of the friend-enemy groupings. However, this moment is short lived as her interpretation immediately reverts to contain the separation of the survivor and the perpetrator.

This definition also stresses the need for apology. Having the ability to apologize for one’s crimes, and having the ability to forgive the other for his or her crimes, shows respect for the other and a basic understanding of the situation of the other. Because, for her, apology is not one sided, the acceptance of this apology is vital. It is not just one side that has committed wrongs and must act contrite, but the other side must also give something. In this, reconciliation is a compromise, built on respect for the other. This idea, however, is contrary to what much of the literature on reconciliation endorses. For Minow (2006), the apology is effective because it allows victims to either accept or deny the apology. In this, it changes the relationship between the victim and perpetrator, an essential part of the reconciliation process. In requiring the victim to accept an apology, or to pardon a wrong, the dynamic of the relationship cannot change or redefine itself. For Minow, the apology empowers the victim to choose, for maybe the first time, how to define the relationship with the perpetrator. Furthermore, forcing apologies or forgiveness cannot bring about reconciliation. Unless it is sincere, the effectiveness of the apology as a tool for reconciliation is nullified (Minow 2006, p.114). Yet this idea of the apology is not just personal, indeed she extends the necessity out to the nation and to the population. In this change from the personal to the collective, she articulates what Schaap calls the “we” of collective interest. This conceptualization of the country as survivors reconstitutes the former relationship of “us” versus “them” into a

collective, social “we”. This is where the possibility for re-formulating relationships lies in this understanding of reconciliation.

Senator 4 echoes this sentiment: “And then, because we have one country that is Rwanda, we have to feel it like all Rwandans have equal rights” (2007). For him, the idea of reconciliation is multilayered. On the one hand, citizens must have equal rights. He appeals to the idea of a unified country—“one country that is Rwanda”—to emphasize the necessity of all Rwandans gaining equal rights. The emphasis is on the whole, the collective. However, he then emphasizes the personal. In the use of “we” he seems to argue that each individual, not the higher collective, must also experience these equal rights. In this, it is fitting with Schaap’s conception of the cohesion of *individuals* working towards a *collective* goal. For both Schaap and Senator 4, the individual is an essential part of the collective. In Schaap’s conception of political reconciliation, the “we” represents a break from political power conceived solely as state power and redistribute it into the hands of the citizens. For Senator 4, this redistribution is not wholesale, but more tempered. Equal rights are granted by the state, yet it is the collective “we” of individuals and the society that receives these. It is not just governmental actions that bestow equal rights to the people, but that the people, individuals, experience these rights.

For these Senators, reconciliation is a form of respect and empathy. Respect here is meant simply as knowing, understanding, and upholding the basic rights of each Rwandan. Reconciliation is also about equality under the law, ensuring that all Rwandans have the same access to services and opportunities. In addition, apology is seen as an important part of this recognition of the value of each Rwandan. This view on reconciliation unquestionably assumes an inherent value in every human and Rwandan life, with none being more worthy or valuable than others. As such, this definition expects each individual to act in accordance with this value, giving each Rwandan the responsibility to maintain the respect of the rights of each of their countrymen and women.

These Senators do not expect miracles to take place, but they do expect a recognition of the humanity of each and every Rwandan citizen. This conceptualization clearly views reconciliation as a process first and foremost between people. It is, at heart, one that views

reconciliation not as something conducted by nations, but something conducted by individuals. Indeed, this understanding allows a political opening for the re-formulation of the friend-enemy distinction. It utilizes the individual moments of reconciliation to contribute to the formation of a shared goal of reconciliation. However, this space and the time this may be articulated is short. The tension between the individual and the “we” is ever-present, with the “we” slipping back into an “I” very easily. This is not to say that reconciliation is impossible, but simply that it is limited.

The National

The final interpretation views reconciliation from the national point-of-view. In this conceptualization, national reconciliation tends to be seen as the primary, though not singular, goal in the reconciliation process. This notion rests on the most fundamental precept of reconciliation in Rwanda—that conflicting parties must have the ability to be Rwandan together, without the burden of past identities. Within this premise of coexistence as reconciliation, two aspects exist that must be reconciled: space and identity.

Senator 1 states, “...reconciliation is seeing that all Rwandese get to live again together” (2007). This understanding is broad, it does not specify to what extent Rwandans should live together, but merely that they should have the capability to do so, without, the implication is, violence. This sentiment is, according to Huyse, achieving the most basic level of reconciliation. It is, as Huyse requires for the first level of reconciliation, a cessation of violence, but is not necessarily the return of confidence and trust, neither internally nor with the opposing group, necessary for achieving the second level of reconciliation. The goal is to “live...together,” not less, not more. Furthermore, this statement understands reconciliation as having a clear end result: the ability to live together. There is no mention of the process or change in relationship so stressed in the literature. However, this goal is not too high or too unmanageable, it is simple and it is basic. This Senator argues not for mass interpersonal reconciliation, of victims forgiving those that committed wrongs against them or their families, nor for a mass reconciliation of Tutsis with Hutus or Hutus with Tutsis, but instead for the people to reconcile enough to live with one another. Important in this understanding is the shift in language, from one emphasizing the individual, to one emphasizing “all

Rwandese”. This phrasing seems to indicate the opening the political space for the articulation of a “we”, thus making a re-formulation of the friend-enemy distinction possible.

Senator 7 echoes Senator 1, saying: “you are reconciling society with itself” (2007). For him, society must, essentially, have the ability to live with itself. Interesting in this articulation is the self-contained, internal reflection of the word usage. It is not just that individuals must learn to live with one another, but that society—or the community—must learn to live together. For him, reconciliation is not about the different sides needing to be reconciled, but rather, he sees society almost as an individual, which must come to terms with the wrongs it has, as a collective, committed. His is about the very basic need for society to function—live—together. This conceptualization of society as integral to this process of reconciliation focuses on the importance of the citizenry. Thus, it allows for the Arendtian moment within the political in which the power is redistributed from the state to the citizens, which is essential to Schaap’s formulation of political reconciliation.

These Senators understand that Rwandans must find the capacity to live with one another, despite the offenses of the past. While previous horrors and atrocities may further divide and separate other people, these Senators see the necessity of moving beyond these horrors in order to reconcile. Total forgiveness is not part of the equation, nor is justice, but simply the ability to share a neighborhood, a village, and a nation. In this, the senators rely on a much more pragmatic understanding of the term. As Vila-Vicencio states: “Political reconciliation is not dependent on the kind of intimacy that religions and some forms of individual reconciliation may demand. Rather, statecraft and politics require peaceful coexistence... Forgiveness may come later, after the creation of confidence and the building of trust” (in Bloomfield 2006, p.10). Like the Senators, Vila-Vicencio emphasizes coexistence. This view of reconciliation is, in many ways, more achievable. It focuses on the realistically achievable, the “less deep, less personal, and more pragmatic” (Ibid, p.11). Victims and perpetrators of violence may have an easier time coming to terms with this idea of reconciliation (Ibid., p.10-11). It does not have the mighty expectations that inter-personal conceptions of reconciliation are rife with: it does not require forgiveness or public apologies or other grand gestures. While this type of reconciliation is more achievable, perhaps even more palatable, it does lack the scope necessary to consider individual reconciliation.

