

*Rwanda and the Great Lakes
Region: Ten Years On
From Genocide*

Edited by

Susan M. Thomson and J. Zoë Wilson

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Introduction: Rwanda 10 Years On

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As this special edition of *International Insights* goes to press, the Great Lakes Region (GLR) of Africa remains in deep turmoil. Allegations of genocide persist in the Eastern Democratic Republic of the Congo (DRC); the launch of military offensives Operation Iron Fist I and II – despite the appeals of peace leaders for dialogue – have led to further upheaval and increased insecurity in Northern Uganda; Burundi has been unable to bring some major actors to the table to finalize its transition to peace and democracy; Rwanda has restored peace and security to its population, but some fear the politics and policies of the government of Paul Kagame are growing increasingly intolerant. In Rwanda, dissent and ‘divisionism’ are illegal and those falling afoul of the Kigali regime suffer swift punishment – justified by the need to “never again” allow a “genocidal ideology” to take root.¹ Rwanda also continues to destabilize neighbouring DRC with a large and plunderous troop presence. Women and girls interviewed by Oprah Winfrey’s team in the DRC identify Rwandan and Ugandan soldiers as the primary source of their insecurity.² Daily reports highlight abuses by United Nations peacekeepers in promoting insecurity in the DRC, notably sexual violence and the rape of girls and women; the UN has only just launched an investigation following the civil society-led naming and shaming of complicit senior UN officials in covering up these abuses.³

The international community as well as regional bodies, notably Africa’s key regional body charged with ensuring peace and security – the African Union – is still unable to act while

governments and rebel groups fight each other and plunder and pillage civilians in the Great Lakes Region. A quiet and continuous thud of fear permeates as poverty, hunger, drought and HIV/AIDs continue to stalk the traumatized communities of the GLR.

This is the Great Lakes Region 10 years *after* the Rwandan Genocide; 10 years *after* the international community swore to “never again” allow “gross and systematic violations of human rights that offend every precept of our common humanity”.⁴ This is the Great Lakes Region four years after the publication of the International Commission on Intervention and State Sovereignty (ICISS) Report on *The Responsibility to Protect*, which highlights a new norm of human protection: When sovereign states are unwilling or unable to protect their own citizens from avoidable catastrophe, that responsibility must be borne by the broader community of states.⁵ Several authors in this volume assert that this principle must be strengthened if a lived experience of human protection is to cascade through the international system down to the level of the most insecure, the men and women, boys and girls caught in the crossfire.

What the report fails to take into account was the impossibility of states in the GLR to meet even the most basic of human needs let alone assure human protection. State sovereignty vows equality to all states, regardless of domestic capacity or intent. What happens when domestic capacity is directed to harming citizens, as was the case in the 1994 Rwandan genocide? The glitter of statehood and the inherent weakness of *The Responsibility to Protect* document become apparent when held up to the political realities of present day life in the states of the GLR. The willingness of political leaders in the Great Lakes Region of Africa – in government or in rebel groups and opposition political parties aspiring to form a government – to systematically use, abuse and misuse civilians is the impetus for this Special Issue of *International Insights*. Commissioned as part of the Canadian series of events to commemorate the 10th anniversary of the Rwandan geno-

cide, this Special Issue includes submissions from three continents, in two languages and including civil society actors and researchers based in the GLR. The collection of articles that we have compiled here emerged, either directly or indirectly, from Canadian *Remembering Rwanda* events and activities, for which Canadians and Rwandans in the Diaspora organized a series of events from Halifax to Vancouver to commemorate lives lost and to educate the Canadian public on the causes and consequences of the 1994 Rwandan genocide in the winter of 2004.

Our purpose was to gather reflective academic analyses on the Rwandan question in particular and on the prospects for peace in the GLR more generally. Our aim was straightforward: (1) to bring voices from the GLR to the attention of a Canadian audience; and (2) encourage Canadians, particularly Canadian graduate students, to think deeply about Rwanda. To facilitate this, we sponsored an essay competition to encourage students to submit their work on Rwanda and the Great Lake Region. We received over a dozen articles in response to the call. University of Kinshasa doctoral candidate Arsène Mwaka Bwenge was awarded the prize for his submission, “Conditions et défis du dialogue sur la sécurité civile en République Démocratique du Congo : Le rôle des intellectuels et des animateurs des ONG”.

What resulted was a cross-section of articles about the politics of memorializing the genocide (Barksy & Gahutu and Ellis & Evans), the failures of the international community to respond to Rwanda’s genocide (Brazier and Lerhe), and emergent domestic legacies of the 1994 genocide (Nolen, Whitman and Willis). The challenges of absorbing the lessons of Rwanda and the challenges of humanitarian intervention in light of *The Responsibility to Protect* Report (Axworthy, Ellis & Evans, and Powell & Tiekou) as well as three French-language articles from the Democratic Republic of the Congo (DRC) on the challenges and constraints facing civil society there (Paluku Syayipuma, Welepele Elatre and Mwaka Bwenge) are also featured. The essays from

the DRC remind us that peace in the GLR remains elusive. They also highlight the challenges of working with failed states when seeking to intervene effectively for humanitarian or human protection purposes. Also included are three book reviews (Caplan, Piner and Willis) that highlight a cross-section of recent English-language efforts to make sense of the Rwandan Genocide. Alluri's review of *King Leopold's Ghost*, a novel on colonial Congo, adds a regional dimension to our collection.

Capping this Special Issue of *International Insights* is the Report of the Kigali Workshop on *Civil Society Perspectives on The Responsibility to Protect: 10 Years After the Rwandan Genocide* (Baines, Thomson & Wilson). As part of the academic contribution to the *Remembering Rwanda* campaign, the Conflict and Development Programme at the Liu Institute for Global Issues, University of British Columbia and the Dalhousie Centre of Foreign Policy Studies hosted a two-day workshop in Kigali, Rwanda in February 2004. The workshop went straight to the most insecure – those living in the GLR. Participants from Rwanda, Northern Uganda, Burundi and the DRC gathered in Kigali to discuss, debate and reflect upon the promise of principles of human protection found in *The Responsibility to Protect* document. We are proud to publish several contributions in the Special Issue that were originally presented at the Kigali Workshop.

Memorializing the Genocide

In the aftermath of the genocide, the international community – in the pre- *Responsibility to Protect* era – was convinced of the inability of the Rwandan government to restore peace and security. Despite international pessimism, the new government – led by the Rwandan Patriotic Front (RPF) – was able to end 100 days of genocide and install itself as the legitimate and sovereign government of the devastated Republic of Rwanda. The RPF immediately set off to restore the sanctity of the Rwandan state, re-

pair its torn social fabric and rebuild the economy. The official policy of reconstruction and reconciliation was, and remains, based on ‘national unity’.⁶

National unity is the official policy that aims to promote peace and security, denounce any written or declared ideas and materials seeking to ‘disunite’ the Rwandan people, educate and assist in building a culture of peace, tolerance and respect for human rights, and monitor government organs, political parties, leaders, and the general population to gauge whether they respect and observe policies of unity and reconciliation. In essence, ‘national unity’ involves the erasure of ethnic identity (Hutu or Tutsi or Twa) in a country where genocide was perpetrated on the basis of those identities. It is also a tool that silences any disagreement with the official policies of Rwandan government – it is as such inherently anti-democratic.

The RPF has been very successful in establishing its legitimacy through the discourse of national unity as the political leadership has successfully rescripted a version of history where Rwandans were deliberately classified into the social classes of Hutu, Tutsi, and Twa. Long before their German and then Belgian colonizers appeared out of the mist, Rwandans shared a common history, language and culture. Rwanda was socially peaceful, economically productive and politically viable. The official discourse is that it was the white man who threw down the seeds of division and hatred that would culminate in the 1994 genocide.⁷

The difficulty with the imposition of this discourse of national unity is that Rwanda has not undergone its reckoning *per se*. The dead and missing were not listed, as those lost were disposed of in mass graves that made individual identification of remains very difficult.⁸ Families were unable to grieve and comfort each other as the depth of the scope of the genocide meant that often entire families were lost. In the upheaval that immediately followed the genocide, families were separated. Memorials

were not erected although sites of mass violence, notably Ntarama Church (discussed in Piner) and Murambi Technical School (discussed in Barsky & Gahutu), were left as memorials to the horror of genocide and the urgency of ‘never again’.

The contributions by both Gareth Evans & Stephen Ellis and Robert Barsky & Mugarura Gahutu Aimable speak to this point. Evans & Ellis, in their re-printed article “The Rwandan Genocide: Memory Is Not Enough”, state: “Something more than memory is needed if another catastrophic genocide is not to happen, sooner or later somewhere in the world”. They admonish the international community for its inability to “not care enough” to intervene to stop acts of genocide nor to “support effective remedial efforts after the event”. Barsky & Gahutu are less diplomatic, “So what are we commemorating? The lack of preparedness? The unwillingness to act upon obvious signs indicating imminent danger for domestic populations?”. Their contributions are powerful testimony to the ominous silence that exists, and denies us a language and conceptual framework to engage with Rwanda as part of the fabric of the international system itself.

Failures of the International Community

The failure of the international community to effectively intervene to stop the Rwandan genocide is well documented.⁹ Gerald Caplan brings to life the voice of Roméo Dallaire, the Commander of the UN Assistance Mission for Rwanda (UNAMIR) in his re-printed book review of the memoir, *Shake Hands with the Devil: The Failure of Humanity in Rwanda*: “Dallaire’s personal insider experience is of one of the greatest calamities of the past century, yet one that could have been prevented with ridiculous ease”. For many, Dallaire is the human face of the genocide. He is the embodiment of the international community and its failure to intervene when it could and should have. As Caplan writes, “*Shake Hands with the Devil* explicitly

spells out Dallaire's hierarchy of Rwanda's betrayers...". Rwandans themselves, notably the Hutu political elite – the *Akazu*¹⁰ – are first on Dallaire's list, followed by the US and France. Belgium and the UN are also named as complicit. In a provocative turn, and against much accepted wisdom on the genocide, Dallaire also fingers current Rwandan President Paul Kagame as partially to blame.

The failure of the US is unpacked by Michelle Brazier in her article, "Domestic Politics in an International Sphere: Constraints on US Policy During the 1994 Rwandan Genocide." Brazier writes that domestic politics in the US – notably fear over a repeat of the loss of American life in Africa following the 'Somalia debacle' – as well as the inexperience of the Clinton Administration in matters of foreign policy, translated into American foot-dragging. Not only did the US fail to define the Rwandan massacres as genocide, it frustrated the efforts of the UN to supply more material and human resources to Dallaire's UNAMIR. Brazier concludes that the US failed to intervene to prevent and then stop the Rwandan genocide for matters of American national interest: Rwanda simply was not a threat to American national interest and was thus ignored as a product of the political machinations of Washington.

Eric Lerhe takes a considered and very detailed look at the role of the *Akazu* in precipitating the genocide in his article, "The Role of Nationalism in the Rwandan Genocide of 1994". Concluding that the genocide was a carefully and systematically planned and orchestrated event, Lerhe shows that Rwanda was far from the traditional 'failed state': instead, it was "too successful" and its political elite "was willing to consider any measure to remain in power". He also demonstrates that the international community failed to appreciate the genocidal intentions of the Rwandan state. By ascribing ethnic loyalties, and in dismissing the gravity of the Rwandan crisis, the international community is partly to blame for the scope and severity of the genocide. Bra-

zier and Lerhe's articles combine to highlight the distinction between 'politics' – the routine, regular processes that take place in congress, in parliament, elections, political parties and the institutions of government – and something less predictable but more lively, 'the political'. 'The political' is the arena of innovation, of revolution or perhaps of upheaval, a field of sudden and abrupt change, a point at which the status quo is challenged. Rwanda illustrates very well the value of the distinction between 'politics' and 'the political'. The effects of the institutional 'politics' of Kigali and Washington in 1994 are very much 'the political' issues of post-genocide reconstruction and reconciliation that Rwanda, and indeed the GLR, still contend with more than 10 years after the genocide.

Emergent Domestic Legacies

The international community – the same one that failed to intervene to stop the genocide – is delighted to report that peace and security have been restored and that democracy, as the basis of continued peace and security, has taken root.¹¹ Rwanda, according to the discourse of the international community, has not only weathered its transition from genocide to democracy admirably, it stands as a beacon of what states can achieve when the political will to democratize is "indigenous and broad-based".¹²

Part and parcel of the process of democratization in Rwanda has been the emergence of new actors, primarily women, as the engine of reconstruction and reconciliation. But as the submissions from Whitman, Nolen and Willis attest, reconstruction and reconciliation in post-genocide Rwanda is wrought with many challenges and high hurdles. Indeed, the gap between the rhetoric of the Rwandan government and the realities on the ground are represented in their contributions. Shelly Whitman, in her article, "The Plight of Women and Girls in Post-Genocide Rwanda," does an excellent job of describing the extent of the atrocities that

women and girls experienced during the genocide as well as the variety of social and economic challenges they face in the aftermath of the genocide. The challenges of women are those of the group that the Rwandan government hopes will drive the engine of reconstruction and reconciliation.¹³ Stephanie Nolen's reprinted article, "Don't Talk to Me about Justice", gives voice to the experience of Athanasie Mukarwego, a survivor of the genocide and rape victim who struggles with issues of reconciliation, justice, forgiveness and emotional trauma on a daily basis. The two articles combine to provide a powerful testament to the magnitude of Rwanda's reconstruction and reconciliation effort and provide evidence of the critical political role that the government of Rwanda ascribes to women in the 'new' Rwanda.

Owen Willis' article, "The Forgotten People in a Remembered Land: the Batwa and Genocide", is an enlightening contribution: In the new Rwanda, not everyone is reaping the benefits of post-genocide reconstruction efforts. The Batwa, Rwanda's smallest minority at just 1% of the population, are largely ignored. Willis argues that their contribution to development post-genocide has been marginalized while their standing as citizens remains unsettled. Indeed, the Twa barely feature in the new Rwanda, with the revised post-genocide constitution (2003) eliminating ethnic identity (article 33) and criminalizing 'ethnic divisionism' and 'trivializing the genocide' (article 13). Unfortunately, the revised constitution does not define these terms and their application has been uneven at best. Yet the government relies on these provisions to eliminate critical voices from their political opposition.¹⁴ The question of minority rights and their protection under law signpost deep contradictions within the post-genocide political order.

The Lessons of Rwanda

This collection of essays evidences scepticism of established

norms and images of state sovereignty and doubts of the effectiveness of *The Responsibility to Protect* principles that reproduce the very norms of state security that harm and violence individuals. The sovereign power of the state produces and is itself produced by violence: It provokes wars and genocides. But it works by concealing its involvement and claiming to be a provider, not a destroyer, of security. It does this directly through discourses of international security that reify the state as well as through claims that it, and only it, can provide domestic security for its citizens. Questions of what kind of security and for whom do not feature in *The Responsibility to Protect* Report. State power is perceived not as coercive but as self-evident – what else could a state provide but security based on sovereign power?

In reality, behind the crash barrier of state sovereignty, exists a complex web of disciplinary power relations that rarely enters the consciousness of humanitarians nor the planning and implementation of humanitarian interventions. The reconstruction of post-genocide Rwanda benefits from this unconsciousness: By writing ‘never again’ into a narrative of national unity, the Rwandan state conceals the insecurity it produced. The perniciousness of statehood internationally, and its continued reification suggest that little, if anything, has been learned from the 1994 genocide. If anything, the primary lesson of the 1994 genocide is that ‘the political’ is that which opens up space for contestation or resistance. ‘Politics’ strictly-speaking may be anti-political, serving to close down, or at least manage, the space of contestation.

This observation comes to life in the contributions of Nelson Paluku Syayipuma, Camille Welepele Elatre and Arsène Mwaka Bwenge. Their contributions combine to alert us of the complexity of international interventions in local contexts where the existence of ‘politics’ is either underestimated or ignored by international and local actors alike, and where states are more convenient fiction than organized fact.

Mwaka Bwenge, in his article, “Conditions et défis du dia-

logue sur la sécurité civile en République Démocratique du Congo : Le rôle des intellectuels et des animateurs des ONG”,¹⁵ argues that civil society actors in the GLR, particularly following the 1994 Rwandan genocide, have tried to position themselves to inform domestic and international actors of the levels of local insecurity in the DRC. The effect of this information sharing, however, has been mixed at best. Instead, Mwaka Bwenge finds that local insecurity actually increases as rebel groups and government forces alike intimidate civilian populations into silence. Paluku Syayipuma’s article, “L’Éxperience de la société civile et de la MONUC dans la sécurisation des populations locales en période de guerre en R.D.C.”,¹⁶ shows that civil society in the DRC is innovating its own human protection initiatives when the state, or rebel groups seeking to replace the existing state, fail to do so. He finds that civil society is often uncivil, with security agents posing as members of civil society doing more harm than good in the provision of self-help security initiatives in the DRC. Not only has this undermined the trust of the local population in the ability of civil society to provide for its security needs, it has increased local levels of insecurity. Welepele Elatre argues in his article, “Mille Libertés: Presse audiovisuelle, forces d’occupation et agents de sécurité à Kisangani (R.D. Congo)”,¹⁷ that while the media has consistently exposed human rights abuses by both state and rebel actors, it has also been systematically complicit in fanning the flames of conflict. These articles show the mixture of courage and compassion that civil society actors display in responding to their own human security needs. The complex level of understanding that local actors have of their own security situation highlights the need for humanitarians to appreciate and incorporate local political realities into their activities while remaining mindful of the fact that civil society is often a duplicitious, political and uncivil space. These articles also combine to expose the myth of statehood – they show that the state in the Congo is far from sovereign, autonomous, legitimate or competent – in

fact it is nothing more than fiction.

The question remains, how do we move the discussion away from the paralysis of genocide to political action? *The Responsibility to Protect* Report is the best tool we currently have at our disposal, but as Evans & Ellis, Barsky & Gahutu and the Kigali Workshop Report all suggest, more needs to be done. Lloyd Axworthy picks up on this theme in his re-printed contribution, “The International Community in Rwanda and the Responsibility to Protect”: “Our time calls for a similar translation of ideas into action”. Axworthy calls for the provision of military muscle to back up humanitarian intervention for human protection purposes. By this, he means the creation of an early warning system and rapid response force: he challenges the UN to reform by adopting the basic principles of *The Responsibility to Protect* “in the basic mandate of the UN”. The African Union (AU) has already begun to heed Axworthy’s call and incorporate these principles. Powell & Tiekou write in their article, “The African Union and The Responsibility to Protect: Towards a Protection Regime for Africa?” that: “[t]he norms underpinning the AU’s peace and security regime resonate with a protection framework envisioned in the ICISS document, *The Responsibility to Protect*”. The AU might provide the best guide to how to incorporate the principles of *The Responsibility to Protect* Report into regional and international bodies. Nonetheless, in writing about the AU’s peacekeeping mission in Burundi, Powell & Tiekou question the ability of the AU to implement *The Responsibility to Protect* principles in Africa. They provide an assessment of “the opportunities and constraints facing the AU as it develops its capacity to promote peace and security and to protect vulnerable populations on the continent”. Welepele Elatre’s argument dovetails with that of Powell & Tiekou in pointing to the contradiction inherent in official peacekeeping deployments to protect local populations, while sowing insecurity among women and girls through systematic acts of rape and other forms of sexual violence.

Baines, Thomson & Wilson highlight these tensions in their contribution, “Civil Society Perspectives on the Responsibility to Protect: 10 Years After the Rwandan Genocide”. The international community must recognize the state as a perpetrator of violence, but also that where states “have failed to adequately fulfil their obligations or where the state is actually targeting civilians, civil society *de facto* shoulders the entire burden”. The silence of *The Responsibility to Protect* Report on the important role that civil society plays in assuring human security on the ground, as well as its lack of appreciation for complex local knowledge in promoting human security is a fundamental shortcoming. This finding alerts us to the difficulty of heeding Axworthy’s well-intentioned, but perhaps naïve assertion that the UN is capable of reform when it is little more than the embodiment of the states that make up its membership. UN reform requires a serious and studied reconsideration of the sanctity of the principle of state sovereignty and the relations of power and powerlessness and voice and voicelessness that are masked by it.

This collection would not have come to light without the support of several people. We thank Frank Harvey, David Black, Marcia Seitz-Ehler and Susan Rolston of the Centre for Foreign Policy Studies at Dalhousie University. We also thank Erin Baines of the Liu Institute for Global Issues at the University of British Columbia, and Stephen Brown of the University of Ottawa for their guidance and support. Thanks also go to our student assistants, Rina Alluri and Jenna Hendrix-Milijours. We hope that you enjoy this Special Issue of *International Insights* and hope it inspires reflection and further study on these questions.

Notes

1. National Unity and Reconciliation Commission, *The Rwandan Conflict: Origin, Development, Exit Strategies* (Kigali: NURC, 2004).

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2. "Postcards from the Edge" *O, The Oprah Magazine*, (February 2005). http://www.oprah.com/omagazine/200502/omag_200502_congo.jhtml (accessed February 8, 2005). See also Camille Welepele Elatre, "Mille Libertés: Presse audiovisuelle, forces d'occupation et agents de sécurité à Kisangani (R.D. Congo)", in this volume.
3. "Peacekeepers' Sexual Abuse of Local Girls Continuing in DR of Congo, UN finds," UN News Centre, <http://www.un.org/apps/news/story.asp?NewsID=12990&Cr=democratic&Cr1=congo> (accessed January 9, 2005).
4. Kofi A. Annan, "Millennium Report of the Secretary General to the UN General Assembly: 'We the Peoples' The Role of the UN in the 21st Century," (2000) <http://www.un.org/millennium/sg/report> (accessed December 27, 2003), 17.
5. International Commission on Intervention and State Sovereignty, *The Responsibility to Protect* (Ottawa: IRDC, 2001). Available online at: <http://www.iciss.ca>.
6. The Rwandan government has worked hard to consolidate institutional democracy, closely linked to the concept of national unity, to the Rwandan people as a way of preventing the recurrence of the political, economic and social conditions that led to genocide (see, for example, the speeches of Rwandan president Paul Kagame: <http://www.gov.rw/president/speeches>).
7. For more detailed analysis of the ideas set out here, see, Jan Vansina, *Antecedents to Modern Rwanda: The Nyiginya Kingdom* (Oxford: James Currey, 2004); Johan Pottier, *Re-Imagining Rwanda: Conflict, Survival and Disinformation in the late 20th Century* (Oxford: Oxford University Press, 2003). See also, Catharine Newbury, *The Cohesion of Oppression: Clientship and Ethnicity in Rwanda, 1860-1960* (New York: Columbia University Press, 1993). See also Eric Lerhe, "The Role of Nationalism in the Rwandan Genocide of 1994" in this volume.
8. Clea Koff, *The Bone Woman: A Forensic Anthropologist's Search for Truth in the Mass Graves of Rwanda, Bosnia, Croatia and Kosovo* (London: Atlantic, 2004).
9. For both the domestic and international causes and conse-

- quences of the 1994 genocide see, Mahmood Mamdani, *When Victims Become Killers: Colonialism, Nativism and the Genocide in Rwanda* (Kampala: Fountain Publishers, 2001); Howard Adelman and Astri Suhrke, eds., *The Path of a Genocide: The Rwanda Crisis from Uganda to Zaire* (London: Transaction Publishers, 2000); Gérard Prunier, *The Rwanda Crisis, 1959-1994: A History of a Genocide*, 2nd edition, (Kampala: Broadview Press, 1998); Helen M. Hintjens, "Explaining the 1994 genocide in Rwanda", *The Journal of Modern African Studies* 37, no. 2 (1999): 241-286; Peter Uvin, *Aiding Violence: The Development Enterprise in Rwanda* (West Hartford, CT: Kumarian, 1998). See also Michelle Brazier, "Domestic Politics in an International Sphere: Constraints on US Policy during the 1994 Rwandan Genocide", in this volume.
10. *Akazu* translates from Kinyarwanda as 'little hut' and it refers to the inner circle of Hutu political and economic power that orchestrated the genocide.
 11. United States Agency for International Development, "Rwanda Integrated Civil Society Strengthening Project (ICSSOP): Scope of Work", *Rwanda Country Office, Democracy and Governance Office*, (Kigali: USAID, 2001); United States Agency for International Development, "Rwanda Integrated Strategic Plan Through FY 2006 (revised)," *Rwanda Country Office* (Kigali: USAID, 2001); Department for International Development, "Rwanda Country Assistance Plan", <http://www.dfid.gov.uk>, (accessed June 19, 2003). See also, Jean-Paul Kimonyo, Noël Twagiramungu and Christopher Kayumba, *Supporting the Post-Genocide Transition in Rwanda: The Role of the International Community* (The Hague: Clingendael Conflict Research Unit, 2005); Contrast the critical literature, e.g.,: Filip Reyntjens, "Rwanda, Ten Years On: From Genocide to Dictatorship" *African Affairs* 103 (2004): 177-210; International Crisis Group, *Rwanda at the End of the Transition: A Necessary Political Liberalisation* (Nairobi and Brussels: ICG, 2002).
 12. DFID, op. cit.
 13. A cross-section of the literature: Human Rights Watch, *Struggling to Survive: Barriers to Justice for Rape Victims in*

Rwanda (New York: HRW, 2004); Elizabeth Powley, *Strengthening Governance: The Role of Women in Rwanda's Transition* (Boston: Women Waging Peace Policy Commission, 2003); Erin K. Baines, "Rwanda and the Politics of the Body" *Third World Quarterly* 24, no. 3 (2003): 479-493; Catharine Newbury and Hannah Baldwin, *Aftermath: Women in Postgenocide Rwanda* (Washington, DC: USAID, Department of Information and Evaluation, 2001); "Statement by H.E. Paul Kagame, President of the Republic of Rwanda: Rural Women, Crucial Parents in the Fight Against Hunger and Poverty" http://www.rwanda1.com/government/president/speeches/2001/06_13_02_women.html (accessed July 10, 2004).

