

The Ritual of Gacaca in Post-Genocide Rwanda: Restorative Justice and the Path to Reconciliation

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Abstract:

This thesis explores how Gacaca's ritual contributed to the justice delivery and ongoing reconciliation course in post-genocide Rwanda. It does so by looking at Gacaca's institutionalized courts through the lens of a homegrown substitute solution to the complexity of pursuing justice and reconciliation in the aftermath of the Rwandan 1994 genocide against Tutsi. This indigenous-based approach appeared to respond to the genocidal consequential setbacks of Western-modeled legal system destruction. It delves into the significant societal transformation achieved by post-genocide Rwandan society, often claimed to have remarkably re-unified after the genocidal tragedy. Every society possesses the potential and capabilities to resolve its societal issues if it decides to be bold, courageous, optimistic, and introspective about its culture, social framework, and ritual practices. Generally, genocide symbolizes the most evident division among citizens, while unity and reconciliation paradoxically serve as crucial foundations for a post-crisis society to reconstruct and prosper. The Gacaca ritual, a community-based justice system, was reintroduced into courts specifically prosecuting genocide-related crimes. Findings underscore optimism, resilience, and a focus on indigenous solutions to achieve justice, reconciliation, and unity. The Gacaca ritual, in particular, stands out as a unique and practical approach, offering insights into how societies can effectively address their problems rather than relying on external solutions, which have consistently demonstrated numerous inefficiencies in problem-solving. I did ethnography for three months in the Reconciliation village of MBYO and conducted fifteen comprehensive interviews with lived experiences interviewees.

Acknowledgment

"In acknowledging others, we affirm their worth and enrich our humanity." -

Unknown.

For my dearest mother, who gave me primary education as the foundation of any further level of education, including this, Master's. For Professor Prem Kumar Rajaram, who has allowed me to return to Higher Education through the great Open Learning Initiative (OLive).

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Introduction

The 1994 Tutsi genocide ranks as one of the 20th century's worst humanity catastrophic events. Following that unprecedented tragedy, the post-genocidal governmental response was the establishment of a ritually rooted juridical system that aimed at reconciliation and redefining a path for a future. Drawing on traditional legitimation institutions (Gacaca courts), self-reliance pragmatism, and institutions of the classical justice system, the newly institutionalized restorative justice mechanisms (reformed Gacaca) aimed to bring the antagonistic parties to peace and live side by side and remake a solid social fabric.



Figure 1: Interview with a Local, taken by the Author in February 2024, in the Reconciliation Village of MBYO

It is around 9 am, and I am in MBYO Reconciliation Village in Rwanda. I am seated with a 48-year-old widow of the genocide, waiting for her neighbor, who is my interviewee. The person I am scheduled to interview is a 72-year-old man who participated in the genocide. We are set to interview at his home, and his wife is now preparing the space. Meanwhile, the widow

and I engaged in an informal conversation about their social life and experiences as survivors and former perpetrators of the genocide. The hospitality is evident as she kindly offers me some raw cassava.

Mwaramutse! - I greet her in Kinyarwanda, and she responds with a smile. We are already acquainted, and I established some connections a week ago. I informed her about my interview appointment with her neighbor, sparking a discussion on reconciliation and unity among the villagers of this renowned Reconciliation village. Our conversation shifts to a communal livestock farming project where each villager receives a cow from their neighbor until everyone in the village has one. I inquired about the practice of feeding cows in the cow bridge instead of letting them roam and graze freely. She explains that these cows are part of a reconciliation project where neighbors pass on cows to each other, symbolizing a civil pact of solidarity. She emphasizes that the breakdown of this cultural pact of solidarity rooted in tradition contributed to the atrocities of the genocide. Furthermore, she reflects on the village's 19 years of peaceful coexistence and harmony, attributing it to the restorative justice provided by the Gacaca courts. She says: "Gacaca encouraged us to forgive by revealing the truth of past events. This process has been instrumental in rebuilding mutual trust and fostering an inclusive society. As a result, now I sleep well knowing that next to my door, there is a former Génocidaire who was hunting me down in April 1994. Genocide was a sign a failure of our unity, a pact of civil solidarity and society as a whole."

In my view, this ethnographic vignette illustrates how post-genocide Rwandans think about the contribution of Gacaca courts to the ongoing reconciliation—particularly those who are direct victims. Apart from being a native of a nearby Burundian town to this village of my ethnography, I lived and studied for my Bachelor's in Rwanda until I left in 2019. As I recall, Gacaca courts were considered the backbone of reconciliation. This view was present in various university student anti-genocide events I attended. When I was back in Rwanda this January 2024, after five years, I noticed the progress of reconciliation in multiple aspects. Inter-marriages among former conflictual families (Hutu and Tutsi), mutual trust where a Tutsi/Hutu family allows herself to leave their kid in neighbor Tutsi/Hutu households when they go for farming or to a health center for other kids. The mutual trust among Rwandans is present and has progressed, considering where the society came

from since the genocide. Talking to Rwandans for three months, I can say that his mutual trust, which indicates a crucial move towards reconciliation, is here to stay.

I intend neither to measure the most accurate contribution of the Gacaca ritual to reconciliation nor provide an absolute evaluation of the fairness of Gacaca as a juridical system. I am interested in the contribution of Gacaca's ritual in the post-genocide period as a restorative justice model for the justice gap and on the ongoing reconciliation path. My focus is on the emic views of Rwandans. I can only hope that the stories/ interviews conducted with my respondents were truthful and objectively told.

Anatomy of Gacaca in the Post-genocide Period



Figure 2: Gacaca court in session: Photo credit: Samuel Gasana (<http://bit.ly/2mB0HIO>)

The historicity of Gacaca courts shows that: “Gacaca tribunals survived the German and Belgian colonization of Rwanda, according to investigations by Philip Reyntjens (Sullo, Pietro, and Pietro Sullo, 2018)”. The post-genocide Rwandan government decided to use the same ritual more extensively by re-formulating its functionalities significantly and redirecting the aim lightly. As argues Rettig Max, the 2000 legislation re-establishing gacaca as a broad network of local genocide tribunals and later revisions to that law in 2002, 2004, 2007, and 2008 profoundly altered the old system. The judges were trained for three days first and continuously refreshment. In addition, post-genocide Gacaca has been formal and much more complex than the pre-genocide one. Post-genocide gacaca courts had to deal with genocidal crimes unprecedentedly. As Denis Bikesha (PhD), the Dean of the School of Law and Lecturer of Law at the University of Rwanda, explains, the post-genocide Gacaca courts had mainly the following five missions: *Disclose the truth about the genocide event, Speed the*

genocide trials up, Eradicate the culture of impunity, Reconcile, and strengthen the unity among Rwandans and lastly *Proving Rwandan society's capacity to resolve its concerns* (Bikesha D, 2019). It is essential to mention that: “in the last quarter of the 20th Century, Gacaca was an informal and traditional instrument to settle disputes and predominantly oriented towards preserving harmony (Sullo et al., 2018)”. Gacaca court judges did not receive salaries, although they received some in-kind compensation, such as radios. Another difference was that a convicted person had no right to file an appeal to a typical tribunal. In addition to this: “Gacaca’s authority reflects the government’s priorities (Rettig M. 2008). In Post-genocide Gacaca, procedures are also structured differently because the trial phase follows information gathering and categorization, and suspects generally are tried in groups, as Rettig Max adds.

Nevertheless, post-genocide Gacaca courts kept the restorative approach unchanged, punishing the guilty and simultaneously reconciling the offenders with offended ones. The end goal was not punishment but rather a cohesive society. In practice, confessing and asking forgiveness by guilty génocidaires were significantly encouraged and rewarded. That was because confessing and asking for forgiveness were considered fundamental elements for reintegrating génocidaires into society. The overall aim was to reintegrate génocidaires and revive societal harmony. Thus, a step forward to a genuine reconciliation is the primary aim.

Politicizing Post-Genocide Gacaca

The post-genocide ruling party is RPF (Rwanda Patriotic Forces) until this minute. It seized power after overthrowing the genocidal regime and putting an end to the 1994 Tutsi genocide. Arguably, it wanted to prove its capabilities of governing and resolving problems. One would also think that I sought to consolidate its power and self-reliance ideology. The concerns of justice for

genocidal victims and a culture of impunity were issues to be fixed straight away if the government were to be taken seriously and trusted. In addition to this, the pre-genocide narrative spread in media was that the Tutsi people in exile were enemies of Rwanda and Rwandans, planning to come and exterminate all Hutu people. The post-genocide regime (RPF), predominately Tutsi, had a vast political gain by proving the opposite, instead legitimating its claim of fighting for unity and an inclusive society. The genocide regime headed by President Habyarimana Juvenal used to say Rwanda was a small country and overpopulated for Tutsi in exile, particularly in Uganda, to return and live within Rwanda. He cynically said *Rwanda is like a glass of water, and adding other water will cause a spill*. On the other side, Gacaca courts were envisioned as an alternative to respond to unprecedented demands for justice confronting a severely damaged judicial system due to the lack of legal practitioners in the post-genocide period. In addition to this, there was a high priority need to reconcile the population remarkably divided by genocide and its ideology and strengthen the unity amongst citizens as a foundation of recovery and move forward as a solid society.

In this research, I intend to position this case of the use of the ritual of Gacaca in post-genocide into a broader context of the debates on African Indigenous knowledge and its usage in post-colonial times. I would mainly focus on debates of non-Western philosophies and jurisprudence. I intend to touch upon the African philosophy of Ubuntu. As argued by Oloruntoba, Afolayan et al., ubuntu as an epistemological concept was used to restore social order in ancient African societies, and wherein with time, this concept became a living principle upon which ordinary citizens adhere. I aim to explain how African Indigenous knowledge systems can be applied to solve societal problems. The existence of African philosophies and epistemologies should be the reason for first resorting to them to fix African issues. I referred to this by saying to look inward instead of rushing to import the outward solutions. The Gacaca ritual and the Ubuntu concept are part of

African Indigenous knowledge systems. They have been used to restore justice and order in African societies.

