

Reconciliation in Rwanda: Is it Really Working?

Johanna DeBari
Sociology
Keene State College

Introduction

Reconciling with someone is never easy but in post-genocide Rwanda, it almost seems impossible. Adèle, a survivor who lost her husband and five children, reflects:

The cruelties I experienced during the genocide have affected me profoundly. I can't forget them. It is unthinkable to see someone who has just killed your brothers and sisters, your parents, and then turns around to you and asks you to sleep with him. Our morale was badly tortured, and even now the feeling hasn't gone away. It's impossible to put it out of your mind¹.

Nevertheless, the government of Rwanda created a system of programs to bring about reconciliation, because without it, the country cannot exist as a viable society². I witnessed this system at work during my participation in a Peace Building Institute (PBI) sponsored by Never Again Rwanda in June of 2011. While living in Rwanda for four weeks, I connected with many Rwandans who gave me insight into the reconciliation process and the extent to which it is working, which added to my studies on this issue during the PBI³. The purpose of this paper is to define and assess reconciliation in Rwanda with a particular emphasis on *Gacaca* courts, community-level trials and *ingando*, re-education camps.

Reconciliation Defined

The definition of reconciliation is widely debated, but a recurring theme is healing, an acknowledgment of “the other’s” suffering, and a collective trust to reunite a country⁴. Reconciliation is defined in the “Rwanda Reconciliation Barometer”⁵ by the National Unity and Reconciliation Commission (NURC) as:

A consensus practice of citizens who have common nationality, who share the same culture and have equal rights; citizens characterized by trust, tolerance, mutual respect, equality, complementary roles/interdependence, truth, and healing or one another’s wounds inflicted by our history, with the objectives of laying a foundation for sustainable development⁶.

To accomplish this on a personal level is daunting. A Tutsi survivor explains that reconciliation is not simply an objective state responsibility, but an “affair of the heart” in which one genuinely accepts and forgives the wrong of others⁷. Reconciliation must be “felt” within the people themselves, rather than solely managed through social programs.

A number of scholarly definitions of reconciliation exist in the literature. Zorbas⁸ defines reconciliation as a restoration of the ways of the past, giving citizens the ability to live life as they did before colonialism. Clark⁹ describes reconciliation as an act of forgiveness and a willingness to live together peacefully for the sake of society. Scholars also often connect reconciliation to justice with an emphasis on addressing “injustice” or righting “wrongs”¹⁰. Here, justice is viewed as an introduction into the reconciliation process¹¹:

When justice is done, and seen to be done, it provides a catharsis for those physically or psychologically scarred by violations of international humanitarian law. Deep-seated

resentments—key obstacles to reconciliation—are removed and people on different sides of the divide can feel that a clean slate has been provided for¹².

Taken together, different definitions include reunification, emotional reparations, and restorative justice.

My own definition of reconciliation guiding this research is as follows:

A cultural, communal process involving acts of forgiveness between the two previously conflicting groups, the restoration of a more peaceful environment, and a certain level of sacrifice and release (either emotional, physical or both) on one or both sides of the groups to resolve a conflict¹³.

As difficult as it is to define reconciliation, making it a reality in a post-genocide society is even harder, especially one with a history of organized ethnic conflict.

Historical Background

It is important to note, however, that before German and subsequently Belgian colonialism, ethnic conflict did not pervade Rwandan culture. After Germany originally colonized Rwanda in the late 1800s, Belgium later acquired it in 1919 after invading Rwanda during World War I. Belgians governed Rwanda indirectly through the already existing Tutsi monarchy, expanding Tutsi power. This approach exacerbated ethnic tensions setting the stage for cycles of violence and oppression after political independence in 1962 when virulently anti-Tutsi President Gregoire Kayibanda ruled until a 1973 military coup by General Juvenal Habyarimana¹⁴. President Habyarimana's one-party rule was relatively free of widespread ethnic violence until a military invasion by Tutsi exiles known as the Rwandan Patriotic Front (RPF) that instigated a civil war culminating in the Rwandan genocide.