Without such, individual reconciliation may not be possible to maintain a violence and revenge-free society. As Rama Mani points out, the nation is composed of individuals, thus national reconciliation must be made up of reconciled individuals (Mani 2005, p.513). Furthermore, individuals must reconcile themselves with the government, especially in cases where the government played some role in the conflict (Ibid.). In many ways, this understanding of reconciliation is paradoxical: it focuses both on the grand and on the limited. The scope is grand as it sees reconciliation as a national, not individual, concept. However, the goals are limited. They expect only the most basic level of reconciliation, living peacefully together. It is as if the big ambition of national reconciliation must be tempered by the un-ambitious goal of living together. To be sure, the goal of living together was a big one immediately after the genocide, however, 13 years after the genocide, one feels that living together is not quite enough for a long-term peace. Yet, this understanding of reconciliation does seem to imply the “we” needed for Schaap’s concept of political reconciliation. In focusing on “society” and “Rwandese”, both definitions imply the reformulation of the initial friend-enemy groupings. All Rwandans, all society are now part of the same collective, forgoing the former groupings.

Intertwined with the need to share the space of Rwanda is the dissolution of division. Many Senators argue that reconciliation not only involves having the ability to live together, but that the re-identification of Rwandans from their ethnic identity to their national identity is necessary for this to happen. Senator 3 agrees with this understanding of reconciliation, saying: “[we] sit together and say, ‘we are all people, we are all Rwandese’” (2007). She stresses the importance of the larger re-identification of people from earlier ethnic identities to a new, common “Rwandan” identity. Senator 1 also focuses on the *Rwandaness* of the people: “...reconciliation is seeing that all Rwandese get to live again together” (2007). Both Senator 1 and 7 invoke “Rwandese” over Hutu or Tutsi in their definitions. In this, the Senators call for a uniting of the people; an understanding of the larger goal instead of the more individualized one; a re-definition of who is friend and who is enemy. Senator 7 goes on to say, “...unity does not look at people individually, but looks at the country” (2007). What this seems to imply is that unity lies in identifying as Rwandan as opposed to any other individual or group identification. Tacitly, this Senator seems to be saying that identity based on the old friend-enemy distinction of Hutu or Tutsi is not only hurting the country, but

hurting unity as well. Again, the Senator's focus is on the larger goal—the country as opposed to the individual. Interesting in this is his claim that unity is concerned with the nation as opposed to the individual. Unity, or a thing forming a complex whole, cannot happen without individuals. The whole cannot be achieved without the things that make it up, here, the individuals of a country. The needs of individuals are superseded for the needs of the country and for the call for unity. Is such a sacrifice fair to the individuals making up the country of Rwanda, and furthermore, can such sacrifices ultimately result in unity?

Senator 7 echoes this sentiment by highlighting the *simplicity* of previous identities and proposing nationality as a superior form of identification. "...they talked about reconciliation of Hutus, Twa, and Tutsis, you know, they reduced down our people into these simple ethnic divisions. What we are talking about is Rwandese, Rwandese as a people" (2007). Here, Senator 7 interprets reconciliation by purposefully contrasting it against what outsiders ("they") consider to be reconciliation. For him, it is "us" versus "them"; Rwandans versus the outside world that helped to create the circumstances that allowed genocide then refused to stop it. He seems to argue that "they" cannot understand Rwanda's definition of reconciliation because "they" can only view reconciliation from the lens through which they viewed the genocide, in terms of "Hutu" and "Tutsi". Instead, he rejects the notion that reconciliation must take place between Hutu and Tutsi. He echoes the arguments of the other Senators in this section by arguing for a reconciliation of Rwandans. In this, Senator 7 explicitly re-forms the friend-enemy distinction. What was once Hutu-Tutsi is now Rwandan-outsider. Hutu and Tutsi, he argues, are identities created by outsiders and thus useless to the new enterprise of reconciliation that seeks to break free from those foreign-given identities. Therefore, Rwandan reconciliation must be based on the self-identification of "Rwandan" or "Rwandese". Furthermore, he argues that reconciliation based on the divisions of the past is not enough to bring about true reconciliation. Continuing to abide by these divisions will not aid reconciliation, but instead accentuate the separation. In re-branding citizens of Rwanda as only Rwandan, Senator 7 is attempting to create the space for a politically-articulated "we" to be conceived.

The conceptualization of the notion of identity is quite interesting here. Each of the Senators prioritizes the national identity over the ethnic. Moreover, the ethnic identity is represented

as one formulated and given to Rwandans, whereas the national identity as something innate, something that one “is” and cannot be without. However, for Benedict Anderson, nationality is a constructed identity as well. In *Imagined Communities*, he details the ways in which nationalism and national identity have been constructed and created to form a hegemonic understanding of nation-ness, nationalism, and its uses. For Anderson (1991, p.4), nationalism arose as a sort of ‘cultural artifact’, forged and shaped by historical forces, which, once formed allowed it to be ceaselessly applied and replicated. Furthermore, the notion of nation-ness has been incorporated into those things which one cannot chose, such as skin color, gender, parentage, and birth era (Ibid., p.143). In the Senators’ rejection of the ethnic identities of Hutu, Tutsi, or Twa in favor of the national, Rwandan identity, they too frame nationality as inherent and superior form of identification and in this, revise the friend-enemy grouping to one that is based on the nation instead of ethnicity. For Anderson, identity construction is still taking place, just re-packaged as a supposedly a less destructive, less insidious formulation. For these Senators, the identification of “Rwandan” is certainly less destructive than that of “Hutu”, “Tutsi”, or “Twa”. To them, these identities separate instead of unite, cause conflict instead of peace, and bring forth the image of colonial rule; whereas the term and notion of Rwandaness serves to unite, bring peace, and is a representation of self-governance. It is a sort of statement of independence, independence from both colonial rule and the conflicts which colonial rule wrought. For them, it is thus the “radical break with the social order that underpinned the violence of the past” that Schaap (2006, p.272) argues for. Worth noting is the top-down formulation of this identity construction. As Helen Hintjens (2008, p.8) claims, political identities in Rwanda have been suppressed in favor of accepted formulations of identity, which have been implemented in a top-down, authoritarian manner. For instance, ethnicity as a means of public political expression or identification is now illegal and considered illegitimate under Rwanda’s new constitution and political order (Ibid., p.10). The government has decided what is appropriate and what is not. Freedom to choose one’s own primary “identity”—whether ethnic, political, national, or otherwise—is not permitted. Instead, national identity is pre-chosen as the superior method of identification. For Anderson, this is an essential part in the move towards nationalism.

But is this dissolution of the ethnic identity in favor of the national one relevant for reconciliation? Jeff Spinner-Halev (2003) argues that politicizing and denying past group identities fundamentally impedes the reconciliation process. For him, no democratic country, which is of the people, can truly be without group identity or culturally neutral, and thus must accept differing identities (Ibid.). He argues instead for a state that accepts national identity as the overarching identity amongst many other, minor identities (Ibid., p.53). He calls for a political acceptance of nested identities, which are when “two different communities have distinct identities, and a shared one” (Ibid., p.61). He argues that the political acceptance of nested identities means that the state accepts both communities, while encouraging the development of their separate identities *in relation to* the development of the other and the shared identity of the state (Spinner-Halev 2003). Coexistence is possible, but more optimistically, the identities will grow together, and may even overlap (Ibid.). Because the identities of the two communities are both shared and developed in relation to the other, he argues that they will become attached to the state and to each other (Ibid.), a condition that promotes reconciliation. With each group having a stake in or connection to the state, the success of the state and its institutions becomes an important goal for both (Ibid., p.62-3). However, this connection to the state must be buoyed by both group’s sense that not only do they belong to the state, but that the state belongs to them (Ibid., p.64). Thus, the state acts for and represents both groups, strengthening the common national identity. It would be naïve to assume that each group will have an equal sense of belonging to the state; however, some asymmetrical identification is acceptable as long as all groups have some sense of belonging to the state and to each other (Ibid., p.69). This theory is interesting when understood in cooperation with Schmitt’s and Schaap’s conceptualizations. For Schmitt, these identities are politically constructed, created by the friend enemy distinction and used for political purposes. If, following Schmitt’s line of reasoning, these identities can be reformulated, then something close to reconciliation will occur. Revising the friend enemy dichotomy from Hutu, friend—Tutsi, enemy to Rwandan, friend—Outsider, enemy (or some other chosen group) would serve to create an atmosphere in which reconciliation is possible. Schaap concurs with this understanding in his idea of the radical change to a “we” amongst former enemies. So, while this change in itself may not create reconciliation, it will create the political conditions necessary for reconciliation to take place. Thus, when read in

concert, the “nested” identities are therefore neutralized of their previously intense friend-enemy distinction, allowing for the creation of a new one.