I will zoom in on the application of Gacaca in a post-genocide juridical context. I intend to use the notion of “restorative justice” instead of just “Gacaca courts. Later, this will allow me to draw a parallelism with the “Ubuntu” concept known in the “restorative justice” literature in post-apartheid South Africa. However, I will try to stick with my case study of Ritual of Gacaca as restorative justice in post-genocide Rwanda and its contribution to reconciliation. As this research will show in detail, it is an attempt to answer the field question: *How do post-genocidal Rwandans think Gacaca has contributed to the ongoing post-genocide reconciliation?*

Under this main question, I have the following sub-questions to get to the core answer to my main question: *What is their juridical perception of Gacaca courts rooted in the ritual of Gacaca?* It is important to grasp their views on Gacaca because it reveals the fit or unfit of this governmental choice. My second sub-question is: *What do they think of Gacaca as a post-genocidal governmental juridical system choice, not a classical one?* As my approach is actor-based, it is essential to hear citizens' thoughts on this governmental choice. The following sub-question is: *What was their experience with Gacaca being traditional institutionalized courts?* It aims to be an inquiry into how people experienced gacaca as institutionalized courts because the government claims that it would facilitate trials and inspire people to reconcile and strengthen unity. The following is: *What were their expectations regarding this ritual justice system trying such a higher crime of genocide? / Are they met? If yes/no. How?* This question facilitates the investigation of matching/mismatching of governmental claims of gacaca court delivery respectively to the expectations of people. The following: *How could such unspeakable violence transpire within a community that supposedly shared common bonds?* This aims at disclosing how they think of

genocide among the same people because Gacaca sought to bond them. It is crucial to get some sense of how they consider the tragedy of genocide because this enables me to rationalize their expectations on Gacaca delivery and understand their thoughts on its contribution to reconciliation. The last sub-question is much about meaning as it may differ. I ask: *How do they define reconciliation?* This links to the main question because it allows them to disclose their definition of reconciliation. Their meanings of reconciliation are central because they are at the heart of the entire reconciliation cycle. It is their interpersonal relationship reconciliation.

Methodology

My thesis is based on ethnographic fieldwork, daily encounters, individual experiences of living in Rwanda for over five years before this research, and natural curiosity inspired by closeness with Rwanda as a brother country. I did ethnographic research in the reconciliation village of MBYO for approximately three months, from 2 January to 25 March 2024.



Figure 3: Locals of Mbyo Reconciliation village during a visit. 15th January 2023. (Photo/Ianela Losa)

In the first weeks, I stayed in Kigali (the capital city of Rwanda), and after, I decided to get into the community and live there. I had a cousin who lived in the same neighborhood and joined him. Besides the prior proposed interviews as data collecting methodology, I also did a participant observation to capture the daily experiences of this community's locals. I conducted most of the interviews in the households of the interviewees. I often saw and targeted them while participating in community tours constantly organized and conducted by tourist agencies that guide international tourists who come to visit this community, thanks to its genocidal recovery story. My continuous presence and attendance in their daily life created a sense of belonging, acceptance, and sameness, which significantly assisted me in requesting them to be interviewed and open to me during interviews. They entrusted me after a while.

While doing this research, I had a special positionality as a former resident of Rwandan society and, more importantly, as a young person from a neighboring country (Burundi). Also, the fact that I was studying in Austria and decided to choose to research Gacaca and reconciliation meant a lot to them. They perceived me as “a loyal neighbor and former resident,” which made people willing to be interviewed at ease. I overall conducted fifteen semi-structured interviews. Nine men and six women. Among them, there are nine genocide victims (four female and five male), three perpetrators (all men), and three returnees (two female and one male). For the category of survivors, I intentionally chose nine victims out of fifteen as the total number of interviewees. The justification was that I aimed to hear much about those affected and suffering. I aimed to extract their experiences, expectations, and views on gacaca because they were at the center of the process of Gacaca. The numbers are equally gendered (five and four). I objectively chose to interview three Génocidaires because of two reasons. One few are still alive, and secondly, they are not open easily to sharing their dark past and it takes time to be vulnerable to you to conduct a quality interview without self-censorship. However, I chose to include them in my interviewees because I wanted to

hear and balance their experiences, thoughts, and expectations of Gacaca. The number of returnees people is objectively equal to the Génocidaires because even if they are in the reconciliation cycle as well, they did not ask for much. Most of them had neither direct loss of their relatives nor committed genocide. Their involvement in Gacaca was relatively low and observative. However, their views mattered and seemed to be less emotional and more objective.

The overall number was less gendered (nine and six) because I wanted to interview mature interviewees, and this limited the number of females due to their availability and difficulties in sharing their emotional past. As moments recall memories and deepen reflections, I was lucky enough to capture their momentum experiences as they were getting prepared for the annual commemoration of the 1994 Tutsi genocide, which starts on the 7th of each April. During my participative observation, I observed women handcrafting because I wanted to observe their closeness and mutual sympathy if they matched with their responses in our interviews. I also participated in their foreign tourist visit preparation to observe the mutual collaboration to get a sense of how reconciled they may act. I attended all two tourist village tours. I observed and listened to how interactive and collaborative they act.

I learned much during encounters outside the research-specific frame, especially in the evenings with locals through informal intentional interview dialogues. This has been useful in two aspects. First, people felt much more comfortable sharing their thoughts on Gacaca and the state of reconciliation. The flow of dialogue was very natural and exchange-like. Second, people realized that my interest in Gacaca's contribution and reconciliation course was beyond the initial assumptions of ticking research questions but deeply motivated by a genuine willingness to learn and understand. This brought me much closer to them and allowed me to interview whom I wanted to without difficulties.

CHAPTER 1: Historical Background

1.1. The Pre-genocide Ritual of Gacaca

The ritual of Gacaca existed for a long way before the 1994 Tutsi Genocide exploded. Etymologically, Gacaca refers to a specific type of grass, “*Urucaca*,” in Kinyarwanda. Holistically, Gacaca as a ritual refers to traditional justice occurring while community members are seated on such grass. In the pre-colonial era, gacaca authority was a popular indigenous forum for resolving local disputes over family matters, property rights, and other disputes (Corey, Allison, and Sandra F. Joireman, 2004). Often, those who criticize and view post-genocide Gacaca courts as a post-genocide government juridical maneuver ignore that a similar gacaca process initiative rooted in the ritual of gacaca took place in the 1900s. As discussed by Phillippe D., this initiative is known as Christian gacaca or *gacaca Nkristu* and was pioneered by the Catholic Church. The post-genocidal government took inspiration from the Rwandan culture and prior governmental home solution approach.

The 1994 Rwandan Tutsi genocide catastrophe and its urgent need for justice and reconciliation in such a hot period had been the triggering phenomenon for the re-introduction of the Gacaca juridical system. The knotty scenario of being exposed to a significantly devastated justice system and an emergency of providing justice for genocide victims sparked the return to the ritual of Gacaca as an alternative.

1.2. Background of the 1994 Rwandan Tutsi Genocide

“Today, our hearts are filled with grief and gratitude in equal measure. We remember our dead and are also grateful for what Rwanda has become. To the survivors among us, we are in your debt. We asked you to do the impossible by carrying the burden of reconciliation on your shoulders, and you continue to do so and do the impossible for our nation every single.”

President of Rwanda, Kwibuka 30 | 30th Commemoration of the
Genocide Against the Tutsi | Remarks by President Kagame.,0,58-2,15.

The pre-genocide regimes, dating back to nearly the end of the colonial period, kept disseminating diversionist ideology and hate speeches. Constantly, Tutsis were discriminated against socially, economically, and politically. Consequently, Tutsis fled Rwanda to Uganda, Burundi, DRC (former Zaire), and elsewhere. In exile, they joined forces in a rebellion movement, claiming to liberate the country from societal division and stop ethnic-based discrimination and killings. The forces-joining process took some decades before the genocide exploded. At the same time, for some decades within Rwanda, the regime in place was preparing a genocide to exterminate the Tutsi population, often labeled as invaders and cockroaches. It is important to remember that ethnic separation was done prior and mentioned in all national identity cards received.

In April 1994, Rwanda descended into the horrors of genocide, resulting in the merciless slaughter of over one million Tutsi individuals. This harrowing episode prompts a fundamental question: how could such unspeakable violence transpire within a community that supposedly shared common bonds? In attempting to address this inquiry, Valentino B. presents a poignant perspective, positing that a pivotal precursor to genocide often lies in deep-seated societal divisions. He terms this phenomenon "social cleavage dehumanization." Notably, this concept finds resonance in the

Rwandan tragedy, where the initial stages of genocide involved the dehumanization of the Tutsi populace by the genocidal regime, who labeled them as *cockroaches*, *Hamites*, and *enemies of Rwanda* (Valentino and B.A., 2005). It was widely spread that only the Hutus, the Bantu people, as distinct from the Hamites, qualified as authentic Rwandans (Totten and Parsons, 2009). It is essential to underscore the subtlety of this phenomenon within the historical context marked by the burgeoning literature promoting the Hamitic hypothesis, which posited the Tutsi ethnicity as originating from the northern reaches of the Nile. The divisive ideology was subtly perpetuated through various mechanisms during Rwanda's first republic, shortly after gaining independence in 1962. Ethnic divisions and systemic discrimination were pervasive features of the social landscape during this period, leaving indelible marks on educational institutions and workplaces alike: successive regimes, each characterized by adherence to ethnic ideologies, perpetuated and even exacerbated societal cleavages. The burgeoning resentment and a palpable desire for retribution were fueled by the enduring frustrations stemming from the entrenched social hierarchies based on newly invented ethnicities, both preceding and during the colonial era.