14. For example, LIPRODHOR, a Rwandan human rights organization, was shut down forcibly by the government in January 2005, with its personnel forced into exile, fearing for their personal safety and that of their families. One participant of the Kigali workshop in February 2004 was one of those forced into exile. See, Amnesty International, "Rwanda: Human Rights Organization Forced to Close", <http://www.amnesty.org.uk/news/press/15858.shtml> (accessed February 9, 2005).
15. Translates as "The Opportunities and Constraints Associated with the Civilian Security Dialogue in the Democratic Republic of the Congo: The Role of Academics and NGO Leaders".
16. Translates as "The Role of Civil Society and MONUC in Enhancing the Security of Local Populations in Wartime".
17. Translates as "A Thousand Liberties: The Audio-Visual Press, Occupation Forces and the Security Apparatus in Kisangani (D.R. Congo)".

**Part I: Memorializing Rwanda
Ten Years On**

The Rwandan Genocide: Memory Is Not Enough¹

Gareth Evans and Stephen Ellis
International Crisis Group

Abstract: *This reprinted web article calls for something more than memory if another catastrophic genocide like Rwanda is ‘never again’ to happen. A critical element to account for genocide is justice for all, not merely - as in the case of Rwanda - a one-sided victor’s justice. The international community must be prepared to intervene in African conflicts, particularly where the state is unable or unwilling to protect its own people. Evans and Ellis set out the possibility of UN reform and actions the international community should take to ‘never again’ allow genocide to occur.*

Résumé: *Cet article Internet réimprimé réclame plus que le souvenir afin d’éviter qu’un autre génocide aussi catastrophique que celui du Rwanda ne se produise. Un élément critique pour expliquer un génocide est la justice pour tous, et non simplement, comme dans le cas du Rwanda, une unique justice pour les vainqueurs. La communauté internationale doit être prête à intervenir dans les conflits africains, en particulier là où l’État est incapable ou peu disposé à protéger son peuple. Evans et Ellis présentent la possibilité de réforme de l’ONU et les mesures qui peuvent être prises par la communauté internationale afin de ne plus jamais permettre à un génocide de se produire.*

....

This week ten years ago the Rwandan slaughter began. In just three months, between April and June 1994, while the world

stood by and watched, nearly 800,000 Tutsis and tens of thousands of Hutus, who were opposed to the government, were exterminated in a genocide. The genocide was carried out by soldiers from the Rwandan Armed Forces (RAF) and the *Interahamwe* militia, the operation organized by the political, military and administrative wings of the regime of Juvénal Habyarimana.

It is time this week to remember all of this. And to say once more, as innumerable commentators will, ‘never again’. But these are the same words we uttered after the Holocaust and after the Cambodian genocide in the 1970s. And, barely a year following Rwanda, after the genocidal massacre at Srebrenica. Each time such an atrocity happens, we look back wondering – with varying degrees of incomprehension, horror, anger and shame – how we could have let it all happen. And then we let it happen, all over again.

Something more than memory is needed if another catastrophic genocide is not to happen, sooner or later, somewhere in the world. The agenda is not a short one, nor easy to deliver: but every element is crucial. We have to pay constant attention to high-risk situations; do everything possible to heal the wounds of societies already torn apart; reach agreement in advance on the principles that should govern intervention in the future; have the political commitment to act if circumstances cry out for it; and have available the necessary resources to make that commitment effective.

The need for vigilance is nowhere greater than in Africa, where a genocidal ideology is far from dead, particularly in Central Africa. It is still propagated in the Congo, notably in the district of Ituri, where the Hema and Lendu communities have engaged in a disastrous mutual extermination reminiscent of Rwanda, for the last three years. Comparable bouts of ethnic cleansing have disfigured Congo-Brazzaville, and the disease seems to be catching further afield, not least in the Sudan, with the ugly attacks in

Darfur, and in Cote d'Ivoire, where the situation has deteriorated alarmingly in the last month.

The 1994 Rwandan genocide was not the first in the Great Lakes region. Twenty-two years earlier, from April to August 1972, more than 200,000 Hutus in Burundi, including just about anyone with a secondary education, were exterminated by an army composed overwhelmingly of Tutsis, following a failed insurrection. These events are today largely forgotten by the outside world, but they mark the start of an era of selective genocide. And they remind us that the genocidal spirit is neither the prerogative of rural Hutus, who constitute 85 per cent of the populations of Rwanda and Burundi, nor are they a phenomenon isolated in time and place, unlikely to be reproduced in the neighbouring Congo or in other African countries.

One of the reasons that the fear of mutual extermination has remained so strong in the region is the belief that not only will the international community not care enough to intervene to stop genocidal killing, but it will not support effective remedial efforts after the event. African regimes that are friends of Western countries have continued to enjoy impunity. The lack of apparent concern for crimes committed between 1994 and 1996 in Rwanda, between 1996 and 1998 in Congo, and between 1993 and 2003 in Burundi, has not helped to dispel the ideology that makes the extermination of others the condition for self-survival.

One cannot realistically expect the victors in bloody civil wars to judge themselves, but as long as the neo-traditional justice policy of 'gacaca' in Rwanda, or the processes of the International Criminal Tribunal process of Arusha remain one-sided, giving all the appearance of victor's justice, Rwandan reconciliation will remain dangerously incomplete. In Burundi, as long as an accounting for crimes committed since independence is no part of the transition, the prospect of seeing the criminals elected and taken back into power will continue to generate rebellion.

Looking to the future, the first need is for the international

community to be better prepared to deal with these situations as they reach explosion point. Part of the answer is to get past the mindset – understandably common in a world where so many have had to fight so hard to escape from colonialism – that resists any kind of intervention in a State’s internal affairs. But state sovereignty is not a license to kill. It carries with it the responsibility to protect one’s own people. And when that responsibility is wilfully abdicated, or is beyond the capacity of the state to exercise, it yields to the wider responsibility of the international community.

The threshold for military intervention must also be high: large-scale loss of life, actual or apprehended; or large scale ethnic cleansing, actual or apprehended, pursued by forced expulsion or other means. And it must always be carried out in a principled way, having regard always to prudential criteria of right intention, last resort, proportional means and reasonable prospect of the benefit of an intervention clearly outweighing its harm.

To focus the ‘humanitarian intervention’ debate on the ‘right to intervene’ is to guarantee continuing controversy about whether there can ever be such a right: to shift the perspective to that of the victim, and argue for a ‘responsibility to protect’, is to create the possibility for genuine consensus. That may prove to be the most enduring contribution of the Canadian government-sponsored International Commission on Intervention and State Sovereignty (ICISS), whose 2001 report, *The Responsibility to Protect*, has been quietly but steadily gaining momentum.

The critical question remains, nonetheless, whether there will be sufficient political commitment to act if – or more likely when – the world is faced with another Rwanda. While pessimists say that nothing has fundamentally changed, and policy makers will always find reasons to avoid doing what they don’t want to do, optimists say there is so much early warning and campaign capacity now around – not least with the emergence to prominence of organizations like the International Crisis Group – that it is

unthinkable that conscience-shocking neglect could again prevail on this scale.

But even optimists, as we both are, have to contend with the reality that there is a lamentable lack of international military capacity presently available to deploy in these situations. UN Secretary General Kofi Annan has worked hard to reform the way the UN does peacekeeping: adding headquarters capacity, setting up standby arrangement to speed up deployment, and working to ensure adequate troops are deployed. Yet, member states are not doing their part. The disasters of peacekeeping in the 1990s taught the UN it could not fight a war or do enforcement operations; only capable states, or coalitions of capable states can do so. As Africa lacks such a deployment force, enforcement actions now fall to the US and Europe, as occurred when the UK sent troops to Sierra Leone, the French to Ivory Coast, and the US reluctantly sent a small contingent to Liberia.

There are some signs of progress. For instance, when the UN's mission in the Congo faced massacres in the eastern town of Ituri in May 2003, France took the lead in an international response by organizing 'Operation Artemis'. This intervention secured the town and the airport in Bunia for three months, waiting for the deployment of a UN peacekeeping force. Supported logistically by other EU countries, the Operation Artemis force almost certainly prevented a genocide in Ituri. It also proved that a successful external intervention was possible outside the defense structures of NATO, through the putting in place of the operational structures of a common defense and common security policy.

Since then, however, the psychological and political benefits of this operation have been undercut by the lack of capacity of the UN mission which, despite its combat helicopters and its three well-armed infantry battalions, is incapable of facing repeated attacks by Ituri militia, and even less to disarm them. Although 150,000 troops can be found for Iraq, and a presence of

10,000 are maintained in Bosnia nine years after the ceasefire, it seems beyond the resources of the whole international community to put more than 10,000 troops into a Congo the size of continental Europe.

The dilemma of peace enforcement operations in sub-Saharan Africa – where the major Western powers generally have the capacity but rarely the will, and the converse is the case within the region – can only be resolved by a serious international effort to build highly trained, readily deployable local capacity. The EU made a big start in this respect by pledging USD300 million in February 2004 to build five regional brigades (of 2,000-3,000 troops each), with country battalions led by multinational headquarters: to be ready for traditional ceasefire-monitoring type peacekeeping by 2005, and more complex peace enforcement operations by 2010.

But 2010 is a long time to wait for a capacity that could be needed much sooner. It would help enormously if this program could be accelerated, in particular by a significant contribution by the US – which is presently contributing to a similar program it initiated in 1996 of around USD15 million (out of a defence budget of some USD400 billion).

A lot of countries have Rwanda on their consciences. The way to erase the stain is not through memorial services, but effective action.

Notes

1. This is a reprint of a web article that appeared on 7 April 1994: International Crisis Group, “The Rwandan Genocide: Memory is not Enough,” International Crisis Group, <http://www.intl-crisis-group.org> (accessed April 9, 2004). It has been edited for publication in *International Insights*.

Commemorating the Unthinkable

Robert F. Barsky, Vanderbilt University, USA
Mugarura Gahutu Aimable, Université Nationale du Rwanda

Abstract: *Mugarura Gahutu Aimable and Robert Barsky met in London, Ontario, where they worked together as colleagues and friends before traveling together in Rwanda in the summer of 2001. In the course of their travels in the country they stopped at the Murambi Genocide site. Barsky, a Canadian-born professor who was visiting Africa for the first time, and Aimable, who had lived in Rwanda most of his life, including during the Rwandan Genocide, which he survived holed up in the Red Cross building in Kigali. The result is a dialogue about the very same experience from two very different perspectives and in two languages (Barsky English, Aimable French), in which no effort can be made at synthesis or, in light of the horror described, true understanding.*

Résumé : *Mugarura Gahutu Aimable et Robert Barsky se sont rencontrés à London, Ontario où ils ont travaillé ensemble en tant que collègues et amis. Ils ont ensuite voyagé au Rwanda durant l'été 2001. C'est lors de ce voyage qu'ils ont visité le site du génocide rwandais de Murambi – Robert Barsky, un professeur de souche canadienne qui mettait les pieds en Afrique pour la première fois, et Aimable qui a vécu au Rwanda presque toute sa vie, pendant le génocide rwandais de surcroît, qu'il a survécu en se terrant dans l'édifice de la Croix-Rouge à Kigali. Le résultat de cette visite est le dialogue d'une même expérience qui a donné lieu à deux perspectives fort divergentes et dans deux langues (Barsky en anglais, Aimable en français), qui n'exigent, néanmoins, aucun effort de synthèse, ni de compréhension, l'horreur décrite étant très évocatrice.*

Robert Barsky: What remains in my memory of the genocide site is the sound of the heavy door, first as the wiry, worn-out survivor coaxed it with his feeble arms to groan and creak its way open, and then – as though in reaction to the views of horror that it revealed – as he heaved it shut, leaving in the wake of the collision of metal door to metal frame, a resonating high-pitched shriek, a clang that resonates and disturbs.

Gahutu Aimable : *Nous voulions vivre l'expérience d'une descente sur un site du génocide dans des conditions non officielles, du moins, différentes d'une manifestation de commémoration, par exemple –on excusera le paradoxe de notre démarche : un article dédié à la commémoration du génocide qui préfère à la commémoration officielle, la quotidienneté du site. Dans ce genre de contexte où tout a été prévu par le protocole, il y a une réalité importante qui échappe à l'observateur. Et la force est de constater que l'opinion est presque exclusivement alimentée par les reportages issus des cadres formels. C'est là l'intérêt de notre démarche, rendre compte de la vie et des activités d'un site du génocide tel qu'elles sont vécues au jour le jour. Ce contact particulier va soulever un certain nombre d'interrogations et des réflexions sur le discours et la réalité du génocide rwandais.*

The main road in Butare is awash in aid vehicles and streams of people. This flow begins early in the day, when the wives of those accused of genocide carry fruit and vegetables to inmates. Sometimes their journey is for naught, since an estimated 1,100 prisoners die per year, victims not of judicial process but of disease and mistreatment in overcrowded jails. The activity continues through the day, and then slows to a trickle on account of the peril of traveling in obscurity upon roads of uncertain footing, geographical and mental. Our own journey upon this road began alongside those prisoner's wives, but continued past the prison, all the way to Gikongoro, in Southwest Rwanda. Our old automobile grunted, apparently as unwilling as most Rwandan citizens to make this trip. I thought that my friend Aimable would

know the road to the *Murambi* Genocide site, for he, as everyone I met, seemed to recognize every Rwandan village, mountain, banana grove, and house. But this time, he was lost even before arriving in the vicinity of the site, so veered off track and towards a nearby village, to seek guidance.

À partir de la petite ville locale Gikongoro, l'on suit une piste qui se fraie tant bien que mal le passage à travers les montagnes imposantes qui environnent le site, une piste qui va nous faire revisiter dans toute son horreur la violence inouïe du génocide. Le Rwanda est confronté dès les premières semaines après le génocide à une opinion négationniste qui prétend que le génocide est pure fiction. Il faut alors du concret, du palpable et du mesurable. Les missions médico-légistes onusiennes débarquent au Rwanda pour faire les autopsies des corps. Les charniers sont ouverts et les corps exhumés à longueur de journée. C'est de là qu'est venue l'idée des sites du génocide: vous voulez voir des corps pour croire au génocide? Et bien, je vous en mets plein la vue ... Une seule visite d'un site suffit. Face à tous ces squelettes aux crânes fendus par un coup de machette, on ne peut s'empêcher de penser à ces personnes tuées gratuitement.

I was used to being the subject of the general and particular gaze wherever I went in the country, and accustomed to watching the congregation of people whenever we would stop the car, in part because I was never going anywhere in particular. This time, we were both in an anxious search, so Aimable pulled, rolled his window down, and addressed a crowd of teenaged kids. After a few sentences in his native Kinyarwanda, he then turned backwards in his seat to open the door to a boy of around thirteen years, somber and fixed in his gaze. "This is our guide," said Aimable. "I don't know the way to the site." I settled back in my seat, and awaited the inevitable with trepidation. I knew very little about these 'sites,' although everyone I'd asked had urged me to visit them. It would appear that the commemoration was, in their eyes, directed to me rather than to Rwandans, for whom it

represented versions of slammed doors, carved and not etched into their memories, just as the bodies they recall of the murderous spring and summer of 1994 were carved with machete blades, shattered with blunt objects, or pierced with well-aimed bullets, their lives and those of all their loved ones slammed shut.

Plusieurs voix s'accordent autour du conflit créé par l'institution des sites. Liaison Rwanda rapporte que la création des sites elle-même débouche sur une contradiction qui heurte les valeurs culturelles rwandaises selon lesquelles le respect des morts veut qu'ils aient une sépulture. Et dans ces conditions, l'enterrement est la condition nécessaire du deuil. Toutefois, d'un autre côté, il y a la nécessité du souvenir. Le Rwanda se trouve dès lors confronté à un dilemme.

My vision of the horrors occurred in June, several months before New York City rescue teams were hastened to the site of the World Trade Centre and, in the case of so many, to their deaths. And it was even longer before the commemorations which occupy so many spaces in America, including electronic fields of waving flags that have come to banner so many website pages. This is the technological version, the modern approach to charred bodies.

World Trade Center, le 11 septembre 2001. L'horreur humaine se déchaîne sur un lieu et à un moment inattendus, faisant des milliers de morts en un laps de temps. C'est le moment de parler de « l'apocalypse » que nous appelons ici « l'impensable

». Par ailleurs, l'effet de surprise et le caractère spectaculaire de l'attentat laissent un sentiment d'incrédulité chez les survivants qui réalisent mal s'ils se sont mal réveillés d'un mauvais rêve. À la différence des sinistrés d'une catastrophe naturelle, le travail du deuil sera fatalement retardé chez les New-Yorkais qui, dans la représentation qu'ils se font de leur malheur, restent à cheval sur la réalité et la fiction des avions qui s'abattent sur les tours. Le spectacle fictif des attentats qui visent les grands symboles de la fierté américaine leur est, en effet, quotidien au cinéma. Et dernièrement, la Maison Blanche en a rajouté en commandant à Hollywood des films qui mettent en scène le terrorisme moderne tournant ainsi la page du Viêt-Nam.

In my North American imagination, little-fed by facts on account of the reluctance of the Rwandans and Burundians who had urged me to visit these sites, I had pre-constructed images what Rwandan and international officials would do to mark the places of a million deaths. I rehearsed images of somber crowds, imagining them as carefully arranged to commemorate and recall the murderous frenzy. I hoped that there would be explanations, texts to draw my eyes from the cadavers, places to sit and to reflect, and discussions, somewhere, somehow, of what could be done to save the population from future ravage. After all, if the country didn't have resources to set up refugee camps, to feed prisoners of war, to take care of orphans, at least the 4x4-wielding international organizations did.

Le Rwanda, volontiers traditionnel, discret et digne. La dignité et la discrétion des rwandais sont légendaires. Les deux qualités ne font d'ailleurs qu'une dans leur mentalité. Manquer de discrétion revient à manquer de dignité. Dans les valeurs culturelles rwandaises, c'est une grande qualité que de ne pas laisser transparaître ses sentiments. Il est, par exemple, interdit

aux hommes de pleurer leurs morts. Seuls les femmes et les enfants ont ce privilège. Et curieusement, cette société censée être discrète montre aujourd'hui ses morts avec ostentation. Paradoxe intéressant qui est néanmoins la preuve supplémentaire que le caractère inouï du génocide a renversé les valeurs et les repères dans le Pays des Mille Collines.

We bounced and rolled along the road towards our destination, aided by the words of our guide in the backseat, and the occasional hand-painted sign on the side of the road. We finally found ourselves in a secluded area, and heading towards a large and rather eerie field, strangely vacant, which was bounded on the far end by a large and heavily-damaged structure; a mere skeleton of a building, with walls erased by some untold force. We stopped only a few meters from this three storied ruin. This was it.

Et soudainement, le site est là. Il n'a pas été annoncé par quelque écriteau, mais par ses senteurs pestilentielles de plus en plus persistantes à mesure que l'on s'approche des lieux. Le cadre est d'abord celui d'une école impersonnelle, plutôt banale. À une exception près cependant : un silence sinistre plane sur les lieux. Les seules âmes qui vivent sont deux gardes, fusil en bandoulière, un groupe de femmes qui travaillent sous les ordres brefs d'un homme. Tout cela met la puce à l'oreille.

It was a beautiful day. I arose from the car's passenger seat, fearful of Aimable's reaction. Always calm, smiling, even jovial, in the way that Rwandans usually are with one another, he now looked dimmed by a scene which was marked by signs which, like so much else in this country, were entirely incomprehensible. It was dead quiet. The scenery, if we had been in Northwestern Italy in those hilly fields surrounding Florence, could have been described as 'typical in its softness and subtle lushness.' But it was for me a setting and not an objective in its own right, so I barely took it in; and neither did I look too carefully for other structures, for I was fearful of what awaited us.

Derrière le recours à la fiction pour prévenir et combattre le terrorisme (propagande idéologique classique) se lit en filigrane une forme de deuil qui use du modèle symbolique. Les psychanalystes sont unanimes à reconnaître que parler de son problème est une thérapie. Dans le même ordre d'idées, l'Amérique exorcise la mort en écrivant, en pensant à la mort. Il est frappant de voir combien les médias ont très peu montré les corps des victimes. Les corps ont été enterrés assez rapidement et pour leur mémoire, il a été construit un monument gravé des noms des victimes.

Other than the sights and sounds of Rwanda – in its villages and cities alive and bustling, colorful and gay – the only images I have to go on, this time etched in mind, as photos are meant to do, was of the 1994 genocide itself: bodies piled on high.

Les pratiques de deuil: exposition indécente des cadavres au Rwanda versus la discrétion américaine au sujet de leurs morts (chiffres qui ont tendances à être minimisés quand certains parlent de gonflage des chiffres au Rwanda). Discrétion médiatique aussi, les photos des victimes aux EU sont extrêmement rares. Une liste sur une pierre monument et c'est tout! Vite fait! Un peu comme si l'Amérique cherchait à cacher sa blessure.