The genocide began on April 6th, 1994 when President Juvenal Habyarimana was killed after his plane was shot down by "unknown assailants"¹⁵. Hron¹⁶ describes this genocide as one of unparalleled brutality and efficiency with neighbors killing neighbors. 100 days of bloodshed, fear, and atrocities passed until finally the RPF took control of the devastated country, led by current Tutsi President, Paul Kagame¹⁷. Once the vicious murders ceased, 800,000 Tutsi were dead, resulting in more deaths in less time than any other mass murder in recent history¹⁸.

In the midst of corpses, rubble, and despair, Rwandan survivors cried out for justice and vengeance; reconciliation was likely not a priority. A survivor states, "How can reconciliation be possible? It is very difficult. I cannot reconcile with the person who killed members of my family. He cannot bring them back, he cannot erase the pain...Nothing of them (family members) is left. It is as if they never exist"¹⁹. Reconciliation of a broken culture, stricken with the painful burden of genocide, seems impossible, especially when people are starving, disease is rampant, and social institutions need to be rebuilt from the ground up.

Rwanda Today

Some ways that the RPF-led government has tried to promote reconciliation has been to remove the ethnic divide by eliminating ethnic identity cards and even going so far as to proscribe ethnic labels. It also created National Unity and Reconciliation Commission²⁰ and the Center for Conflict Management²¹ to directly to assist Rwandans with reconciling through programs like *umuganda*, community work²². Systems of justice have also been put in place internationally (International Criminal Tribunal of Rwanda), nationally (Rwandan Court System), and locally (*Gacaca* courts). Although many reconciliation programs may be described as "messy", Eugenia Zorbas claims each instrument is "more acceptable than doing nothing"²³. The country as a whole is repairing itself and trying to move past this era labeled as "the legacy

of genocide”²⁴. Restoring such a devastated nation is “an enormous feat that should not be disparaged”²⁵.

Despite the progress Rwanda has made in instituting reconciliation programs, criticisms of these programs abound. Publicly described as a democracy, the absence of “free and fair” elections threatens national reconciliation and unity²⁶. Longman²⁷ charges that the only remarkable transition in Rwanda is from one authoritarian government to another where reconciliation efforts are hindered by strict limits on freedom of press, speech, and association, a claim corroborated by a Freedom House²⁸. A Hutu woman explains “Rwandans have become liars. We can’t say anything because they’ll imprison or kill us”²⁹. Victor’s justice is arguably at work in Rwanda as the Tutsi-dominated government enforces laws regarding “genocide ideology”, “divisionism”, and “negationism” (or genocide denial)³⁰ where Hutus are unable to vocalize their suffering, thus deepening the rift between ethnic groups.

Responding to these criticisms, government leaders emphasize the need to prevent genocide from happening again, through the “eradication of ethnic, regional and other divisions and [the] promotion of national unity”³¹. The government also justifies its restrictive approach to reconciliation on the grounds that it must undo the pervasiveness of ethnic division created by colonialism³². Two reconciliation programs that are especially promoted as uniquely Rwandan by the government are the *Gacaca* courts and *ingando*, but scholars target them with criticism. Interestingly, while participating in the PBI last summer, Rwandan participants felt that many of the criticisms went too far.

Theoretical Framework

In order to advance critical understanding of the reconciliation programs *Gacaca* and *ingando*, they will be analyzed from two sociological perspectives: functional theory and conflict theory.

Functional Theory

Functional Theory can be defined as “a social theory that explains social patterns in terms of their consequences for society as a whole and emphasizes the interdependence of social institutions and their common interest in maintaining the social order”³³. The epistemology of this macro theory lies in positivism and can be exemplified by the model of the human body; every organ has a function and if that organ does not successfully execute its function, the whole system (society) will fall apart³⁴. Functionalists view human nature as egoistic and therefore support social institutions constraining behavior that violates social norms. Social needs surpass individual needs because functionalists believe individuals will prosper, if the society is functioning well. Hence, the social system as a whole is the central focus of functionalism.

