

Post-Genocide Rwanda

A Better Alternative to Prevent the Recurrence of Violence

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Abstract

M. D. Toft has argued that rebel military victories, that put an end to civil war, results in a higher likelihood of enduring peace and democratization. This research paper explains that, prima facie, this assumption could be the most desired outcome in order to stop violence, but in the long-term it is unlikely to be effective, specially in Rwanda. The 'Rwandan path to democracy', and the umpteenth construction of the identities in this country indeed could be the cause of possible future violence, and not the solution to it. A full respect of the logic of power-sharing and a genuine understanding of the identities instead represent the better alternative to construct a better Rwanda. Kaufmann (1996) stated that 'solutions to ethnic wars do not depend on their causes'. This paper will prove that he is wrong.

Rwanda Beyond the Genocide: A Flawed Political Transition

When the Rwandan Patriotic Front seized power in 1994, putting an end to the genocide after its *military victory*, the party of Paul Kagame inherited a devastated country: about 1.1 million dead, 2 million refugees abroad, over 1 million internally displaced, tens of thousands of deeply traumatized genocide survivors, and over half a million 'old caseload' refugees returned in a chaotic fashion (Reyntjens, 2004, p. 178). The new government, charged of the political transition, a path that was to be ended with the elections in 2003, promised to comply with the norms of the Fundamental Law and the logic of *power-sharing* the Arusha Agreements contained, a cosmetic statement for international consumption. Instead, since mid-1994 constitutional production and amendments to the Fundamental Law made unilaterally by the RPF were instrumental in promoting a *tutsi-isation* of the Rwandan politics and in hiding the autocratic *ethnic majoritarianism* of the victor of the civil war. The RPF introduced a strong executive

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presidency, imposed the dominance of the RPF in the government, and redrew the composition of parliament. 'The amended Fundamental Law was, in effect, a subtle piece of constitutional engineering which attempted to mask the consolidation of the RPF's hold on political power' (Reyntjens, p. 178). The Rwandan Constitution approved by referendum and the overwhelming victory of Paul Kagame and of the RPF in the Presidential and Parliamentary elections in 2003 went even beyond, representing ultimately the successful attempts to legitimize the regime and its authoritarian policies. The strengthening of a presidential regime, moreover, completely broke down the power-sharing arrangement, since 'a presidential government is incompatible and certainly not helpful to the logic of power-sharing' (Lijphart, 1990, p. 506). As a result, the RPF came to dominate the Rwandan politics and society by way of its military victory. Since then, it has promoted its '*path to democracy*', supported by a supposed national consensus and grassroots civil identity. Indeed, the government has planned a *top-down* program uniting all Rwandans, in order to foster reconciliation. The government's post-genocide re-education slogan goes 'There are no more Tutsi and Hutus; we are all Rwandans now'. However, the promotion of the *Rwandanness* ultimately was instrumental in masking the monopoly of the military and political power of the elite, the paradoxical 'new *akazu*' (Reyntjens, 2004, p. 187), and to label as *génocidiare* or *divisionist* the political opposition. Moreover, although the International Criminal Tribunal for Rwanda, the national jurisdiction and the *gacaca* process, the mechanisms that organized individual criminal trials of *retributive justice* for suspected perpetrators of genocide, encouraged conversation about the past and provided opportunities to reconcile, they nonetheless suffered from problems with due process and politicization, since the government forbade considerations of crimes committed during 1994 by the RPF (Longman, 2011, p. 2). The government domination of politics and civil society, the umpteenth manipulation of identities, the fear of being labeled as divisionist, the exclusion of angry and frustrated Hutus both inside and outside the country's weak borders, especially the ones at Congo and Zaire, all these features of a disastrously flawed political transition are the ingredients for a potential resurgence of the *security dilemma* within Rwanda, that can ultimately renew *political* violence and a prolonged period of destabilization into the whole Great Lakes region, if no *ethno-political* solutions are found. Arguably, 'ethnic identity is more important today than it was during preparations for the genocide' (Buckley-Zistel, 2004).

A Better Alternative to *Ethnic Majoritarianism*

Theoretical Evidence

Seventeen years after the 1994 genocide, Rwanda has made significant progress on stability and economic development but remains highly authoritarian, a country where dissent is not tolerated and regime critics are harassed, arrested, and sometimes killed (Longman, p. 1). The military victory by the RPF has encouraged an exploitation of the 'genocide credit'. The rebels did not liberalize the political space, as M. D. Toft predicted; instead, they exploited the legacy of the past victory to hegemonize the country, masking it under the name of power-sharing and national unity, 'complex and opaque formulations purport to hide and perpetuate the monolithic exercise of power by the victory of civil war' (Reyntjens, 1996a p. 242.). Moreover, the security sector was reformed, but not in order to secure an enduring peace, as M. D. Toft expected (2010, p. 45). Instead, the weberian *monopoly over the legitimate use of force* was exploited to the purpose of monitoring the society: indeed, in Rwanda the reality of power is exercised also by the new army and by the powerful Department of Military Intelligence (Reyntjens, 1996a, p. 242).