Three figures suddenly appeared, as though we had upset the balance of skeletal structure whose very flesh gave reason for habitation of a few desperate souls, causing them to come and seek out the cause of unexpected ruckus: an older, balding man, a young boy, and a soldier, quiet, dressed in blue uniform, young but strangely un-youthful. Kirundi was spoken as the three approached, and our young guide emerged from the car, not to join the ensuing conversation, but to linger behind my friend, who looked grim. "They will take us there," I was finally told, and we began to walk away from our car, the last of recognizable civilization to my foreign eyes. What seemed off-putting about the scenery slowly came into focus. In the absence of clear commemoration of anything, my eyes scanned the scene that surrounded

me. I thought to look around, in search of some understanding what form the unexpected would take, but I remained irresolutely disconcerted, for no clear reason. Then it came to me; there was nothing. That was it. Rwanda is very small, so even fields or pathways in remote parts of the country yield up views of villages, hamlets, groups of workers or farmers engaged in the field's chores. Rwanda is also very poor, so many spaces are occupied by people simply sitting and staring forth, awaiting, it seemed, a meal, a conversation, an event. Here, there was no life. We approached the structure visible from afar, and then walked around it towards what looked to be the foundation for some new construction, cement rectangles upon cleared ground, symmetrical and new. We stopped, and Aimable listened intently as the older, balding man spoke, gesticulating with wiry fingers, smoking incessantly. I walked along in train, and then obediently stopped to stare in the direction indicated by my guides' collective gaze. The older, bald man was speaking continuously now. He never spoke in French, as people sometimes did in places I'd been visiting throughout the country, so I depended as so often upon Aimable's translations. But in this place he was mostly silent, and when he spoke, he replied in Kinyarwanda, directing all of his attention to the older man. Finally, he turned to me: "This man is our guide. His name is Murangira Emmanuel.¹ He is going to show us what they have done," he said as he directed me to the concrete rectangles. I had trouble moving forward. A wall was slowly coming clear, and then vividly so. It was not made of bricks or cement, yet it was impenetrable. This was a wall of one sense – smell – and in its acrid and sour effect, it made the scene frightening and more incomprehensible. Decorum silenced my questions, and the fear I'd felt when we first approached this place returned.

De plus près, le site se révèle dans toute son horreur : les femmes, deux par deux, transportent sur des brancards de fortune (les toiles 'sheeting' avec logo HCR) les restes humains qu'elles balancent sans état d'âme apparent dans les fosses à

moitié remplies. Tandis qu'en un mouvement balancé, imprimé au brancard, les ossements en décomposition avancée sont jetés dans les fosses, la forte brise de la montagne rabat sur nous toutes ces émanations poussiéreuses comme pour nous imprégner symboliquement de la tragédie de Murambi. Nous en avons plein dans la bouche et les yeux. Nos vêtements sentaient toujours la charogne après plusieurs heures. Les morts de Murambi prirent possession de nos êtres et en manière de signes du sortilège subi, une heure après avoir quitté le site, je perdis la voix quand Robert eut l'oeil infecté, qui pleura pendant quelques jours. En tout cas, l'expérience du site est profondément initiatrice OU incitante. Il sème le doute aussi en nous même : on se demande si le mot « humanité » veut encore dire quelque chose devant cette horreur primaire. Mais aussi de façon paradoxale, la visite du site est une expérience cathartique dans la mesure ou quiconque fait la décente sur le site quitte les lieux persuadés qu'il est temps que le monde change.

I realized that not far off stood several women, dressed as women are in villages, and engaged as they might be in fields. But they weren't moving, just staring in my direction, close enough almost to touch one another, but somehow isolated, images against the backdrop of the lush countryside, beyond the wall of this acrid smell. "You can approach," said my friend, offering permission to view what clearly was a horror for which I was unprepared, but about which I still knew nothing. I walked towards the concrete rectangles, seeking to be respectful but knowing none of the codes to make me so, and wondering how they seemed to know what they might be. Something inside of me resisted the idea that it could be as raw as this, that there would be no symbolic mediation between horror and reality.

À un autre niveau, il apparaît que la mémoire des victimes, et leur deuil donc, résiste au symbolique. Les traditions rwandaises prévoient plusieurs pratiques symboliques en vue d'immortaliser un disparu de grande valeur, comme planter un

arbre-souvenir qui a valeur de monument vivant. Mais force est de constater que rien de tout ceci n'a été envisagé. Le souvenir du génocide reste résolument accroché au concret, ce qui pourrait être interprété comme un refus, ou du moins un « différend » du deuil. Il faut signaler cependant une timide incursion du symbolique dans la mémoire du génocide dès les années 2000 avec le projet « Écrire par devoir de mémoire » initié par l'association Fest'Africa de Lille. Grâce à cette initiative, une dizaine de créations artistiques sur le génocide des Tutsis ont vu le jour.

The smell of decay was an increasing obstacle to my forward movement, but I forced myself close and peered into what turned out to be a deep pit. And so it was, here, a 'resting place', as Aimable was to call it later on as we tried to piece together sense from images, cause from effect. This was the final destination for lives once flesh and smiles and laughter, now piles and piles of human bones, hundreds, even in the single pit into which I stared, in every contorted position one could see, or imagine. I drew back, and looked again around me. This was one of several pits. Aimable approached, and looked down, and then back. We both backed off, and joined the living who, staring forth, didn't seem to be looking at us, but far away somewhere, to the fields, to the women in the distance who were now approaching.

D'après les informations récoltées sur le site même, l'exhumation des corps et leur transport jusqu'au site est assuré par des salariés journaliers. Cette pratique est nouvelle puisque l'on était habitué au fait que ces activités soient l'affaire des familles ou de toute la communauté locale. Pratique émotionnellement, socialement et culturellement utile. Or, que dire du travail sur les sites qui fait appel aux salariés sans moyens matériels, sans équipement minimum nécessaire, ni formation adéquate? Le contraste est grand avec les médecins-légistes onusiens qui ont commencé le travail.

“Thirty thousand people were rounded up and murdered

here,” Aimable told me. “This site is to honor their memory, give them a proper burial.” Silence. Smell. Bright sunshine. I asked if I could take a photograph. It seemed as though it was the only possible gesture, and yet by its crassness the least appropriate act one might imagine. “Murangira encourages you to do so,” said Aimable, motioning to the old man. I had found an action to commit, and did so without any sense of understanding its significance, except for my own recollections in a distance unforeseen.

Le Rwanda n’a pas encore enterré tous les corps du génocide d’il y a dix ans. De nombreux corps ont été laissés dans les conditions où la mort les a surpris, par devoir de mémoire. Les restes de victimes jonchent ainsi les planchers des églises, des écoles ... qui ont été proclamées sites officiels du génocide.

As I took the photos of the decaying bodies, the women approached. I studied them now, and saw that in pairs they were in fact engaged in action, carrying stretchers, blue and plastic. Upon each seemed litter of sorts, pieces of what seemed cement, perhaps carried from the construction of a place more worthy. They came closer, and my mind forced upon itself the link between the skulls, arms, legs, ribs in those pits, and the contents of the stretchers. They were transporting bodies to expose them in the technical school and in the pits dug out for this purpose.

Pourtant, exposer les corps est une pratique qui pêche contre les valeurs culturelles rwandaises. La tradition veut qu’un mort ait une sépulture digne, faute de quoi son esprit ne peut reposer en paix. Les croyances animistes qui sont très répandues au Rwanda prétendent, en effet, qu’un mort sans sépulture revient constamment hanter les vivants. Son esprit est alors appelé « revenant ». D’où viendrait alors cette légitimité qu’affiche le Rwanda en passant outre que par le sens commun?

“They are still digging them up,” said Aimable without having first asked his guides. He had known much more than I as we approached. Then, as if to reflect upon its significance, he added: “Six years later.” Some of them, as it turned out, were rather

'fresh', Tutsi reprisals for what had happened here, a genocide for which the site shows not an end, but a landmark for continuation. Four years later, on the tenth anniversary of the beginning of the genocide, continuation remains the central theme. Ildephonse Karengera, the country's director of memorials is cited in the *New York Times* as saying that "Everybody wants a memorial. But the whole country can't be covered with memorials. We're a small country. We can't live with that kind of chaos."²

Selon toute évidence, la tâche devient, ici plus qu'ailleurs, une sorte de corvée, de besogne dont il faut s'acquitter rapidement. Cette attitude était particulièrement sensible sur la façon dont les corps étaient jetés dans les fosses sans ménagement aucun. La « gravité » est la seule attitude qui sied face à un/la mort. L'attitude contraire est synonyme de barbarie, de profanation. Respecter la mémoire des disparus c'est aussi entourer leurs restes de dignité. Voilà une bonne cause qui appelle les travaux communautaires qui s'orientent aujourd'hui presque exclusivement vers les activités d'assainissement de l'environnement. Cette forme d'organisation changerait sensiblement l'esprit et le rythme des travaux sur les sites, puisqu'elle mobiliserait toute la population locale sous la supervision de l'administration locale et la responsabilité des techniciens compétents bien sûr. Sans quoi, le sentiment que les sites du génocide sont laissés pour compte ne fera que continuer de grandir.

The women came closer, and I realized that they were struggling painfully with the load of humans that was now their cargo. I took a photograph. Closer still, I could make out their exhaustion, sweat trickling quietly down their faces. The one most tired, she who was closest to me, at perhaps two meters, grew unsteady in her footing. I absorbed in her eyes exhaustion, and stood in disbelief as she clamored closer and closer. She approached one of the pits, her compatriot seeming to bear the burden of the stretchers weight. Then, within a few feet of the pit, suddenly, and with



but the warning of exhausted eyes, the unsteady partner of deathly transport let slip the stretcher and, by the force of the gesture, dropped her end. By the force of the blow, her helper dropped her end too, and to the ground slammed, visible now, several bodies, decomposed. In their wake, a dull thud, and a great puff of body smoke exploded into the clear, crisp air. I recoiled, and looked to Aimable for an action. He faltered, his hands to his face, as the cloud of dust approached us, engulfed us, and suddenly we were breathing the bodies of the death surrounding us upon all sides, below us, in these gruesome pits.

Le Rwanda semble donner à entièrement à l'« idéologie du ressentiment », toutes proportions gardées bien-sûr! Mais au fond, c'est bien ce dont il s'agit quand le deuil est prolongé indéfiniment : nous sommes le peuple le plus malheureux de la planète et nous méritons à ce titre beaucoup d'égards de la part de la communauté internationale qui est tout autant responsable du génocide.

One effect of equipment, no matter how useless, is the consolation that it brings; when on September 11th the city wailed with sirens, the wailing of victims and observers was at least given



comfort, if only in the thought that they were not alone. Firemen can do little in the face of collapsing buildings except follow the paths of the screaming to point to, or carve out, other pathways of escape. But their fire-resistant clothing, their heavy tools, their boat-shaped hats, their special badges, brought wells of tears to desperate people in New York City and Washington DC, producing in them a sense of optimism that comes with the knowledge that civilization is out there, somewhere, and would run with near-reckless determination to the sight and sounds of a 9/11 in New York City.

Ces deux exemples, les États-Unis et le Rwanda, laissent éclater de grands contrastes et à plusieurs niveaux : d'une part, la première puissance financière et militaire du monde qui jouit des bienfaits du développement et des progrès de la science, de la technologie et des communications; d'autre part, un petit pays sans autre ressource que celui d'être surpeuplé et luttant pour sa survie.

Rwanda is seldom a place of equipment or civilization-forged solace, and the genocide site is no exception. The women who spend their days in the harvest of evil wear traditional clothing,



unusual only in the plastic bag that is tied around their wrist to protect their hands from who-knows-what. Their lungs breathe the air of decimation, day after day; and their eyes suffer the infection of a civilization turned treacherous. If Murambi is the commemoration to prevent inaction, why was it so silent? And if Murambi is the Rwandan version of a commemoration, a place for the citizens of this torn country, why does it feel imposed rather than spontaneous, and how could it be effective to its purpose if it remains so separate from the people it is supposed to touch?

Depuis le génocide de 1994, les femmes en pris leur sort en main. La plupart sont aujourd'hui veuves et elles doivent subvenir elles-mêmes à leurs besoins. On les voit sur les chantiers de construction faire les aide-maçons et dans d'autres métiers où leur présence était jusque là tabou. Cependant, dès qu'on les voit exhumer et transporter les cadavres en décomposition dans des conditions hygiéniques minimales, il y a un sentiment de malaise, surtout quand on connaît la réalité culturelle rwandaise. Pourquoi la main d'oeuvre est-elle constituée exclusivement de femmes sur le site de Murambi? Depuis quand la femme a-t-elle hérité dans



cette société du statut de croque-mort ou de fossoyeur? Est-ce une concession au niveau de la parité des genres ou plutôt, les hommes ne veulent-ils pas de ce travail « avilissant », rémunéré de surcroît à moins d'un dollar par jour? Tout porte à croire en tout cas qu'elles n'ont guère de choix et que l'institution profite ainsi de leur misère (une main d'oeuvre bon marché) au risque de fragiliser leur santé mentale déjà précaire. N'oublions pas que beaucoup d'entre-elles sont des veuves du génocide. Ces femmes sont donc blessées pour la seconde fois.

I looked to Aimable's gaze to find some signpost of sanity, and saw him staring back. "He will bring us to see the bodies," he said quietly. By now I couldn't imagine what such an utterance could mean. We walked as if in a sickened daze to the long, low building which lay beyond the multi-storied ruin, and our guide stopped before one of the great, steel doors. "Murangira is the only one who survived the slaughter," said Aimable to the silence. "He was left for dead." I took a picture of him standing in front of the door. "He was shot, but survived." Emmanuel Murangira removed his hat, revealing a cavernous hole. I took another picture, cringing behind the technology of the camera,



some solace.

C'est le guide-conservateur du site qui nous a donné toutes ces informations. Ex-planton dans les bureaux de l'administration locale, il est lui-même rescapé du même site. Il enlève sa casquette « Puma » pour montrer un énorme trou dans la tempe. À la question de l'effet que cela lui fait de travailler sur le site où il a failli perdre sa propre vie, il répond: « Je devrais être avec eux et j'ai eu la chance d'en réchapper. C'est un devoir pour moi de m'occuper d'eux. Parmi ces corps, il y a ceux de ma famille et de mes amis. Ce sont mes morts et ma place est à côté d'eux ».

Murangira then heaved open the door of what was to be classrooms in a technical school, which was nearing completion in 1994 when the violence broke out. In the place of students were long benches covered with whole bodies, reduced to the skulls and yet somehow still in possession of expressions of horror. We went from one classroom to the next, terrified at the thought of another door to open, uncertain of how to act. But here there had been no law, and today, almost ten years later, there is still no law, only prisons filled with living corpses, genocide sites awash in those decaying.

Dès qu'on risque un regard dans les salles de classe, le spectacle est aux limites de l'insoutenable. Les salles sont peuplées de squelettes de toutes tailles, badigeonnés à la chaux, à peu près bien conservés. Les corps sont exposés sur les attelages de fortune encore une fois. C'est à titre provisoire, nous dit-on, puisque les corps seront déplacés sous peu, puisqu'on prévoit que l'école ouvrira bientôt ses portes aux élèves... Tout cela est de la dimension d'un cauchemar, d'un film d'horreur... mais c'est réalité pure, hélas.

Murangira slammed the final door, we signed the register, and in shriek-filled silence drove back to Butare.

Le récit est celui-ci : 45,000 personnes, hommes, femmes et enfants, s'étaient réfugiées dans cette école en construction. Les miliciens interahamwe ont cerné l'école. Puis, ils ont coupé l'eau et affamé les occupants. Quand ceux-ci furent suffisamment affaiblis, l'assaut fut donné avec des mitraillettes, des grenades, des machettes, et des gourdins à clous. Tous les charniers n'ont pas encore été retrouvés. Les corps posés sur les planches dans les sales de classe aux fenêtres non fermées (sans vitres) viennent du charnier exhumé en 1998. Son sol argileux a bien conservé les corps des victimes. Les mauvaises conditions de conservation font toutefois que la détérioration se poursuit.

These, then, are what we call commemorations, and therein lie the bodies, either hacked or shot or, in the case of the World Trade Centre or the Pentagon, burned or crushed. Wherein lies justice? What of reconciliation?

Au vu de tout ceci, pourquoi est-ce que la mémoire des victimes du génocide est devenue la parente pauvre de toute l'institution du génocide qui est, il faut le reconnaître, dotée de beaucoup de moyens (Tribunal international et tribunaux nationaux, les programmes gouvernementaux et non gouvernementaux de reconstruction, réconciliation nationale...)? Est-ce un problème de pauvreté, de désintéressement ou de choix des priorités plus urgentes comme la sécurité nationale... ? Il



faut reconnaître que le discours sur le génocide et la mémoire ne correspondent toujours pas à la réalité de ce qui se fait quotidiennement.

So what are we commemorating? The lack of preparedness? The unwillingness to act upon obvious signs indicating imminent danger for domestic populations? Or, indeed, the death of international law, to be replaced by public opinion bombings, both as arbitrary and case specific as the events to which they refer? There's a big difference between the answers to these questions depending upon who we ask. At last year's commemoration at the Rukumberi sector in Mirenge district of Kibungo Province, President Kagame urged the people of Rwanda to realize the importance of democracy and human rights, and to teach every generation these values. And the Minister for Youth, Sports and Culture, Hon. Francois Ngarambe condemned people who tried to minimize or forget the genocide. But if these commemoratives are to serve the people, then they must be preventative, reminding us of laws which already exist to prosecute the unacceptable treatment of civilians.

Nous voulons, en définitive, souligner l'idée que malgré les

différences de sensibilité inhérentes à chaque société et à chaque culture, l'âme humaine est partout profondément la même face à l'horreur. Il apparaît que les différents rituels en rapport avec le deuil sont autant de manières de conjuration de la mort. Puisque l'instinct de conservation de l'espèce fait que les gestes humains soient au service de la vie, plutôt que de la mort. C'est bien de cette idée que rendent compte les discours répandus dans des clichés et des lieux communs, du genre « La vie est plus forte que la mort », dont on fait étalage dans les oraisons funèbres. Toutefois – ironie du sort – tel que le laissent voir les pratiques du deuil, indépendamment du type de société considérée, il y a conjuration de la mort par la mort. Peu importe que le support soit concret ou symbolique, la finalité est la même.

If we are to prevail, we must apply international law and international human rights law earlier on, in whatever form appropriate for the setting, in order to foresee, prevent, and, moreover, uphold the basic principles that we are presumably trying to promote. This calls for more rights, more recourse to classical liberal ideals, and more separation between states and legal systems, not less, as is so often the case in the constant “war on drugs, war on terrorism, war against illegal immigrants” rhetoric and action, at home and abroad. The question in 2004, on the tenth anniversary of the Rwandan massacre and in the midst of the Iraq ‘war’, is whether we’re now heading in the right direction with pre-emptive engagement in the Middle East. The answer is in the question; if international law and international human rights guide decision-makers, then rapid intervention to halt the Taliban treatment of women or members of the opposition, unilateral (if necessary) deployment of troops in sub-Saharan Africa at a moment of genocide, Western deployment of troops in Kosovo to stop ethnic cleansing, or tangible efforts to stop the crimes against humanity in the strife-torn western region of Darfur, Sudan, are all easily justifiable. But nowhere in international law, or international human rights law, do we find legitimacy in uni-

lateral attacks on peoples on disputed grounds, for this can create rather than dispel disillusionment and distrust amongst a hopelessly downtrodden and abused population, and nowhere does it say that human rights includes Western ownership of foreign resources, strategic or otherwise. And we oughtn't to be turning the page on the many failures of the international regime when it comes time to react to a horror the West helped create (and perhaps even perpetrate) but then refused to stop in the Great Lakes region of Africa.

Notes

1. Emmanuel Murangira has been featured in a number of articles about the Rwandan genocide, most recently in Mark Lacey, "10 Years Later in Rwanda, The Dead Are Ever Present: Home of Memories, Land of Memorials" *New York Times* (February 26, 2004): A8.
2. *Ibid.*

Part II: The 1994 Rwandan Genocide

The Role of Nationalism in the Rwandan Genocide of 1994

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Abstract: *On the surface, it may appear that ethnic divisions were the dominant contributor to the 1994 Rwandan genocide. This paper will argue, however, that neither ethnicism¹ nor ethnic nationalism was the primary force behind the genocide. Rather, the genocide's origins stemmed from a corrupt political elite who planned and then directed it when their privileges were threatened. I will do this by first examining the theories and general writings on ethnicism and nationalism especially as they relate to newly-found states. Then I will compare the Rwandan experience to the former theoretical base to assess the role that ethnic factors played in Rwanda's nation building and conflicts. Finally, I will suggest areas where our traditional theories of ethnicism and nationalism need updating in light of the research.*

Résumé: *À première vue, les divisions ethniques peuvent sembler être la cause dominante du génocide rwandais de 1994. Cet article argumentera, cependant, que ni l'ethnicisme ni le nationalisme ethnique n'a été la force principale à l'origine du génocide. Celle-ci provient plutôt d'une élite politique corrompue qui l'a planifiée, puis dirigée lorsque ses privilèges ont été menacés. J'examinerai d'abord les théories et les écrits généraux sur l'ethnicisme et le nationalisme en portant une attention particulière au rapport entre ceux-ci et de nouveaux États. Ensuite, je comparerai l'expérience rwandaise à cette base théorique afin d'évaluer le rôle des facteurs ethniques dans le processus de reconstruction et de stabilisation, et dans les conflits, au Rwanda.*

Finalemment, tenant compte de la recherche, je suggérerai des secteurs où nos théories traditionnelles d'ethnicisme et de nationalisme méritent une mise à jour.

....

Introduction

The 1994 Rwandan genocide was horrifying in its scope and savagery. Between 500,000 and 850,000 Rwandans were murdered.² The fact that the victims were predominantly Tutsi, killed by their Hutu neighbours, has led to the view that ethnicism and nationalism are the root causes of the genocide. Ultimately, however, I conclude neither ethnic nationalism nor even ethnicism³ was the primary force behind the genocide. In fact, the origins can be found within a political and economic elite that carefully planned the genocide years before and only implemented that plan when impending political changes challenged their privileges. Nationalism and ethnicism only played supporting roles in fueling the violence.

I will examine the Rwandan genocide in four parts. After the introduction, the second part examines the theories and general writings on nationalism, especially as they relate to newly-found states. The third part assesses whether events leading up to the genocide followed the theoretical principles, patterns, and relationships established in the second part's review of the theory. Part four will conclude by asking if the traditional theories of nationalism need updating in light of the evidence presented here.

Theory

The international relations literature discusses nationalism at length and its role in the development of nation-states in Africa. What is not fully covered, however, is nationalism's role in

generating conflict, notably ethnic conflict. What follows is a review of the material in order to isolate the central principles of nationalism as they relate to post-colonial nations and ethnic conflict. At times, a clear 'principle' will not be obvious, and only a relationship, trend or pattern will be apparent. All of this will subsequently allow us to test theory against what I believe actually occurred in Rwanda.

Colonial Period

The borders of the new states of Africa were inherited from the colonial period and had little or no relationship to the actual territories of the dominant ethnic, linguistic, cultural, or traditional groups residing there. There is agreement that under these conditions the borders had "no national or even protonational significance for their populations" and that the peoples of Africa would have difficulty identifying with the very existence of a new state.⁴ Generating a sense of nationalism under these conditions was difficult: "...the obvious paradox is that nationalism outside Europe is a sustained exercise in unreality, for there was no nation to start with."⁵

Rather, the citizens of those new nations found it significantly easier to continue to self-identify with their tribe or clan. This was reinforced by the 'indirect rule' practised by most of the colonial powers in Africa, which rested on internal order being maintained by co-opted chiefs who actually controlled their tribes.

