

Opinions

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# Beyond the veneer of reconciliation: human rights and democracy in Rwanda

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Jennifer Melvin

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# Opinions

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# Beyond the veneer of reconciliation: human rights and democracy in Rwanda.

*Jennifer Melvin*

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In this *Opinion* piece, PhD candidate Jennifer Melvin argues that Rwanda's national unity and reconciliation programme promotes two differing but inter-related political images at the domestic and international levels. She analyses how these images are constructed and disseminated to the national population and international community of non-governmental organisations (NGOs), donors and foreign investors. Jennifer argues that the current Rwandan Patriotic Front (RPF) government successfully manipulates national reconciliation to bolster political support, silence opposition and promote development that is primarily uneven. She urges the Commonwealth to look beyond the appearance of unity, and reconciliation to consider the detrimental consequences of government programming upon democracy and human rights in Rwanda.

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## Reconciliation in Rwanda

Rwanda was welcomed as the newest member of the Commonwealth on 29 November 2009 with President Paul Kagame greeting warmly Rwanda's acceptance into this 'unique and diverse family, with whom similar values and aspirations are shared', at the formal acceptance ceremony in March 2010.<sup>1</sup> The values he spoke of include democracy, freedom, peace, rule of law and equal rights.<sup>2</sup>

Rwanda's newly granted membership of the Commonwealth is but one recent example of the nation's growth and change in the post-genocide period, a transition guided by the Rwandan Patriotic Front (RPF) and President Kagame.<sup>3</sup> The RPF came to power under the guise of the transitional Government of National Unity (GNU) after successfully seizing the capital Kigali in July 1994. The party expanded its political control through the parliamentary election of 2008 and the presidential elections of 2003 and 2010. From the late 1990s, the RPF devised and implemented a national unity and reconciliation programme with the stated mandate of fighting divisionism, building the nation and preventing the recurrence of genocide.<sup>4</sup>

The national reconciliation programme functions as a normative and legal framework through which the government constructs two distinct, yet inter-related, political images of Rwanda. The first of these images is disseminated to the domestic audience of Rwandan citizens, primarily shaped by the government's projection of Rwanda as a safe, stable and prosperous nation for all members of society. The second constructed image of the nation is projected to the international community of donors and foreign investors. This image is fashioned by donor and NGO participation in the construction

of the reconciliation programme together with state-sponsored development projects such as Vision 2020 that seek to transform Rwanda into a 'haven and a hub' for donors and foreign investors.<sup>5</sup> Both political images have serious implications for human rights and development as in effect they restrict the political landscape, silence criticism from opponents and promote uneven development.

## Political images at home

At the national level, official reconciliation functions as an umbrella programme under which a wide variety of policies and projects are grouped together and administered in a strictly top-down manner. These programmes include decentralisation; civic education; Gacaca community genocide courts;<sup>6</sup> repatriation and re-integration of refugees and ex-combatants; and development. The national reconciliation programme constructs a political image of Rwanda as a safe, stable and prosperous nation in three ways. The first protects the singular narrative of Rwandan history, the civil war and genocide disseminated by the RPF government, a narrative that focuses primarily on the stratification of ethnic groups by colonial leaders; the detrimental effects of bad governance in the run-up to the genocide; and the danger of continued genocide ideology and divisionism in Rwanda. Thousands of participants – including students entering university, demobilising ex-combatants and genocide perpetrators – are taught this narrative at mandatory live-in *ingando* solidarity education camps run by the government.<sup>7</sup> *Itorero ry'igihugu* civic education camps also teach this version of Rwandan history with an emphasis on social and cultural values and the importance of development. Gacaca genocide courts play an important role in preserving this narrative as they protect the RPF from

prosecution for crimes committed between 1990 and 1994. The legal parameters of the court are limited to offences constituting the crime of genocide and crimes against humanity,<sup>8</sup> and the RPF vehemently denies having committed crimes of either type.<sup>9</sup> Violations of international humanitarian law, allegedly committed by the RPF, cannot be tried at the International Criminal Tribunal for Rwanda (ICTR) as the RPF has actively obstructed the tribunal's investigations into crimes it may have committed.<sup>10</sup>

Secondly, the national reconciliation programme promotes a favourable image of the nation and its leadership by restricting perceived criticism of its programmes and the government. Moreover, it restricts political opposition, dissenting viewpoints of civilians and domestic NGOs and limits freedom of the press in Rwanda. Independent media have faced increased restrictions since the run-up to the presidential elections in August 2010. Reporters Without Borders cited the suspension of some 30 radio stations and news publications in the week before the elections for failing to register.<sup>11</sup> On 5 February 2011, opinion pieces published in *Umurabyo* newspaper prior to the election led to the imprisonment of its editor and deputy editor (Agnes Nkusi Uwimana and Saidati Mukakibibi respectively). Uwimana was found guilty of genocide ideology, divisionism and defamation and sentenced to 17 years while Mukakibibi received a seven-year prison term for threatening state security.<sup>12</sup> The Commonwealth Human Rights Initiative (CHRI) highlighted press restrictions, among other concerns, in its 2009 assessment of Rwanda's application to join the Commonwealth,<sup>13</sup> arguing that the 'monopolistic role of the state' in constructing and disseminating Rwandan history and restricting the rights of free speech, expression and media impeded democracy.<sup>14</sup>