A better alternative to the *ethnic majoritarianism* imposed by the victor was viable within Rwanda. A potential renewal of the *security dilemma* within the country could be prevented by addressing the causes of the conflict themselves. In this sense, Kaufmann is wrong in assessing that 'solutions to ethnic wars do not depend on their causes' (1996, p. 137). This better alternative is represented not by a *physical separation* of Hutus and Tutsis, as Kaufmann (p. 169) proposed: a huge relocation of the population, supported by international patrons, that however have already proved how impossible it is for them to fully engage in a no strategic zone, represent a naturally flawed solution. Instead, the opportunities to restore civil politics were present *in* the country and not in a separation of it: a full respect of the logic of *power-sharing* presented in the Arusha Agreements, to which the *greedy* parties were formally engaged, and an agreed policy in dealing with *grievances* represent the better solution to promote an enduring peace within the country.

An Inclusive Power-sharing Approach: an Ethno-Political Solution to the Rwandan civil war

Going back to the causes of a conflict is necessary to fully understand how a conflict can be solved. A high degree of mutual ethnic deprivation *and* discrimination

explains the high level of vicious violence between Hutus and Tutsis. On one hand, 'the use of the coercive apparatus, the distribution of political power, and the distribution of resources' (Hartzell, 1999, p. 7) have always been the *security concerns* of the parties in Rwanda. On the other hand, the manipulation of the identities by the elites has justified from time to time the inappropriate monopoly of the *res publica* and allowed a small inner circle within the elites to take advantage of it, against the other group, often forced by brute means to exile. The abrupt escalation to violence, that occurred in 1990, and turned suddenly into a civil war, was halted in 1993 by a power-sharing Agreement, supported by international and regional third-parties. This flawed Agreement, the main cause of the outbreak of the genocide, is always used as an example to show how the power-sharing cannot work as a means to prevent the recurrence of war, once conflict has destroyed inter-groups loyalties. 'Even if power-sharing can avert potential ethnic conflicts or dampen mild ones', the argument goes, 'it cannot bring peace under the conditions of intense violence and extreme ethnic mobilization that are likely to motivate intervention' (Kaufmann, p. 155). However, the power-sharing settlement contained in the Arusha Agreements failed to mitigate violence because of *external* causes, and not because of internal ones: the exclusion of a group by the *international* peacemakers, coupled with a lack of *international* commitment. In this sense, only an *inclusive* power-sharing (Spears, 2000), affecting the three *security concerns* of the parties (Hartzell, 1999), and implemented *without* the constant pressure of an uninvolved third-party could affect the *ripeness for resolution* (Zartman, 1989), thus eliminating the prospect for the appearance of a *systemic dilemma of power-sharing* (Fortna, 2008, p. 46). Walter (2002, p. 64) argued that 'the success of peace negotiations depends on the presence of third-party security guarantee'. The *commitment problem* in Rwanda could not be solved by relying on a third-party involvement, but instead by *empowering* the mechanisms of power-sharing itself. The sole promise of power-sharing could not fully engage *all* the parties and the elites at the same level. Varying degrees of commitment to a strategy exist because each part is mostly concerned about *relative gains*. In this sense, power-sharing settlements may be possible provided that they incorporate individuals and factions whose existing strategies are compatible with or can be incorporated into inclusive agreements, or whose strategies are flexible enough that they can be adjusted to consider inclusive agreements (Spears, p. 112). Arguably, the elites are more willing to cooperate when they realize that the agreement suit their interests and when they are threatened by the prospective of losing total power. The *inclusive* agreements are so viable when the incentives to exit from the power-sharing agreements are high,