Nation-building

Despite these challenges, the forces of nationalism ensured that the nation-state that combined one state and one nation would be considered the 'optimal and ideal' form of political organization in the developing world.⁶ Further, the elites that guided their nations to independence did not seriously consider any other style

or organization despite local difficulties in identifying a relatively homogeneous 'nation'. One of the strongest rationales for the elites' selection of the nation state as a project was to maintain legitimacy. That is, in the tumultuous post-independence period, the nationalist elite holding power would claim that only they had the skills to guide the nation-building process that would deliver unity, social progress and economic advancement.

The nation-building effort's greatest challenge was likely to be tribalism and its agents. There would be a contest for power between the traditional leaders and the nationalist elite soon after independence. Issues framed in tribal terms benefited the traditional leaders at the expense of the nation-building project of the nationalist elites. The latter responded by arguing "tribal strife is a serious drag upon the progress of African states in coming to terms with modern life" while making every effort to reduce the traditional leaders to 'powerlessness'.⁷

While the removal of tribal leadership can be done quickly, the tribes themselves posed a problem, with the usual result being the formation of a dominant majority while others became threatened minorities. As a result, in nations like Kenya, the minorities must "be wooed with guarantees" in their national constitutions as their price for remaining peaceful and cooperative in the nation building process.⁸ This reinforces the critical importance of a constitution in reducing ethnic disputes.

Tribal polarization, however, resulted in most African states ultimately becoming and then remaining authoritarian regimes. This was forced by the considerable initial difficulties in establishing any form of multi-party democracy. Within Africa's poly-ethnic environment, political parties tended to reflect only the most basic aspects of tribal identification. With the majority tribe's group in power, the minority tribe's party was left to walk the fine line between being a "loyal opposition and treasonous coterie."⁹ This type of ethnically derived party system results in a fundamentally different approach to problem solving from that

found in the West. In Europe or North America, the opposition normally has some practical chance of forming the next government and thus has a strong inclination to support the system, even if it means losing a single important issue. The ruling party itself is also ready to accept losses, even to the point of forfeiting control, as returning to power is, again, a practical option. There is a shared will in Western parliaments to avoid the issues that will drive a single group to 'desperation', meaning the desperate measures of separation or revolution. This approach is rarely found in post-liberation states and "an opposition *is* liable to feel desperation every time a political crisis arises."¹⁰ As a result of these challenges, true democracy in Africa has been difficult to achieve.

Ethnic and Civic Nationalism

Even after a national government was formed and in place, there would be a significant effort to refocus the population's allegiance away from tribal loyalties and towards the nation. Even where there are significant minority groups, the nationalist goal must be a single political culture. Most post-liberation African leaders fixed on that goal using the state apparatus to build the idea of a nation. They were, however, attempting to do so "in a fifth the time it took European states to build theirs."¹¹

Progress in creating the physical symbols of 'state-building' can be straightforward, and many new elites successfully formed, reformed, built and centralized the national administrative organs, the judicial system, the army, and the national communications and transportation links. However the same rapid pace, combined with a weak sense of national identity, challenged attempts to develop the more ephemeral components of 'nation building' and civic nationalism, such as a national 'consciousness' and a shared national history.¹² To these impediments, add ethnic and economic concerns: "Fears about the demographic trends in each group and their access to economic and other resources, in turn feed their

antagonisms and undermine attempts to construct any overarching loyalty to the nation-state. As a result, nations in the developing world are far more likely to select a nation-building programme based on the primordial elements of ethnic nationalism.”¹³

Frequently, the unifying effort also involves defining or re-defining the history of the dominant group. It is also clear that this creative rewriting of history in support of nationalism is not new. Rather it reflects the use of precisely the same tools used in creating ethnic nationalism in Europe in the 19th and 20th centuries. On the other hand, the more complex parallel processes of civic nationalism can take centuries to produce its broader loyalty and willing obedience, thus limiting its apparent early usefulness in the post-liberation situation. Further, enough time and relative stability are needed to inculcate in the political elite the concept that supporting the democratic process permits one to avoid the politics and issues of ‘desperation’ relatively painlessly. In addition to time, the experience of Canadian civic nationalism and nation-building suggests it also requires significant national treasure dispensed as patronage to convert individuals who do not support the national vision and as projects for encouraging balking regions.

Summary

The literature would therefore suggest we should see some of the following principles, patterns and trends in the history of Rwanda:

Borders have no national or even protonational significance for their populations

The nation-state that combines one state and one nation is considered the ‘optimal and ideal’ form of political organization

There is usually a contest for power between the traditional leaders and the nationalist elite soon after independence

The majority ethnic group usually forms the first government

Most African states ultimately become and then remain authoritarian regimes

Citizens find it easier to continue to identify with their tribe

Unity against ethnic division is all that is needed to justify authoritarian rule

Minority groups fear domination and will seek protection or prepare to secede

The elites engage in state and nation-building to maintain legitimacy

State-building has as its outward sign the creation of national armies, administrations, transport systems and telecommunications networks

Nation-building requires an effort to refocus the population's allegiance away from tribe and towards the nation, often by creating a national culture with its own myths and traditions

Minorities must often "be wooed with guarantees" in national constitutions to prevent secession

Most states are far more likely to select a nation-building programme based on the primordial elements of ethnic nationalism.

The next part will examine if these trends, patterns, and principles are followed in Rwanda.

The Events of 1994

This part concentrates on how Rwandan nationalism developed and how it competed with the forces of tribalism. There will be frequent pauses to assess how that nationalism conformed, or not, to the broad principles and patterns just outlined.

Pre-Colonial Period

Rwanda's pre-colonial history is under continuous review and revision. There have been repeated parochial myth-generating efforts to modify Rwanda's early tribal history to gain ethnic advantage. Even after the genocide, the rewriting of history continues. All that is universally accepted is that the first occupants of the region were the forest-dwelling Twa. Lemarchand, considered the pre-eminent historian of the colonial and pre-colonial periods, then has the Bantu-origin Hutu arriving significantly before the 'invading' Tutsi arrived in the 16th century.¹⁴ Relatively recently, *African Rights* provides a less adversarial version of Rwandan history. They suggest that there was an almost coincident arrival of the Hutu cultivators and Tutsi cattle herders some five centuries ago.¹⁵ Their history also suggests Hutu and Tutsi lived side-by-side in a "patchwork of small chiefdoms and principalities" with no clear dominance or hierarchy.¹⁶ It is clear this situation, if it ever existed, did not endure, and approximately three hundred years ago, one Tutsi clan, the Nyiginya, achieved political dominance over most of Rwanda.

With the Nyiginya chief elevated to King, this Tutsi clan reached its greatest strength under *Mwami* (or King) Kegeri Rwabugiri in the late 19th century. Well before the arrival of the Europeans, he established an administratively efficient, authoritarian nation state, firmly in control of the territories within its borders, governing a polity united by a single language within a single culture derived from some five hundred years of close co-

habitation. It is clear that this positive alignment of national markers, all within undisputed borders and under an administratively competent state is unique in Africa. Forster *et al.* specifically comment on these markers' theoretical ability to "work to the advantage of national cohesion" in Rwanda.¹⁷ Yet others also note that internal efficiency has been achieved, in part, by the domination of the Hutu by the Tutsi overlords.¹⁸ Further, over the five hundred years of their cohabitation, there has been a progressive formalizing of the elements of domination. This culminated in the late 19th century, with African Rights reporting that King Rwabugiri preferred to rely solely on Tutsi within his hierarchy as he also stressed physical appearance in differentiating between the two tribal groups in his court. Despite this rising intolerance, a small number of the roughly four hundred lower order chiefs were Hutu.¹⁹

There is a danger in associating too much of the division between Hutu and Tutsi purely to race, when that division is almost entirely due to between three hundred and five hundred years of ever-increasing political and economic domination of the Hutu by the Tutsi.²⁰ Further, neither these ethnic divisions nor the system of oppression reached across Rwandan society in a style that invariably placed every Tutsi over every Hutu. The benefits of domination were enjoyed by a small number of the Nyiginya elite, with the remaining Tutsi earning subsistence level annual average incomes that were no more than one percent higher than that of the equally struggling Hutu.²¹

Colonialism

The German colonial period was brief and its impact modest with only five German nationals resident in Rwanda in 1915. Given that they were able to quickly co-opt King Rwabugiri and then rule indirectly through his extremely efficient national administration, the small number of colonial officials is not surpris-

ing. The Belgians' arrival in 1918 provided no changes in this efficient model. However, by degrees, the Belgians began to intrude more into Rwandan life. Their colonial administrators started to intervene in the Tutsi administration, urging a reorganization of the hierarchies of the chiefs and subchiefs that further diminished the small number of Hutu office holders.²² This was matched by the issuing of national identity cards that indicated 'Hutu' or 'Tutsi' origin, in part tied to a pseudo-scientific racial classification effort that would buttress their initial inclination to favour the Tutsi over the Hutu.²³ In addition to limiting access to the national administration to those of Tutsi origin, entry into all but the lower grade mission schools was restricted to Tutsi, whom this 'science' indicated were more predisposed to both receive and benefit from higher education.²⁴

Alison des Forges also outlines how the colonial administrators and Tutsi elite then created a history of Rwanda that further reinforced these racial classification efforts. According to that contrived framework:

The first and most 'primitive' inhabitants were the Twa, the hunters and gatherers. Next the trusty Hutu lumbered on the scene to cut the forests and create some fledgling political organizations. Then in swooped the conquering Tutsi from Ethiopia, a minority that subjugated the far more numerous mass through their martial skill and superior intelligence. The final and still uncompleted chapter in this steady climb upward, was, of course, the arrival of that even lighter-skinned and more clever minority, still fewer in numbers but more powerful in organization, the Europeans, who established their control over all the others.²⁵

des Forges also points out that this 'mythic history' of the growth of Rwanda obviously downplayed large parts of the Hutu contribution to institution building.

In the post-1945 period this *Belgique*-Tutsi alliance soon came under attack. The racial superiority theories that underlined Rwanda's feudal political system were untenable, especially as Belgium was only occupying Rwanda under the authority of the UN in preparation for self-government. Further, Belgium was being criticized by the UN for policies that seemed to intentionally limit the training of local leaders which might prepare them for their rising within the colonial administration, or later being able to occupy positions in any post-liberation government.²⁶ Finally, the idea and practical possibilities of colonial liberation and subsequent majority democratic rule had been solidly set into the agenda of the suppressed Hutu elites since the early 1950s by the nationalist example that was then sweeping Africa.

In response to these multiple pressures, in 1959, Belgium switched allegiances and decided to support the Hutu educated elite over the Tutsi chiefs, citing as its reason "the democratic principle of majority rule."²⁷ A Hutu uprising against those chiefs that resulted in 20,000 Tutsi being massacred rapidly followed this. This atrocity, marked by the specific targeting of the Tutsi leadership and intelligentsia, also initiated the first of a series of Tutsi exoduses with over 300,000 taking refuge in neighbouring states.²⁸

Independence and Nation-Building

By these massacres and others, the new Hutu elite made it clear as early as 1959 that the task of "eradicating an indigenous form of imperialism" in the form of Tutsi domination was a higher priority than achieving independence itself.²⁹ The eradication of the traditional chiefs in 1959 had less to do with the theoretical goal of removing barriers to modernization and suppressing tribalism and more with simply paving the way for Hutu domination. With full independence achieved in 1962, the government of Gregoire Kayibanda's Parmehutu party then appeared to follow a

two-track process that progressed nation-building and modernizing, while at the same time reinforcing Hutu domination over the Tutsi. There was no indication that those in charge either sensed or worried themselves over this apparent contradiction in goals.

Measures to suppress the Tutsi were both practical and ideological. The previous domination of the Tutsi in the government and schools ended abruptly, and they were virtually eliminated from the national administration and army. Hutu, and specifically Hutu from Kayibanda's southern clan, secured access to the higher schools with the Tutsi being allocated a ten percent quota in the lower schools.³⁰ The Belgian race-annotated identity cards were retained.

A parallel ideological effort ensured that the earlier Tutsi-dominant histories and myths underwent modification by the Hutu historians. des Forges points out that the extent of Tutsi domination was not modified as it provided a basis for politicians to "heighten feelings against them and to increase solidarity among the Hutu." She also points out that this rewriting – in failing to explain how such a small Tutsi minority maintained control – perpetuated the view that the Tutsi had "capacities greater than those of the Hutu."³¹ Lemarchand also suggests that Hutu reception of these messages was eased by the small size and relatively unsophisticated nature of the Hutu middle class largely as a result of the long-standing Tutsi domination of the government and economic classes.³²

A major divergence from accepted theory is obvious. Where the literature suggests the new governmental elite should be moving towards suppressing tribal identities, this does not occur in Rwanda. Forster *et al.*, after pointing out that Rwanda's tribes enjoyed a common language and some shared culture, add: "But an important element is missing. In most African countries there is usually at least some rhetoric at higher levels to the effect that tribalism is something to be discouraged (even though this is not what always happens in practice). But in Rwanda and Burundi

attempts at compromise over matters concerning ethnic interests can easily be seen as betrayal.”³³ Smith also suggests that this nation-building effort must provide or develop a national culture supported by a “dominant set of ethnic myths and historical memories.”³⁴ Instead, we see the Hutu elite simply reorienting the older divisive Tutsi myths to place themselves in the better light.

Other aspects of Rwanda’s post-liberation effort do follow the theoretical pattern. While legislative elections were held in 1961 and 1965, and a national assembly was elected to hold the government accountable, the Hutu elite soon found these challenges to its authority unwelcome and “a conscious effort was made to turn back the tide – to accentuate the drive towards centralization, to repel attacks from within and from without, and to assert the primacy of the party over all other institutions.”³⁵ In this regard, they were assisted by the administrative machinery of *Belgique*-Tutsi domination, which allowed the “republican elites to seize upon the more authoritarian features of the traditional monarchy to complete and accelerate the process of modernization.”³⁶

While acknowledging that considerable progress was made in upgrading the administration, military, educational and communication aspects of government, it is clear that this form of modernization also improved the state’s ability to control dissent and ensure its own survival. What is equally evident is that the Hutu elite was following one of the more negative patterns of theory in reverting to an authoritarian stance to achieve modernization, or at least claim that end.

The Approach to Genocide

For the next twelve years Kayibanda was able to maintain control by manipulating Hutu fears of the Tutsi, suppressing the Tutsi themselves with government-directed ‘pogroms’, in 1959, 1962, and 1973, and rewarding his southern Rwandan Parmehutu

party elite with patronage appointments.³⁷ Significantly, it was internal Hutu resentment, mainly from the groups in northern Rwanda who were not enjoying the benefits of corruption, that ended the Kayibanda regime. The turmoil provoked by a major anti-Hutu massacre in neighbouring Burundi, and Kayibanda's corresponding attack on the Tutsi villages in Rwanda allowed the head of Rwanda's army – Juvénal Habyarimana – to mount a successful *coup d'état* in 1973.

Habyarimana, the members of his northern-western Rwanda clan, and the Hutu *Mouvement Revolutionnaire Nationale pour le Développement* (MRND) party soon dominated Rwanda in broadly the same totalitarian style as their Parmehutu predecessors from the south. Conditions significantly improved for the Tutsi, however, and for the next seventeen years, the Habyarimana government actively prevented any further pogroms against them. The Organisation of African Unity (OAU) notes an informal arrangement had been reached with Tutsi leaders that promised safety in exchange for Tutsi acceptance of their subordinate status.³⁸

Prosperity and calm earned Rwanda the title of 'the Switzerland of Africa', with one German missionary commenting, "we used to compare the nearly idyllic situation in Rwanda with the post-Idi Amin chaos in Uganda, the Tutsi apartheid in Burundi, the 'real African socialism' of Tanzania, and Mobutu's kleptocracy in Zaire, and we felt the regime had many positive points."³⁹

From a conventional nation-building sense, however, nothing changed. The regime continued as a one-party authoritarian regime, the minority Tutsi were systematically denied equality and the leader's immediate clan – the *Akazu* – monopolized those government jobs with high personal enrichment potential. Beneath this level, the MRND appointed officials right down to the village policeman level, and did so on a party loyalty basis much as the earlier Parmehutu party had done. Given this milieu, it was not surprising that no effort was made in constitution drafting to

include the minority Tutsi; rather, Habyarimana took the opportunity to enshrine within it the MRND's single party rule.⁴⁰ Following the theoretical pattern, this arrangement was declared 'demographic democracy' in that the single party allowed did represent the majority tribe.⁴¹ Internal stability was further buttressed within this "textbook case of efficiently dictatorial government" via enhanced identity card controls, the monitoring and control of internal movement, and the routine reporting of all aspects of village activity via a secret police informant network.⁴² With buoyant export prices and good relative prosperity in the 1970s, these fundamental political shortcomings did not affect Rwanda's overall political stability, especially given the government's ability to quash dissent. Government incomes, buoyed by generous development assistance funding provided for a 'model' nation,⁴³ allowed the northern Hutu elite to allocate over half the government's regional and development budget to its three home prefectures in the north west with the eight remaining southern and central prefectures making do with the rest.⁴⁴ On a more personal level, members of the *Akazu* grew extremely rich via government corruption and the raiding of aid funding.⁴⁵

By the late 1980s, however, a series of events arrived in rapid order that would test the stability and unity of this corrupt structure. Seventy-five percent of Rwanda's export earnings came from coffee and in 1989, the price collapsed and farm income fell by half.⁴⁶ Simultaneously, the International Monetary Fund and the World Bank demanded major government restructuring and cost cutting. These programmes reduced the public sector payroll, cut school and health budgets and devalued the currency. In addition, the UN and the major aid contributors made progress in democratic reform a condition for their assistance and insisted on the immediate creation of new parties. Finally, those Tutsi who had fled, taken refuge in Uganda, and organized under the title of the Rwandese Patriotic Front (RPF) launched a major attack into northern Rwanda in late 1990.

The Habyarimana government, faced with severe economic and military challenges, found all of its traditional methods of ensuring northern Hutu and then overall Hutu loyalty at risk. Payroll and school cuts threatened the jobs of loyalists and reduced their ability to allocate openings to the Hutu youth, while the new parties simultaneously demanded access to the same privileges. In response, President Habyarimana then appears to have adopted a three-part response. Forced to accept multiple political parties in order to get aid flowing again, he ensured at least one, the *Coalition pour la Défense de la République*, or CDR, was under his own control, and he entrusted it with disseminating the most extreme anti-Tutsi propaganda. Second, commencing in 1991, he engaged in a series of abortive peace talks with the RPF. Although the evidence suggests no party, and certainly not the government of Rwanda, ever negotiated in good faith, it allowed him to present himself and his government as one willing to work towards a peaceful conclusion that might well involve power-sharing.⁴⁷ Finally, possibly as early as 1990, he and his *Akazu* advisors prepared a secret plan to exterminate the Rwandan Tutsi.⁴⁸

The motive for the latter was solely to identify a scapegoat that would distract the Hutu majority from a series of issues for which he could craft no suitable response. The country's economic situation had caused widespread poverty and, more critically, reduced the President's ability to reward his most loyal Hutu elements. The forced political liberalization was paralyzing his government just when unity was needed to meet the RPF invasion. Such was the level of distrust against him and the MRND, even this major external threat failed to unite the Hutu. In addition, the RPF invasion provided a superb, if baseless, pretext for eliminating a potential Tutsi fifth column deep within Rwanda. Finally, several lower order massacres of Tutsi in late 1990 and early 1991, involving his own and, importantly, other political parties, provoked no outrage amongst the large number of aid, UN, and French government officials who were aware of them.⁴⁹ An air of impu-

nity was emerging.

From 1990 to 1994 Radio Rwanda, later joined by the even more hateful *Radio-Télévision Libre des Mille Collines* (RTLM), incited anti-Tutsi sentiment repeating the myths of the Tutsi as historical invaders. These oft-repeated messages made it also clear the target of that hatred was not simply the invading RPF forces but every Tutsi in Rwanda.

Yet that was probably not enough: “Mobilizing thousands of Rwandans to slaughter tens of thousands of others required effective organization.”⁵⁰ Therefore, in parallel with the propaganda effort, the MRND and CDR parties began forming and training their own militias, the *Interahamwe*. These militia would coordinate much of the actual killing as the army focused on fighting the RPF.

The plans for genocide required that virtually every Hutu in Rwanda actively support the genocide, be it as a machete wielder, informer, tracker, or cheering fan, as this was not industrial genocide. It was to be a nationally coordinated but neighbourhood-executed event. Uniform, organized application of violence across those neighbourhoods was required: “it would be a mistake to think that the killings were carried out in an anarchic manner: the reality is that they were meticulously well organized.”⁵¹ The genocide plan was assisted by Rwanda’s “strong tradition of hierarchy and authoritarianism: many people will obey an order without question simply because it comes from a person in a position of formal authority.”⁵²

Over the next three years the plans for genocide were further refined and the propaganda, continued. Meanwhile, the pressure on the MRND increased, and in 1993, a rapid RPF advance towards the Rwandan capital forced President Habyarimana to accede to pressure for a peace agreement. The subsequent Arusha Accords offered a formal division of legislative, executive and judiciary positions among all the parties, including the RPF. Also under this agreement, the President’s power would be dramati-

cally reduced and the position of Prime Minister passed to his Hutu opposition, the MDR, or *Mouvement Democratique de la République*, a successor to the old Parmehutu, which represented the south and central Hutu. Further, the Tutsi were to be allocated forty percent of the Army's total positions and fifty percent of its leadership cadre.

All these proposals would dramatically reduce the northwestern Hutu elite's power and privileges. Already forced to share power with their Hutu opposition, the idea that it would also be shared with the Tutsi's RPF, was 'intolerable'.⁵³ At the same time, a failed coup in Burundi resulted in the massacre of some 25,000 Tutsi, who were avenged by the killing of some 25,000 Hutu by the Tutsi-dominated Burundian Army. When President Habyarimana was killed in a highly suspicious air crash in April 1994, the *Akazu*, already fully motivated, now had a pretext to order the *Interahamwe* to begin the genocide.

Initially, there was 'slow progress' and a reluctance to fully participate in the genocide in some regions, and not surprisingly those southern Hutu prefectures that resented the last twenty years of northern Hutu domination were the least cooperative.⁵⁴ But the highly centralized Rwandan national administration soon proved capable of ensuring full compliance. The specific power of the MRND lay in its ability to dictate events right down to the village *bourgmestre* in rapid order: "After almost two decades in power, the MRND reached every corner of the administration" – largely because it had appointed all *préfets*, *sous-préfets*, and *bourgmestres* by presidential decree.⁵⁵

It is important to also note that this system was not a MRND creation. Recall that this centralized administration was developed first by King Rwabugiri, then refined by the *Belgiques*, the Parmehutu, and the MRND. These successive efforts in state building resulted, perversely, in handing the Habyarimana government tools equally suited to repression. National assets or symbols like mass communication facilities, an efficient national administra-

tion, and a modern national army, which should have been used to foster national unity, became the means to eliminate Tutsi.

Conclusion

The evidence is conclusive that a small part of the Hutu elite, the *Akazu*, planned and directed the 1994 Rwandan genocide. Further, they did so in a premeditated fashion probably involving years of detailed preparation. They did so primarily to protect their own personal power and privileges and not in response to pressure from the Hutu population. Therefore, it is impossible to ascribe total responsibility for the genocide to the forces of ethnic nationalism.