The Hamite hypothesis functioned as a mechanism of Othering, effectively positioning Tutsis as invaders and oppressors of the broader populace, particularly the Hutu majority. Initially positing distinct ancestral origins, it stratified ethnic groups based on economic pursuits, with Tutsis depicted as pastoralists and Hutus as agriculturalists. Belgian power conducted a census of 1933-1934 to categorize Rwandans. After this census, the power issued a categorizing criterion: the ten-cow rule. This rule stipulates that whoever owned ten cows, or more is categorized as a Tutsi. However, as argued by Mamdani, the colonial power-based categorization on other information received from churches that worked closely with the colonial power, physical measurements (nose, feet, fingers, etc...), and the owned cows (Mamdani. M – 2020). This categorization led to the construction of

racialized categories wherein Tutsi became *Settlers* (nonindigenous) and Hutus as *Natives* (indigenous). Tutsis became a Hamitic settler race and Hutus native race. Mamdani made a clear point that in colonial Rwanda, they were not ethnic groups but only races (Mamdani. M – 2020). Later, these two races became ethnicities depending on the political elites' aspirations. I would reiterate that this was the core foundation to claim the legitimate distinguishing and systematically discriminatory political and social practices followed. The socio-political architecture, and historiography of races, and ethnicities which finally turned into political identities in the pre-genocide Rwanda gave reason to people to turn against others. The trajectory of genocide was long enough paved.

From a scientific standpoint, the assertion of three separate ethnicities (Hutu, Tutsi, and Twa) within Rwanda is unfounded, as all members of society share a unified language, culture, nomenclature, and national identity. These shared attributes render the argument for three distinct ethnicities untenable. Instead, the narrative of ethnic divisions in Rwanda reflects a colonial formation and transformation strategically employed to facilitate its divide-and-rule strategy of colonial governance. Indeed, socially clan-based differences existed; however, Rwandans cohabited peacefully, and no genocide had ever exploded before on this basis. History shows that pre-colonial Rwanda was a complex social structure made of social groups based around kinship, lineage, clan, and residential location, which varied by both regions and over time and were overlaid with the common identity of Banyarwanda, or people of Rwanda (Deborah. M - 2015).

In social sciences, we know ethnicities are social constructs. Under German (1894–1916) and Belgian (1916–62) colonial rule, the Hutu and Tutsi were framed as different races, and the ‘Hamitic hypotheses were invoked to explain the Tutsi’s perceived superiority (Deborah. M - 2015). I would argue that this has been the beginning of the ethnicisation of Rwandans. Furthermore, it must be clearly stated that the concept of ethnicities in Rwanda has been introduced, nurtured, spread, and

utilized by colonial imperialists within their cruel colonialism project. As mentioned earlier, the role of church missionaries in scholarships and reports became central and focused on the ethnicities and racial delineations prevalent within African societies, with specific attention directed towards the populations within the Great Lakes region, encompassing Rwanda. Ethnicisation was followed by ethnic-based division in pre-genocide Rwanda, which has become one of the legacies of colonial and post-colonial regimes.

Across the country, the genocide ended as the RPF took territorial control. It controlled Kigali by July 1, 1994. It had total control of the country by 18 July 1993, when it finally defeated the remnants of Hutu Power forces in Gisenyi in the north (Susan and T. 2013). The RPF overthrew the genocidal regime and established a post-genocide government until today. Justice and reconciliation were among the first tasks to be accomplished.

1.3. The Post-genocide Gacaca Courts

“... today's event is, therefore, not simply to mark the closure of the courts but also to it is a recognition of the enduring value of the process. It is a celebration of the restoration of unity and trust among Rwandans and a reaffirmation of our ability to find our answers to seemingly intractable questions. Distinguished audience the Gacaca process and experience have been an important phase in the history of our country. It has been a period when we sought to reunite our nation, inspire confidence in the administration of justice, and hold each other accountable for our actions. Gacaca, granted, had its imperfections. It received criticism both from within and outside Rwanda, yet those criticizing offered no viable alternatives that could deliver the results we needed better (Kagame- 2012)”

Paul Kagame, “President Kagame Officially Closes Gacaca Courts- Kigali, 18 June 2012,” June 26, 2012.

When the 1994 Rwandan Tutsi genocide exploded, resulting in a total tearing up of the social fabric, victims legitimately claimed justice. The social fabric needed to be restored. The post-genocide society needed to become united to foster one body. Thus, there was a necessity for reconciliation amongst the post-genocide Rwandans. National unity, justice, and reconciliation were the stated goals of the RPF (the post-genocide ruling party) as it sought to restore order and deliver peace and security to its damaged population (Thomson & Nagy, 2010). Urgently, concerns of justice had to be solved foremost as a deterministic factor for a striving and promising society and safe environment for healing genocidal trauma, wounds, and scars. The Western-modelled justice system was almost non-existent due to a massive loss of personnel due to the genocide and the natural limitation of governmental resources to respond to such unprecedented crime loads. Consequently, there was an unprecedented number of prisoners whose cases remained untried. The post-genocide governmental enterprise of the gacaca court system officially launched on 18 June 2002. Gacaca was portrayed as a home-solution approach adopted by Rwanda to test and inspire to look inward while confronted by such a societal tragedy.

The Rwandan government reviewed the traditional procedures of Gacaca, reorganized them, made related laws, and legalized them as official courts for exclusively genocidal crime trials. However, the post-genocide Gacaca system is slightly different from the pre-genocide one. Nevertheless, both build on the same core principles of seeking justice and reconciliation. The tradition of the gacaca justice system shows that village elders and other members of communities served as judges. It is also essential to clarify that Gacaca courts judge membership always based on integrity and not on ethnic membership. Impartiality was always a key factor and identity of gacaca courts. This was one of its key strengths, credibility, and popularity.

Historically, judges would voluntarily gather on a patch of grass to discuss civil disputes (Corey, Allison, et al. 2004). Within certain parameters, Gacaca committee members or elders could infringe punishments they believed suitable without following any standardized pre-described punishment law or penal code. It should be noted that traditionally, Rwandan justice was a societal moral and integrity-based evaluation decided by societal elders. This juridical procedure was accepted within Rwandan society and legitimated by the Mwami (King), the country's highest arbitrator in that period. Western-modeled justice was an importation like many others and only started to be practiced since colonialism marking the beginning of overlooking and systematically dismantling indigenous knowledge and practices.

Throughout the whole nation: It is revealed that in October 2001, elections were held in urban and rural cells to select approximately 255,000 men (about half the population of Wyoming) and women of integrity to serve as gacaca judges (Corey, Allison, and Sandra F. Joireman, 2004). Judges underwent informal legal training for these newly and objectively reset Gacaca courts. They were sent to oversee these genocidal crime cases. However, everyone in attendance freely spoke out of concern. As Corey, Allison, and Sandra F. Joireman explain, Gacaca seemed to be a unique approach compared to other forms of restorative justice because it is rooted in a Rwandan ritual to which citizens have a cultural understanding and connection. This ritually rooted restorative justice model is said to have doubly served *for rendering justice* to victims and *reconciliation* amongst post-genocide Rwandans. Some anthropological literature on rituals argues that rituals simultaneously have legitimate power, are thus essential vehicles of ideology, and give the participants solid emotional experiences (Eriksen, Thomas, and Hylland, 2021).

Gacaca emerged as an innovative solution to address the significant deficiencies in Rwanda's post-genocide justice system. Despite its imperfections, gacaca offers critical insights for countries

aiming to improve accountability and encourage public dialogue (Longman, 2009). As echoed by my interviewees and articulated by Longman, the Gacaca courts' initiative to judge genocidal crimes is perceived as a beacon of hope and a courageous experiment. Despite its limitations, it has established a notable judicial precedent (Longman, 2009).

1.4. Restorative Justice, Africanity, and Indigeneity

The post-colonial era of non-Western states has sought to determine a movement that was not grounded in deconstruction but in the reconstruction of knowledge systems within education systems (M Teleki, SD Kamga, 2020). This was the case precisely because Eurocentric education systems during colonial times were critical to the broader scheme of the colonial project to frame consciousness contrary to the teachings of African systems (M Teleki, SD Kamga, 2020). In the scholarship of restorative justice, it is often defined as an African indigenous approach to handling societal disputes. This concept of Restorative Justice existed way before the invasion of Western capitalists and their so-called civilization package, wherein the legal system was established and is still being applied. Restorative justice was applied in various African societies before the brutal invasion of Western colonialists. Indigenous systems were once considered a threat to the colonial project due to how they were used to justify resistance to the invasion of African life by industrial capitalist systems (M Teleki, SD Kamga, 2020).

It is convenient to begin by examining how restorative justice is defined in different scholarships. Choi and Severson describe it as a practice that offers an opportunity to highlight the humanity of both the victim and the offender, highlighting the victim's experience. It is a double-sided process that is both personal and justice oriented. Its centrality is anchored to offender-victim relationship restoration by which, in ancient societies in non-western countries, restitution or

restoration to victims and their kin took priority over retribution of the alleged offender because the creation of peace and harmony was deemed of paramount importance in non-western cultures (Choi & Severson, M, 2009). For Zehr, inviting all parties to find an agreed-upon solution is privileged. In his view, restorative justice is more about fixing the broken relationship than punishing whoever transgressed the law. He defined restorative justice (RJ) as follows: “Restorative justice is a process to involve, to the extent possible, those who have a stake in a specific offense and to collectively identify and address harms, needs, and obligations to heal and put things as right as possible (Zehr, H. 1990).” Professor of Criminology and Criminal Justice Kathleen Daly describes restorative justice as: “a set of ideals about justice that assumes a generous, empathetic, supportive, and rational human spirit. It assumes that victims can be generous to those who have harmed them, that offenders can be apologetic and contrite for their behavior, that their respective “communities of care” can take an active role of support and assistance, and that a facilitator can guide rational discussion and encourage consensual decision-making between parties with antagonistic interests. Any of these elements may be missing and thus potentially weaken an RJ process (Kathleen. D. 2017).