At the centre of constraints upon free speech, association and democracy is the stated commitment to eradicate all forms of divisionism and genocide ideology. This commitment is guided by Law no. 18/2008 of 23/07/2008 relating to the Punishment of the Crime of Genocide Ideology,<sup>15</sup> a law punishing thoughts and actions the accuser perceives as promoting the extermination of people according to their membership in groups based upon nationality, religion, sexuality or political opinion among others. Lars Waldorf contends

that the government began reporting cases of genocide ideology much earlier than 2008 and that they were prosecuted in relation to an earlier law pertaining to the punishment of sectarianism and discrimination that came into effect in 2002.<sup>16</sup> Accusations of genocide ideology were made against high-profile members of opposition parties including Victoire Ingabire, leader of FDU-Inkingi, who attempted to register for the 2010 Rwandan Presidential election. Ingabire was charged with genocide ideology, minimising the genocide and collaborating with a terrorist group.<sup>17</sup> Accusations of genocide ideology were also made against Bernard Ntaganda, the leader of opposition party PS-Imberakuri. Ntaganda began his four-year sentence on 11 February 2011 for crimes of divisionism including publicly criticising the government in speeches, breaching state security and attempting to plan an 'unauthorised demonstration'.<sup>18</sup>

Thirdly, the reconciliation programme projects an image of stability and prosperity by legitimising government interests and policies, particularly those related to development. Leonard Rugwabiza, Director General of National Development Planning and Research at the Ministry of Finance and Economic Planning (MINECOFIN), asserts that the unity promoted by development programming such as *Vision 2020* benefits the population in two ways. The first provides citizens, who were once divided by ethnicity or their experiences of the genocide, with the opportunity to work together,<sup>19</sup> which may be created through collective experience in private development projects or through government-sponsored programming. The latter set of projects includes development schemes that fall within the national reconciliation programme. Development programming also benefits ordinary Rwandese by stimulating individual and national pride. Rugwabiza contends that success in development makes civilians proud and brings them together. This experience yields such positive results that people, 'see development and start to forget the division',<sup>20</sup> a quotation illustrating the rhetorical use of unity and reconciliation to push forward goals related to development. Rwanda *Vision 2020*, published in 2000, outlines the RPF's stated commitment to transforming Rwanda into a middle-income country by 2020 and to building a nation that is both united and competitive in regional and global markets.<sup>21</sup> While strong in national pride, this form of rapid development fails to benefit the nation evenly.

## Political images abroad

The RPF's emphasis on development promotes a 'pro-business environment' carefully designed to appeal to an international audience of foreign donors and investors.<sup>22</sup> Reconciliation's primary function within the construction and dissemination of this image is to portray Rwanda as an attractive place to invest. *Vision 2020* asserts, 'Without successful reconciliation, political stability and security, private investors will not develop confidence in the country'.<sup>23</sup>

International governmental, non-governmental and multilateral organisations have played an important role in funding, supporting and monitoring the national reconciliation programme. The early post-genocide period saw a major upsurge in aid sent to Rwanda by international donors.<sup>24</sup> A significant proportion of aid was given to programmes to promote reconciliation and justice. For instance, donors allotted money to the ICTR, the domestic legal system and Gacaca.<sup>25</sup> The latter received funding and institutional support from a variety of governmental donors from America, Canada, France, Norway and Switzerland. Multilateral organisations, such as the EU, UN Development Programme (UNDP) and UN Refugee Agency (UNHCR), also contributed.<sup>26</sup> Donors made a pledge of \$600 USD in bilateral and multilateral aid in January 1995. Filip Reyntjens clarifies that this pledge was made without any form of conditionality related to the improvement of Rwanda's 'rapidly deteriorating human rights situation'<sup>27</sup> and describes that absence of conditionality as evidence of a trend towards granting Rwanda leeway in the context of post-conflict reconstruction as well as providing proof to the RPF that it can act with impunity.<sup>28</sup>

The international community's support of reconciliation follows its failure to intervene adequately, prevent or end the genocide, an issue that has impacted the power dynamics between the government and donor community since 1994. The RPF has purportedly used 'genocide credit' to manipulate the guilt and humiliation supposedly felt by the international community in several different ways,<sup>29</sup> the major one being to mute criticism or what Johan Pottier refers to as 'awkward questions' from outsiders.<sup>30</sup> These questions include: what role did the RPF play in civilian deaths during the genocide period and in the post-conflict era in Eastern Zaire, now Democratic Republic of the Congo (DRC)?<sup>31 32</sup>