Subsequent efforts towards reconciliation in post-genocide Rwanda indeed found it convenient to assign all blame to the small numbers of *Akazu*, but this is not credible. While admitting that the Hutu had been oppressed and that they had been prepared for genocide by several years of intense propaganda, the fact remains that tens of thousands of Hutu butchered their immediate neighbours. That the pattern of killing was based purely on tribal affiliation suggests that ethnicism and, potentially, a failed nationalism were contributing factors. Therefore it is worth examining how Rwanda's nation-building project followed the theoretical patterns identified in Part 2:

Borders have no national or even protonational significance for their populations

We have seen how the first Hutu government inherited unusual propitious conditions for nation-building. In Rwanda, common, widely accepted borders defined a people sharing a single language and customs. These unique benefits were, however, offset by a history of ethnic oppression of the now dominant Hutu. One could conclude, therefore, that the conditions offset each other

and would favour either a government that focused on including all its ethnic groups or one that favoured the majority tribe only. It is instructive, however, to see how the Rwandan government then progressed *vis-à-vis* the theoretical patterns and trends:

The nation-state that combines one state and one nation is considered the 'optimal and ideal' form of political organization

There is usually a contest for power between the traditional leaders and the nationalist elite soon after independence

The majority ethnic group usually forms the first government

Most African states ultimately become and then remain authoritarian regimes

Citizens find it significantly easier to continue to self-identify primarily with their tribe or clan

Unity against ethnic division is all that is needed to justify authoritarian rule

Minority groups fear domination and will seek protection or prepare to secede

Significantly, the Kayibanda and the succeeding Habyarimana governments followed every one of the broad theoretical trends or patterns. Only when we get to the nation-building elements do we see divergence from the African norms:

The elites engage in state and nation-building to maintain legitimacy

State-building has as its outward sign the creation of national armies, administrations, transport systems and telecommunications networks

Nation-building requires an effort to refocus the population's allegiance away from tribe and towards the nation often by creating a national culture with its own myths and traditions

Minorities must often "be wooed with guarantees" in national constitutions to prevent secession

Yet in Rwanda's case we have seen that the combined state and nation-building effort was almost exclusively focused on the creation of the physical tools of state-building. Further, the national administration and telecommunications controlled by the government were of an especially high order of efficiency:

Far from the 'Failed State' syndrome that appears to plague some parts of Africa, Rwanda was too successful as a state. Extremists used its administrative apparatus, its military, and its party organizations to carry out a 'cottage-industry' genocide that reached out to all levels of the population and produced between five hundred thousand and one million victims.⁵⁶

There was also no effort at refocusing the population's allegiance away from a tribe, and we have already seen how the Rwandan government was considered unique in not providing at least some rhetoric at higher levels to the effect that tribalism is something to be discouraged. Further, there is absolutely no evidence of any effort to create a national culture or to provide the minority Tutsi with any constitutional guarantees. All they would ever achieve was Habyarimana's loose, and ultimately withdrawn, promise of a lack of pogroms for political silence. Lemarchand remarks: "In a sense, nationalism in Rwanda is little more than a misnomer for 'tribalism,' a tribalism which drew its sustenance from an unholy alliance with Belgium. In these conditions, nationalism has some freakish overtones."⁵⁷

This is not a very satisfactory explanation; but we are not surprised that Rwanda followed the theoretical pattern in matters of ethnic nationalism:

Most states are far more likely to select a nation-building programme based on the primordial elements of ethnic nationalism than creating civic nationalism

Ethnic nationalism relies on attempts to isolate the minority and efforts to define a more significant past for the dominant group

In every sense, Rwanda sets new international standards in the virulence of its brand of ethnic nationalism.

But is the issue simply one of wealth and a willingness to focus on the political process at the expense of issues? Avoidance of the politics of desperation may be the most difficult to achieve given a political culture where any compromise to the other tribe was the equivalent of 'betrayal'. But the initial focus of this part of the paper on the *Akazu* forces us to look beyond what the literature provides as preconditions for successful civic nationalism.

If the *Akazu* can be held responsible for the genocide, surely a case can be made that the broad failure of civic nationalism is likely to involve some association with these same evil forces. That is, the benefits of corruption proved so attractive to a small tribal elite that it was willing to consider any measure to remain in power. If that is the case, it seems reasonable to assume that this same group would find the politics and financial requirements of civic nationalism difficult if not completely impossible to consider. Moreover, the politics and issues of desperation are precisely the politics and issues that allowed them to divert attention away from their mismanagement and corruption. Further, the client-patron relationships of corruption dictate that 'excess' rev-

venues go to loyalists and not the disaffected – precisely the opposite flow needed for civic nationalism. The very low rankings emerging nations achieve in successive international corruption indices may well be closely tied to the modest levels of civic nationalism achieved.⁵⁸ Time has not allowed me to explore this critical linkage further, but doing so would undoubtedly be beneficial. The greatest advantage of so doing might be to limit the spread of violence resulting from this combination of corrupt elites and ethnic nationalism:

Ethnic identity and interest per se do not risk unforeseen ethnic wars; rather, the danger is hegemonic elites who use the state to promote their own people's interests at the expense of others. The 'push' of state corruption and minority repression probably will be a more important source of future ethnic wars than the 'pull' of opportunity.⁵⁹

Notes

1. Crawford Young, "Nationalism, Ethnicity and Class in Africa – A Retrospective" *Cahiers d'études Africaines* 26, no. 3, (1986): 444. The terms 'ethnicism' and 'tribalism' are virtually interchangeable. The sensitivities of African writers, who asked why they had 'tribes' when the Europeans had 'ethnic groups', drives my use of 'ethnicism'.
2. Mahmood Mamdani, *When Victims become Killers: Colonialism, Nativism, and the Genocide in Rwanda* (Princeton, N.J.: Princeton University Press, 2001), 283. Discusses the origins of these and other estimates of the numbers killed. [Editor's note: more recent estimates put the number of dead at around 1 million].
3. Young, "Nationalism, Ethnicity and Class in Africa – A Retrospective", 444.
4. E.J. Hobsbawm, *Nations and Nationalism since 1780* (Cambridge: Cambridge University Press, 1990), 178.

5. Kenneth R. Minogue, *Nationalism* (London: Batsford Ltd., 1967), 88.
6. Benyamin Neuberger, "State and Nation in African Thought," in *Nationalism*, eds. John Hutchinson and Anthony Smith (New York: Oxford University Press, 1994), 232.
7. Minogue, 106.
8. Minogue, 127.
9. Minogue, 128.
10. Ibid.
11. Neuberger, 235.
12. Anthony D. Smith, *Nations and nationalism in a global era* (Cambridge: Polity Press, 1995), 89. Smith explains the difference between the physical aspects of 'state building' and the ideological basis of 'nation building' with very complete examples.
13. Clifford Geertz, "Primordial and Civic Ties," in *Nationalism*, eds. Hutchinson and Smith, 31.
14. Rene Lemarchand, *Rwanda and Burundi* (London: Pall Mall, 1970), 18.
15. African Rights Organization, *Rwanda: Death, Despair and Defiance* (London: African Rights, 1995), 2.
16. Ibid.
17. Peter G. Forster *et al.*, *Race and Ethnicity in East Africa* (New York: St. Martin's Press, 2000), 118.
18. Lemarchand, 19.
19. African Rights, 4-5.
20. Francis M. Deng, "Blood Brothers" *The Brookings Review* 13, no. 3 (Summer 1995), 3.
21. African Rights, 7.
22. Lemarchand, 73.
23. Crawford Young, "The Colonial Construction of African Nations," in *Nationalism*, eds. Hutchinson and Smith, 226-228.
24. Organization of African Unity (OAU), *International Panel of Eminent Personalities to Investigate the 1994 Genocide in Rwanda and the Surrounding Events: Special Report* (New York: OAU, 2000), 3.
25. Alison des Forges, "The Ideology of Genocide" *Issue: A Jour-*

- nal of Opinion* 23. no. 2 (1995), 45.
26. Alan Destexhe, *Rwanda and Genocide in the Twentieth Century* (New York: New York University Press, 1995), 43.
 27. Ibid.
 28. OAU, 3.
 29. Lemarchand, 479.
 30. OAU, 4.
 31. des Forges, "The Ideology of Genocide", 45.
 32. Lemarchand, 479.
 33. Forster *et al.*, 118.
 34. Smith, 114.
 35. Lemarchand, 228.
 36. Lemarchand, 479.
 37. OAU, 5.
 38. OAU, 1.
 39. Ibid.
 40. OAU, 1.
 41. OAU, 4.
 42. OAU, 2.
 43. OAU, 4.
 44. African Rights, 23.
 45. Ibid.
 46. African Rights, 20.
 47. African Rights, 33-36.
 48. African Rights, 45; OAU, 1-2.
 49. OAU, 3.
 50. des Forges, "The Ideology of Genocide", 44.
 51. Destexhe, 33.
 52. African Rights, 1010.
 53. OAU, 2.
 54. Alan J. Kuperman, "Rwanda In Retrospect" *Foreign Affairs* 79, no. 1 (Jan/Feb 2000), 3.
 55. African Rights, 51-52.
 56. des Forges, "The Ideology of Genocide", 44.
 57. Lemarchand, 285.
 58. For the various Transparency International results see: "Dismal Graft," *The Economist Global Agenda*, (August 28, 2002); "A

Guide to Graft,” *The Economist Print Edition*, (October 28, 1999); and, “Corruption,” *The Economist Print Edition*, (October 1, 1998). For a more detailed description of the part corruption plays in African governments see: “The heart of the matter,” *The Economist Print Edition*, (May 11, 2000).

59. Ted Gurr, “Ethnic Warfare on the Wane” *Foreign Affairs* 79, no. 3 (May/June 2000), 5.

Domestic Politics in an International Sphere: Constraints on US Policy during the 1994 Rwandan Genocide

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Abstract: *The response of the international community to the 1994 Rwandan genocide was underwhelming. Focusing on American policy during the genocide, this article shows how a number of domestic constraints influenced American policy, despite clear information that genocide was occurring. Light will be shed on why the US did not intervene to stop the clearest example of genocide since the Holocaust. At a time when US leadership would have been critical, the Clinton Administration downplayed the diplomatic severity of the Rwanda crisis and hindered UN intervention to stop the killing.*

Résumé: *La réaction de la communauté internationale au génocide rwandais de 1994 n'a pas été impressionnante. Mettant l'accent sur la politique américaine pendant le génocide, cet article montre la façon dont un certain nombre de contraintes domestiques ont influencé la politique américaine, en dépit de l'information indiquant qu'un génocide se produisait. Les raisons expliquant pourquoi les États-Unis ne sont pas intervenus pour arrêter le cas le plus évident d'un génocide depuis le Holocauste seront éclaircies. Au moment où l'initiative des États-Unis aurait été critique, l'administration Clinton a minimisé la sévérité diplomatique de la crise du Rwanda et a gêné l'intervention de l'ONU pour arrêter le massacre.*

....

Introduction

As a signatory to the United Nations Genocide Convention, the United States is legally obliged “to prevent and to punish” those who commit genocide. The Clinton Administration’s aversion to using the word ‘genocide’ for the duration of the Rwandan catastrophe, in a bid to avoid actually ‘doing something’, can be partially attributed to a number of domestic issues that influenced US policy options. As William Durch astutely notes, “[B]ecause American foreign policy objectives in the new era are much less focused, US domestic politics have tended to dictate the choice, extent, and duration of US support for and participation in UN operations.”¹ In this light, Paul Lewis has argued that US unwillingness to stop the genocide clearly supports the prevailing view that “Rwanda was of insufficient national interest to justify the risks and costs associated with an American or UN intervention.”² In examining the available evidence, it is evident that the American response to the genocide was representative of the domestic situation in the US at the time: the legacy of American involvement in Somalia, which institutionalized a desire in the US government to avoid peacekeeping altogether; the introduction of Presidential Decision Directive 25 (PDD-25) in May 1994, which guaranteed US foot-dragging with respect to any sort of intervention in Rwanda; and a number of other issues that consumed the Clinton Administration.

Multilateralism and Intervention: From Inauguration to Somalia

Doused with naïveté and idealism, in 1993 the incoming Clinton Administration was fraught with a liberalism and morality that meshed nicely with traditional views on US foreign policy, views that were once again made possible with the removal of Cold War constraints. Numerous officials in the Administration

spoke of the opportunities that existed in the post-Cold War world to help those plagued by war and conflict.

However, the initial zeal and support for UN peacekeeping and ‘assertive multilateralism’,³ as Madeleine Albright termed it, did not last long. While Albright stated in June 1993 that, “peacekeeping has become instrumental in meeting three fundamental imperatives of our national interest: economic, political, and humanitarian [...]”⁴, by September, Clinton’s National Security Advisor (NSA), Anthony Lake, was arguing that though there “will be increasing calls on us to help stem bloodshed and suffering in ethnic conflicts...we will have to pick and choose [on these and other humanitarian needs].”⁵ Following the October 1993 events in Somalia, the desire to ‘pick and choose’ when and where to become involved, ended broad support for ‘assertive multilateralism’ and UN peacekeeping. While ‘assertive multilateralism’ and peacekeeping were aspirations of the Clinton Administration to meet more ‘humanitarian’ roles, domestic concerns soon supplanted this goal. Following what was perceived as a disaster in Somalia, support for US participation in future UN operations declined, notably in the Pentagon and Congress. Rwanda was to become a casualty of this change in thinking.

Somalia Syndrome: The Beginning of the End for Rwanda

The misperception within the Clinton Administration was that Rwanda was another Somalia. Though, in part, this helps to explain the US reluctance to intervene in Rwanda, the two conflicts were different. American involvement in Somalia began in 1992 when President George H.W. Bush (the elder) sent American troops to protect relief workers trying to distribute food to those threatened by famine. When Clinton took office in January 1993, support remained for the troop deployments. Just as Bush had welcomed a new role for the UN in his ‘New World Order’, Clinton welcomed ‘assertive multilateralism’ as a way for the US

to remain actively engaged in world affairs without having to be at the forefront of each and every mission.

Initially seen as a low-risk humanitarian mission, intervention in Somalia soon turned into disaster as bloody conflict broke out between warring Somali factions and the international intervention force. The debacle came to a head in October 1993, when elite US Army Rangers and Delta Force units were ambushed in Mogadishu, the Somali capital, as they attempted to capture the warlord Mohammed Farah Aideed. A firefight ensued, lasting seventeen hours, leaving many Americans dead and wounded. International efforts under the UN came to an end.

President Clinton then appeared on American television: “We went to Somalia because without us a million people would have died. We, uniquely, were in a position to save them, and other nations were ready to share the burden after our initial action.”⁶ Rwanda could have benefited from a similar attitude, had it existed six months later as the genocide was unfolding.

Though the US troops in Somalia had been under US command on a US-led operation, blame for the “disaster” was placed on the UN.⁷ “The Pentagon leadership concluded that peacekeeping in Africa meant trouble and that neither the White House nor Congress would stand by it when the chips were down.”⁸ A lack of support for peacekeeping in the US government was cemented.

This disengagement from Africa’s hot spots certainly influenced the Clinton Administration’s policy towards Rwanda in 1994, and the disinclination to participate in similar operations was further cemented with the unveiling of PDD-25 in May 1994, which sought to restrict and limit American peacekeeping commitments. Since Washington had equated UN peacekeepers in Somalia with failure, the parallel was drawn that UN peacekeepers for Rwanda would also equal failure.⁹ Consequently, by the time the genocide began in Kigali, the US “was disengaged from and apparently uninterested in Africa.”¹⁰

PDD-25: An Impediment to Action

The direction that American policy towards Rwanda took during the genocide can be partially attributed to the *Clinton Administration Policy on Reforming Multilateral Peace Operations*, known as Presidential Decision Directive 25 (PDD-25). Formally introduced by President Clinton on May 3, 1994, PDD-25 was part of an inter-agency policy review, led by Richard Clarke at the National Security Council (NSC). It represented the “first comprehensive framework for US decision-making on issues of peacekeeping and peace enforcement suited to the realities of the post-Cold War period.”¹¹ Though in the planning stage for about a year, PDD-25’s unveiling coincided with the Rwandan genocide and was the first application of the new directive.

Late in the Bush Administration, a bare-bones policy for US peacekeeping policy in the ‘New World Order’ was developed. The policy, encapsulated in National Security Directive 74 (NSD-74), committed the US to supporting UN peacekeeping and stated ways in which the UN’s capabilities in peacekeeping could be strengthened. However, Pentagon opposition, combined with Bush’s electoral loss to Clinton, brought the process to a grinding halt, thus leaving the incoming Administration to develop its own policy.

Though the ‘assertive multilateralism’ that permeated the Clinton Administration in its early days was initially present, as the policy review process evolved, the Administration moved further away from its support of ‘assertive multilateralism’. Following UN operations in Bosnia, Cambodia, and Somalia, Congressional opposition to US participation in UN operations increased. Consequently, policy options were changed and the role of the US in UN operations was minimized.

On September 27, 1993, President Clinton addressed the UN General Assembly and enunciated what would compose the main tenets of PDD-25, noting the need to ask ‘harder questions’

before peacekeeping operations (PKO) could proceed:

Does the proposed mission have clear objectives? Can an end point be identified for those who will be asked to participate? How much will the mission cost? From now on, the United Nations should ask these and other hard questions for every proposed mission before we vote and before the mission begins.¹²

A few days after Clinton's speech in New York the US suffered its highest one-day total of combat casualties since the Vietnam War when 18 Americans were killed in Mogadishu. The backlash, especially in Congress, effectively marked the death of 'assertive multilateralism'. From now on, the US would be very selective in deciding when and in what manner to participate in future PKOs.

The Goals of PDD-25

In its final form, PDD-25 was a doctrine which aimed at limiting US military involvement in PKOs. PDD-25 addressed six major issues, though the one that is most relevant to policy vis-à-vis Rwanda sought to ensure that the US support the 'right' operations (namely, those that are in the national interest and/or serve American policy goals and aims). It contained seventeen conditions that had to be considered before the US would support a UN peacekeeping mission: Eight factors had to be considered by the US government if it was required to vote on PKOs at the UN Security Council for operations to be undertaken by non-American forces, or a regionally supported PKO; six additional conditions had to be considered before US troops would be allowed to participate in any UN PKO; and if combat was to be involved within the context of Chapter VII PKOs, three more conditions had to be considered for American involvement.¹³ The

wording of PDD-25 is such that it is not necessary that *all* conditions have to be met for particular support to result. Rather, it states that the Administration must merely “consider the factors below when deciding whether to vote for a proposed new UN peace operation” while “these factors are an aid in decision-making; they do not by themselves constitute a prescriptive device. Decisions have been and will be based on the cumulative weight of the factors...”¹⁴

For an Administration that had steadily moved away from its earlier beliefs in ‘assertive multilateralism’ and a more idealistic foreign policy, the hardened Administration’s ‘stringent conditionality’¹⁵ incorporated into PDD-25 had dire consequences for Rwanda.

PDD-25 and US Rwanda Policy

The section of the Directive that applied to Rwanda was that concerning disciplined and coherent choices about which PKOs to support. To achieve this, PDD-25 established “rigorous standards of review for US support for or participation in peace operations, with the most stringent applying to US participation in missions that may involve combat.”¹⁶ PDD-25 was applied for the first time later in May when planning for a second United Nations Assistance Mission for Rwanda (UNAMIR) force was undertaken. The rationale behind it influenced the earlier US decision to push for the withdrawal of the first UNAMIR force in early April.¹⁷ To compound Rwanda’s agony, the final retreat of US personnel from Somalia took place only days before Rwandan President Juvénal Habyarimana’s plane was shot down in Kigali on April 7, 1994, launching the genocide.¹⁸

US officials ‘zealously applied’ the criteria of PDD-25 with respect to Rwanda,¹⁹ and it soon became evident that Rwanda failed every criterion except for one: If there was an “urgent humanitarian disaster coupled with violence” the US would con-

sider contributing to a UN PKO.²⁰ Nonetheless, the US was unwilling to support an expanded UNAMIR force. As Okbazghi notes, “Given this checklist of stringent requirements, Rwanda was condemned to its own devices with the lone superpower now determined to look the other way when the genocide unfolded.”²¹

PDD-25 and its Influence on International Action

PDD-25 enabled the US to restrict American participation in PKOs while also limiting support to other nations that sought to carry out UN missions.²² It is clear that PDD-25 influenced international efforts to stop the genocide, as the US decision to try and enforce its policy on other sovereign nations hindered effective responses from the UN during the genocide. With respect to Security Council deliberations in April and May, “some [Security] Council members felt that the United States was unnecessarily delaying action by demanding that the proposed new mandate [of UNAMIR II] satisfy the ‘factors of consideration’ included in PDD-25...”²³ On May 2, UN Secretary General, Boutros Boutros-Ghali, asked African heads of state to contribute troops to an African peacekeeping force, which the Clinton Administration said at the time it would help finance, equip, and transport. Although this plan did not involve American troops, the “fate of the all-African force was tied to American support for the initiative, as US equipment and lift capacity were essential if the Africans were to be deployed in a timely manner.”²⁴

Rwanda did not meet the conditions of intervention as outlined in PDD-25, and the interpretation of the wording of the directive by the Clinton Administration precluded the US from supporting other countries, and the UN from intervening (since the type of intervention being proposed did not meet the requirements of PDD-25). In an environment such as that created by genocide²⁵ the US should have moved quickly and efficiently to get the armoured personnel carriers (APCs) that it had promised to deliver.²⁶

Too much time was wasted negotiating the details of the request that the APCs arrived too late to be of any use to stop the genocide. As PDD-25 effectively precluded US support for an intervention force in Rwanda, numerous other issues were simultaneously demanding Clinton's attention.

A Full Plate: Other Issues Confronting the Clinton Administration

Though President Clinton had campaigned on a domestic platform, other foreign policy issues dogged him. Clinton was forced to deal with time-consuming problems in Somalia, Bosnia, and Haiti. Combined with the end result in Somalia, by the time April 1994 rolled around there was no support remaining in the US government, including Congress and the Pentagon, for interventions in far off lands. While the Somalia syndrome and PDD-25 had an effect on US policy during the Rwandan genocide, overall there appears to have been a more general disinclination to become involved in places that were not part of the vital national interest, even if it meant a million people died in the process; the morality and the 'human reality of Realpolitik'²⁷ that was initially present in the Clinton Administration had its role revoked less than two years into Clinton's first term.

Clinton's preference to minimize foreign policy issues and focus on domestic issues soon proved impossible. While the wars in the former Yugoslavia continued and ethnic cleansing became the tactic of choice, US policy remained unclear. Bosnia plagued the Clinton Administration since taking office in January 1993. While the Bush Administration chose to act in Somalia to avoid intervention in Bosnia, charges of genocide were already being made before the Clinton Administration took over. Since a finding of genocide would have created a moral imperative to act, the Bush White House chose to avoid officially calling the ethnic cleansing genocide.²⁸

The Clinton Administration was also reluctant to term the atrocities in Bosnia ‘genocide’.²⁹ To avoid greater US involvement in Bosnia, in April 1993 Clinton advocated a ‘lift and strike’ policy (which meant lifting the arms embargo against the Muslims and others fighting Serb forces while using allied airpower to bombard Serb positions). Clinton sent Secretary of State Warren Christopher to Europe to try and sell the new policy, but it generated little enthusiasm in the US and even less in Europe. The lift and strike policy was never instituted, as the Europeans opposed the policy because it would put them at risk.³⁰ The Clinton team sought to replace the failed lift and strike policy with a policy of containment, which “meant trying to keep things from getting worse without doing very much about it.”³¹

In the meantime, the idea of creating ‘safe areas’ in Srebrenica, Sarajevo, and four other heavily populated cities under siege by Serbs, was gaining support at the UN. However, since UN Secretary General Boutros-Ghali advised that up to 30,000 troops would be needed to protect the safe havens, the US balked. Without a sizable contribution from the US and EU member-states, only a small percentage of the forces needed to man, monitor, and defend the safe havens were deployed to Bosnia.³² Unfortunately, the creation of the safe havens did little to curb Serb aggressions, as witnessed by the 1995 Srebrenica massacre. For the remainder of his presidency, Clinton adopted an entrenched policy of non-involvement although Bosnia continued to be a problem.