The absence of a universally agreed-upon or standardized definition of restorative justice is a noteworthy aspect of its conceptual framework. As Professor Kathleen Daly aptly observes, this lack of consensus gives rise to a plurality of identities and references within the realm of RJ. Professor Daly further contends that this definitional ambiguity may contribute to theoretical, empirical, and policy uncertainties, leading some scholars to perceive it as a potential limitation. However, Professor Daly offers a more optimistic interpretation of this phenomenon, suggesting that the absence of a singular understanding of RJ reflects the diverse array of interests and ideologies that individuals bring to justice discussions. Therefore, there is an opportunity for contextualization and

adaptativization of restorative justice. I intend to analyze how restorative justice exists and is applied in two other different African societies that are geographically separated significantly.

The first society to analyze is the Ondo Kingdom society's use of restorative justice; this case has some unique features because RJ worked in parallel with the colonial juridical system. This case is extensively discussed in the book *Indigenous Knowledge Systems and Development in Africa*. In chapter 12, Omotayo C.K. describes Jomu of the Kingdom of Ondo as a prominent senior chief and kingmaker and ranks third in the hierarchy of traditional chieftains (Omotayo, C.K., 2020). Before the advent of the Europeans and the eventual establishment of the colonial administration in Yoruba land, there was a system of justice and administration of law based on the people's customs and traditions (Fadipe, 1970, Onadeko, 2007); the Yoruba people had ways of settling their civil and criminal cases through an institution as old as the history of the Yoruba people themselves, adds Omotayo, C.K. The existence of indigenous capacity to resolve disputes based on traditions is a shared societal characteristic with Rwandan society as the ritual of Gacaca played a similar role. However, there is a noticeable difference compared to the continuity of abiding faith. In the Ondo Kingdom, despite colonial rule and the eventual creation of the Native Court in Ondo in 1915, people still significantly relied on indigenous judicial systems patronizing the indigenous tribunals to settle conflicting claims alongside colonial ones (Omotayo, C.K., 2020). In Rwanda, the society went much for the colonial justice system.

The second case is of Ubuntu in post-apartheid South African society. It must be mentioned that Ubuntu is a philosophy found in Africa. Ubuntu, as an epistemological concept, was used to restore social order in ancient African societies, and over time, this concept became a living principle to which ordinary citizens adhered (M Teleki. SD Kamga - 2020). Gathogo Julius posits that Ubuntu enriches African philosophy through its clear and concise articulation of the ideal African person

(Muntu), emphasizing communal values and human interconnectedness. He added that Ubuntu is recognized by different names across various African communities: Unhu among the Shona in Zimbabwe, Ubuntu among the Nguni in Southern Africa, Utu among the Swahili in East Africa, and Umundu among the Kikuyu in Kenya (Gathogo. J - 2008). Notably, Ubuntu defines an individual specifically in terms of their relationships with others. In a sense, Ubuntu functions to communitarize the individual, asserting that their existence and acknowledgment are intrinsically linked to their relational dynamics within the community. This communitarian feature assumes paramount importance, notably within the post-genocide landscape of Rwanda. In this context, where the imperative is the restoration of societal cohesion following mass atrocities, Ubuntu's emphasis on communal interconnectedness emerges as a pivotal guiding principle. It delineates a framework wherein the reconstruction of the social fabric is pursued alongside the imperative of holding perpetrators of genocide accountable for their actions.

Like the ritual of Gacaca but contrary to the indigenous courts of the Ondo Kingdom, the Ubuntu concept is believed to have been dissipated as well during colonial eras. As the practices of Gacaca in post-genocide Rwanda were publicly *génocidaires* to speak the truth, confessing and asking for forgiveness from their genocide victimized and the society in general, we this characteristic to be shared with the practice of ubuntu in post-apartheid South African society. Similarly, Ubuntu was used to encourage the perpetrators of human rights abuses in South Africa to speak about their acts in the public domain through hearings attended by families of victims and the perpetrators, as M Teleki and SD Kanga explain. The same argument made by M Teleki and SD Kanga that the post-apartheid period in South Africa was imbued with a climate of reconciliation, peace, and forgiveness with the understanding that this was done in goodwill and that the opposite of this would have arguably been a spirit of vengeance, a divided nation and a possible civil war, I would argue that the

same scenario would have happened in post-genocide Rwanda if Gacaca courts would not have been reintroduced.

The claim of African indigeneity of restorative justice is backed up by the epistemology of Africans when it comes to how they imagine and conceive reconciliation. M Teleki and SD Kanga back this by arguing that the philosophy of reconciliation among Africans was not only a state of mind, but it was practically put in place in symbolic rituals to create a top of mind regarding the actual practice of reconciliation as a concept (M Teleki, SD Kanga, 2020). An excellent example to illustrate this belief is a ritual practice of the Acholi peoples of Uganda, wherein a victimizer would consume a bitter herb to symbolize that the act of the victimizer was bitter toward their victim. It was believed that this act would help to let go of the bitterness and possible resentment from victims (M Teleki, SD Kanga, 2020). As a higher form of compassion in African epistemology, Ubuntu highlights how they imagine the daily interpersonal relationships and communitarian sense of interdependency. The claim of the Africanity of Ubuntu can involve a comparison of the African communitarianism, epitomized in the philosophy of Ubuntu, and Western individualism. A notable example elucidating this juxtaposition is therefore found in the articulation of Ubuntu's communitarian ethos as "I am because we are and since we are, therefore, I am," contrasting with the individualistic maxim of Western philosophy encapsulated by Rene Descartes' *cogito ergo sum*, signifying "I think, therefore I exist."

In the forthcoming chapter (Two), I undertake an examination akin to the scenario observed among the Acholi people of Uganda, focusing on the phenomenon of Umuganda within the context of reconciliation in post-genocide Rwandan society. This inquiry delves into the transformative role of Umuganda rituals in fostering compassion among Africans, particularly towards victims of genocide. Notably, these societal rituals serve not only as expressions of solidarity but also as

effective tools for reconciliation, facilitating the reconstruction of social cohesion and providing a platform for dialogue surrounding the nation's tragic history to avert its recurrence. Furthermore, I integrate insights derived from fieldwork, thereby establishing a coherent narrative that aligns with the research inquiries. This chapter stands as the crux of the study, encapsulating both the empirical findings and the subsidiary questions posed therein, thus elucidating the interconnections between each finding and its corresponding research inquiry.

CHAPTER 2. From ritual to an institutionalized restorative justice

2.1. [OBJ]Turning a ritual into a home-made justice system solution

After the genocide until 1996, approximately 120,000 individuals were imprisoned. The trial rate was so low and trying all suspects would take over a century (MM Westberg - U. Kan. L. Rev., 2010). Furthermore, as highlighted by former Rwandan President Pasteur Bizimungu, Rwanda faced a profound dilemma: the urgent need for an alternative justice mechanism that transcended the limitations of conventional criminal justice, which often reflects Western legal paradigms (MM Westberg - U. Kan. L. Rev., 2010). As a result, the proposition to adapt the traditional Gacaca ritual into a mechanism to address that complexity emerged as a pragmatic response to this multifaceted challenge.

The architecture of post-genocide Gacaca was structured according to its restoration and restructuring objectives. The government of Rwanda established an “Organic Law n° 40/2000 of January 2001 to reform the ritual of Gacaca and create and govern the Gacaca Courts as genocidal courts. Specifically, this Organic Law organizes the prosecution of Genocide crimes and other crimes against humanity committed between October 1st, 1990, and December 31st, 1994,” as the 2012 National Service of Gacaca Courts report shows.

When I asked my interviewees what they thought of the Gacaca being the choice of the post-genocidal government to try genocide crimes, most of them recalled the nonchalance of the International Criminal Tribunal for Rwanda. The trial pace of the ICTR, based in Arusha, Tanzania, did not promise justice. Its record backs this. Seven years after its establishment immediately following the genocide in Rwanda, and more than four years since the beginning of the first trial, the

International Criminal Tribunal for Rwanda (ICTR), based at Arusha, Tanzania, has to date handed down verdicts on only nine individuals (CM Carroll - BU Int'l LJ - 2000). Another criticism is that the ICTR disrupted Rwandan culture by removing accused individuals from their communities, hindering traditional reconciliation practices like *gacaca*. Trials held hundreds of miles away in Arusha are inaccessible and physically and psychologically distant for rural Rwandans, impeding their participation. Beata, a female survivor of MBYO village, was interviewed and criticized ICTR and framed her reflection on *Gacaca* as follows:

“We often heard on the radio that the court in Tanzania was trying *génocidaires*. We did not know who and how. This prevented us, the victims, from healing our grievances of losing our people. It was so crucial for us to know who did what and hear how. Look, Healing starts only after knowing and accepting your past, regardless of how hard it is. *Gacaca* offered us this (Interview, 49-genocide survivor, February 2024).”

Gacaca courts were so deeply rooted in the topography that the trials unveiled the geography of the genocide, which is crucial to understanding the dynamics of the micro-local massacres (H Dumas 2020). The aspect of distance was influential in comprehending massacres and envisioning forgiveness. The emphasis on the proximity of trial places and massacre areas during *Gacaca* courts can be noticed in the statement of the national prosecutor while announcing the new *gacaca* system in 2001 in front of a crowd of prisoners and said: “Your prosecutor will be your neighbor, your lawyer will be your neighbor, your judge will be your neighbor (H Dumas 2020)

The International Criminal Tribunal for Rwanda (ICTR) was operational simultaneously with the *Gacaca* courts. However, *Gacaca* courts had been more effective in giving the people of Rwanda the transitional justice they needed (CM Carroll - BU Int'l LJ - 2000). The village chief commented on

the promise of truth-telling of Gacaca courts and how it was expected to contribute to the healing journey and reconciliation. In his words, he framed it as follows:

“We were desperately in need of justice. Knowing where our families' slaughtered bodies were thrown was all we needed to start the healing journey. Hearing and seeing génocidaires confessing and informing the public where were thrown our wives, mothers, children, fathers, and relatives were emotionally devastating but relieving. Gacaca's promise to discover the truth was essential to our views. Gacaca was about justice, healing, and reconciliation combined (Karekezi, a 52-genocide survivor, February 2024).”