Gacaca Trials

The *Gacaca* system has deep roots in Rwandan culture. It stems from a tradition of settling minor disputes “on the grass”³⁵ of which the elders convened meetings to discuss these disputes³⁶. Rwandans tend to prefer this uniquely Rwandan system of justice; as opposed to Western influenced strategies or “White People’s justice” which provokes great hostility³⁷. As an “African solution to African problems”³⁸, this institution allows Rwandans to solve conflict with home-grown approaches.

The mission of *Gacaca* is to reveal the truth, to speed up trials, to eradicate the culture of impunity, and to reconcile³⁹. Speed can certainly be observed in these trials, given that almost 1.5 million cases have been tried since *Gacaca*’s enactment in 2001⁴⁰. This number is a tangible form of reassurance to support progress in legally reconciling the country. *Gacaca*’s functions are being broadly executed, and there is a basic level of reconciliation developing within

Rwanda. Traditional criminal justice systems are not designed to manage mass atrocities or genocide⁴¹. In the late 1990's, scholars estimated that if the rate at which genocide detainees were being prosecuted continued in the same manner, nearly one-third would die in prison of old age⁴². Previous to Gacaca's creation, it was estimated that it would have taken Rwanda over one hundred years to judge the 100,000 plus prisoners in custody; no "real" justice would be delivered⁴³. Prosecution would have been at a standstill, resources would be wasted, and a helpful solution would be a very distant possibility.

Gacaca exemplifies a form of restorative justice. It focuses on repairing the harm done, healing both the victims and the community, and allowing offenders to be reintegrated as productive members of society⁴⁴. Kagame describes *Gacaca* as "the only remedy that can help us to become human beings and Rwandans again"⁴⁵. Although restorative justice may not be the type of justice all Rwandans are happy with, it is supported by a majority, particularly because of lack of alternatives and the dissociation with other approaches towards reconciliation such as the ICTR; which has left Rwandans "unaffected and unreconciled" by its failures to deliver justice⁴⁶. Issues with the ICTR have included its foreign location in Arusha, Tanzania, failure to use the Kinyarwanda language in procedures, and the procedural cost of \$40 million for each perpetrator⁴⁷. Furthermore, the meager results of only 69 perpetrators prosecuted as of June 2011 emphasize its disappointment⁴⁸. This western form of justice does not promote reconciliation, forgiveness, or peace the way *Gacaca* does.

Another function of *Gacaca* is its capacity to impose order while managing a post-genocide society. The legal system consisted of 10 Rwandan lawyers (as most either fled or were killed), pillaged and heavily damaged court buildings⁴⁹. *Gacaca* provided a much needed system of justice for a country with few legal resources⁵⁰. Burnet⁵¹ describes *Gacaca* as the "only possible solution", its failure is "a threat to the entirety of the reconciliation process"⁵².

Overall, *Gacaca* is doing what it needs to do to get some form of post-genocide justice to Rwandans. Presently, *Gacaca* is making the most suitable attempt to eradicate the "legacy of impunity"⁵³. Perpetrators are being punished, and victims are allowed to have their say. Although there is some apprehension among survivors, the main results they seek from a judicial system are "to see the perpetrators punished, even if their prison sentence is dramatically reduced"⁵⁴. Reducing tensions, building trust and promoting reconciliation are essential for long-term stability⁵⁵; *Gacaca* addresses all these social needs.

Ingando

Another reconciliatory program of the state described as an "updated version of a Rwandan tradition" is *ingando*⁵⁶. This program stems from the verb *kuganika*, which refers to an event in which the elders of a village remove themselves from the village to an isolated place to discuss solutions to issues within the village (i.e. famine, poverty, etc.)⁵⁷. Created in 1996, originally under the Ministry of Youth, Culture, and Sports, this program began to re-educate and reintegrate Hutu returnees who had left Rwanda; to help them to "speak the same language"⁵⁸.