Another problem inherited from the Bush Administration, Haïti, fell into the context of the Monroe Doctrine. While Haïti had been ruled by the Duvaliers for years, in 1990 democratic elections were held. Only eight months later, however, a military junta, led by Lieutenant General Raoul Cédras, overthrew the democratically-elected president, Jean-Bertrand Aristide. By 1992, the harshness of Cédras’ regime was obvious, while an increasing number of Haïtian boat people made their way to Florida.

The problems in Haïti continued on into 1994. In between

the embarrassing retreat from Haïti, in the summer of 1994 the Hutu killing of Tutsis (and others, including the Twa) commenced in Rwanda. Clinton wished to restore Aristide as president and end the rule of the military junta. To achieve this aim, the Pentagon began to plan an invasion of Haïti and the so-called 'Bookend policy' was implemented. One bookend was a bluff in which the US "would go through the motions of an invasion and hope to bluff the junta out, assuming it would have no desire to meet up with elite American combat units." If this bluff failed, the other bookend was the invasion itself, "which would be carried out with considerable force in a quick strike."³³

Despite Aristide's return to power, boatloads of Haïtians continued to land on American shores. Although Clinton had chided President Bush for his policy of returning the boat people to Haïti during the 1992 election campaign, this is exactly the policy he followed. However, after serious pressure from lobby groups such as TransAfrica and members of Congress, Clinton officially changed his position on repatriation on May 9, 1994,³⁴ allowing Haïtian refugees to remain in the US rather than deporting them back to Haïti. By this time, genocide had been occurring in Rwanda for almost one month with no lobby for change in US policy.

Despite a non-existent Rwandan lobby in the US, Senator Paul Simon, Senator James Jeffords and other members of the Senate Foreign Relations Subcommittee on Africa sent a letter to the White House after asking the head of the UNAMIR mission, Major General Roméo Dallaire what he needed. While the letter recognized the risks involved, the authors of the letter argued that "we cannot continue to sit idly by while this tragedy continues to unfold." When they finally received a response, they were told that the White House does not "feel there is a base of public support for taking any action in Africa."³⁵ However, as Simon recounts, even without public support, Clinton could have gone on television to explain the necessity and reasons for responding.³⁶

Clinton's slow response to the letter sent by Simon and Jeffords (it took 27 days) is indicative of his handling of the Rwandan genocide; he wanted no part of it.

Conclusion

When the Clinton Administration took office, it espoused the human aspect of foreign policy, promising to uphold human rights and protect those who could not protect themselves, with 'assertive multilateralism' as the policy of choice. Lake once argued that a human foreign policy would require "weighing human costs and benefits as one of the principal and unashamedly legitimate considerations in any decision."³⁷ Unfortunately, it appears that if such a consideration was examined in the context of the Rwandan genocide it was merely to arrive at the conclusion that intervention could cost American lives, something Clinton was not willing to risk. As the genocide progressed, it became apparent that a humanitarian foreign policy was either not practical or the Clinton Administration was unwilling to give it the support it needed and deserved in order to succeed. As such, the unveiling of PPD-25 was ill-timed as the constraints incorporated within were used to preclude involvement in Rwanda.

From the beginning of his presidency, Clinton was forced to deal with a number of foreign policy issues which detracted from his ability to focus on the domestic issues he had campaigned on. The early years of Clinton's presidency were marked by a number of complex and time-consuming foreign policy issues. While the Administration initially embraced 'assertive multilateralism', such an approach was quickly discarded, hastened by the events in Somalia in October 1993. As these foreign policy issues became domestic issues, Congress, the Pentagon, and the American public began to oppose US intervention overseas. "[B]ecause of Bosnia, Somalia, Rwanda, and Haïti, there was a sense that foreign policy was slowly affecting the way [the

Clinton] administration was perceived; foreign policy was seeping into domestic political perceptions.”³⁸ Appearing on CNN a month into the genocide, Clinton stated that:

Security, prosperity, democracy: These are the pillars of our strategy in the new world. These building blocks do not answer every question we confront. In particular, this era has seen an epidemic of humanitarian catastrophes, many caused by ethnic conflicts or the collapse of governments. Some, such as Bosnia, clearly affect our interests. Others, such as Rwanda, less directly affect our own security interests *but still warrant our concern and our assistance*.³⁹

Clinton’s words and actions could not have been more different, as he sat by and did nothing as one million people were systematically slaughtered. His Administration avoided calling the atrocities genocide for almost three months, and in a 1998 visit to Rwanda, President Clinton used the word genocide freely in his apology for the lacklustre response four years earlier:

The international community, together with nations in Africa, must bear its share of responsibility for this tragedy. We did not act quickly enough after the killing began. We should not have allowed the refugee camps to become safe havens for the killers. We did not immediately call these crimes by their rightful name: genocide. We cannot change the past, but we can and must do everything in our power to help you build a future without fear and full of hope. Let us work together as a community of civilized nations to strengthen our ability to prevent and, if necessary, to stop genocide.⁴⁰

While such an apology and admission of culpability is not insignificant, Clinton’s apology seems hollow and callous consider-

ing his Administration's response to the genocide.

Notes

1. William J. Durch, *UN Peacekeeping, American Politics, and the Uncivil Wars of the 1990s* (New York: St. Martin's Press, 1996), 15.
2. Paul Lewis, "Boutros-Ghali Angrily Condemns All Sides for Not Saving Rwanda," *New York Times* (May 26, 1994), A1.
3. Durch, 40. 'Assertive multilateralism' was a policy that would advance US policy goals through multilateral engagement and US leadership with collective bodies such as the UN.
4. Ambassador Madeleine K. Albright "Statement on US Participation in United Nations Peacekeeping," *Hearings before the Subcommittee on International Security, International Organizations, and Human Rights of the Committee on Foreign Affairs*. House of Representatives. 103rd Congress, 1st Session. June 24, September 21, and October 7, 1993 (Washington, DC: US Government Printing Office, 1994), 106.
5. Anthony Lake, "From Containment to Enlargement," remarks at John Hopkins University, School of Advanced International Studies (Washington, DC: The White House, September 21, 1993), <http://www.spongobongo.com/her9985.htm> (accessed June 6, 2003).
6. The White House, "President Clinton's Message to the Congress Transmitting a Report on Congress," *Weekly Compilation of Presidential Documents* 29, no. 41 (October 13, 1993), 2066.
7. Linda Melvern, "Genocide Behind the Thin Blue Line," *Security Dialogue* 28, no. 3 (September 1997), 344; and Scott Peterson, *Me Against My Brother: At War in Somalia, Sudan, and Rwanda* (New York: Routledge, 2001), 162.
8. Samantha Power, 'Section IV: The 'Last War',' in "Bystanders to Genocide: Why the United States Let the Rwandan Tragedy Happen," *The Atlantic Monthly* 288, no. 2 (September 2001).
9. Peterson, 293.
10. Frank Smyth, "A New Game: The Clinton Administration on

- Africa,” *World Policy Journal* 15, no. 2 (Summer 1998), 85.
11. The White House, “President Clinton Signs New Peacekeeping Policy,” *Office of the Press Secretary*. May 6, 1994, <http://www.fas.org/irp/offdocs/pdd25.htm> (accessed July 10, 2003).
 12. The White House, “President Clinton’s Message to the Congress Transmitting a Report on Congress,” 1906.
 13. “United States: Administration Policy on Reforming Multilateral Peace Operations,” *International Legal Materials* 33, (May 1994), 802-04.
 14. Ibid.
 15. Milton Leitenberg, “Rwanda 1994: International Incompetence Produces Genocide,” *Peacekeeping and International Relations* 23, no. 6 (November/December 1994), 7.
 16. Albright, 322.
 17. Alison des Forges, *Leave None to Tell the Story: Genocide in Rwanda* (New York: Human Rights Watch, 1999), 625.
 18. Peterson, 293.
 19. Power, 378.
 20. Melvern, 344.
 21. Okbazghi Yohannes, “The United States and Sub-Saharan Africa after the Cold War,” *The Black Scholar* 32, no. 1 (Spring 2002), 36-37.
 22. Power, 378.
 23. J. Matthew Vaccaro, “The Politics of Genocide,” in W. Durch, ed. *UN Peacekeeping, American Politics, and the Uncivil Wars of the 1990s* (New York: St. Martin’s Press, 1996), 378.
 24. Ibid.
 25. “Discussion Paper,” Office of the Deputy Assistant Secretary of Defense for Middle East/Africa Region, Department of Defense, (May 1, 1994). Secret. <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB53/rw050194.pdf> (accessed August 10, 2003). The US government, particularly in the State Department, shunned the term ‘genocide’ to describe events in Rwanda. A May 1 discussion paper on Rwanda warned US officials to “be careful” and avoid using the word ‘genocide’.
 26. Power, 359. For example, the US could have considered US military intervention, supported the deployment of UN

peacekeepers, and considered 'softer' forms of intervention. Instead, the US did none of these things.

27. Anthony Lake and Roger Morris, "The Human Reality of Realpolitik," *Foreign Policy* 4 (Fall 1971), 157-63.
28. Power, 293. On the eve of Clinton's inauguration, the Assistant Secretary of State for Human Rights and Humanitarian Affairs, wrote in a State Department briefing for Congress that events in Bosnia amounted to genocide, but the Bush Administration had not yet invoked the word 'genocide'. The motivation not to label it genocide outright can be partly attributed to the Bush Administration not wanting, as one of its final acts, to call the ethnic cleansing 'genocide'.
29. Power, 297-300, 318-324.
30. For an in-depth examination of Clinton and Bosnia, see, David Halberstam, *War in a Time of Peace: Bush, Clinton, and the Generals* (New York: The Amateurs, Inc., 2001).
31. Halberstam, 230.
32. Power, 303.
33. Power, 278-79.
34. Power, 376.
35. Melvern, 202-03.
36. Power, 377.
37. Lake and Morris, 160.
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Part III: Emergent Domestic Legacies

The Plight of Women and Girls in Post-Genocide Rwanda

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Abstract: *The 1994 genocide left an indelible mark on Rwanda's history and will shape the future of the country in various ways. Women and children were especially vulnerable to abuses and many were subjected to rape, torture, death, and other forms of brutality. What impact does this have upon Rwandan society as a whole and the future of Rwanda? This article assesses the issues faced by Rwandan women and girls ten years after the genocide. In addition, the inclusion of women and girls in the reconstruction and rehabilitation efforts within Rwanda can provide many lessons for conflict zones around the world.*

Résumé: *Le génocide de 1994 a laissé une marque indélébile sur l'histoire du Rwanda et formera le futur du pays de diverses façons. Les femmes et les enfants étaient particulièrement vulnérables aux abus et beaucoup d'entre eux ont été soumis au viol, à la torture, à la mort, et à d'autres formes de brutalité. Quel impact cela a-t-il sur l'ensemble de la société rwandaise et le futur du Rwanda ? Cet article évalue les problèmes auxquels les femmes et les filles rwandaises sont confrontées dix ans après le génocide. De plus, l'inclusion des femmes et des filles dans les efforts de reconstruction et de réhabilitation à l'intérieur du Rwanda peut fournir beaucoup de leçons pour des zones de conflit autour du monde.*

....

Introduction

The 1994 genocide left an indelible mark on Rwanda's history and will shape the future of the country in various ways. Many acts of horrendous violence were committed during the genocide. Women and children were especially vulnerable to abuses by the *genocidaires*.¹ Many were subjected to rape, torture, death, and other forms of brutality. How are they now coping ten years later and managing their day-to-day lives? What impact does this have upon Rwandan society as a whole and the future of Rwanda? This article assesses the issues faced by Rwandan women and girls ten years after the genocide.

On 7 April 2004, Rwanda began a week of mourning to honour and commemorate those who died in the genocide. President Paul Kagame addressed a crowd of 280,000 mourners at the Amahoro stadium in Kigali. He stated, "The memory of those killed is still fresh in our minds and every single day in the last 10 years has been a battle for our soul."² Despite the condemnation given to the West for its inaction in 1994, few felt obliged to attend the ceremony. The only Western Head of State to attend was Belgium's Prime Minister Guy Verhofstadt.

The West appears to want to forget that while the genocide may have ended, its consequences are still being felt. Rwandans endured the most horrific acts of violence during 1994, many of which left permanent consequences and reminders of the horrors. Physically, many Rwandans – male and female, young and old – have been left maimed and injured, infected with HIV/AIDS or STDs. Psychologically, they are tortured with the memories of the genocide and fear that it may occur again in the future. Rwandan society has been torn apart, as families and neighbours were forced to turn against one another. The effects of the genocide have also been felt economically.

At the same time, there are some positive developments occurring within Rwanda towards peace and reconciliation. Women

in Rwanda provide important lessons about the need to include women in peace and reconstruction efforts.

Atrocities Endured by Women and Girls in 1994

Agathe Uwilingiyimana, appointed in July 1993, was the first woman Prime Minister of Rwanda. Considered a politically moderate Hutu, she was renowned for her efforts to unite Rwandans and denounce all forms of racism and ethnicism. As the genocide began, while under the protection of Belgian peacekeepers, she was hunted down by the Hutu extremists – the *Interahamwe* – and murdered. Mme Uwilingiyimana had been alerted by the United Nations to the danger she faced. The United Nations (UN) had informed her that the military now rejected her authority.³ Shortly before noon on April 7th the soldiers discovered her hiding place. At this point she surrendered quietly in the aim of protecting her children.⁴ Mme Agathe believed that if she surrendered, her two children and husband would be spared their lives because she believed it was her they were most concerned with capturing. She was then shot in the face. Witnesses who found her body said she was nearly naked and that a beer bottle had been shoved into her vagina.⁵ It is probable that her captors had raped her several times.

Her story is not unique among those of the Rwanda genocide, but merely illustrates the genocidal intentions of the *genocidaires* and their contempt for women who were seen as political adversaries to the inner circle of Hutu power (the *Akazu*) within President Habyarimana's government. Elimination of women and children was central to the genocide plan, as their eradication would prevent a new generation of children who would become the Tutsi dominators of the future.

The use of propaganda by the Hutu extremists against the Tutsi population was central to the success of the genocide in Rwanda. The "Hutu Ten Commandments" were a set of popular

propaganda messages distributed widely, starting in 1992, prior to the 1994 genocide. The first three spoke directly to the caricature of Tutsi women as subversive temptresses to be avoided:

1. Each Hutu man must know that the Tutsi woman, no matter whom, works in solidarity with her Tutsi ethnicity. In consequence, every Hutu man is a traitor: Who marries a Tutsi woman; who makes a Tutsi woman his concubine; who makes a Tutsi woman his secretary or protégé.
2. Every Hutu man must know that our Hutu girls are more dignified and more conscientious in their roles as woman, wife, and mother. Aren't they pretty, good secretaries, and more honest!
3. Hutu women, be vigilant and bring your husbands and sons to reason!⁶

The propaganda campaign against Tutsi women assisted in creating a climate in which these women were treated as sub-human. They were depicted as evil and it was essential to eradicate and humiliate Tutsi women in order to 'ethnically cleanse' Rwanda.

As a result of the genocide, it is estimated that 60-70% of Rwanda's population is now made up of women, of which 50% of those are widows.⁷ Women and girls not only witnessed the killing of their friends and families, destruction of their homes, but were also victims of torture and rape. The *Interahamwe* often spared women their lives but raped them repeatedly.⁸ Many Rwandan women were victims of gang rape. The strategy of raping of Tutsi women was to rid them of their ethnicity. The UN estimates that between 250,000 and 500,000 rapes were committed during the genocide.⁹ In addition, women were often publicly degraded. Rape was often carried out either after, during or before witnessing the murder of their loved ones.¹⁰ Women were often raped with sharp objects inserted into the vagina and acid

was often used to mutilate the women to prevent them from having children in the future. Men who were HIV positive deliberately infected women as another means of destroying the Tutsi population.

Rape was clearly used as an instrument of war during the genocide to destroy women's psyches, to isolate them from their families and communities, and to humiliate them and their families.¹¹ Many of the women knew the men who had raped them. In Rwanda there has been great shame associated with being a rape victim. Many women have been ostracized by their communities. This shame was reinforced by the fact that, among both survivors and returnees to Rwanda, rape victims are often perceived as collaborators with the enemy, women who traded sex for their lives while their families were murdered.¹²

Both Tutsi and Hutu women were raped. Hutu women were targeted mainly for their political affiliations or relationships with Tutsis, and endured far fewer attacks. Tutsi women were specifically targeted for their ethnicity.¹³ Thus every Tutsi woman was an enemy that needed to be destroyed in order to preserve the Hutu population. "According to the extremist ideology, Tutsi women sought sexually to manipulate Hutu men as a means to achieve Tutsi domination over the Hutu community. Perpetrators of the genocide thus viewed sexual violence against Tutsi women as an effective method to shame and control the Tutsi population."¹⁴

The children of Rwanda also faced extreme hardship. Many children lost their parents during the genocide. UNICEF estimates that some 95,000 children were orphaned during the genocide and are now heading approximately 42,000 households in Rwanda.¹⁵ In addition, many children have been borne of rape, and are often abandoned, abused or rejected. Thousands of children were also separated from their parents when returning from refugee camps back to Rwanda following the genocide. The International Committee of the Red Cross registered more than

28,000 unaccompanied children during the mass repatriations in November 1996 alone.¹⁶

According to UNICEF, these orphans and “other vulnerable children” are at particular risk of sexual assault and sexual exploitation, and resort to survival sex.¹⁷ This is due to the fact that many children are unprotected, and often have no other means of obtaining money or food to survive. The Government of Rwanda formalized an official policy dealing with orphans in 1995, the aim of which was to return as many children as possible to their family members and the rest would be placed in foster care.¹⁸ Thousands of children were still sent to orphanages, often because they had no other option. Some also believed that the children would receive better medical attention and education if the children went to the orphanages. Tracing the families of the young children often proved difficult because many were too traumatized or too young to be able to tell where they came from. Those able to remember information about their background were often not reunified due to the fact that many people were internally displaced.

Some families were eager to claim children due to the fact that material assistance may be given from the government and NGOs. The children were often also viewed as manual or domestic labour for many households. Follow-up mechanisms by the NGOs, which helped to place the children, were often lacking due to the sheer magnitude of the task. As a result, many children were abused and subject to exploitation, and preferred life on the streets.¹⁹

Role of Women as Perpetrators

Women were victims as well as perpetrators of genocide and rape in Rwanda. General Roméo Dallaire, head of UNAMIR, stated, “Nothing could prepare me for seeing women with babies strapped to their backs killing each other with machetes.”²⁰ Some

1,200 women have been imprisoned in Rwanda for alleged participation in the genocide.²¹ Hutu women took other Tutsi and politically moderate Hutu women as prisoners and demanded that they be raped in their presence. At other times they used inanimate objects to commit the rape themselves.²² The number of women jailed only represents 2.3 percent of the total number jailed for crimes committed during the 1994 genocide.²³

Another issue that has had little attention is the fact that women also participated as combatants on both sides of the internal conflict, which raged during the genocide. Former female combatants formed the Ndabaga Association in 2001.²⁴ It is the first association of female ex-combatants in the Great Lakes Region. The members are ex-combatants from all 12 of Rwanda's provinces and are from both sides of the conflict. The association wishes to assist the women with re-integration into society. However, they also have interest in seeking a greater role in regional peacekeeping missions in Africa to bring the attention of gender sensitive issues into peace missions. It is estimated that the number of female ex-combatants is relatively low, around 450, but more are continuing to return from the Democratic Republic of Congo.²⁵ With the creation of such an association, more women that participated as combatants may be willing to seek assistance for their psychosocial trauma and reintegration needs. Captain Apophia Batumuliza, who heads the association, believes that the female ex-combatants could assist with bringing a sense of hope to vulnerable groups, such as women and children, in conflict zones. It is possible that these women may play important roles as peace builders in their communities. Many of the women within the association are already active leaders in grassroots organizations such as the *gacaca* justice system and community policing.

Challenges faced by Women Ten Years On

After the genocide of 1994, women and girls represented

70% of Rwanda's population.²⁶ Today, women in Rwanda face a multitude of problems that they must overcome.

Health Related Issues

Many women were forced to give birth to unwanted children fathered by their rapists. It has meant that many children are growing up unwanted and unloved within Rwanda and the consequences for society are immense. Many women suffer both physical and psychological effects of rape. Abortion remains illegal in Rwanda and many women now require treatment for serious complications due to self-induced or clandestine abortions of rape-related pregnancies.²⁷

Additionally, many women have contracted venereal diseases and HIV/AIDS. UNAIDS estimates indicate that 130,000 women between the ages of 15 and 49 are infected with HIV.²⁸ Amnesty International claims that women genocide survivors have been denied effective medical care, testing for HIV/AIDS and psychological counselling by the government of Rwanda.²⁹ Many humanitarian groups have suggested that the Rwandan government should provide free anti-retroviral (ARV) drugs to these women. Otherwise they are merely facing a drawn out death sentence. Women need to be able to work in Rwanda, particularly since many have become widows as a result of the genocide. This can only happen if they are healthy enough to be able to work. Esther Mujawayo, co-founder of AVEGA – a widow's association started after the genocide – stated, "The world is watching again. If you have not protected someone in 1994, at least stop her from dying now. The UN just let people die, and now it's watching as the survivors die."³⁰

Access to health care facilities is a large concern for many women in Rwanda. Many medical facilities were destroyed, as well as the fact that medical personnel were murdered during the genocide. UNICEF estimates that 88% of women in Rwanda must

walk more than one hour to reach a health care centre and only 300 doctors exist to serve the entire country.³¹

Social Issues

Many of the women are ashamed of the fact that they were raped and have been unwilling to come forward to seek medical attention, which has clearly compounded the multiplicity of problems they face both physically and psychologically. Women who survived the genocide and who were subjected to rape were told they were allowed to live so that they would “die of sadness.”³² There is a negative stigma attached to those who were raped. There is an additional stigma related to those who contracted HIV as a result of the rape. Human Rights Watch interviewed a particular rape survivor, who contracted HIV as a result of the rape. She has been rejected by her brother and sister who blamed her for the rape and who refuse to touch her for fear they will contract HIV.³³ The trauma as a result of the genocide, the rape and the contraction of HIV are immense obstacles for the women of Rwanda.

According to the Survivors Fund, genocide widows look after an average of seven orphans.³⁴ A 2001 survey by the Rwandan Ministry of Health and the National Population Office found that approximately 36 percent of women were widows, as compared to 21 percent in 1992.³⁵ Clearly, if this is the reality then the death of these widows from HIV/AIDS would be catastrophic for Rwanda as the number of child-headed households would increase. UNAIDS has estimated that the number of orphans due to HIV/AIDS is 160,000.³⁶ This number will swell in the future, as the number of pregnant women estimated infected with HIV in Kigali is 30%.³⁷

Due to the policy to unite children with families, there are now 26 centres for unaccompanied children in Rwanda, housing fewer than 5,000 children – fewer than before the genocide. The great majority of the children that are difficult to find homes for

are those who are children of prisoners or whose parents have died of HIV/AIDS, as these children are the least wanted and cared for by Rwandan society.

Many of the children whose parents are imprisoned for participation in the genocide face added problems. The belief is that these children will grow up to become killers, like their parents. Women interviewed in Kigali explained how genocide survivors harass those known to have fathers in prison, chanting, “You are going to kill us, just like your father did.”³⁸ Assistance programmes in Rwanda typically assist genocide survivors or vulnerable children, but not specifically children of prisoners.