Almost all interviewees articulated the reconciliation embedded within Gacaca courts. The simultaneity of ICTR and Gacaca courts made it naturally impossible to comment on the existence of Gacaca without referring to ICTR. The view of génocidaires seems slightly different.

“When we heard of Gacaca courts and being a governmental initiative, we did not believe it to be for justice and unity. We committed genocide with a conviction that the Tutsi were the enemies of Rwanda, mainly Hutu. There was no reason to believe that it was not an arranged revenge of a Tutsi-led government. No one believed that today we would live peacefully with victims (Loïc, 72-Génocidaire, March 2024).”

The choice of the post-genocide government to re-introduce the Gacaca courts was viewed differently by Rwandans. Arguably, this was because the post-genocidal social atmosphere was significantly ethnically divided, and this influenced views. The pre-genocide governmental divisionism and pro-genocide propaganda had flooded the spirits of pre-genocide Hutus for a long time. Hutus were massively brainwashed. In the post-genocide period, when the regime changed, génocidaires had no trust in the new Tutsi-led government. It was a survival threat for them. One,

because of their involvement in slaughtering Tutsi during the Genocide, and second, because of how they were taught to perceive Tutsi.

Pro-genocide government propaganda portrayed Tutsi as cockroaches, enemies of Rwanda and Rwandans, Hamites, and foreigners who were seeking to come and exterminate Indigenous Hutus to take over their country. This made it hard, if not impossible, for them to trust the post-genocide government, and the region witnessed waves of a high number of Hutu fleeing Gacaca court trials. After a few years, the trust was restored, and the majority voluntarily returned. Above all, the end goal of Gacaca courts had been trials of genocide crimes and reconciliation. Now, unity, harmony, and mutual trust have been established. Those who previously were fearful of Gacaca's outcomes are the ones who testified how impactful this choice had been for them personally and socially.

2.2. Truth, Forgiveness, And Collective Willing for Reconciliation

When I asked about their experience with Gacaca courts being the most decentralized justice system ever, their responses reflected their respective categories. However, most interviewees met on the following things: the need and the Will to overcome the past and the restoration of the social fabric. It is imperative to shed light on the characteristics of post-genocide Rwandans. Post-genocidal Rwandan citizenry consisted of three categories of population. This is due to how displaced Rwandans were in the after-genocide period. Also, this phenomenon is directly linked to the precedent events of genocide where some Tutsis fled social and political discrimination before the Genocide took place. Anne Kubai roughly divides the post-genocide citizenry into three broad categories: the returnees, that is, a large proportion that returned from exile; those who did not leave the country during the genocide; and the *génocidaires*, who were accused of perpetrating the genocide and are in prison or are yet to be brought to justice (Kubai, Anne N - 2007). These distinct categories made the situation even more complex because everyone, depending on their respective

category, viewed Gacaca slightly differently. Having this in my mind helped me to rationalize each experience while conducting interviews during my fieldwork in MBYO village this winter. However, the overall expectations and thoughts on the delivery of Gacaca courts were that truth, forgiveness, and reconciliation were pursued throughout Gacaca's practices and targeted outcomes.

When asking Ange (a 45-year-old woman) belongs to the category of returnees and survivors who were in exile in Burundi, she explains her experiences with Gacaca courts being traditional institutionalized courts as follows:

“It was so traumatic to see génocidaires confessing how they murdered my family and relatives. In the beginning, I was lost and often attended Gacaca court hearings sessions to see If I could get a chance to hear where my family was buried. While we were demanding justice, the government, in return, requested to forgive génocidaires for enabling living side by side again as you see it now (Interview, Ange, a 45-year-old returnee)

There is a saying in Kinyarwanda that says, “ukuri kuratinda ntiguhera.” This means that truth may take a long time to be revealed but can never die. Rwandan society's core belief is the power of truth, making truth-telling one of Gacaca's pillars. Post-genocide Rwandans attended Gacaca to hear the truth about what happened. They believe in the invincibility of truth. The emphasis was on “*ukwiyunga*,” the reconciliation of two parties when something ‘bad’ had happened to cause ‘separation, wherein Gacaca asked and encouraged to reconcile the disputing parties (A Kubai – 2010). On the other hand, the experiences of génocidaires with Gacaca tend to be more about lessons of social cohabitation and ideological transformation. The former génocidaire Loic, a 72 older man, explains his experiences in his words as follows:

“Gacaca has affected me. I went through these steps to change sincere remorse, deciding to chance, acting towards a total chance, and lastly, reflecting or meditating on where and who assisted me in leaving the dark ideology of murdering my compatriots. Gacaca prioritized more the cause of genocide than genocide itself. This has helped us move forward more united than ever, facilitating reconciliation.”

Truth and justice are inextricably linked in the Gacaca process (A Kubai - 2010), which had significant implications for reconciliation. During the interview, the returnee Ange shared how she managed to overcome the trauma and felt the responsibility of forgiving once she knew the truth about the slaughtering of her family and seeing génocidaires apologizing publicly in Gacaca court hearings. She put it in her words as follows:

“At the end of the day, we needed to live side by side. I needed to be free from the past and do the same for that Génocidaire man and his family (Interview, Makamana, a 55-year-old Survivor).”

The structure of Gacaca itself had been a locomotive towards reconciliation. The structure of post-genocide Gacaca courts was constructed in such a way that each genocidal cases were tried in the geographic locations where the crimes occurred. Hélène Dumas describes the physicality of the Gacaca as follows: individuals stand in remarkable proximity to each other, devoid of any physical distance. Consequently, direct interpellations and occasional confrontations occur seamlessly within this intimate setting. Even though the court president typically regulates speech, she added that individuals such as the accused, victims, witnesses, and even public members engage in direct interactions (H. Dumas - 2020). This form of interaction in such a highly intimate setting pushed individuals to rethink living side-by-side peacefully. It brought them to realize how naturally there is a need to reconcile.

Furthermore, adult members of communities were mobilized to attend and be actively involved in the trials, which were participative work of the community. Hence, the legacy of Gacaca would be described as more of a communitarian reconciliatory journey than punitive. This articulates the idea that Gacaca considered Genocide as a societal failure to stick to unity. Thus, génocidaires and victims as a whole community needed to contribute to a societal transformation (H. Dumas - 2020)

2.3. Localizing Reconciliatory Practices



Figure 4: Handicrafts made by women of the Reconciliation village of Mbyo, taken by the author in March 2024.

In interviews, as I investigated interviewees' expectations regarding the evolution of Gacaca from a cultural ritual to a justice system tackling the weighty crimes of genocide and assessed their satisfaction, an intriguing pattern unfolded. While responses initially varied, they converged in a broader context, considering the shared recognition of the profound need for both justice and reconciliation in this context of Gacaca's role in post-genocide Rwanda. The reforms of newly reorganized and formalized Gacaca have been targeting the expectations of post-genocide

Rwandans. In the following section, I highlight some expectations expressed by my interviewees, and after, I will draw some parallelism with specific objectives given to Gacaca courts during its remaking to tackle post-genocide realities.

In an interview with Alexis (42 years old, a survivor), he said:

“I thought Gacaca would make us confront génocidaires safely in the presence of authorities. I expected them to be held accountable publicly for learning a life lesson. Gacaca gave us justice. I saw this happening despite how traumatic it was to see génocidaires admitting openly killing our people and witnesses accusing them vigorously (Interview, Alexis, March 2024.”)

Within Alexis’s response, we can discern an angry tone and expectation of Gacaca to be a solution to the need for justice. Arguably, he recalled the pain caused by the loss of his family slaughtered by génocidaires. What we see in his response is that he prioritizes *justice*. Also, he added that génocidaires would learn a lesson for life by being held accountable publicly; we can still sense the undertone need of not seeing the genocide again. Here, I want to re-articulate that *justice* and *reconciliation* are inextricably linked. In this specific Rwandan post-genocide context, reconciliation preceded, if not simultaneously, justice.

Another priority unfolded in another part of the interview with another interviewee. As I discussed earlier, the individual belongingness in each distinct category of the three categories (returnees, no-exiled, and génocidaires) of post-genocide Rwandans significantly influenced their expectations of Gacaca courts and how they perceived them. Here is how my interviewee Odette responded to the same question:

“While we were still in forests in Zaire, we constantly heard on the radio that Rwanda was peaceful. We were so fearful to return here. However, we were in touch with others who returned before us and kept informing us how they were treated. They reassured us that they were safe and living in harmony, encouraging us to return. Gacaca made it possible to live in harmony again (Odette, 51 years woman old).”