As a government solidarity camp designed to spark beginnings of reconciliation and "dissemination of pro-RPF ideology," *ingando* is also designed to combat existing genocide ideologies⁵⁹. Released *genocidaires*, ex-soldiers, ex-combatants, even college students are enrolled in these programs to strengthen the roots of reconciliation in Rwandans on all accounts⁶⁰. Programs can last anywhere from a few weeks to several months, discussing the original narrative of Rwandan history in accordance with national unity and reconciliation⁶¹.

Once the session has been completed, newly “graduated” participants make speeches about how happy they are to have had the opportunity to partake in *ingando*⁶².

Since 1994, no history lesson has been taught due to there being “no consensus on which ‘version’” to use in the national curriculum⁶³; although at the PBI, some mentioned history lessons being taught in certain provinces. *Ingando* creates a loophole around this “moratorium on history teaching” by allowing a universal narrative to be preached to participants⁶⁴. Restriction and censorship of information provided to citizens can be viewed as problematic, but are “necessary transition mechanism[s]” for Rwanda to overcome the deep-rooted divisions and rebuild the country on a level foundation⁶⁵.

Functionalists highlight *ingando*’s motive to socially re-engineer relations between perpetrator and victim⁶⁶. *Ingando* was created to “foster a sense of nationalism” among those returning to their homeland after fleeing to neighboring countries⁶⁷. The hopeful result is to “create a society in which these identities have no real meaning because they impart no privileges”⁶⁸. Reintegration and subsequently reconciliation of *ingando* participants with members of society through the elimination of ethnic distinction is to be the functional result⁶⁹.

The RPF highlights the socially functional necessity in terms of personal sacrifice: “tell their truth, forget the past, and uphold justice in the name of peace and security.”⁷⁰ From a Hobbesian perspective, individual sacrifices to authority for our own benefit instead of that for the good of society muddle the efficiency of the “organic social system.”⁷¹ Furthermore, functionalists claim a broad approval is desired for the programs. Functionalists overall support the implementation of *ingando* and the *Gacaca* courts on the basis of their roots strongly based Rwandan culture and their ability to maintain social order in a post-genocide society.

Conflict Theory

Conflict theory can be defined as “a social theory in which] Identifies conflict between social groups as the primary force in society; understanding the bases and consequences of conflict is the key to understanding social processes.”⁷² Conflict theorists focus on social inequality and the disparity between the rich and poor social classes, presenting social inequality as impeding social advancement. They believe that human nature is inherently good; it is capitalism that is the source of corruption. The rich and powerful control social institutions which they use to expand their power and privilege and suppress the poor. Needless to say, conflict theorists take a much more critical view of social institutions and programs than functionalists. Examining the *Gacaca* courts and *ingando* camps from a conflict perspective results in a number of criticisms.

Gacaca Trials

Although *Gacaca* is highly successful in Rwanda “on paper”, a large portion of Rwandans are still in desperate need of more relief. The mindset of the current RPF administration of “tell[ing] the truth, forget[ting] the past, and uphold[ing] justice in the name of peace and security” is currently not viewed as successful by “ordinary Rwandans.”⁷³ In fact, political scientist Susan Thomson argues that this “one-size-fits-all” institution is highly destructive to the Rwandan people when it ignores other pressing social problems such as dire poverty⁷⁴.

Jeanne, a Tutsi widow, has been quoted in an interview saying “there can be no peace in the heart if there is no peace in the stomach”, referring to the lack of attention current Rwandan government officials have extended towards poor Rwandans⁷⁵. Poverty and economic hardship was described in a survey by Uvin and Mironko as being one of the major social problems in Rwanda by 81.9 percent of the country [emphasis added]⁷⁶. The attempts to incorporate

reconciliation under programs purposed to reduce poverty offer no “real way out of the ‘poverty trap’” and further alienate rural Rwandans from the reconciliation process⁷⁷. In continuation with this blend of “needs”, the development and movement towards “global governance” are combined also as a form of reconciliation⁷⁸. Government policy is focusing too much on impressing the international community rather than listening to its citizens and the needs they have overwhelmingly made apparent, which exemplifies the failure of current reconciliation programs created by the government.