Due to problems related to exploitation of the children who are placed within foster families, large numbers of siblings or unrelated children have preferred to stay together and fend for themselves. There are many problems faced by these child-headed households, such as lack of food, medical care, security, and education. More than 60% of these child-headed households live solely off agriculture, three quarters of whom have less than one-hectare of land and one quarter are landless. The average revenue per household per month rarely exceeds 2,500 Rwandan Francs (US\$7).³⁹ These children often turn to trading sex for material or other benefits. 80% of girl heads of households had been sexually abused or fended off sexual abuse.⁴⁰

Economic Issues

Economically, it is difficult for Rwandan women. Many women and girls have had male family members killed during the genocide and others have loved ones who are now being held in prison. According to the World Bank, 97% of Rwandan women provide for themselves and their families through subsistence agriculture.⁴¹ It is therefore important that women have access to land. Inequality between men and women has been a part of traditional custom in Rwanda. The constitution guarantees women

full legal equality but discrimination based on traditional practices has continued in many areas, including inheritance rights.⁴² Under customary law, a woman cannot inherit property unless she was explicitly designated as the estate's beneficiary; even in this event, women often lost property to male relatives of her husband.⁴³ In 2000, amendments to the Civil Code gave women the right to own and inherit property.⁴⁴ However, many practical gaps to the implementation of this legislation remain.⁴⁵

Justice

The International Criminal Tribunal for Rwanda (ICTR) has been at the forefront of creating international precedents with respect to rape as a war crime. This is extremely important because rape had not been viewed as an instrument of war previously. They established a Sexual Assault Committee to co-ordinate the investigation of gender-based violence; it has both prosecuted and convicted for gender-related crimes.⁴⁶ The ICTR is the first international tribunal to have convicted anyone on the charge of rape as a war crime. The Tribunal stated that rape and sexual violence may constitute genocide in the same way as any other act of serious bodily or mental harm, as long as such acts were committed with the intent to destroy a particular group targeted as such.

Key individuals within the Habyarimana government have been brought to justice by the ICTR, including those who participated in the crime of rape and sexual violence during the genocide. Jean-Paul Akayesu, the *Bourgmestre* (mayor) of Taba, was found guilty of crimes against humanity for rape and sexual violence in 1998.

The ICTR has brought attention to the plight of women in Rwanda and also throughout conflict zones in the world due to the fact that it has set important precedents in convicting those responsible for rape as a war crime and as a part of genocide. This has influenced the International Criminal Court's Rome Stat-

ute, which came into effect in 2002. Through these measures, it has assisted in sending a message that rape should no longer be viewed as a 'normal' part of conflict, but as a crime against humanity that must be addressed. However, the ICTR has been criticized for not following up the prosecution of other cases related to rape and sexual violence.⁴⁷ It is important that the ICTR assists in the healing process required in Rwanda. In May 2004, the ICTR initiated a series of training seminars on gender sensitization and sexual violence investigations.⁴⁸

The government of Rwanda has instituted its own form of justice for those who participated in the genocide of 1994. The *gacaca* (ga-CHA-CHA) trials are conducted throughout villages in Rwanda and are aimed at those who committed crimes during the 1994 genocide but were neither the major organizers of the genocide nor commanded positions of authority in 1994. These trials are not meant to ascribe guilt or apply state law but to restore harmony and social order in a given society. The hope is that *gacaca* will foster reconciliation while preparing the population for the eventual release of prisoners back into society.⁴⁹ It is based on a traditional form of dispute resolution in Rwanda in which people gather from villages to participate in group discussions which should end in an arrangement that will be acceptable to all *gacaca* participants. In the past, the *gacaca* dealt with conflict related to land use and land rights.⁵⁰ The *gacaca* trials are separate from the Rwandan National Tribunal proceedings, which are dealing with the 100,000 detainees held in the national prison system.⁵¹ Considering the magnitude of the genocide in 1994, the government cannot adequately deal with all of the perpetrators and hence the *gacaca* is meant to aid them and the reconciliation process.

The great difficulty with the *gacaca* system is that it is often subject to hearsay or inaccurate evidence. This then may lead to people being wrongfully ascribed blame in a particular village and then outcast by that society. Additionally, many women are

unwilling to come forth to talk of their sexual abuse in such a public forum. Under the 2001 *gacaca* law, a rape victim who chose to report rape to a *gacaca* court could testify orally or in writing before the general assembly, which is composed of a minimum of 100 community members and the testimony would be read aloud to the assembly.⁵² The lack of privacy and confidentiality in such a sensitive matter is a deterrent to the reporting of such crimes by women.

The effectiveness of the *gacaca*, however well intentioned, is hence extremely questionable. Many women in Rwanda are extremely anxious about the *gacaca* process. Genocide survivors have expressed their feelings about how they see *gacaca* reopening wounds and creating insecurity for those who may bring cases before the courts.⁵³ The Ministry of Health as well as local NGOs have provided limited on-site counselling for *gacaca* participants, but there are insufficient counsellors to meet the needs of the victims and witnesses, especially in rural areas.⁵⁴

Positive Political Trends for Women

It is also important that women of Rwanda – Hutu, Tutsi and Twa – ban together in the struggle for peace and reconciliation. Women are now left to rebuild Rwanda both socially and economically and to do so requires a commitment of political will by Rwandans, the government of Rwanda and the International Community. UNIFEM, through its African Women in Crisis Initiative, has focused on reproductive health, trauma management, and quality of life improvement for women and girls.⁵⁵ Reconstruction initiatives must bear in mind the heavy burden the women of Rwanda now face and ensure that they are the focus of any such programmes.

Rwanda's new constitution has been created with gender-sensitive provisions. One of the most important changes has been the guarantee that women serve in 30% of the decision-making

mechanisms of government. It is extremely encouraging to note that Rwanda leads the world ranking in terms of the number of women within its parliament. In September 2003 the elections that took place witnessed 48.8% of the National Assembly seats going to women.⁵⁶ This is a remarkable achievement in light of the fact that previously the National Assembly had only 25.7% of the seats being held by women and even more so considering that the world average is 15.2%.⁵⁷

The perception among survivors of both sexes, was that women were better than men at forgiving, reconciling and building peace.⁵⁸ “Generally, the people who have been excluded or underrepresented are great partners for change... that usually means women.”⁵⁹ There was a remarkable response from women towards the rebuilding of the nation. Women immediately stepped up to the plate, finding homes for nearly 500,000 orphans, caring for survivors and rebuilding homes.⁶⁰

Women remain underrepresented among police officers, prosecutors and judges. Only 4% of the Rwanda National Police are women.⁶¹ Usually, women feel far more comfortable discussing confidential issues, particularly those related to health and sexual violence, with other women. In recognition of this need, the police force aims to increase representation of women countrywide in order to provide all female rape victims with the option of reporting to a woman police officer.⁶² This is encouraging and could be viewed as a lesson to many African nations. On March 16, 2004, Prime Minister Bernard Makuza announced that the Police would aim to raise representation of women to 30 percent, as part of its 2004-2008 strategic plan.⁶³

It is important to note that women still have lower incomes and literacy rates than men.⁶⁴ But no other country is doing what Rwanda is doing to bring women into the political process.

Conclusion

The success of reconstruction and reconciliation efforts in Rwanda is critical to the maintenance of peace in the country. Neither reconstruction nor reconciliation can be achieved without the participation of women in Rwanda. UN Security Resolution 1325 (2000) urges all member states to ensure the full inclusion of women in all international peace and security processes. Women must be empowered, given a voice in government policy making, and provided with psychosocial and physical counseling measures.

Women of Rwanda, both pre- and post- genocide, have faced an uphill battle. Pre-genocide they were discouraged from seeking positions of influence, women were not encouraged to assume roles as community leaders, entrepreneurs or elected officials.⁶⁵ Post genocide, they face an uphill battle against the stigma related to rape, loss of their loved ones and property, health-related problems, and the demands placed upon them to now become the providers for their families despite lack of education or skills. If Rwanda succeeds in attaining reconciliation and economic prosperity, the women of Rwanda will deserve a great deal of credit due to their perseverance. Additionally, the Government of Rwanda must be commended for its efforts in bringing women into the political process and decision-making mechanisms. Rwanda may serve as a lesson to other conflict zones about the importance of women and conflict resolution.

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‘Don’t talk to me about justice’¹

Stephanie Nolen
The Globe and Mail

Abstract: *In this reprinted article, which first appeared in Canada’s The Globe and Mail, Stephanie Nolen recounts the story of Athanasie Mukarwego. Ms. Mukarwego was raped repeatedly during the 1994 genocide, but miraculously was not infected with HIV/AIDS as so many rape survivors were. Ms. Mukarwego works tirelessly with other women survivors of rape to heal their physical and psychological trauma. What she doesn’t expect, despite Government efforts at justice and reconciliation, is justice for her or other victims of rape.*

Résumé: *Dans cet article réimprimé et qui a paru pour la première fois dans le quotidien canadien The Globe and Mail, Stephanie Nolen raconte l’histoire d’Athanasie Mukarwego. Mme Mukarwego a été violée à plusieurs reprises pendant le génocide de 1994, mais, miraculeusement, n’a pas été atteinte du HIV/SIDA, alors que tant de survivantes l’ont été. Mme Mukarwego travaille inlassablement avec d’autres femmes survivantes de viol pour guérir leur trauma physique et psychologique. Ce qu’elle n’attend pas, en dépit des efforts gouvernementaux, est la justice pour les victimes de viol.*

....

[...] This is, in the end, a hopeful story. You may want to keep that in mind through what lies ahead. It was Easter vacation. Athanasie Mukarwego remembers that because the children were out of school. She was 35, a high-school teacher with three daugh-

ters and a son. She was married to Canisius Kanimba, a public servant, and they lived in a hilltop suburb of Kigali, in a house that was small but had a magical view looking down on the city. She had recently had a miscarriage, so her spirits were a bit low, and the thick clouds of the rainy season matched her mood.

On the evening of April 6, 1994, Ms. Mukarwego heard on the radio that a plane carrying Juvénal Habyarimana, the dictator who had ruled Rwanda since 1973, had been shot down on the way back from a meeting in Tanzania to discuss a peace accord with the rebel Rwandan Patriotic Front (RPF).

Mr. Kanimba went out to talk to neighbours, and returned at about 11, telling his wife that the streets felt strangely unsafe. The next day, the radio carried a government order that citizens stay inside.

“I knew the president was dead, but I couldn’t imagine the consequences.” Even now, Ms. Mukarwego’s soft voice carries wonder at what happened next.

She went out into the yard the next morning; the rough red-dirt road was empty, except for heavily armed militia members. “They gave me a look that pierced me – I went back in the house.”

A few hours later, an army officer came to the house and, flouting Rwandan custom, didn’t even knock on the gate. Mr. Kanimba, a devout Catholic, was reading the Bible when the man barged into the house. “Why aren’t you at the roadblock with all the other men, with their identity cards?” he demanded. Militia members had closed their road.

Ms. Mukarwego suddenly became certain that her husband would die. “He was afraid too, but he tried to hide it. He asked, ‘Should I go, or should I try to flee?’ But I said, ‘If you flee, where will you go?’ He said, ‘No, I will die like a man. I’ll go to the roadblock.’ He took his jacket and went.”

In his pocket was a small national identity card, which bore his name, date of birth and in the top left-hand corner the word ‘Tutsi’.

Mr. Mukarwego was at the roadblock for the next seven days, held there at gunpoint with the other men from the street, his Tutsi neighbours. Two or three times, he managed to sneak away briefly to check on the family. "I keep asking them to kill me," he told his wife. "They won't. What I see there makes me wish I were dead."

On April 14, he came home again and deliberately dressed in the shoes he wore to weddings and a new jacket. "Courage," he told his wife. As he was leaving, she started after him, and he turned to tease his independent-minded wife: "Today you follow me?"

"Then," she recalls, "he said, 'Bye.' Just like that."

Later, neighbours closer to the roadblock told her what happened next. The militia men tortured him for a full day. And then they killed him. The neighbours saw his body land atop the swelling pile of corpses. That day, the 15th, a Hutu friend of her husband came to the house, covered in blood, and weeping. "He said, 'Your husband is dead, they made me kill him. This is his blood.'" Her voice turns steely as she remembers the conversation. "I don't know if it's true that they made him do it. Because during the war, men changed."

When they heard the news, her children – the oldest just 12 – began to sob. "But I took heart, I was almost glad. Like it was good news – at least he won't suffer any more."

"I didn't cry. I still can't cry for him."

Athanasie Mukarwego grew up in the Congo. Her parents had fled Rwanda in 1959, the first time Hutu extremists launched large-scale attacks on Tutsis.

The two groups had occupied this "land of a thousand hills" before recorded history. The differences between them are laughably slight to the outsider. Hutus farm; Tutsis herd cattle. Tutsis are taller. Hutus, they say, have flat noses and round faces and curly hair; Tutsis have small-bridged noses, strong jaws, finer hair.

When the colonizers came in the 1800s, they found a country in which Tutsi kings and a Tutsi elite ruled – largely peacefully, though in a sort of feudal system – over the Hutu majority. The Belgians who claimed Rwanda were happy to perpetuate that system.

But in the 1950s, when the Tutsis began to agitate for independence, the Belgians craftily switched sides; suddenly they were in favour of ‘democratization’, of spreading power to the Hutu majority. And when they were granted independence, the Hutus could hardly believe their luck: Long told they were inferior, suddenly they were being allowed to rule. The first waves of violence against Tutsis began.

Ms. Mukarwego came back to Rwanda in 1981, after she had met and married Mr. Kanimba in the Congo. Rwanda was, after all, home, although she had never really lived there. Her husband had been at school with many Hutus who now held high posts in the government, and they weathered the periodic eruptions of anti-Tutsi violence largely untroubled.

In August 1993, Mr. Habyarimana’s government signed the peace accord with the RPF, a rebel army made up mostly of Tutsis backed by Uganda (and indirectly by Uganda’s chief patron, the United States). The deal promised an end to the war that had simmered in Rwanda’s north.

But something else was in the air – a new ideology whose proponents called it ‘Hutu Power’. Newspapers and the government’s Radio Mille Collines increasingly warned of the danger posed by the RPF, saying Tutsis (about 13 per cent of Rwanda’s eight million citizens) aimed to seize control and exterminate Hutus. In increasingly blunt language, government figures exhorted Hutus to arm themselves. Gangs of militia held rallies in the cities — they would soon become the *Interahamwe*, “those who attack together.”

It remains a mystery who shot down Mr. Habyarimana’s plane. The Hutu government blamed the RPF, of course – and so

did a French inquiry, which released its results two weeks ago. (The flight crew was French.) But in Rwanda, many people suspected the Hutu Power cabal that seized control after the assassination – because the president was making “too many concessions” to the RPF. Because they needed an excuse to launch the war.

There is another mystery, of course: What happened in Rwanda? No amount of fear-mongering, or theories about a cowed and submissive population, explains what went on in the next 100 days. Hutu men killed their Tutsi wives. Hutu women with Tutsi husbands killed their children (who by law inherited their father’s ethnicity). Hutus who refused to slaughter family or neighbours were killed as well.

It takes extraordinary commitment, energy and effort to kill at least 800,000 people in 100 days, when almost all the killing is done with machetes. The shattered skeletons from Rwanda’s mass graves illustrate just how many blows it takes to kill a person. When the *Interahamwe* could not get through a crowd, they chopped the Achilles tendons of those who remained to ensure that they could not flee, and then came back for them after a meal or a rest.

The radio exhorted Hutus to kill Tutsi men. A different fate was set out for Tutsi women.

For three days after she learned of her husband’s death, Athanasie Mukarwego stayed in the house with her mother-in-law and her children. And then on the 18th, a group of men came. They pounded at the doors, some at the front, some at the back, and then burst in. They herded the family members into their small salon. Each was told to sit in a chair, and soldiers pressed guns to their chests.

“One of them said to me, ‘Show us the money your husband left.’ I got up and started to walk to the bedroom, and several of them followed me. When I got to the door, one of them kicked me, here” – she rises and shows how the kick to her lower back

made her sprawl forward – “and then another hit me with the gun, on the head. I saw flashes, and I don’t remember the next bit.”

She woke up in a nightmare. She was naked, lying on her bed, except the mattress was gone and the bare wooden planks pressed into her back. “One of my feet was off on one side, the other on the other side, and this group of men was standing at the end of the bed looking down at me like savages. One said to me, ‘Écoutes, Madame. Your sisters have been killed with grenades and with guns and with machetes. You, we will kill with rape. Did you know that it kills too?’

“I thought I would die right away. But I lived.”

Her three-by-five-metre bedroom was full of men. She assumed that her children were already dead; there was silence in the rest of the house. The first man climbed on top of her. “I screamed. It hurt.”

She pauses. “It went on day and night. Day and night. They brought busloads of militias.”

Athanasie Mukarwego was raped by hundreds of men, men who lined up in the room, standing over her and masturbating while they waited their turn, men who lined up in the hall. They came on buses: militia members shipped into the city, who got off the bus at her house and waited in line. It went on for 89 days.

Many of the men who raped her came splattered in blood from “the work” – the killings. They left the blood smeared on her body. “I went three months without putting my clothes on. After a couple of days, I couldn’t even cry. I was thirsty, hungry, swollen, nauseated, my head ached, I had a fever. At a certain point, I asked myself, Does God exist? We were always taught that God loves us – He would not have let me live through this. Clearly, He does not love me.”

Some of the men who pushed into her body told her how they intended to punish her. “They said, ‘You will die of AIDS. Others have died of it. You will die like them.’ As the weeks went by and this went on, she grew ever thinner. “They would joke,

‘You see? It’s AIDS.’”

She was never allowed to rise and bathe. She looks into the middle distance and marvels at this now. “I stank,” she says bluntly. “The smell was horrific. They ejaculated in me, one after the other, 20, 30. And not one of them ever hesitated, ever said, ‘This woman is dirty.’”

Her children, she had realized, were not dead: The walls do not reach the zinc roof of the house, and she could hear them in the next room. That meant, of course, that they also heard her screams. A day came when, briefly, there were no men in the house. She decided that she must die, and she must kill her children to spare them from this fate. She tried to get up but could not get her legs together. When at last she rose, a foul, viscous stream of blood and ejaculate poured down her legs. She was weak and dizzy.

She wrapped herself in a cloth she found on the floor, and crept to her children’s room. “I asked myself, ‘How will I kill them? The oldest first, or the youngest? My son, or my daughters?’ I knew I had to do it quickly. I fell to my knees and begged God, ‘I doubted your existence. You set for me to be tortured. You know how I have suffered. Grant me this thing, the courage to end this.’ And I heard a voice, saying, ‘Patience, patience.’” She decided, then, not to kill them.

Moments later, a young neighbour came in – a Hutu who had been at the barricade with the killers. But Ms. Mukarwego knew him well; she had often cared for him as a child. “He said, ‘You won’t sleep tonight. Tonight is the night they kill the widows; the time of the children has not come. Tonight, they do the widows.’ And he told me to come and hide at his house. My mother-in-law said, ‘You must go.’”

Weak and terrified, she limped to the neighbour’s house. He led her into a bedroom, where a shiny new machete was waiting. “He said, ‘Do you mourn your husband? ... Now you must fight for your life.’ He grabbed me by the neck – and then he raped me

too. The whole night.”

The next morning, she crept out while he slept, and home again. She could not tell her mother-in-law what had happened. And soon enough, another busload of *Interahamwe* arrived outside her door. “It went on. I was in another world.”

But she became suddenly, brutally conscious, when one afternoon she heard her 12-year-old daughter Grace scream out “Maman!” Soldiers had dragged her out back, intent on raping her as well.

“Grace called out, ‘Forgive us. We won’t be Tutsis any more!’”

Ms. Mukarwego sat up in the bed and quickly counted the men in her room – there were eight. She seized a machete from the floor and said, “Cut me in eight pieces so you can each have one. But leave my children.” And one of the men went out to the back and had Grace released.

The men would not let her leave the room to relieve herself, although when she gave in to the need to urinate she found that her vaginal area was so swollen and damaged she could not. She does not remember eating or drinking, although she must have, to have stayed alive.

She remembers only once, when one man came to her room with his pockets filled with groceries. She counts off the list: a litre of cooking oil, a kilo of sugar, a kilo of rice, a bag of maize. “He gave it to me and said, ‘Courage. Give it to your children.’ I said, ‘How can one who comes to kill me bring food for my children?’” The man had no reply. She could not eat his food; he took it to the back room, to the children.

A few nights later, soldiers came and began to beat her. They hauled her outside toward a mass grave dug on the hill just behind her house. At the edge, a soldier shoved her to her knees. “Speak for the last time,” he jeered. Ms. Mukarwego did. She remembers every word.

“I said, ‘When I see you with your youth, your strength, I

feel pity for you. You could use it to protect those who need protection, but you use it to kill. We are innocents. There is not even a stick in my house. No one ever received so much as a nasty look in my house. And yet you will kill me. The others who died were innocent. And we will all go to another life, one you won't have.' They said to each other, 'Why isn't this woman afraid?' I said, 'All who live must die.'"

And then, inexplicably, they sent her home. A few hours later, another bus came.

And then it was July. The Rwandan Patriotic Front took Kigali. The Hutu militias fled. The killing stopped. And the last man left her bedroom.

"I don't really remember anything until two or three months after the war. I was sick. It was as if I didn't recognize the house, I couldn't move, I didn't want the kids near me. I didn't want anyone near me. Especially men."

She would learn later that all the Tutsi women on her street had endured the same fate, as part of a large-scale campaign of gang-rape. "There was Jeanne, there was Claire ... " she counts them softly on her fingers. Ten all together. The other nine have all died of AIDS.

After the war ended, Ms. Mukarwego sought treatment for what was diagnosed as a severe uterine infection. Drugs cured that, but nothing could fix her other problems.

"I smelled sperm everywhere. The water I drank, the air I breathed, it all smelled of sperm. It made me vomit." It was years before that began to abate. She dreaded going out in public, sure that people were laughing at her, nudging each other and whispering, "That is the one who was raped."

With her husband dead, and four children to feed, she needed to work. But she could not bear the idea of going back to her school. "Those students I taught – how many of them became *génocidaires*? Maybe some of them came and raped me. Many of my colleagues were killed by their students."

Instead, a friend helped her find a job managing the supply office of a large public hospital. Then another friend took her to the Polyclinic of Hope, set up by the Rwandan Women's Network to treat victims of sexual violence during the genocide. It was a revelation.

"I saw many women in the same situation as me. I saw that life could continue. That you could still have hope." She became a regular at group counselling, and felt the sharp, constant pain in her chest begin to ease.

There was one thing, though, that kept Ms. Mukarwego from embracing that new hope. For four years, she had had intense pain in her vagina. She was sure she knew what it was: AIDS. She saw the ravages of the disease all around her, its death march through Africa accelerated in Rwanda by the mass rapes.

Finally, in 1999, she went to a clinic and asked for an HIV test. "The doctor came back in and he said, 'Your results are negative.' And I just stared at him. So he explained, 'You don't have HIV.' And I said, 'But that is impossible. Me? I don't have it? You've made a mistake. I was raped by more than 500 men. Your machines don't work.'

"I told him what had happened to me. And he said, 'Well, do you believe in God?' I said, 'Yes.' And he said, 'So believe in this result.' "

She went back the following year, and the year after that, to be tested again. All the results were negative. Somehow, after being raped night and day for three months, she escaped AIDS.