Odette's response is different from Alexis's. She prioritized *reconciliation* and living in *harmony*. As I continuously reiterated, the personal belongingness to each of the three categories of post-genocide Rwandans described earlier respectively influenced their expectations and experiences with Gacaca courts. Allow me to rationalize Odette's response respectively to her category. To do so, it is essential to explain her family story, as she did to me during our interview:

Odette is the daughter of a Hutu family who fled to the Democratic Republic of Congo (former Zaire) in the post-genocide times. In her story, her father has zero participation in slaughtering Tutsis during the genocide. However, her family fled to Zaire straightaway at the end of the 1994 Genocide against the Tutsi. Many post-genocide Rwandans (Hutus) share Odette's story. On the contrary, Tutsi were returning to Rwanda. Odette and her family did not escape the genocide or discrimination. The question to ask is: “What did they then flee mainly because it was at the end of the violence(genocide)? This is where the post-genocide Rwanda citizenry composition becomes more complex and needs careful analysis and patience to understand it fully. To answer this post-genocide Rwandan contradictory sociopolitical phenomenon, I suggest going back and reviewing the long-lasting consequences of pro-genocide governmental propaganda scripted, taught, and spread. Hate and fear flooded the spirits of pre-genocide Hutus and persisted within them even in the post-genocide period. Here, I want to recall two results of that pro-genocide propaganda and draw a

direct link to the response of Odette to dissect her priority of reconciliation, which is different from the one of Alexis:

Pro-genocide propaganda made Hutus *hateful* and *fearful* of Tutsis. This state of mind persisted in many post-genocide Hutus and made Odette's family and others flee Rwanda straightaway after the rebellion of RPF stopped the genocide against Tutsis. In short, Odette's family fled to Zaïre due to the internalized fear of potential imaginary Tutsi revenge since the RPF (dominated by Tutsis at the time) took power after overthrowing the genocidal regime. For Hutus, it was a prophecy to be accomplished since Tutsis seized the power. The fact that the RPF was in power threatened their survival. It must be well understood that the FPR was an undertone of the extremist Tutsis in the ideology and propaganda of the regimes, which preceded the genocide.

The same internalized fear was expressed by the Génocidaire Loïc in our interview in his household during my fieldwork, and he put it in his words as follows:

“When we were in prisons, government officials came to inform us about Gacaca courts and possibilities to be tried in our respective communities, we were firmly convinced that it was a malignancy of Tutsi power to exterminate all of us (Hutus). However, the reality was different. You see me alive; you have seen my wife and children go to school as you met them yesterday (Interview with Loïc, a 72 older man).”

Following the meticulous analysis and rationalization of the disparate expectations of post-genocide Rwandans regarding the Gacaca courts, the subsequent section of this dissertation will examine the specific objectives ascribed to the reformed and formalized Gacaca system. Within this section, I shall scrutinize the expectations articulated by the interviewees alongside the delineated

objectives of the Gacaca courts. Such an inquiry is poised to facilitate the establishment of a cohesive nexus between these two facets, thereby culminating in a comprehensive elucidation of the alignment between the expectations of post-genocide Rwanda and the delivery of the Gacaca mechanism.

Anne Kubai described the move of the post-genocide government to enact the genocide statute as *bold*. She wrote as follows: “In a bold move, the government enacted the Genocide Statute in 1996 that put in place the Gacaca process to expedite the trials of perpetrators of genocide (A Kubai – 2010)”. Continuing her investigation, she meticulously scrutinized the objectives of the post-genocide Gacaca system. Through this analytical process, she ascertained that Gacaca sought to fulfill functions reminiscent of its traditional role, albeit within the context of a markedly transformed societal landscape. The institutionalization of Gacaca entailed the formulation of specific objectives. Those objectives were:

1. Reveal the truth about genocide.
2. To expedite trials of genocide suspects
3. To eradicate the culture of impunity among Rwandans
4. To foster reconciliation
5. To do justice to victims and perpetrators

This section has focused on localizing reconciliation. Therefore, themes of justice and reconciliation have constantly remained in play. The justification is that they were the main themes discovered throughout the interviewees' responses. It is crucial to connect what Rwandans expected and what Gacaca courts were institutionalized to deliver. Consequently, Gacaca's objectives had to meet the expectations of post-genocide Rwandans. Here, I refer to the intentionality of objectives assigned to Gacaca and its concrete delivery.

I want to draw a connection between the intentionality of post-genocide Gacaca, expressed through its specific objectives, and the expectations expressed by interviewees in their responses to my research question. If I stay stuck on this subchapter's research question, asking my interviewees their expectations, their responses clearly show that *justice* and *reconciliation* come first and constantly. An in-depth analysis of Gacaca's objectives, as described above by Anne Kubai, allows me to argue that there is a clear responsiveness within Gacaca's objectives to the post-Rwandans' expectations or demands. To back this up, I connect *objectives four and five* (to foster reconciliation and to do justice to victims and perpetrators) of Gacaca courts to the themes of *reconciliation and justice*. This connection demonstrates the *match of intentionality* with the *interviewees' expectations*. Therefore, I argue that Gacaca courts allowed for localizing justice and reconciliation practices. Going further, one of the critical characteristics of Gacaca is its social contextuality. Earlier in this thesis, I called this the "*adaptativisation*" of Gacaca courts. Instead of rigidity, this natural flexibility allowed Gacaca to bend and become a tool to tackle the weightiest societal phenomena (genocidal crimes). Rwandan post-genocidal societal realities determined the post-genocide governmental choice of Gacaca and its re-organization as a culturally juridical tool. As Anne Kubai argued, the reorganization of Gacaca justice draws inspiration from the belief that Indigenous spiritual resources can be tapped for social and economic reconstruction even in the modern-day technological era (A Kubai, 2010)

Nevertheless, matching intentionality with expectations is one thing, and delivery is another. Even if the abovementioned interviewees' responses analyzed in this subchapter demonstrate some pieces of evidence of satisfaction with the delivery of Gacaca (e.g., Odette and Alexis' responses), I will discuss it extensively in the following subchapter, particularly the theme of *reconciliation*. Before doing so, I want to reiterate two things: One, this thesis does not intend to evaluate the effectiveness of Gacaca courts, instead, its contribution to reconciliation. Second, the reconciliation in Rwanda is an ongoing course.

2.4. Acculturating Reconciliation Road

The post-genocide Rwandan governmental approach to the ongoing reconciliation course has been characterized by acculturation. Different acculturated tools have been put in place and used jointly. While broadly, the ongoing reconciliation road is like a web, I will discuss two of them in the following sections: the concepts of *moral exemplars* and *Ubuntu*. Before I dive into this discussion, it is essential to reiterate that Rwandans consider reconciliation a component of their culture. Reconciliation is the primarily part of Rwandan culture, and the term used is *ubwiyunge*, which refers to repairing a broken bond (Uwimbabazi. P —2012).

Reparation of broken bonds is what Rwandans universally understand by reconciliation. This is an excellent starting point because it sets the ground for discussing the acculturation of the reconciliation road, specifically in this context.

Moral exemplars:

As social scientists often inquire about how we ended up where we are now, the same reasoning patterns lead me to ask: “How did pre-genocide society reach the point of moral failure?” In attempting to answer this, it is proper to assign this failure primarily to the speeches of politicians and anti-Tutsi, well-scripted pro-genocide propaganda. Extremist newspapers and radio stations played significant roles in this process. Post-genocide high-profile political leaders have consistently qualified the genocide as an irrefutable failure of morals, and this moral collapse can be seen as a societized phenomenon where the societal norms and values were systematically corrupted and weaponized. In this usage, "societized phenomenon" refers to the process by which societal norms and values were adapted or twisted in a way that contributed to the moral failure leading to genocide. This implies that propaganda and extremist rhetoric influenced and reshaped the societal structure. It

is essentially a societal moral failure and not necessarily a sole genocidaires' moral failure. This is the perception and stand of the post-genocide government, which must be clarified without ambiguity. This perception influenced the re-imagination of genocide trials and approaches to be used because genocide crimes are somehow societized and not individualized.

Extremists spread hate and desensitized people to the horrors of the genocide (PJ Atete, M Bilewicz- 2023)”. However, in my view, this truth is partial because it is also correct that some individuals resisted and rejected all these hate mechanisms put in place and, as a result, did not engage in ethnic division and slaughtering. This became apparent during the time of Genocide, and their conscious choices revealed their resistance to hate, divisionism, and slaughtering, contrary to what many did in Genocide. This category of extraordinary Rwandans and few foreigners are recognized, celebrated, and publicly exposed as a reconciliation mechanism. To remain precise and focused on the context, I will use an example of one of many Rwandan moral exemplars.

In post-genocide Rwandan society, the story of Felicite Niyitegeka is well-known. This woman is the face of moral exemplars in Rwanda thanks to her unimaginable bravery in protecting 42 Tutsi students in the middle of the 1994 Tutsi genocide. Her human bravery demonstrated during the genocide qualified her as a hero in the category of Imena. Imena is the Hero who seconds Imanzi and who is reputed for his/ her extraordinary acts for the country, which are characterized by supreme sacrifice, high importance, and example (Law Determining the Responsibilities, Structure, and Functioning of the Chancellery for Heroes, National Orders and Decorations of Honour – Laws. Africa,” chap. 4). The same Law establishes dissimilar categories of national Heros to honor and celebrate. Studies on reconciliation in post-conflict societal rebuilding discuss moral exemplars and argue that it is crucial during a reconciliation course. The findings show that society's heroes operate within a social normative context, frequently defying established norms. Similarly, individuals

who regard them as heroes possess entrenched social norms whereby the hero's actions are appraised as morally commendable based on the observer's value system (S Bigazzi, F Csernus, S Serdült, et al. 2019). In a post-genocide context, the act of exterminating fellow human beings is widely perceived as a violation of societal norms. Conversely, in the pre-genocide era, governmental propaganda and the logic of genocidal planning often endorsed such acts as a means of promoting conformity to prevailing ideologies.

In post-genocide societies, deploying moral exemplars is a common strategy for scrutinizing, archiving, commemorating, disseminating, and leveraging narratives for reconciliation. Within academic literature addressing reconciliation processes, post-conflict reconstruction, and the restoration of intergroup relations, these exceptional individuals, known as moral exemplars, are described using diverse terminologies. Nevertheless, they converge in their broader significance as pivotal agents in facilitating societal healing and reconciliation endeavors. Nerkez Opacin offers a straightforward definition of who moral exemplars are, and her definition flows like this: “In a war setting, moral exemplars are heroic helpers who aid the opposing outgroup member(s) during war or conflict (N Opacin- 2023).”