while those in considering them, and the costs to enter them are low (Spears, p. 113). In this sense, civil war actors will seek to construct a power-sharing agreement that is most likely to address their three *security concerns* (Hartzell), if it reduces their sense of vulnerability and if it avoid the concentration of the power in the hands of a single group. According to Hartzell (p. 20), 'only by constructing institutionalized settlements can civil war opponents act to neutralize the security dilemma they face and facilitate the move by groups in society toward more cooperative relations'. A power-sharing agreement that contain rules *proportionally* structuring the security forces and the distribution of the political and economic power is so most likely to ensure cooperation: in order to neutralize the security dilemma, the Rwandan army need to be integrated by the antagonists' armed force, Hutus and Tutsis need to be proportionally represented in the governmental, electoral and administrative institutions, and policies assuring a proportional access to resources need to be implemented. In this way, the power-sharing agreement finds its legitimacy, since it is not viewed by the parties as a 'foreign imposed concept' (International Crisis Group, 2001, p. 9). It represents moreover a way to accommodate all the conflicting political aspirations, to transform the *spoilers* into *stakeholders* (Hoddie, and Hartzell, 2010), and to pave the way to an *inclusive* reconciliation. Indeed, 'a government by many is more legitimate than the mere majority rule' (Lijphart, 1999), and it solves the *horizontal dilemma of power-sharing* (Jarstad, 2008, p. 131): thus, 'inclusion of warring parties in a power-sharing arrangement represent a *short-term* solution to violence' (Jarstad, p. 117). 'Although power-sharing agreements can solve the short-term problem to violence', some critics argue, 'it limits democracy in the long term' (Rothchild and Roeder, 2005, p. 36): 'there is a fundamental tension between power sharing's attempt to limit competition over the issues that are most divisive' (Daalder 1974: 607-608) and 'the democratic requirement that important policy concerns be openly debated and that elite decisions on such matters be submitted to the purview of the electorate through regular elections' (Schumpeter 1975; Dahl 1971). However, above all in the case of Rwanda, the power-sharing sharing solution coupled with a *bottom-up* understanding of the constructed ethnic identities, represent the sole way out to the implantation of a more democratic society: 'ethnic pluralism need to be reflected in the practices of competitively elected governments' (Glickman, 1998, p. 53). According to Glickman (1995, p. 3), indeed, 'ethnic conflict can readily coexist with institutions of democratic government if it finds expression as a group interest among other interests'. Political institutions are needed not only to avoid the resurgence of the

ethnic security dilemma, but also to reconcile competing demands. In this regard, Marian Ottaway (1995, p. 248) writes that 'a power-sharing pact may be the only attainable short-term goal compatible with long-term democratization'. 'Creating a new political system in which the parties to the conflict feel they have a stake, thus in a very positive sense co-opting all parties, government and rebels, in a new creation' (Zartman, 1995, p. 22) can help solving the long-term problems related with power-sharing agreement in an ethnically divided society. Indeed, 'democratic institutions may cause, rather than result from, a civic culture or a democratic personality' (Glickman, 1995, p. 41). Democratization is served not by 'trust and tolerance', but rather by 'very uncivic behavior such as warfare and internal social conflict (Lemarchand, 1992, p. 101). As discrimination, rather than deprivation alone, is the key factor behind this conflict, grievances need to be addressed in a *constructive* way so that a peaceful cohabitation in Rwanda could be feasible. 'Even identity conflicts, presumably the most difficult to solve because antagonists believe their very survival as a people is at stake, are amenable to negotiation and can produce stable settlements' (Hartzell, p. 18). According to Tarimo (2010, p. 301) the effort of promoting democracy cannot succeed without taking into account the challenge of appropriating ethnic identities into the structure of nation-state. Any project, which involves the mobilization of people, must take into account the cultural contexts in which individuals live, rather than those in which someone may think they ought to be living. In this sense, 'Rwandanness' is once again a 'fictive ethnicity', a fabrication by the elites of an 'imagined community' (Anderson, 2006), that however could not fit the reality. 'Ethnic identity, on one hand, when manipulated, can be the root cause of internal problems connected with disrespect of human rights and social justice. If appropriated properly, on the other hand, they could be ingredients required for the realization of the ideal of civil society, political integration, participation, and common good' (Tarimo, p. 300). When looking for *long-term* solutions to *ethno-political* competition and violence, identities need to be taken into consideration: ethnic identities indeed are *not* fixed by birth; if hardened by war, they are *not* extremely resistant to change. Cross-ethnic political appeals are *not* futile in restoring multi-ethnic civil politics, as Kaufmann (p. 139-140) argues. Instead, as constructivist scholars state, ethnic identities are socially constructed, they are fluid and subjective. The problematic construction of the nation-state in a deeply divided society and at the same time the need to solve the *vertical dilemma of power-sharing* is closely related with the 'challenge of integrating cultural identities in the processes of political integration and democratization' (Tarimo, p. 307). There exists hope for a better future in Rwanda because 'even in the most severely

divided society, ties of blood do not lead ineluctably to rivers of blood' (Horowitz, 1985, p. 684).

Conclusion

After the genocide, Rwanda once again experienced a period of instability, in which the control of the state was still at stake, ethnicity was still externally imposed by the elites, and the war was not over. Even if today the regime has gained international praise for good governance and competent economic management, it is still tightening its control of Rwanda's social and political life (Longman, p. 1). The implantation of an *ethnic majoritarianism* is hardening the conflict and threatening a resurgence of violence. For a deeply-divided society like Rwanda, 'the majority rule is not only undemocratic but also dangerous' (Lijphart, 1999, p. 32). The current exclusion of part of the society and the construction of an 'imagined community' is so likely to encourage a crisis of legitimacy within the country. An inclusive power-sharing and provision of mechanisms apt to integrate the identities in the process of political and social integration, instead, could be more likely to foster reconciliation and democratization within this war-torn country.

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