For these Senators, reconciliation can only occur when the definitions and divisions that previously divided the country cease to function as a primary form of identification for citizens. Indeed, these Senators hope to unite Rwandans by emphasizing the similarities between the different groups. A shared historical culture, language, religion, and set of values are deemed more important than the few differences previously of such large importance. These Senators promote the notion that these differences did not originate holistically, but were instead developed with the influence and support of outside people and cultures on the country. Furthermore, they feel they have the responsibility to share this understanding of history. Senator 7 argues, “[we] have to explain to the population [the] history of the country...the vision of the country, where we are going. And why we went through the ugly history we went through” (2007). In this, the Senators reflect what Hintjens (2008, p.15) calls the “one account of Rwandan history [that] is acceptable”, in which colonizers created pseudo-racial, later deemed ethnic, divisions in order to divide the population and therefore make them easier to rule. This, for the Senators interviewed and the RPF party in general, is the basis for the genocide (Ibid.). Senator 5 states: “I think one of the things...we believe should be done, is first of all is to undo what was done, to teach our people that the differences they’ve been taught over decades were actually false” (2007). With this interpretation it is easy to see why Senators seek to undermine the significance divisions once had and promote their new narrative of the universality belonging to all Rwandans. For them, this dissolution of division does promote reconciliation.

This argument is interesting for several reasons. Firstly, this line of reasoning helps the Senators to further define the state and develop nationalism. In blaming colonial powers for the roots of the genocide, Senators and Rwandans are less culpable for the results. The genocide becomes something that was almost inescapable; it was rooted in a history that Rwandans did not create. It, therefore, further defines the state by culling out “foreign” ideologies and actions, leaving only that which is “Rwandan”. It is important to note, however, that no Senator or Rwandan I spoke to in my time in the country denied guilt for the actions committed during the genocide. On the contrary, it was often said that the genocide

was committed, and ended, by Rwandans. Secondly, these Senators are advocating for a singular, official understanding of history, one conceptualized and dictated by the government. One, to borrow Anderson's (1991, p.159) words, "emanating from the state, and serving the interests of the state first and foremost". The sentiment here is clearly similar. This state-sponsored history is meant to serve the interests of the state in the same way that nationalism serves the interests of the state: as a means of legitimization (Ibid., p.85). Furthermore, this history is one recently re-written and made official. For Anderson (1991, p.101), this is characteristic of official nationalism. Coincidentally, it also rather accurately describes the official reconciliation policies of the Rwandan government. Anderson lists the policy offshoots of official nationalism as: compulsory, state-controlled primary education; state-organized propaganda; official re-writing of history; militarism; and endless affirmations of the identity of dynasty and nation (Ibid., p.101). This process of official nationalism was often a conscious combining of two opposing political orders, one new and one old (Ibid., p.86). Rwandan officials, represented here by the Senators, then seem to be using the re-writing of history to reinforce the official conception of Rwanda (and Rwandans), while simultaneously protecting themselves from the development or proliferation of competing national visions or understandings.

As discussed earlier, it would be a fallacy to claim that colonial powers hold the sole responsibility for the creation and rigidification of ethnic identity. While it is clear that outsiders and Colonialists exploited the separation, it is not clear that they *created* this divide, a central claim of the Rwandan government. They did, indeed, formulate these identities in a politically relevant way and, in many ways, began the intensification of the friend-enemy distinction. However, subsequent Rwandan governments maintained and propagated the intensity of this distinction. These alternative histories do not fit into the narrowly defined version of history currently accepted in Rwanda (Hintjens 2008, p15-16). As such, Hintjens argues that the opportunity for developing complex and dynamic political identities is severely limited (Hintjens 2008, p16). Instead, political identities become simplistic versions of a far more complex reality. Following Dr. Spinner-Halev's assumptions, this kind of simplistic political representation will not aid reconciliation as it fundamentally denies an important aspect of the country's history and identity. Instead of responsibly nurturing these identities, they are subverted and politicized, stunting the development of a more complex

political identity. Without acknowledging the various histories and identities of a people, the government can only superficially address reconciliation.

Finally, Senator 5 argues that, “reconciliation is about...giving people their, their rights...establishing norms of behaving, establishing institutions” (2007). This Senator views reconciliation in the more pragmatic form of national reconciliation. He argues for concrete policy or institutional reforms in order to bring about reconciliation. For him, the government is responsible for creating an atmosphere of human rights and respect. If these ideals are promoted, established, and followed by the government, then the society is reconciling. In many ways, this reflects one of the core aspects of transitional justice—the need to use the judicial system (a component of the government) as a means of creating moral order. As Bloomfield (2006, p.19) argues, the goal is to create more than a legal code for dealing with transgressions, but to re-establish a sense of behavioral codes in which all people are culpable. Senator 6 mirrors this, saying: “We also see on what can be added in this and this law. Is it creating divisions or is it putting Rwandans together?” (2007). Senator 5 adds that, “...the first thing the parliamentarians must do is ensure that reconciliation appears in our laws...we should put laws that augment reconciliation” (2007). Although the governmental idea of reconciliation is present here, an individual component is there as well. The very concept of “giving people their rights” is one that fundamentally acknowledges the humanity of each individual, regardless of ethnicity. The implication of this statement is that if the government acknowledges the humanity and rights of all of its citizens, the citizens themselves will also, in time, recognize the same in each other. Indeed, it views all Rwandans as part of the same political grouping, instead of as separate groups with separate rights. Here too, the idea of a re-constituted friend-enemy grouping is implicit in the conceptualization of reconciliation.

For each of these Senators, reconciliation serves as a means to unify and rebuild a deeply divided country. For them, reconciliation depends on the Rwandan people understanding and performing reconciliation not just as individual people reconciling with one another, but as the Rwandan people reconciling with themselves. For them, reconciliation, therefore, is the abolishment of the old ideology of difference and the installation of the new narrative of unity. In this, they seem to argue that in order to have reconciled space, a reconciliation of

identity must first occur. For them, it seems, living with one another cannot take place while Rwandans still see themselves as Hutu, Tutsi, or Twa. These secondary classifications are, in the eyes of the Senators, incompatible with unity, and therefore, reconciliation. While individual reconciliation is indeed necessary and important, these Senators see reconciliation in the larger, national sense. In this, the Senators have a grander view of the purpose of reconciliation: they look beyond the individual to consider the national. This more universal understanding of reconciliation does not necessarily see reconciliation in terms of the more emotional issues of empathy, respect, and trust, which is part of a larger concept of reconciliation. Instead, it starts from the basic premise that reconciliation is the ability to live with one another. It is for the nation of Rwanda and its peoples to function. It is the recognition that Rwandans must see themselves as connected to one another in order for individual reconciliation to take place. However, this conception of reconciliation is not without its faults. The individual tends to get overlooked in favor of the national. Complex identities and diverging histories are not allowed to develop. Considering these faults, one wonders if reconciliation can really occur under this definition.