Gacaca was a quick solution described as being the “least bad option”⁷⁹ according to Reverien Interayamahange highlighting its need of revision. One main concern with *Gacaca* effectiveness is the accuracy of punishment for perpetrators and getting a light sentence for the sake of speedy procedure⁸⁰. The accused typically were offered reduced sentences for willingly confessing to crimes; however many *Gacaca* courts are rejecting these confessions as being incomplete or blatantly untrue (after the accused have already been dismissed)⁸¹. Reconciliation associated with sparing or lenient punishments of perpetrators generally does not promote a communal process of forgiveness.

Gacaca allows the disparity between privileged and underprivileged to exist. The “monopoly” the RPF has on collective memory allots them opportunity to use it as a political tool to maintain the divide between Hutu perpetrators and Tutsi victims; part of confessing requires identifying the crimes of other people⁸². There is a “code of silence” called “ceceka” created by the perpetrators in some communities to ensure their innocence is maintained⁸³. In this way, underprivileged and oppressed survivors are denied reconciliation. Even if a perpetrator on trial is charged, and serves his sentence, reintegration back into the community is equally as difficult for survivors to cope with; the possibility to exist with such a deep rift still present seems unimaginable⁸⁴. Hutu testimonies claiming to be anything but malicious murderers are taken with suspicion when heard in the *Gacaca* courts, perpetuated by RPF ideology⁸⁵. If Hutus are unable to speak of their suffering, and Tutsi reprisal violence is not acknowledged then reconciliation is not feasible⁸⁶. Despite the eradication of Hutu and Tutsi ethnic identities legally, the identities of “victim and perpetrator-*genocidaire*” could be even more powerful with the likelihood of conflict arising⁸⁷.

To add to *Gacaca*’s failures, the scramble to educate and appoint the necessary amount of people to create an adequate legal system was a very involved process. Associates needed to learn the expected qualifications of the positions, to attain the wisdom of experience akin to years of education and ability to try a variety of cases. With only 10 trained lawyers in the country post-genocide⁸⁸, an efficient legal system seemed impossible. *Gacaca*’s solution to this problem: give the reins to ordinary Rwandans as becoming the “main actors for performing justice.”⁸⁹ Ordinary Rwandans, many of whom were still traumatized by the genocide, were far from adequate candidates for administering impartial justice to their own tragedy⁹⁰.

The government’s emphasis on collective Tutsi victimization implicitly imposes collective guilt on Hutu, thus lessening the chance of successful reconciliation between citizens⁹¹. Max Rettig⁹² references Timothy Longman arguing “the ultimate success or failure [of *Gacaca*] lies primarily in the will of the public to make the process work, whatever structural and political constraints it confronts”; emphasizing the importance of public approval and cooperation, along with the necessity of accurately healing the people to ensure *Gacaca*’s success. Through the eyes of a conflict theorist: Rwandan government must address the material, emotional, and social needs of all people trying to peacefully coexist after genocide.

Ingando

Ingando as an institution is also greatly flawed in its execution. Implemented to reform a genocidal society of “uneducated peasantry steeped in habits of obedience”⁹³, the RPF justified these re-education programs based on principles of creating a “history narrative”; allowing the RPF to shape “what is remembered and what is forgotten” by choosing which story to tell to advance its objectives⁹⁴. The RPF-ideology laden program has been described as a kind of brainwashing of loyalty to the government and has further disallowed citizens to speak freely about their reactions to the genocide and current post-conflict society⁹⁵. The main concept of this political indoctrination eliminates all rights to identify as Hutu or Tutsi to “create a society in which [Hutu and Tutsi] identities have no real meaning.”⁹⁶ This objective mentality of eliminating ethnicity from Rwandan culture neglects to nurture the growing despair within so many Rwandan citizens. As one of the many “unification policies” put in place by the Rwandan government, it is said to be a vehicle for the application of invented traditions in which serve the purpose of “maintaining authority, forging cohesion and creating a common culture.”⁹⁷ Ignorance of personal individual stories and factual events of the genocide has greatly impacted society and impeded the reconciliation process.