Comparable stories in various post-genocide societies are collected through scholarships. During the Armenian genocide, risking his career and his life, Ali Efendi rescued this Armenian family from deportation, which allowed them to survive the genocide (S Čehajić-Clancy, M Bilewicz - 2020). The exposure to such positive stories that embed moral superiority in outbreaks of violence highlights the beneficial effects of intergroup contact on beliefs in reconciliation and forgiveness (N Opacin—2023). The same work of Nerkez Opacin backs this with the story after the Yugoslav wars of 1991-1995, wherein providing stories of rescue or heroic actions of moral exemplars increased people's willingness to forgive and establish contact with former adversaries and their offspring. A

similar argument is made by Čehajić-Clancy et al. where they propose that presenting narratives about heroic helpers who decided to take moral action that is in contradistinction to the action or inactions of aggression by their ingroup could reinstate damaged intergroup relations (Čehajić-Clancy et al. 2023, Čehajić-Clancy & Bilewicz, 2021).

Umuganda:

The post-genocide government used Umuganda's communitarian traits to bring the population together to re-engineer social cohesion and re-bond the social fabric torn by genocidal tragedy. The practice of Umuganda dates to pre-colonial times. Ever since then, the tradition existed that during a day of community service, villagers would build houses for those who could not or help each other out on the fields in times of economic hardship, such as sickness or death within families (Uwimbabazi. P 2012). Following the genocide, Umuganda became a mandatory event held every Saturday of the month. This newly institutionalized Umuganda has been a mechanism of inspiring and encouraging non-ethnic bravery and patriotism. This conception aligns with the post-genocidal government's new nation-building project of de-ethnicisation, which aims to replace ethnic hostilities and other potentially divisive sub-state loyalties with an undifferentiating Rwandanness (Purdeková. A. 2008).

In the aftermath of the genocide, the government undertook a bold initiative to reconstruct national identity, instill a profound sense of belonging, and forge robust social cohesion, building upon the foundation laid by the Gacaca courts in the journey of reconciliation. In the next chapter, I will extensively discuss the project of engineering a national identity through mono-ethnonationalism. The ritual of Umuganda (community work) has been turned into a tool of the Road to Reconciliation. Broadly, this ritual can be considered a concept thanks to its embeddedness

of unity and social responsibility through its characteristics of working together for community interests.

Like the title of this subchapter session, Acculturation of Reconciliation Road, Umuganda is cultural by its essence. The understanding and societizing of individual belonging and well-being inspire it. In addition to this, this concept highlighted the idea of solidarity and a communitarian sense of living. There is a direct connection between Umuganda and ubuntu epistemologically, as both reflect the African philosophy of communitarianism and communitarian solidarity that is considered inevitable. The principle of Ubuntu is often encapsulated in the following sentence: *“I am because you are t.”*

Helping genocidal survivors build their houses, farming, and widows visiting doctors in the aftermath of destruction highlight the similarity of Umuganda and Ubuntu in philosophy. In practice, Umuganda is an act of citizens physically joining forces, energy, and spirit to help each other in the same community. It happens each last Saturday of every month. Local authorities assess and decide where and what to do according to the needs of residents in the community. Significantly, earlier in the morning, people with megaphones pass through the community, informing people. Umuganda extends to social infrastructures like renovating schools, hospitals, roads, and administrative buildings. The feeling of communitarianism spreads, articulating the sense of belonging. After Umuganda, the community residents talk about and address issues within their community.

It is essential to mention that the pre-genocidal regime also took advantage of these two significant characteristics of Umuganda during the preparation and mobilization of the 1994 Rwandan genocide (Bonnier, E, Poulsen J., et al. - 2015). Therefore, it is essential to note the double-sided use of the concept of Umuganda in two different socio-political periods in Rwanda. Umuganda's communitarian traits, such as gathering population, re-engineering social cohesion, and

re-bonding social fabric, often made it attractive to both governments (pre- and post-genocide) for their political gains. In the following sections, I discuss Umuganda being used to teach and spread a divisive ideology subtly in pre-genocide but impactfully during Umuganda practices.

Although initially, the issues of social hierarchies were rooted in socioeconomic disparities, post-colonial elites opted to frame these issues through an ethnic lens, advocating for ethnically based remedies. It was already easier because ethnicities were already made, and it is imperative to underscore the efficacy of the colonial enterprise in institutionalizing ethnic classification. This was officialized and amplified by the compulsory inclusion of ethnic identifiers on national identity cards. This administrative tool streamlined identification along ethnic and regional lines, laying the groundwork for regrettable instances of ethnic and regional discrimination and favoritism. The subtle dissemination of divisive governmental rhetoric carried profound implications, intricately linking individuals' ethnic identities with their economic pursuits, thereby shaping their eligibility for governmental considerations.

Consequently, a subtle yet discernible governmental rhetoric emerged, notably discernible in the speeches of high-ranking officials. President Juvenal Habyarimana, for instance, frequently emphasized agriculture as the cornerstone of Rwanda's development, reinforcing the divisive ideology wherein agriculture was constantly described as the country's key priority and the rural environment as the development location. There was a notable absence of recognition or criticism of professions with significant Tutsi representation. President Juvenal Habyarimana overlooked the role of cattle farming in Rwanda's agriculture and rarely acknowledged the positive impact of education. While the teaching profession, with its disproportionate number of Tutsi members, received some attention, other aspects, such as administrative roles or educational policy, were often ignored. The education system was criticized for favoring intellectual pursuits over manual labor.

Additionally, urban development and non-agricultural sectors like tourism, where Tutsis usually held leading positions, received little attention despite their economic potential (D Mayersen – 2015). Lastly, during the pre-genocide period, the genocidal regime used post-Umuganda ambiance to articulate intentional governmental policies. It rhetorically used its divisionism ideology to associate Hutus with agriculture to become an ethnically cultural identity.

This attempted to discuss the course of the ongoing reconciliation in post-genocide Rwanda. It discussed different culturally conceptualized approaches used and how they came into existence. It also attempted to link them to similar concepts used to reconcile post-cris societies in other African societies. This chapter claimed that these approaches may not be indigenous to Rwanda but instead to Africa as other African societies have them. However, it stressed the adaptativization of some to fit the context specificities. In the next chapter, I discuss the dissolution of the three ethnicities and associated cultural identities and the creation of a single political identity which is the step forward in the reconciliation course.

CHAPTER 3. Dissolving Triads: Forging and Embracing a Mono Ethnonationalism

As extensively discussed in earlier sections, the cornerstone of the 1994 Tutsi genocide is the existence of a triad of ethnicities (Hutus, Tutsi, and Twa). It is equally crucial to clarify that among those three ethnicities, only Hutus and Tutsis dominated the ethnic-based conflicts, and both jointly excluded Twa socially and politically. In the course of the realization of the post-genocide government's project of nation-building, it started by constructing a national identity. This construct took the approach of nation-based identity and sought to be exclusively based on Rwandanness rather than anything else. This identity is political, and only Rwandanness matters. Tutsiness and Hutuness as ethnic identities have to be obsolete. This chapter discusses step by step the making of such an ambitious project. Also, it discusses systematic steps taken by the post-genocide government to dismantle ethnic self-identification while promoting Rwandanness as a higher and collective identity to be self-identified with.

3.1. De-ethnicization

In the historicization of RPF, it is usually described as a former Tutsi-led rebellion movement of Rwandans. A rebellion wherein most of its members were born and grew up in exile in Uganda, the neighboring country, and a few in Burundi. The leadership of this RPF claimed to have a vision of a new, ambitious, united, and inclusive Rwanda. However, it has often been accused of being a Tutsi-led government. Despite this, the post-genocide government claimed to want to govern a nonethnic nation to end the ethnic divisions. The triad of ethnicities in Rwanda produced respectively three ethnic identities. Each ethnicity had an ethnic self-identification and then they became political identities. In this specific context of Rwanda, it became alarming because its history

demonstrated that this scenario led to hostile political divisions, which were the backbone of various societal harms witnessed. Thus, the project of de-ethnization from its inception was understood as a way to ‘re-root’ identity, anchor a sense of commonality, a way to achieve social cohesion and guarantee security in post-genocide argued (Purdeková A – 2008).

In the astonishing work on the 1994 Tutsi genocide, Mamdani convincingly suggests recognizing the pressing need to differentiate cultural from political identity to distance oneself analytically from a growing cultural-coded racism (Mamdani M —2020). This leads me to argue that the craft of the Rwandaness-based identity project is aimed at reconstructing a political identity and not a cultural one, and this is essential to understanding the road chosen for reconciliation in the context of post-genocide Rwanda. This is even more essential because, in Rwanda, all Hutus, Tutsis, and Twa share a cultural identity. The absence of an absolute ethnic or cultural identity proves the absurdity of arguing scientifically the existence of the triad of ethnicities. This makes dissolving triad ethnicities thinkable and re-rwandanize Rwandans by erasing the ethnic markers invented by colonialists. Indeed, the historical facts show that the Twa often made pottery, the Hutu were farmers, and the Tutsi raised livestock. However, there have never been any absolute ethnic-based functions. I grow up seeing Tutsis doing agriculture, Hutus having more cattle than Tutsis, and having no cow at all in some cases. At this step, the government sought to make the ethnic triads obsolete while collectivizing Rwandaness as it created the feeling of nationalism.

3.2. The Making of a Unified Identity.

As I mentioned earlier and would often, Rwandan society has significantly suffered from fallacious ethnic division; and hatred which led to constant conflicts. This is the national political discourse. Therefore, the commission offers different programs and teachings to shed light on the

fallaciousness of the notion of ethnicities in pre-colonial Rwanda. The re-engineering and commonization of Rwandanness as a political identity emerged as a response to the governmental consciousness of the potential persistence of ethnic tendencies and its hindrances to full reconciliation and unity. Thus, strict laws were passed to ban any attempts to refer to ethnic differentiation. This political consciousness sheds light on the fragility of the social fabric that the post-genocide government had been ambitiously, persistently, and firmly trying to restore. Establishing a commission dedicated to National Unity and Reconciliation exemplifies this political consciousness. The NURC was tasked with promoting unity, reconciliation, and social cohesion among Rwandans and building a country where everyone has equal rights and contributes to good governance (NURC 2023). It has been in place straightaway from the end of the genocide and still is one of the most actively long-run commissions in Rwanda since then.