As a country actively attempting to create reconciliation amongst its people, it is important to understand how reconciliation is defined amongst those creating and enacting legislation. The ways in which these Senators view reconciliation will impact the course the country takes in its process of reconciliation. The Senators, however, were greatly divided in their definitions. For some, reconciliation is an individual, pragmatic process. This understanding views reconciliation not as a panacea, but as something that can allow the citizens to live and work together peacefully. However others view reconciliation in a more idealistic manner. For them, it is still an individual process, yet it also strives for more. It seeks a higher sense of justice and peace. Still others view reconciliation as a national process. For them, the larger issues needing to be reconciled are national in nature, and thus must be dealt with on a national scale.

These differences in defining reconciliation highlight the larger complexity of reconciliation: there is no consensus on what reconciliation is or how to achieve it. Like the literature on reconciliation, these Senators do not have a single, clear interpretation of reconciliation. This creates both advantages and disadvantages. On the one hand, having a variety of

understandings of reconciliation may lead to a more well-rounded approach. A single understanding of reconciliation could lead to a dismissal of new or innovative tools if they stray outside the singular definition. On the other hand, multiple conceptions and multiple people using these could lead to a scattered, incoherent policy of reconciliation. The danger is that reconciliation programs will be unable to focus on any in-depth, coherent strategy and instead attempt many different measures without any real success. Additionally, these multiple interpretations of reconciliation create both opportunities and constraints in the creation of a “we” between former enemies. With several interpretations of the concept, the possibility of articulating this “we” is thus more likely. The more understandings of reconciliation, the more opportunities for understanding it as the re-formation of the friend-enemy distinction. Contrarily, this could also limit the ultimate proliferation of this re-formation. With a more individualistic interpretation of reconciliation, the less opportunity there is for the larger political re-groupings. If the focus is on individual reconciliation, the reconciliation of a nation through a change in the friend-enemy distinction is less likely. Perhaps this is one reason why the Rwandan government promotes a particular reading of history—it therefore allows the government to construct a political space in which it is possible to create Schaap’s “we”. This “we” need not only be constructed on a conceptual level, but can be seen through the tools used to attempt to bring about reconciliation. Thus, it is important to investigate if and how Rwanda is attempting to re-formulate the friend-enemy distinction through policies.

FINDING RECONCILIATION: GACACA

Reconciliation is not only an academic concept, but is also a process. This process usually includes pragmatic attempts to achieve unity between former enemies. Thus, countries undergoing a process of reconciliation must employ tools to make concrete this otherwise theoretical concept. Understanding the ways in which understandings of reconciliation interact with the tools utilized to promote reconciliation is important to gaining a holistic view of a country's conception of reconciliation. It is difficult to gain a full picture without seeing both sides of the coin.

The literature on reconciliation points to the themes of truth-telling, judicial action, apology, and reparations as the main elements of a program of reconciliation. Within Rwanda, the *gacaca* courts are the main tool for directly dealing with reconciliation at the grass-roots level. While other programs for reconciliation exist, many Senators cited *gacaca* as a main element of Rwanda's reconciliation process¹³. This section will, therefore, investigate the way each of these elements of reconciliation is present in *gacaca* and how these interact with the definitions of reconciliation as presented by the Senators.

Gacaca

Gacaca, meaning "on the grass", is a traditional, community-based method for resolving conflicts. *Gacaca* was customarily used in cases such as minor land disputes or family issues (Kabeera and Sewpaul 2008, p.329). However, since the genocide, *gacaca* has been used to prosecute suspected low-level *genocidaires* of crimes committed during the genocide. For higher level suspects of genocide, western-style trials are being used to adjudicate their cases. The *gacaca* system, the government argued, would end the 'culture of impunity' they believed too prevalent in Rwanda and in other countries emerging from violent conflict (Uvin

¹³ Other elements that were cited, but determined unsuitable for this thesis to delve into deeply: development, education, and gender integration. These were deemed unsuitable due to their more broad nature, whereas *gacaca* is a single, definable program. Other elements, such as institutional reform, including the genocide ideology law, were considered, but deemed inappropriate for this thesis as they were not or not often referred to by the Senators interviewed.

2003, p.116). *Gacaca* is designed for allowing perpetrators of the genocide to confess, apologize for their actions, and ask for forgiveness (Zorbas 2004, p.36).

In order to make the *gacaca* system work for the purposes of both justice and reconciliation, it had to be carefully designed. Because *gacaca* is community-based, members of that community were elected to sit on *gacaca* tribunals, with 19 being elected to act as mediators (Uvin 2003, p.117). Those elected to this position were required to be of high moral standing, impartial, and un-related to the accused (Ibid.). Then, those accused of lower-level genocidal activity were brought to the *gacaca* court in the community in which they committed their crime (Ibid.). Each side was permitted to give their side of events, with the community acting as a ‘general assembly’, discussing, contributing evidence, or defending either side (Ibid.). This innovative approach provides an important opportunity for both survivors and perpetrators to publicly tell their story.

The accused were originally separated into four categories of perpetrator, based on the magnitude of the crimes committed. Category one was made up of leaders, organizers, and the most notorious perpetrators of the genocide (Human Rights Watch 2008). Those in this category were tried in the International Criminal Tribunal for Rwanda (ICTR), run by the United Nations. The second category was composed of killers and rapists; level three, those who killed or inflicted bodily harm without the intention of killing; and the fourth category, those who stole or damaged property (Ibid.). Those found guilty were then punished, usually through jail time, restitution, or community service. Voluntary confessions of guilt were rewarded in the *gacaca* system. Those who submitted confessions and asked for forgiveness before proceedings started on their case were given great reductions in punishment (Uvin 2003, p.117). For those confessing during the *gacaca* process, reductions were less great, but nevertheless present (Ibid., p118). During *gacaca*, a list of the harms committed against an individual are itemized, then quantified, allowing the sufferer to receive reparations for their harms from a public fund (Ibid.).

Searching for the Truth through Gacaca

Understanding and having access to the facts of events of mass violence helps both victims and perpetrators better understand the events themselves. Truth telling is, simultaneously, a

process of individual and group reconciliation (Minow 2006, p.62). Individuals receive comfort from the ability to tell their story while the group or nation has the chance to render these tales into a national narrative (Ibid.). Reconciliation cannot occur without some explanation for what happened, when, where, and how. David Crocker (2003, p.39-58) argues that a public forum for victims to share their story is essential to empower victims to re-enter the public sphere as respected and dignified individuals. In Rwanda, much of the truth telling that has taken place has occurred through the use of *gacaca*. Although conceived as a means for prosecuting those involved in the genocide, it has come to also serve as a means for extracting truths about the genocide.

Proponents of *gacaca* argue that this is an important method for finding the truths of the genocide, for understanding who did what where, when, and how. Senator 3 argues:

[*Gacaca*] doesn't only punish, but it also sees that these people unite again. ... So you find that during these *gacaca* courts a neighbor can stand up...saying that maybe I saw your neighbor doing this: he killed your husband, he killed your children, actually they are buried in this area. So you find this neighbor goes and...helps this person to [uncover] the bodies of those killed in the genocide. And then, you find this act helps these people to reconcile and unite again. ...I would gain trust in you...instead of hiding it, you are telling me the real truth. So, the trust is brought up, and these people are united, actually.