The RPF uses the notion of genocide credit to reproach criticism of the regime by laying partial blame for the genocide upon the international community. President Kagame did exactly this during the 15th Commemoration of the Genocide against the Tutsi on 7 April 2009: 'Well, there are people who are guilty, no question. Those who abandoned people they had come here to protect and left them to be murdered, left them to the dogs ... aren't they guilty?'<sup>33</sup> More recently, the current regime used the UN's failure to intervene during the genocide to discredit the Report of the Mapping Exercise. This report documents serious violations of human rights and international humanitarian law in DRC, allegedly committed by the military branch of the RPF between March 1993 and June 2003.<sup>34</sup>

Amidst these tensions, the RPF's role in the post-genocide reconstruction of Rwanda has garnered the government 'exceptional status' from donors.<sup>35</sup> In the development context, the RPF has constructed a positive image of itself portrayed through its stated commitment to high standards of 'technocratic governance'.<sup>36</sup> The RPF has paid particular attention to fostering a pro-business environment for the benefit of investors interested in Rwanda's development: 'We are painstakingly building the confidence of domestic and foreign investors to put their money into our hotels, energy projects, agriculture, the construction industry, and ICT on the basis of transparent government and predictability'.<sup>37</sup>

The RPF's high standards of technocratic governance have thus far translated into development that is primarily uneven. Uneven development is defined here as the inequitable distribution of the benefits to citizens of 'intentional development' (international aid; direct foreign investment; and the implementation of development projects, policies and programmes).<sup>38</sup> Development in Rwanda has been particularly uneven with regard to the least advantaged. For instance, there has been a negative impact on the commitment to promote 'pro-poor growth' (as stated in *Vision 2020*) due to land scarcity, enhanced opportunities for larger commercial farms and institutional constraints facing peasant farmers.<sup>39</sup> The RPF is primarily responsible for the creation and implementation of development strategies but, as Eugenia Zorbas argues, the RPF development strategy, 'does not fundamentally improve

the lot of the poor and vulnerable, nor does it alter the conditions of structural violence'.<sup>40</sup> Uneven development has had particularly damaging effects on survivors of the genocide as many face extreme poverty, chronic housing shortages and trauma.<sup>41</sup>

High standards of technocratic governance often outweigh good political governance in attracting donor interest, as international donors are far less sensitive to issues of 'voice and accountability' when allocating aid.<sup>42</sup> The readiness of donors to overlook issues of voice and accountability takes us back to the relationship between reconciliation and development in Rwanda. For instance, the RPF has justified the silencing of domestic and international NGOs, political opponents and journalists as being an appropriate means to eradicate domestic divisionism and genocide ideology. The elimination of both divisionism and genocide ideology are stated goals of the national reconciliation programme, with particular reference to the promotion of national unity. Impunity, on the other hand, is guaranteed at Gacaca and the ICTR for crimes against humanity allegedly committed by the RPF in Rwanda. Gacaca, in particular, is integrally connected to the promotion of justice within the national reconciliation programme and has received significant funding and participation from the international community with regard to co-ordination and monitoring.

The political image at the centre of the relationship between the RPF and the international community of donors and investors is one of stability, security and strong leadership. Reconciliation has several functions within this relationship. The first is to foster a business environment that is attractive to donors and investors. The second is to provide a framework through which donors and NGOs fund and participate in the co-ordination and monitoring of programmes inside the country. The cyclical nature of this relationship supports the construction and dissemination of a political image of Rwanda and its leadership that promotes development, an image overshadowing the negative impacts of the national reconciliation programme, namely the silencing of opposition and impunity for crimes committed by the RPF.

## Conclusion

The RPF's stated commitment to the promotion of unity and reconciliation obscures issues of impunity, restricted freedom of press and accusations of genocide ideology against political opponents. The promotion of uneven development is equally concealed by the government's high standards of technocratic governance and the projection of the nation as a stable and prosperous place to invest. If the Commonwealth is indeed committed to the values of democracy, freedom and equal rights, it ought to look beyond the veneer of unity and reconciliation to consider the ways in which government programming infringes upon human rights and democracy. The political images disseminated by the RPF government may be attractive to domestic and international audiences, but they mask many of the violations and inequalities that blemish the Commonwealth's newest member.

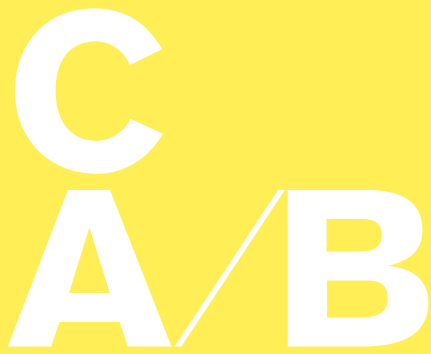
## About the author

Jennifer Melvin is a PhD candidate researching post-genocide reconciliation in Rwanda at the Institute of Commonwealth Studies, University of London. She holds an MA in Theory and Practice of Human Rights from the University of Essex and a BA Honours from Queen's University, Canada. Her research interests include human rights, nation-building and identity after conflict.

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