One can argue that each economic function embeds a particular cultural identity, which is here to stay. However, the objective political self-identification must be nation-based in this post-genocide identity-building project. Mamdani argued that political identities exist and are direct consequences of the history of state formation, not market or culture formation. Thus, identities need to be understood as a specific consequence of the history of state formation wherein political identities are inscribed in law and legally forced (Mamdani M —2020). This argument embedded an explanation of the genealogy of political identities in Rwanda. This specific context of post-genocide Rwanda conveys the change-abilities of identities, which I argue to have been the inspiration and conviction of the enterprise of political identity reforms. At this step, the nationalism building was at the stage of re-engineering a national political identity.

3.3. Ndi Umunyarwanda

The concept of *Ndi Umunyarwanda*, translated into “I am Rwandan,” embodies the post-genocide government's aspiration of restoring national unity and reconciliation. It serves the governmental agenda of re-rwandanizing its citizens. It is crucial to mention that the 1994 genocide against Tutsi is often explained as an irrefutable marker of the death of the Rwandanness. Therefore, it needed to be restored. The question here to ask can be: what is Rwandanness though? To answer this question, it is essential to mention that this is a conception of an ideal post-genocide Rwandan citizenry. I agree with those who view this as a top-down governmental approach. Also, I frankly do not necessarily see any problem with this if the specificities of Rwandan history, trajectory, context, vision, and national survival needs are all considered.

During reconciliation and fostering a united post-genocide Rwandan society, the government rethought a Rwandan with a certain Rwandanness as it envisioned it. I would argue the government seeks to re-engineer a homogeneous Rwanda. In simple terms, I can describe the Ndi Umunyarwanda as follows: “a structured governmental program designed to re-engineer an ideal homogenous society anchored on values aligning with the vision of post-genocide Rwandan society.” This program is married with a political discourse that Rwandanness had died and the 1994 genocide against Tutsis had been irrefutable proof. Therefore, the existence of Ndi Umunyarwanda is not only legitimate but it is even portrayed as essential.

Ndi Umunyarwanda aims to create a de-ethnicized but nationalist society. The nation had to take precedence over ethnicities and significantly annihilate them. Citizens are expected to take pride in being Rwandans rather than belonging to whatever ethnicity initially created by colonialists. During the colonial authority, Rwandans were divided into settlers and natives. In post-

independence, Rwandans became ethnized and categorized into Hutus, Tutsis, and Twa, and in the post-genocide period, we witnessed the Ndi Umunyarwanda which claims to re-rwandanize and achieve a homogenous non-ethnic society.

The National Unity and Reconciliation Commission's report on the 2013-2014 annual activity and the 2014-2015 action plan is believed to be the official milestone of this concept (Mushongayire 2018). The commission outlined challenges faced in conducting its mission; the major one was the continued existence of an ethnic ideology, and the government decided to confront this. Since then, Ndi Umunyarwanda, as one solely nation-based identity, emerged to erase the historically long-standing ethnicity-based identities inherited from colonialism and Rwanda's state formation. This attempt at an identity shift was launched on the 8th of November 2013. Laura E. R. Blackie and Nicki Hitchcott argued that in a stated attempt to repeat history, the Rwandan government tasked the NURC with the implementation of policies and programs designed to educate, sensitize, and mobilize citizens to work towards unity and reconciliation in Rwanda after 1994 (Blackie and Hitchcott 2018).

Ndi Umunyarwanda emerged as an addition to the NURC's existing diverse educational programs targeting young graduates. Ingando is one of these programs wherein graduates before starting university. They attend the Ingando educational program for some weeks and learn the history and vision of Rwanda. It is important to make a distinction between Ingando camps wherein Génocidaires, prostitutes, street children, and ex-combatants attend for re-education, and Ingando solidarity camps dedicated to youth often mixed with youth from the Rwandan diaspora, Church leaders, journalists, and politicians. Mgbako chi revealed that Ingando runs from several days to several months, and although the syllabus is adapted depending on the group participating, there are similarities across the curricula of all Ingando, including lessons on unity and reconciliation, history

classes that highlight pre-genocide regimes, and lessons on present government programs and policies that stress the "democratic" elements of the current government(Mgbako. C – 2005). Ingando programs have received criticism. Mgbako Chi criticized them as a form of the invention of authoritarian political indoctrination. She wrote that Ingando in its present form appears to be a modern RPF political creation that serves to consolidate the RPF's power inventing traditions that legitimize current forms of social control or practice and an attempt to deemphasize the political utility of Ingando as a mechanism of pro-RPF ideological indoctrination(Mgbako. C – 2005).

However, most of these critics failed to trace back the geology of Ingando and contradict the official meaning of this concept rooted in tradition and the Kinyarwanda language as provided by NURC on its website. Ingando is described as follows: Ingando is taken from the Rwandese verb “*Kugandika*” which refers to halting normal activities to reflect on and find solutions to national challenges. The description went on and say that in ancient Rwanda, Ingandos were first developed by the military and whenever Rwanda faced disasters (wars, natural calamities, etc.), the Mwami (King) mobilized and prepared the population through Ingando (Turner. 2015). Andrea Purdeková wrote that Ingando is portrayed as a space where Rwandans are brought together to discuss their history and the main ‘ills’ affecting their society (such as ‘divisionism’/extremist ideology, the roots of genocide) and the ways to address them(Purdeková A – 2008).

While I do agree that governments may reinterpret cultural practices for their political gains, I reject the argument that Ingando is an invention for the indoctrination tactic of the post-genocide government. I argue that Ingando an indigenous knowledge like others (Gacaca, Umuganda, etc...). I give two reasons: One, Ingando being a Kinyarwanda word confirms the traceability of its existence before the post-genocide government existed. Therefore, we can learn its geology and its tradition. The second reason is that there is an unexplored grey zone between indoctrination and

detoxification. Therefore, the teachings of history, discussing challenges that Rwanda faces, vision, and re-evaluation of the progress do not automatically indoctrinate, instead, they may detoxicate as well and this is what post-genocide Rwandans want. The complexity of Rwanda's history and specific-context realities require complex ways and mechanisms to engineer reconciliation and restoration of the social fabric. The use of rituals and other indigenous knowledge seems to work better if we objectively look at the progress made by Rwandan society and compare it to where it came from. However, it can still do much better.

Conclusion:

This chapter discussed the use of culturally inspired mechanisms to eradicate the ethnicities in post-genocide Rwanda. It discussed how the government put in place a policy of de-ethnization to dissolve the ethnic triad. This preceded the enterprise of forging a nation-based where the government sought Rwandans to self-identify as non-ethnic people or simply a collective single ethnicity of Rwanda. This project aimed at increasing the feeling of nationness and erasing the one of triad ethnicitiness. This process led to the ongoing big project of non-ethnic nation-building.

Conclusion

This thesis is based on ethnographic research, personal encounters, and lived experiences to study the significance of Gacaca courts in post-genocide Rwanda and their contribution to justice and path to the reconciliation. This research studied Gacaca courts in an after-gacaca court time. This means that this research is a comeback study with some evaluative emphasis because Gacaca courts officially closed their mission over twelve years ago. The pieces of evidence it presented can contradict some arguments made in prior studies and the justification is that many of those arguments were just predictions and assumptions.

By discussing the anatomy of rituals of post-genocide gacaca ritual and its politicization (background session), I built a grounding and contextualized the case in time and space.

By situating, this case of Gacaca courts among indigenous use for home-made solutions literature, I showed (chapter one) how by outsourcing some ritually rooted mechanisms, the post-genocide government provided justice to its people much quicker, cheaper, and effectively. I also constantly stressed the importance of deeply understanding of root causes of genocide as the starting point for determining adequate adjustments to make to reach the outcomes.

By moving to the data analysis and findings interpretation (chapter two), I pointed out how gacaca courts as Indigenous knowledge was turned into a homemade solution. The shift from a ritual to an institutionalized restorative justice system. How it was operationalized and how this ignited the reconciliation process while localizing it with context-based and cultural supporting approaches.

Furthermore, I discussed the continuity of resolving socio-political problems by always looking inward into the culture and using the cultural tools with adaptations needed to reach the results

wanted (Chapter Three). The dissolving of ethnicities and re-engineering a nation-based identity through cultural practices.

In this thesis, I constantly argued that each society has the tools and capabilities to solve problems that it faces. People need courage and bold decisions to take the unusual approach in the modern world where often we fall into a trap of confusing progress and downgrading ancestor knowledge, yet they are still continually interconnected. This thesis's contribution goes beyond the case of Rwanda and the reconciliation village of MBYO. It goes beyond genocide, justice, and reconciliation settings because there are more Rwanda-based scenarios in various regions of Rwanda. This thesis provokes and encourages curiosity which will hopefully lead to further research on enriching contributions embodied in each society's traditions and cultures to explore in tackling various societal challenges. At a broader level, my study contributes to the literature on Indigenous knowledge that each society has and calls on privileging it whenever confronted with unprecedented drawbacks. This work approaches Gacaca courts in various aspects; a justice system, reconciliation driver, and unity backbone.

I do not advocate for the universality of Indigenous knowledge but rather for its universal existence and the importance of looking inward and valuing culture and tradition. Each culture is uniquely equipped to confront its societal problems, and by leveraging Indigenous knowledge, societies can develop solutions that are both effective and culturally resonant. Therefore, I propose utilizing the analytical framework of Indigenous knowledge scholarship to address complex societal issues. These Indigenous mechanisms are time-tested and deeply rooted in cultural contexts, making them naturally relatable to people. Moreover, I encourage the adaptativization of Indigenous tools to ensure they are maximally responsive to contemporary contexts, times, and spaces. [100]

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