Senator 3 stresses the important contribution of *gacaca* to the process of finding the truth. Rwanda has used the *gacaca* courts to not only encourage perpetrators to confess their actions, but to also help establish a base of knowledge for what happened in a community. However, the reach of these truths is questionable. Potentially, each community may have an understanding of the events of the genocide in their particular community with no understanding of what other communities experienced or the truths that emerged from their *gacacas*. Thus, a nation-wide narrative of the genocide, which Minow (2006, p.62) argues is an important consequence of truth telling and vital to reconciliation, is impossible. As a researcher in Rwanda, this limited reach of *gacaca* became very clear. Rwandans, for the most part, did not speak of *gacaca*; there was little discussion of the outcomes of *gacaca* in their community, and certainly not those of any other community. While this may signal a sort of peace with the events of the genocide or the truths that emerged from *gacaca*, it tended to feel more particularly like something oppressed. As Tim Whewell of the BBC notes in his documentary on the reconciliation process in Rwanda, "to criticize *gacaca* would

risk falling foul of the genocide ideology law¹⁴” (Whewell 2010). While many people spoke of the genocide (usually only in a personal or extremely general context), and usually in a fairly easy manner, very few spoke with such ease of *gacaca*. This forbidden quality and uneasiness certainly counters *gacaca*'s ability to find and disseminate the truths of the genocide. Furthermore, many critics of *gacaca* contend that in the last years of *gacaca*, the courts have served more to end personal disagreements than to deal with the events of the genocide (Roth 2009). Indeed, the *gacaca* courts have been functioning countrywide since 2005 (with “data collection” taking place since 2002), making new accusations of crimes five years later more difficult to believe.

Senator 3 goes on to point out that one of *gacaca*'s three objectives is to find the “whole truth” about the genocide. If these collections of community truths are not amassed into a public, national narrative, then it cannot be claimed that the “whole truth” has emerged. Interestingly, other national narratives have emerged in the wake of the genocide. As discussed above, the history of Rwanda and the history of the conflict between Hutu and Tutsi have been re-packaged by the current government into a single, post-colonial history. This narrative is well formed, known, and cited; it was referenced by many of the Senators I spoke to and by the regular Rwandans I interacted with. Why, then, has this understanding of events evolved into a national narrative while the events of the genocide have yet to do so? Two factors might explain this. The first is that while there has been a concerted effort to assimilate the history of Rwanda into a politically palatable narrative, there has been no such effort with the truths from the genocide. As discussed above, the genocide and the truths emerging from *gacaca* have not been dealt with beyond *gacaca*. Secondly, the historical narrative presented to the Rwandan people is one that, in a way, lessens the burden of guilt. While the responsibility for the genocide, as such, is not eliminated, it does place the blame on colonialists for originating the divisions between Bahutu and Batutsi. These assertions are

¹⁴ He is referring here to Law No. 18/2008, The Law Relating to the Punishment of the Crime of Genocide Ideology. The controversial law is meant to prevent and punish the crime of genocide ideology. Critics, however, claim that the law is too broadly defined and limits internationally protected rights to speech. Furthermore, critics argue that this law is used to prosecute dissenters of the government and is often used for personal or political gain. The government, however, argues that the law is necessary to prevent the spread of the same ideology which permitted the 1994 genocide.

not necessarily wrong, but they do helpfully present the conflict as an inevitability resulting from the actions of outsiders, waylaying some of the burden of guilt. Furthermore, formulating history in this way allows for the revision of the friend-enemy distinction. The government can, and does, argue that the formulation of Hutu, friend-Tutsi, enemy was a simplistic understanding of the friend-enemy distinction. Instead, the friend-enemy distinction is actually Rwandan-outsider. Thus, the space is opened within the political for the formulation of a “we” between Bahutu and Batutsi.

Senator 3 also argues that because the process of truth telling is so personal in *gacaca*, it not only bridges a connection between perpetrator and victim and/or the family member of a victim, but it also helps to restore trust in the other. In many ways, this echoes the sentiments of Senator 6, who emphasized the need to “maintain a kind of serenity in living together and working together”. Both speak to the need for a different kind of relationship between opposing groups. In this, they argue that *gacaca* works to concretely revise the understanding of who is a friend and who is an enemy. It creates the potential for the creation of a “we” through the unified search and revelation of the truth. What is questionable here, however, is to what extent this union and re-formation actually occurs. It may create Huyse’s first level of reconciliation, non-violent coexistence, but does it really create the change in relationship needed for reconciliation and unity? The problem, of course, is that while this may indeed reform *individual* relationships, it may not affect all relationships, thus not impacting the revision of *group* distinctions. The question arises: can methods of individual reconciliation or recovery apply to a group or nation? While individual reconciliation is necessary to achieving group reconciliation, it cannot be achieved when each person is reconciled, but rather when each group is reconciled. Additionally, the language of truth telling is itself problematic: it can seem gaudy or insufficient; it can victimize and accuse rather than empower or bring justice (Minow 2006, p.63). Truth telling as a tool of reconciliation is meant to break the offender-victim dichotomy that previously dictated the relationship between groups, but cannot do so if the same kind of language is used. Using the same language runs the risk of reinforcing the friend-enemy distinctions that lead to the conflict. Indeed, if the language is bound to the same context in which it was previously used, the risk is that the radical break Schmitt considers necessary for the re-contextualization of words and their meanings will never happen.

While this public forum can be considered important to the reconciliation process, it also poses certain risks in the Rwandan context. Because those who perpetrated the genocide are literally living next to and in the same communities as those who survived the genocide, public accusations or admissions of guilt could be particularly dangerous. The possibility of retributive killings or “finishing the job” could be heightened with such knowledge coming into the public space. However, in the 16 years since the genocide, this has not proven to be the case. In the early years after the genocide, such killings were indeed common, but for the past 10 or so years, Rwanda has had relatively few problems related to *gacaca* (Gourevitch 2009, p.39).

However, *gacaca* is the only formalized, public method for seeking the truth and some question its ability to accurately and comprehensively gather the facts of the genocide. Gustafson argues that specific knowledge of the Rwandan genocide pales in comparison to countries that have used more traditional methods (i.e. methods other than trials) for seeking truth (Drumbl 2000, p.295). Of particular concern is the inability of *gacaca* to look into the actions of the RPA (Rwandan Patriotic Army, the armed wing of the RPF) during the genocide and civil war. The RPA is accused of unjustly murdering thousands of unarmed internally displaced people (IDP) at an IDP camp in Kibeho. For many outside observers, and Rwandans, these murders have never been satisfactorily explained or investigated. When asked, government officials explain the killings as necessary casualties of war. This argument is certainly weak as many of the victims were not militarized, but merely Hutu. Nevertheless, this and the actions of the RPA certainly contribute to the events of the genocide, and the psyche resulting from it. To ignore it or redefine it as part of the civil war or a military operation ignores the affect that it had on the people of Rwanda. In *gacaca* there is no room to tell the emotional or factual truths of this aspect of the conflict. This illegitimizing of truths or facts contrary to those the government approves certainly is in line with Schmitt’s concept of the political entity, yet it also seems to reinforce the old friend-enemy distinctions. Instead of allowing for the formation of a “we” through the articulation of a Rwandan truth, it instead maintains the Hutu-Tutsi separation by not recognizing the (mis)deeds of what is seen as the Batutsi army. *Gacaca*, then, seems to only deal with parts of the truths of the genocide and cannot really be said to be effective as a means of

discovering the truth. As Minow argues, truth or memories that cannot bridge the gap between the past and the future fail to promote reconciliation (Minow 2006, p.63). Gaining a sense of the past is not just to understand the facts of the past, but also to understand how to prevent reoccurrences in the future. It involves the emotional recognition of and moves away from past events, which facilitates reconciliation. *Gacaca*, in its inability to comprehensively gather the facts of the genocide and to prosecute RPF soldiers for their crimes, cannot bridge the gap between past and present and cannot completely re-form the friend-enemy distinction. This limitation thus also limits its ability to contribute to reconciliation.