Conclusion

While studying in Rwanda during the summer of 2011, Rwandans appeared to have reconciled and reunited. It is evident that the country has recovered from genocide to a large extent through the government’s ability to create reconciliation programs like *Gacaca* and *ingando* to rebuild society. This impression was reinforced by meetings with government officials as part of the PBI who point out that over 1.5 million⁹⁸ rank and file perpetrators have been adjudicated through *Gacaca*, and perpetrators have been reintegrated into society upon completion of *Ingando*. From a functionalist perspective, these reconciliation programs have addressed important social needs of Rwandan society, and Rwandans do appear to coexist peacefully.

Scholars also point out that for many Rwandans daily life is such a struggle that reconciliation has a different meaning for them than it does to government officials. Economic problems have further exacerbated the difficulties of reconciling for Rwandans. As one Rwandan states, “you can’t eat peace” (Zorbas 38:2004). Humanitarian aid must be given to the citizens in Rwanda living in rural communities where 60% of the population still live on less than a dollar a day for reconciliation to genuinely take effect (Zorbas 37:2004). The disparity between the rich in Kigali and the poor in the remainder of the country must be lessened to allow reconciliation to truly begin.

A more in-depth assessment of reconciliation in Rwanda, including an extensive literature review, informal interviews, and interacting with PBI participants, reveals a number of other criticisms of *Gacaca* and *ingando*. The fact that reconciliation programs have been heavily enforced by the government calls into question the extent to which individual Rwandans have experienced reconciliation on a personal level. Indeed, the extent to which Rwandans have reconciled and forgiven is hard to assess in a country that has outlawed Rwandans even speaking against either as a reality. Hutu loss and suffering is often silenced along with Tutsi inability to forgive by the indoctrination of laws against divisionism, negationism, and genocide ideology.

Various facets of the reconciliation raise many difficult questions: How can Rwandans reconcile where most live on less than one dollar a day? Is it possible for perpetrators to successfully reintegrate back into society after participating in the re-education programs of *ingando*? Is reconciliation truly achieved when Rwandans are unable to accurately express their emotions about the genocide? As daunting as these questions seem, it is vital that initial steps be

made towards creating a shift from state-based reconciliation to individual reconciliation through the will and the strength of the citizens themselves. Thus, for peace to come to Rwanda there must also be peace within the people.

Notes

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19. Parent, Genevieve. Ibid 2010. (p.278)
20. The NURC is reconciliation program created by the state of Rwanda to foster unity. Its vision is as follows: The National Unity and Reconciliation Commission is striving for a peaceful, united and prosperous nation.
21. The Center for Conflict Management (CCM) is part of National University of Rwanda's departments and was created in 1999 as one of sets of initiatives aimed to deal with the consequences of the 1994 genocide. The CCM is a research center inspired by the National

University of Rwanda's mission built on three axes namely Education, Research and Service to the Community.

22. NURC. Ibid 2009. (p.1)
23. Zorbas, Eugenia. "Reconciliation in Post-Genocide Rwanda." African Journal of Legal Studies. 2004. (p. 30)
24. Zorbas, Eugenia. Ibid 2004. (p. 40)
25. Zorbas, Eugenia. Ibid 2004. (p. 35)
26. Kohen et. al. Ibid 2011. (p. 100)
27. Longman, Timothy. "Limitations to Political Reform [The Undemocratic Nature of Transition in Rwanda]." Remaking Rwanda. 2011. (p. 26-27)
28. Freedom House has declared Rwanda "Not Free" and on a scale of 1 to 7 (7 being least free, 1 being most free), the country is given a 5.5 for "freedom rating", 5 for "civil liberties" rating, and 6 for "political rights" rating (Freedom House 1:2011).
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50. Parent, Genevieve. Ibid 2010. (p.283)
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52. Tiemessen, Alana E. Ibid 2004. (p. 5)
53. Zorbas, Eugenia. Ibid 2004. (p. 37)
54. Zorbas, Eugenia. Ibid 2004. (p. 37)
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62. Zorbas, Eugenia. Ibid 2004. (p. 39)
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