Finding Justice through Gacaca

The concept of justice is an important one in understanding the process of reconciliation. Justice meant for reconciliation must attempt not only to compensate for harms committed against victims, but also to restore and rebuild the relationship between conflicting groups (Bloomfield 2006, p.19). The goal is to create and establish a moral and ethical code, not just a legal one, which defines right and wrong for all people, not just those favored by the current power structure (Ibid.). It serves, for Joseph Montville, as a means by which society judges rights and wrongs, creating a moral order (Ibid.). While McCandless argues that justice serves as a means for rebuilding relationships within communities (Ibid.). Rwanda implemented the *gacaca* courts as a means to both speedily adjudicate the thousands of jailed suspects of genocide and to foster reconciliation.

Many researchers and practitioners in the field of reconciliation argue for a system of transitional justice in order to both deal with the crimes committed during periods of violence, but also as a means of promoting reconciliation. Transitional justice most often takes the form of trials after violent conflict. Not only does this provide the basis for fair treatment to all a country's citizens, but serves as proof that the new government will not act like the previous government (Crocker 2003, p.50). Trials have the important role of punishing mass violence on the individual level, preventing instances of collective guilt or blame that lead to revenge or recrimination (Minow 2006, p.40). John Borneman argues, based on his studies of Eastern European countries transitioning to democracy, that those that pursued justice had a higher likelihood of avoiding a return to violence (Wilson 2003, p.379).

Judicial proceedings may take the form of national or international trials, with international proceedings usually undertaken by the United Nations¹⁵. Trials—and the respect of the rule of law necessary to conduct them—establish several important components in the reconciliation process (Minow 1998, p.25). First, they demonstrate a commitment to punishing, and therefore acknowledging, past crimes based on an established code. In addition, they ensure a formal system is established to fairly deal with the prosecution of crimes. Furthermore, establishing and adhering to a system of law creates an atmosphere in which the ideals of equal treatment under the law, and judgment based on evidence are the norm (Ibid.). Finally, trials present one means of establishing and speaking the truth and facts of past violence. Of course, fairness and equality are necessary to the success of restorative justice as a means of peace and reconciliation (Ibid., p.26). After mass violence, the establishment of judicial procedures works to transfer responsibility for punishment from victims (via retribution) to government authorities (Ibid.). In this, punishment and justice can be meted out in the most fair of circumstances, from neutral authorities or judges (Ibid.). Importantly, this system does not demand forgiveness, but relies on the principles of “accountability and acknowledgement of harms done, but also [on] unflinching punishment” (Ibid.).

In many ways, however, western-style justice was not appropriate for Rwanda. In lieu of undertaking formal trials for all accused of genocidal acts, the Rwandan government implemented the *gacaca* system for dealing with lower-level genocide suspects. As discussed above, *gacaca* provides a community-based method for prosecuting crimes committed during the genocide. A large amount of scholarly debate and media attention has focused on Rwanda’s use of *gacaca*. The stated purpose of *gacaca* is to accelerate the judicial proceedings of accused *génocidaires*, thus reducing the amount of inmates residing in prisons, and to establish the truth of the genocide, and through this, promoting reconciliation (Uvin 2003, p.118). Furthermore, *gacaca* is one way the government of Rwanda is trying to correct the “culture of impunity” that many of the Senators saw as characterizing Rwandan before the genocide.

¹⁵ The International Criminal Tribunal for Rwanda oversees only the prosecution of higher-level defendants.

Although Rwanda considered several alternatives, in consultation with both international and Rwandan experts, several factors lead them to choose *gacaca* as the best means for dealing with suspected *génocidaires* (Senator 5). First, and most importantly, the amount of suspects jailed was so numerous that it was calculated that it would take some 200 years¹⁶ to deal with the cases using western-style courts (Senator 5). This amount of time is, by any standard, unacceptable and furthermore, the Rwandan government has stressed the reintegration of all Rwandans into society—including *génocidaires*, those in exile, former members of FAR, etc. In addition, Rwanda was receiving international criticism for the state of overcrowding in the jails, making it even more essential that the judicial process cope with the cases in a timely manner. The varied nature of the crimes committed during the genocide—from actual killing to mid-level managers to propaganda spreaders to planners—makes it nearly impossible to adjudicate each suspect in a fair and timely manner. Furthermore, many of the high-level suspects (i.e. planners of the genocide) reside in first-world safe havens, out of the reach of the ICTR or the Rwandan government. Secondly, after the genocide, Rwanda essentially had no working judicial system (Senator 5). Lawyers, Judges, etc were either dead, suspects of committing genocidal acts, or had fled the country. Because of this lack of institutional capacity, it would have been too costly to conduct and process a western-style judicial system. Thirdly, *gacaca* was considered a locally appropriate means for dealing with the suspects (Senator 5). The government argued that because *gacaca* is a traditional method of problem solving, Rwandans understand the process and meaning of *gacaca*. Furthermore, as several Senators mentioned, it is a Rwandan solution to a Rwandan problem. It is not something imposed on Rwanda from donor countries, the UN, or other influential groups, but is something created by Rwandans for Rwandans. Finally, *gacaca* allows for ownership over the judicial process. The genocide was characterized by the sheer amount and scope of participation; one way or another, every person in Rwanda was affected. Thus, *gacaca* allows for the mass participation of people in justice, as well. This final point is, however, raises many questions for Western critics. How can a free and fair trial be held if everyone involved in the trial is in some way affected by the proceedings? With the community acting as witnesses, lawyers, judge, and jury, how can the legitimacy (according to Western notions

¹⁶ Most sources, however, cite 100 years as the amount of time necessary to complete the process (Human Rights Watch, Hintjens, etc)

of justice) of the trial be proven? Furthermore, how can the system be sure to prevent abuses for personal gain or revenge?

While some argue that *gacaca* contains many of the traditional aspects of restorative justice¹⁷, others fear that true justice is not attained, and worse, that prisoners are subject to human rights violations (Hintjens 2008, p.17). As Uvin (2003, p.118-9) points out, human rights and law experts take particular umbrage with its compromises in international standards of justice. For example, the trials do not have any of the normal institutional components of fair and free trials: separation between prosecutor and judge, legal counsel; legally reasoned verdict; and approximately the same punishment for the same crime (Uvin 2003, p.118). Senator 5 responds to this criticism, saying:

People don't know it. They just talk about justice, but justice for who? Really, justice for who? Who must administer it? Who is supposed to judge whether there has been justice or not? So most the people [say] "there's no justice, there's no lawyer..." But that was really nonsense, because all of them were looking at things officially. None of them was considering, this is the man who killed my wife and I am going to live with him in the same village. Somebody killed your children, all of them, and you are not allowed to kill him! No. Law will not accept it, so what do you do? So people sit up there in the UN and do this and this and they ok the union and say, "no, no, no that is not justice." Yes, it's not justice, but justice for who? Who is supposed to accept it? It's not somebody in The Hague, not somebody in London; it should be a neighbor to that man who has brought injustice. (2007)

Furthermore, there is no real capacity to keep *gacaca* proceedings free from the interference of power-holders (Uvin 2003, p.120). During my visit to Rwanda, the *gacaca* process was nearly complete, which was looked upon with both anticipation and relief. Many seemed to be ready to completely move on from the memories of the genocide, which *gacaca* necessitated, and the possibility of accusation, whether founded or not. However, the Rwandan government recently initiated legislation prolonging the *gacaca* process. As

¹⁷ Restorative justice focuses on the restoration of something that was lost (Bloomfield 2006, p.21). In this sense, restorative justice looks outside the narrow confines of guilt and punishment by attempting to rebuild the relationship between the victim and perpetrator (Ibid.). Here, the focus is placed more on the victim than on the perpetrator, punishment is meant to affect the victim, not only the wrongdoer (Ibid.). Additionally, restorative justice seeks to access and deal with a wider range of emotions than traditional concepts of justice have in the past by changing the conceptualization of punishment and guilt (Ure 2008, p.284-5).

mentioned earlier, the longer this process takes, the more likely it will be used to achieve revenge, deal with personal vendettas as opposed to activities during the genocide, etc.

But does *gacaca* really contribute to reconciliation? In many ways it is an innovative and appropriate way for dealing with the huge amount of accused from the genocide. It encourages community participation and combines the positive aspects of truth and reconciliation commissions (public truth-telling, establishing facts) with the positive aspects of judicial action (meting out punishment for crimes, receiving confessions). In this, the power to judge and punish is re-appropriated to the people, giving the power from the State to the “we” of the citizens, whereby creating the Arendtian moment Schaap argues is vital to political reconciliation. *Gacaca* serves more as a conversation between people, allowing for a personal connection and the possibility of personal reconciliation. This also engenders it with the possibility of re-constituting the past conflict into a shared future, an essential aspect of Schaap’s concept of political reconciliation. As Peter Uvin (2003, p.118) argues, it has the possibility of providing a fuller, more victim-centered approach, which may positively contribute to reconciliation. However, *gacaca* fails to incorporate the aspects of transitional justice that scholars believe contribute to reconciliation. As *gacaca* is community-based and run by members of the community, it fails to abide by and establish a formal legal and ethical code, which Minow (1998, p.25-6) and others argue is necessary for trials to work towards reconciliation. As mentioned earlier, each community metes out punishment at their discretion (discussed in detail below), thus resulting in the possibility for starkly different punishments and logic for these punishments between communities. While one might argue that these punishments are appropriate for the community in which the crimes took place, they fail to adhere to the international ideal of equal treatment under law. Finally, one of the most important contributions of transitional justice to reconciliation is its serving as proof that the current government will not act like the previous government. It will take responsibility for justice and do so in a fair manner. This point is especially important in the case of Rwanda. As the genocide was planned, executed, and encouraged by the government, the current government must concretely show that it will not act in the same manner in order to promote reconciliation. However, in all my conversations with the Senators, only one mentioned the need for the State to regain the trust of the people.

Punishment in Gacaca

Most literature on reconciliation notes that punishment for wrongs committed during conflict is an important aspect of the reconciliation process. Punishment, as the other side of justice, seeks to promote reconciliation through legally wrought punishment. This punishment should be fair and fitting with the crime and follow an established code (Minow 1998, p.25). Punishment acknowledges the crimes committed during conflict and seeks to redress them in some way (Ibid.). And, importantly, punishment of crimes serves to end impunity that characterized the last regime (Crocker 2003, p.50).

In order to gain the most thorough knowledge of the events as possible, some countries have taken to granting amnesty to those willing to come forward and speak (Minow 2006, p.59). Without these grants of amnesty, some with specific, important knowledge may not come forth due to fear of prosecution or retribution (Ibid.). Although Rwanda is not utilizing a truth commission in their reconciliation process, the issue of amnesty is one also dealt with by the *gacaca* courts. While *gacaca* may not provide amnesty to those found guilty of crimes committed during the genocide, the Rwandan government has allowed for heavily reduced penalties for confessions of guilt (Official Gazette of the Republic of Rwanda). These confessions of guilt must, however, have several important components in order to be considered valid for commutation of sentencing. Confessions must contain: a description of everything related to the crime committed, including what happened, where, name(s) of the victim(s), and any damaged assets; the names of any other accomplices as well as the recounting of any other information useful to the public; and finally, the confessor must apologize for the crimes he or she has committed (Organic Law N°40/2000, p.18-19). Greatly reducing the penalties for confessions works to solve many of the criticisms of amnesty and upholds most of the benefits at the same time. It encourages perpetrators to take responsibility for their crimes and to share what information and knowledge they may have, while still punishing them for their crimes. This somewhat satisfies the victim's calls for justice while still contributing to the search for information. Furthermore, it acts as a compromise, indicating that further reconciliation and compromises are possible. However, this particular formulation also has many troubling drawbacks. Most importantly is the necessity of the confessor to include in his or her confession the names of any accomplices. This creates, as Eugina Zorbas (2004, p.36-7) argues, an easy opportunity for settling

vendettas. Furthermore, these very public accusations of guilt by a confessed perpetrator of genocide would make it almost impossible to gain acquittal in *gacaca* or in the minds of the people.

Apologizing through Gacaca

As a tool in reconciliation programs, apology is often considered one of the most important. Minnow (2006, p.112, 114-16) argues that an apology may come in the form of an official apology or a personal apology. The apology is important for reconciliation for both parties. It recognizes wrongs committed against a person, and, if done correctly, assumes responsibility for those wrongs (Minnow 2006, p.112). In this, the apology acknowledges and legitimizes the suffering of victims by the perpetrators, minimizing claims of ignorance or denial of the event's existence. This may be healing for victims, allowing them to move on from the past and in some cases even forgive the perpetrator. Furthermore, apology fundamentally changes the power dynamic between two people or groups of people. Suddenly, the victim is empowered to accept, reject, or ignore an apology (Ibid., p.115). Minnow argues that for an apology to have currency as a tool for reconciliation, it must come from a place of sincere repentance (Ibid., p.114). Without this sense of wrongdoing, the victim does not receive any benefits and the perpetrator does not reach the understanding necessary for reconciliation. In addition, this apology must be voluntary—no force can compel the real contrition necessary for a sincere apology (Ibid.). However, it should be noted that in many cultures, the important point is that the apology take place, not necessarily that it come from a truly repentant place. But, the question must be asked: can an apology really make up for the things lost? Are simple words and regret enough to heal the damage of rape, a lost family member, missing limb, or other atrocities? The fact is, the apology will never replace what was lost, but that does not necessarily mean it is not worthy as a means of reconciliation after such atrocities.

Rwanda's use of the apology as an integral aspect in its confession for *gacaca* highlights the challenges of using apology as a tool for reconciliation. The Rwandan government formalized the use of the apology by making it a compulsory part of a valid confession of guilt in *gacaca* (Organic Law N°40/2000, p.18-19). As Senator 5 explains:

So *gacaca* then was designed in a manner that it was a kind of, became a legal instrument, but most importantly a reconciling instrument. Because you are there, your neighbors come, they you tell you, you did this, you apologize, they apologize. If they think they should give you some sentence, they give it to you. Of course they give them limited sentence here and there. So, we thought it was one way. If I committed a crime, and I meet all of you who are the neighbors, say you did this, apologize, and if you did it against her, she says “ok, now that you’ve accepted it, let’s live together.” That’s how we see these guys living together without killing each other. Yes, so, but it’s a very, very important instrument that we’re using here. (2007)

In this sense, the confession and apology becomes part of the country’s legal response to the genocide. This is important in two ways. First, the apology is an important tool in reconciliation because it is an attempt to aid in the creation of a “we” between former enemies. It seeks to redress, in an emotional and personal way, wrongs committed and through this, the re-constitution of previous contentious relationships. Using apology as part of a coordinated strategy for reconciliation helps to encourage this reconstitution, and ultimately, the re-formulation of the friend-enemy dichotomy. Secondly, reducing sentences based on apology shows in a concrete way that the government and legal system considers the wrong and, importantly, worthy of remorse. So too, it re-distributes the power to the citizens by giving them the power to decide if and how they use the apology. This creates the re-distribution of power from the State to the citizens, which Schaap argues is an important part of political reconciliation. However, this legalization of the confession is also problematic. If, as Minow argues, the apology is only a useful tool in reconciliation if it comes from a place of sincere contrition, then the formalizing of apology cannot ensure this contrition. While the government may require the apology for a reduced sentence, they cannot require true remorse. Furthermore, requiring an apology runs the risk of devaluing the meaning of the apology. Instead of being a tool for showing true remorse, it instead becomes something ordinary and routine. It is no longer a choice that the apologizer has made, but is instead something required. Furthermore, if the guilty are expected to apologize, should the victims not also be required to forgive? This is a dangerous formulation for reconciliation: apology and forgiveness become but a show, without utilizing the true benefits of either.

The system of *gacaca* is an important part of the reconciliation process of Rwanda. While it is only one of the many tools Rwanda has implemented to help bring about reconciliation, it encompasses many of the aspects considered important in undertaking reconciliation from a pragmatic point of view. In addition, it also addresses some of the important aspects of Schaap's understanding of political reconciliation. *Gacaca* helps to initiate the moment within politics when a "we" can be formulated by actively formulating the concept of justice in a communitarian manner. This attempts to re-create the friend-enemy distinction by grouping all in the community, and all in Rwanda, in the friend category. *Gacaca* gives everyone the power to be part of this community and be part of the decision making process, thus re-distributing the power from the state to that of the people, creating the Arendtian moment that gives the space for political action and reconciliation.

CONCLUSIONS

That sunny October day, sitting under the white tent, in the metal folding chair, I got the first glimpse of what reconciliation means in Rwanda. It is not the straightforward process presented in the papers, nor is it the linear process often detailed in literature on reconciliation. Instead, it is something much more complicated.

Reconciliation, as a concept, is one that has no consensus in its definition or application. This confusion is both scholarly and in practice. Therefore competing understandings and ways of enacting reconciliation emerge. Political reconciliation is just one of these fields of understanding. Andrew Schaap presents a conception of political reconciliation in which reconciliation is made possible by the creation of a “we”. This is an extraordinary in politics, when the political occurs, and is always conditioned by the possibility of failure. Carl Schmitt’s understanding of politics as the intensification of the friend-enemy distinction serves to threaten the political space opened by the creation of the “we”. Yet, this can be distinction can be re-formulated to allow for new friend-enemy groupings, as a means to create reconciliation.

What, then, is Rwanda’s process of reconciliation? It is one criticized by many in the Western world as being oppressive and increasingly authoritarian. This criticism, however, does not encompass the full scope of Rwanda’s process. Though it is indeed oppressive and increasingly authoritarian, it is also attempting to create a shared community that is Rwanda and a shared identity that is Rwandan. The interpretations of reconciliation articulated by Rwandan Senators show a sophisticated re-formulation of the friend-enemy distinction. Their interpretations of reconciliation simultaneously encompass ideals of reconciliation with the revision of identity in Rwanda. The concept of reconciliation is seen through and produced by these re-formations. In this, the Rwandan Senators undertake both Schaap’s understanding of reconciliation and Schmitt’s concept of the political. Oftentimes, their interpretations create the space for Schaap’s “we” to be articulated, thus creating the possibility for political action and reconciliation. At the same time, they reject the previous Hutu, friend-Tutsi, enemy formula for a new grouping which includes all Rwandans,

regardless of ethnicity. Their understandings of reconciliation attempt to re-contextualize the meanings and debate surrounding what it means to be Rwandan in order to expand who and what is considered Rwanda. Furthermore, the use of *gacaca* as a tool of reconciliation works to create a shared experience of Rwandan-ness and redistribute the power from the state into the “we” of the citizens. This helps to initiate a new social order, one in which, presumably, the citizens hold the power.

The question remains: do these interpretations represent the “radical break” in social order Schaap claims necessary to the process of political reconciliation? This is questionable. The understandings of reconciliation presented by the Rwandan Senators do, indeed, present an interesting re-conception of the friend-enemy dichotomy. However, they are unable to radically re-shape and re-contextualize the debate. They attempt to reformulate this dichotomy by simply ignoring the formation of identity based on ethnicity and re-forming identity based on nationalism. Yet the context is still primarily identity-based and almost totally formed by the state. In order to fully relieve “Hutu” and “Tutsi” of their former meanings, the context must change from one centered on identity into a more nuanced understanding of politics and personhood.

It is clear is that more research is need in this area. It is important to understand the intersection of the personal and the political in countries emerging from violent conflict. In addition, the interrelationship between violence and reconciliation should be further studied to understand the links between these two concepts. Can reconciliation be seen as a form of violence? This research utilized the theories of Andrew Schaap and Carl Schmitt in order to understand reconciliation. However, further research in the area would benefit from a closer look at Hannah Arendt’s conception of politics and Michel Foucault’s understanding of biopower.

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Appendix 1

Interview Outline, MP

- I. Introduction
 - a. Name, qualifications
 - b. Explanation of thesis, use of interview
 - c. Permission to record?
 - d. Anonymity?
- II. Themes
 - a. How long have you been an MP?
 - i. Why were you interested in becoming an MP?
 - ii. What party do you belong to and why?
 - b. What factors affect your political ideology?
 - i. Ethnicity? Gender? Age? Class status?
 - ii. Which factors are most important and why?
 - c. What do you see as your role(s) in Parliament?
 - i. What activities do you do as part of this/these role(s)?
 - ii. How do you see your role as an MP
 1. i.e. what or who do you represent?
 - iii. Has this changed?
 - d. What is the process you go through when deciding on how you will vote on a particular bill?
 - i. What factors/considerations affect this decision making process?
 - ii. Which factors are the most important?
 - e. What role do women play in the legislative process?
 - i. Has the implementation of quotas affected this role or process?
 - f. What role do MP's play in reconciliation?
 - i. Do you think a gender perspective is necessary for reconciliation?
 1. Why?
 - ii. What has informed your view of your role in reconciliation?

1. Other people? Experience? Political Party? Gender? Age?
Class status?
 - g. What factors affect your view of the reconciliation process?
 - i. Political ideology? Ethnicity? Gender?
 - ii. How do these factors affect your view?
 - h. In your opinion, how is the reconciliation process going?
 - i. Has it advanced? Stagnated?
 - ii. How do *you* measure advancement?
 1. What benchmarks do you use?
 2. What factors to you use to measure this?
 - iii. What, if any, structures contribute to this advancement?
- III. Conclusion
- a. Recommendations for further interviewees?
 - b. Copy of research?