She had never discussed the rapes with her children. "The older ones suspected, though they didn't ask. They were embarrassed." Only her youngest daughter Diane actually asked what had happened. "She would say, 'What were you doing in that room – I saw so many men go in the room.' I told her that I took them in the room to give them the money her father left."

But the fib backfired: Diane was angry. "She said, 'Did you have so much money, when we were dying of hunger?'" Ms.

Mukarwego gives a bitter smile. “So I said, ‘I was trying to keep them from killing us.’”

After that first negative HIV test, however, she felt she had the strength to tell her children the truth. She bought several bottles of Fanta, as a treat, and sat with them at the table. “I was happy – they could tell that the air had changed. I told them the whole story. They cried and cried, and I said, ‘Don’t cry of sorrow, cry for joy. I have this’ – and I showed them the paper with the negative result. Then they cried even harder.”

Ms. Mukarwego went on living in the house; she says she had no money to move, and anyway, where would she go? She went on sleeping in the same bedroom: the house had only two, and she could not bear to put her children in it. But she developed a ritual: each night she would lock the door, and then act out a fight with a room full of imaginary rapists. “This time I have the strength, the power. Now you’ll see my machete!” She finished by lifting and shaking the mattress. “I would dump their corpses on the floor. And then I slept well.”

On the side of a hill in a neighbourhood called Gisozi, labourers are hard at work on Rwanda’s national memorial to the genocide. It is a graceful yellow building, with a rose garden and stained-glass windows. The city government chose to put the centre here because Gisozi is also the site of one of Kigali’s larger mass graves. At least 60,000 people have been buried here, their corpses plucked from ditches and latrines around the city in the wake of the killing. Coffins often hold the remains of up to 50 people, their bodies so devastated it is impossible to match skull with spine or femur.

Mr. Kanimba’s is among them. His wife came to Gisozi again and again to look at the recovered remains until one day she recognized the shreds of cloth clinging to a long, thin skeleton – they were from that new jacket he’d put on the last time he left the house.

A mass funeral will be held here on Wednesday, the 10th

anniversary of the day the killing started, declared by the United Nations as an international day to remember the dead of Rwanda. A half-dozen African presidents will attend, as will Lieutenant-General Roméo Dallaire, the Canadian who headed the UN peace-keeping mission during the genocide. In 1994, he tried and failed to bring international attention to what was happening.

A decade later, the Prime Minister of Belgium is the only western leader who will be at the commemoration of the genocide. UN Secretary-General Kofi Annan admitted last week that, as Deputy Secretary-General at the time, he failed to heed Gen. Dallaire's pleas and so bears responsibility for failing to halt the genocide. He is not coming to the ceremony.

But Ms. Mukarwego will be there. "I go every year. It hurts horribly. But I have to go."

Eighty-one of the organizers of Rwanda's genocide have been indicted by the International Criminal Tribunal for Rwanda, which sits in Arusha, Tanzania. The tribunal has detained 66 of those indicted, and convicted 20 people of crimes against humanity. The court's budget for this year is \$177-million (U.S.), almost one-third of the operating budget for the entire country. Like many survivors, Ms. Mukarwego is infuriated by its grinding pace and exorbitant costs.

"They're like men living in paradise. It's as if they've been rewarded for what they did. Why does the international community let them rest in Arusha? Why aren't they here, before the eyes of those they attacked, so that we can testify?"

An additional 80,000 people, some of the foot soldiers who obeyed the radio orders and went out to kill their neighbours, friends and wives, are in jail in Rwanda. The country's prisons are grossly overcrowded; more than 80 per cent of the inmates held on suspicion of genocidal killings.

And so last year the government made the controversial decision to release 30,000 people, those who had confessed, and sent them back to their villages to face traditional justice. Every

'cell', the smallest unit in Rwanda's elaborate structure of municipal government, is holding *inkiko gacaca*, or 'grass trials' modelled on the traditional method of settling disputes beneath a tree before village elders.

The cells elect juries of 19 'reasonable persons' (mostly women because so many of Rwanda's men are dead, jailed or have fled) and meet each week with people from the community to consider the case of one or two accused. Perpetrators, victims and witnesses sit all mixed in together beneath the tree (like the killing, the surviving is intimate in small, overpopulated Rwanda) and get to their feet one by one to say, "I saw you chop him with your machete" or "You were with the men who came to my house to take my child."

The men who killed Canisius Kanimba are in jail, but Ms. Mukarwego does not expect to see any of those who raped her on trial. "They came en masse. They came from all over. I was terrified – I could never identify them."

None of it, the tribunal, the crowded jails, the *gacaca* trials, eases her anger. "Don't talk to me about justice," she says flatly.

In July 2002, Ms. Mukarwego began a new job, as the coordinator of a little project called the Village of Hope: 20 houses for women raped during the genocide and infected with HIV, run by the same group from which she once sought help. "After lots of counselling, support, love and care, I had the courage to look after other women who hadn't had what I had."

In the village, she oversees a small centre that teaches tailoring and print-making and knitting, so the survivors can earn an income. And, twice a week, she presides over huge meetings on the lawn outside that draw hundreds of poor women from the region. Ms. Mukarwego stands in front of them, all their weary widows' faces, and tries to impart the information they receive nowhere else: about AIDS, family planning and even the legal system. In 1999, with so many women left as heads of their households because of the genocide, Rwanda passed a law that, for the

first time, permitted a woman to inherit property from her husband or father.

“The work I do, it’s like a medicine, it’s like a cure for what I’ve lived through. It helps a great deal.” She looks 30 instead of 45, her face is unlined, and when she is amused, she giggles like a teenager. “I’m good, these days,” she says simply.

Today, her identity card does not say ‘Tutsi’. Ethnicity has been removed from the cards as part of a sweeping series of changes brought in by the RPF’s “government of national unity.”

A National Unity and Reconciliation Commission has overseen a mammoth task: rewriting the school syllabus so children are taught about equality and human rights. And removing the elaborate systems of quotas and rewards that penalized Tutsis. And resettling hundreds of thousands of returning refugees – Tutsis who fled before 1994, Hutus who fled after. Government housing deliberately mixes them all up together. “Even if they don’t want to talk,” commission head Fatuma Ndangiza explains, “they have to go and get their water from the same well and send their children to the same school.”

The commission is also struggling to integrate the old Rwandan army, the Hutu militias and the RPF into one national force, although it remains dominated by the former Tutsi rebels.

The government insists there is only one nationality here today, ‘Rwandan’. (And yet it is probably no coincidence that the RPF’s general-turned-president, Paul Kagame, appointed a cabinet of exactly 15 Tutsis and 15 Hutus.)

It is officially taboo to discuss such things, and yet questions of ethnicity still dominate life in Rwanda. Tutsi survivors resent the way Mr. Kagame and his fellow exiles (most of whom spent years in Uganda and speak little French) dominate the new power structure.

Hutus who had family members killed because they did not support Hutu Power resent the way they are left out of the national memorial. And Hutus whose family died at the hands of

the RPF (believed to have killed at least 200,000 people while chasing the Hutu militias into the Congo and thousands more in reprisals in Rwanda) simmer with anger over the way Mr. Kagame has “played the genocide card,” as they say here, and kept all examination of RPF behaviour out of the tribunal and the national debate.

And so, for all the novel and quite admirable ways the government tries to promote reconciliation, it looks impossibly far away.

“It’s like it happened yesterday,” Ms. Mukarwego says. “I see their faces. I smell each one of them, the smell of the ones who raped me.

“It’s like a film before my eyes. It never turns off – in the shower, at the table.”

In principle, of course, she favours reconciliation: “I have to forgive, so things are different for my children.” And yet every morning, when she walks out of the house, through the gate in the low wooden fence and down the hill toward the Village of Hope, she passes the fathers and the wives of the men she knows killed her husband.

“I just try not to look at them. I know they’re there, but I try not to see them. That’s Rwanda.”

Notes

1. First published in *The Globe & Mail* on April 3, 2004. Reprinted with the permission of the author and *The Globe & Mail*.

The Forgotten People in a Remembered Land: the Batwa and Genocide

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Abstract: *Forgotten people in a remembered land, the Batwa remain a mere footnote in the Rwandan genocide, which is overwhelmingly seen in terms of Hutus massacring Tutsis and their Hutu sympathizers. The Batwa, as a group of victims (and perpetrators) in the genocide, have largely been ignored. It might be asked, in accordance with the UN Convention on Genocide, whether the Batwa – neglected for centuries, expelled from their forest homes, slaughtered during the genocide, and discriminated against since – are victims of genocide themselves. The case of the Batwa raises important questions about the status and future of indigenous peoples in Africa.*

Résumé: *Les personnes oubliées parmi le souvenir d'une terre, le peuple Batwa ne demeure qu'une simple fraction du génocide rwandais, qui est majoritairement vu en termes de Hutus massacrant des Tutsis et leurs sympathisants Hutus. Le peuple Batwa, en tant que groupe de victimes (et de coupables) dans le génocide, a été en grande partie ignoré. Selon la convention de l'ONU sur le Génocide, il pourrait être demandé si le peuple Batwa - négligé pendant des siècles, expulsé de ses habitations en forêt, abattu pendant le génocide, et discriminé depuis – fait également partie des victimes du génocide. Le cas des Batwas soulève des questions importantes au sujet du statut et du futur des peuples autochtones en Afrique.*

....

We are truly the forgotten people of Rwanda, having been there for the longest, having lived for thousands of years in the rainforests of Africa before the Hutu and the Tutsi arrived. We have been forgotten by all those who have come to use our forests, ignored by the European colonists and we are again forgotten by all those who would help to resolve the chaos that Rwanda is in today.¹

~ Charles Uwiragiye, Executive Secretary, Association for the Promotion of Batwa, 1994

The contribution of the Twa in the development of our country remains negligible and consequently our community is heading towards extinction.²

~ Zephyrin Kalimba, Director, *Communauté des Autochtones Rwandais*, 2000

When evil doing comes like falling rain, nobody calls out stop!

When crimes begin to pile up they become invisible.

When sufferings become unendurable the cries are no longer heard.

The cries, too, fall like rain in the summer.

~ Bertold Brecht

The Rwandan genocide stunned the world in 1994. Even if the speed and scale of the bloodletting is scarcely comprehensible, the details have become well known. What is not so well known is where the Batwa,³ rather than the more familiar Hutus and Tutsis, fit in the events surrounding the genocide. The Batwa — small in stature and short on status — might as well be invisible. This paper examines the place of the Batwa in the 1994 genocide, focuses on their ongoing struggle for survival, and argues for a greater awareness and response both in Rwanda and internationally.

World attention was once again focused on Rwanda on the occasion of the tenth anniversary of the genocide in April, 2004. Forgotten people in a remembered land, the Batwa still remain a mere footnote in that genocide, which is overwhelmingly seen in terms of Hutus massacring Tutsis and their Hutu sympathizers. This is perhaps, because the deaths of a few thousand Batwa seems insignificant when compared with the slaughter of hundreds of thousands of fellow Rwandans, and the common perception that the genocide did not deliberately target the Batwa

The definition of genocide is contested. At its simplest, the etymological make-up of the word suggests the killing of a race or people.⁴ The 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide states that genocide consists of actions “committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.”⁵ It might, therefore, be asked, in accordance with the UN Convention, whether the Batwa – expelled from their forest home, slaughtered during the genocide, neglected before and since – are victims of genocide themselves.

This larger question becomes vital for a people who continue to suffer extreme marginalization. The Human Development Report (HDR) 2004, *Cultural Liberty in Today's Diverse World*, suggests that: “Human development is first and foremost about allowing people to lead the kind of life they choose – and providing them with the tools and opportunities to make those choices.”⁶ By this definition, development has bypassed the Batwa, who have not been allowed “to live as they would like.”⁷ In acknowledging that “[p]eople’s cultural identities must be recognized and accommodated”⁸ the HDR rightly issues a clarion call for action on behalf of the Batwa, and all marginalized indigenous groups. This paper will analyse this claim in relation to events leading to the 1994 genocide.

The Marginalization of the Batwa

In his best-selling and award-winning book, *Shake Hands with the Devil: the Failure of Humanity in Rwanda*, Lieutenant General Roméo Dallaire describes the learning curve he and his assistant found necessary in order to understand the assignment in Rwanda, explaining how they managed: “To piece together a rough history from newspaper articles and a few scholarly articles, which reduced a highly complex social and political situation to a simple inter-tribal conflict. With a confidence born of ignorance we soldiered on”.⁹

Ignoring the Twa altogether (no mention in the Index; only in the Glossary where they rate one sentence¹⁰) Dallaire proceeds to frame the traumas of Rwanda solely in terms of two main groups: Hutu and Tutsi. He perhaps does so given his limited knowledge of the country, its history and people. Samantha Power highlights the challenge that Dallaire faced in understanding the complexity of the Rwandan situation:

The sum total of Dallaire’s intelligence data before that first trip to Rwanda consisted of one encyclopedia’s summary of Rwandan history, which Major Brent Beardsley, Dallaire’s executive assistant, had snatched at the last minute from his local public library. Beardsley says, “We flew to Rwanda with a Michelin road map, a copy of the Arusha agreement, and that was it. We were under the impression that the situation was quite straightforward: there was one cohesive government side and one cohesive rebel side, and they had come together to sign the peace agreement and had then requested that we come in to help them implement it.”¹¹

Power also tells of American General Wesley Clark, who, on demanding a briefing into the ethnic dimension of the Rwandan

crisis, recalls staff officers asking, “Is it Hutu and Tutsi or Tutu and Hutsi?”¹²

Thus, readers might be forgiven for thinking that only two ethnic groups exist in Rwanda: the Hutu and the Tutsi. Reflecting upon his return to Rwanda ten years later, Dallaire details a seven-fold schema encompassing the various groups that make up “the mosaic of Rwandan society” but still no place is found for the Batwa.¹³ While serious literature tends to include the Twa in discussing the context of Rwanda,¹⁴ lack of detail makes them as peripheral in the literature as they are in political and economic life – they are short on status.

Historians have long debated when the Bantu Hutu agriculturalists and Nilotic Tutsi pastoralists migrated into the area, but few disagree that the Twa hunter-gatherers were Rwanda’s first human inhabitants. Today, numbering at most a few hundred thousand, the Batwa pygmoid¹⁵ peoples are scattered throughout the Great Lakes Region, making up tiny minorities in the countries at the heart of Africa. The Batwa represent one of the most marginalized groups *anywhere* – threatened by modernization in their traditional world, by conservation in the forests they have helped preserve, and by discrimination in societies in which they do not count. They are threatened by the society in which they wish to participate, and by homogenization in a nation where, at least officially, no ethnicities exist. They also happen to inhabit one of the most insecure parts of the world. This paper, however, limits itself to a discussion of the Batwa in Rwanda only.

In 1993, the Rwandan Association for the Promotion of Batwa (APB) estimated their population within Rwanda at 29,000 – comprising 3,000 *Impunyu* ‘forest’ and 26,000 ‘sedentary’ Batwa.¹⁶ Most sources place the figure in the region of 30,000. Commonly quoted statistics suggest that the pre-genocide population of Rwanda was made up of 85% Hutu, 14% Tutsi, and 1% Twa. More exacting percentages would place their percentage at “between 0.3% and 0.4%”¹⁷ of the population.

Much has been made of the social construction of the categories of Hutu and Tutsi, though the inclusion of the more distinctive and exclusive Twa in this schema may be problematic due to their different history, livelihood and lifestyle. All share the same language *Kinyarwanda* and similar customs. This affords Rwanda – and its peoples, the *Banyarwanda* – more potential for unity than many states in Africa. Through the centuries, cultural lines were blurred between the two main ethnicities to the extent that many have argued that differences are better explained in terms of class, caste or category. However, colonial powers reinforced ethnic divisions within Rwanda, favouring the Tutsis over the Hutus, the resultant polarization laying the foundation for the genocide to come.

Colonial interventions simplified classifications but complicated relations. The identities of Hutu, Tutsi or Twa were reinforced with the introduction of an identity card system in 1933. While academics may have questioned whether differences were more imagined than real, popular perception often relied on physical appearance – tall/thin versus squat/short – for classification. Colonists as well as the other two ethnic groups have consistently looked down on the Batwa as peripheral – their geographical separation mirroring their social segregation, and their smaller physical stature and social status contrasting dramatically with their taller and more prominent cousins. All would find easy political opportunities in assigning the Batwa inferior status.

As a result of their isolated forest lifestyle and their lack of educational opportunity combined with a general contempt and prejudice directed against them, the Twa have kept to themselves more than the two main ethnic groups: “However, Hutu and Tutsi were less sharply distinct. Individuals could and did move between the categories Hutu and Tutsi as their fortunes rose and fell, and intermarriage was not uncommon.”¹⁸ Discrimination has long constructed boundaries of exclusion, but at the same time may have reinforced an independence and a proud distinctive-

ness among the Batwa: “While the boundary between Hutu and Tutsi was flexible and permeable before the colonial era, that separating the Twa from both groups was far more rigid.”¹⁹

Foreign Fascination and Local Discrimination

As Western explorers pushed ever further into the ‘Dark Continent’, reports of exotic natives fascinated curious crowds back home, but the greatest fascination was reserved for the ‘sub-human’ pygmy peoples from the deep forests.

In 1699 Edward Tyson, one of the pioneers of primatology, had published, *The Anatomy of a Pygmy Compared with that of a Monkey, an Ape, and a Man*, thus reinforcing the popular perception that pygmies formed a lower species, not just in stature, but in humanity.

Though not a pygmy, Saarti Baartman, the ‘Hottentot Venus’ from South Africa, wowed lascivious crowds in the early nineteenth century, while towards its end, the Brussels World’s Fair presented “the most extraordinary tableau” of “267 black men, women and children imported from the Congo.”²⁰ The real crowd-stopper: a pair of pygmies.

In 1905, Londoners laughed and gasped at six ‘dwarf savages’ from the Ituri Forest. So successful was this exotic new act that over a million people viewed the spectacle of these ‘strange ape-like people’ as the exhibition toured the country. According to *The Sphere*, one of the women was “the nearest thing to a human monkey Europe has ever seen.”²¹ Across the Atlantic around the same time, a pygmy named Ota Benga was being displayed in company with an orangutan in the ‘monkey house’ of the Bronx Zoo – “the most interesting sight in the Bronx”²² according to *The New York Times*.

Reports emanating from adventurers in the African forests often supported the supposed link between pygmy and animal. Sub-human features were often identified in the Twa: “With a

monkey-like flat face and a huge nose, he is quite similar to the apes whom he chases in the forest.”²³

One of the most disturbing portrayals of the pygmies took place in more recent times. In the 1988 movie, *Gorillas in the Mist* – which tells the story of Dian Fossey’s efforts on behalf of the gorillas – the Batwa are portrayed in a particularly negative light as savage poachers. Ironically, the historical record suggests that the Batwa have lived for centuries in harmony with the gorillas of the deep forest.

How damaging have such historical misrepresentations been? Such stereotypical portrayals have surely helped to reinforce marginalization of the Batwa from mainstream society, calling into question their full humanity. Even today the pygmies still excite curiosity from tourists – and disdain from their neighbours.²⁴ The Batwa – the quintessential ‘country bumpkins’ – have often been an atavistic embarrassment in a nation impatient to modernize.

The Batwa experience is typical of many marginalized indigenous groups in Africa:

Indigenous peoples and communities are to a large extent discriminated against by mainstream populations and looked down upon as backward peoples. Many stereotypes prevail that describe them as ‘backward’, ‘uncivilized’, ‘primitive’ and ‘uncultured and as an embarrassment to modern African states. Such negative stereotyping legitimizes official discrimination, marginalization, subjugation, exclusion and dispossession of indigenous peoples by institutions of governance and dominant groups. The at times extreme discrimination is a cause of profound suffering among indigenous communities....²⁵

Such dehumanization can fuel genocidal impulses as the Rwandan experience demonstrated. Once the Tutsis themselves were por-

trayed as *inyenzi* (cockroaches) by the Rwandan media, their slaughter became legitimized.

Over the centuries the Batwa came under increasing pressure as intruders – first from agriculturalists and pastoralists and later from colonizers and conservationists – pressed ever closer to their forest refuge. The growing land hunger of burgeoning populations threatened the lifestyles of one of the most powerless of peoples, and successive development strategies have tended to render the Batwa increasingly vulnerable.

But ironically, they were to come under the greatest pressure from conservationists, who, rather than recognizing them as potential allies, regarded them as intruders. Conservationists, who argued for the complete removal of the Batwa from the parks, failed to recognize that they had coexisted successfully with wildlife for centuries. Now the Batwa, or *Impunyu* (forest people), are a forest people without a forest and their very unity as a forest people is under threat, divided as they are into ‘forest’ and ‘sedentary’ groups.

The first moves towards conservation in Rwanda were made by the Belgians in the 1920s, leading to the establishment of the Albert National Park and the Nyungwe Forest Reserve. Batwa activities within the forests were proscribed though not stringently enforced. In 1960, the northern park was divided – forming the Virunga National Park in the Democratic Republic of the Congo (DRC), and the Volcanoes National Park (*Parc des Volcans*) in Rwanda – leading to outright bans on Batwa activities within the forests. The Batwa were not consulted about ‘their’ forests, and no compensation was offered. Today the mountain gorillas have become a significant revenue generator for the national economy. Policies towards the Batwa have been more brutal, as one local explains: “You speak to me of the parks, and all that I know is that the authorities and soldiers came from far away, in order to chase us away with guns and tell us never to return to the volcanoes, where we were forbidden to hunt, look for honey, water,

and wood.”²⁶

Recently Nyungwe, an area of rich biodiversity, also believed to be rich in coltan deposits, was gazetted as a National Park. Through the years, the Batwa have continued to enter the forest in a clandestine fashion for subsistence purposes, though risks have been great. Many have been killed – mistaken for rebels of either side during the years of troubles – leading biologist, Georges Gerin, to assert that: “The real story of genocide in Rwanda is what has happened to the Batwans.”²⁷

Expelled from ‘their’ forest and divorced from the hunter-gatherer life they had enjoyed for centuries, the Batwa have been forced to adopt the way of life of their neighbours. Without land, education, organization or power, they have been compelled to become tenants on others’ land, selling their only asset – labour. In Rwanda especially, some turned to producing pottery, a cottage industry which itself has become increasingly sidelined by industrial progress and ecological pressure. The plastics revolution has undermined the need for traditional pottery in local life, though limited possibilities exist for the production of tourist crafts. However, the clay itself is increasingly unattainable as population pressure leads to wetlands being drained in order to bring marginal land into production. Consequently, many Batwa have been forced to resort to beg for a living.

The Genocide

Looking back at post-independence Rwanda, Paul Kagame comments that “our history reads like a litany of unimaginable abuses against the Rwandan people committed by the Government of the day.” Interestingly he lists “discriminatory policies against the Batutsi,”²⁸ – his own ethnic identification – but fails to acknowledge persistent and ongoing discrimination against the Batwa over those years.

Much revolves around numbers in discussion of the geno-

cide, although statistics of such size generated in such circumstances are by nature imprecise. Further, the extent of demographic change since the genocide is difficult to determine as a result of the abolition of ethnic categories by the Rwandan government.

Initially, Charles Uwiragiye, Executive Secretary of the APB, feared that more than 75% of the Batwa may have been killed in the genocide, acknowledging that it was “very difficult to estimate exactly, because we were all running for our lives in different directions.”²⁹ As more realistic estimates became available, it became clear that such a percentage should be revised downwards towards 30%,³⁰ and though figures are extremely imprecise, clearly thousands of Batwa were massacred: “Rough estimations indicate that maybe about one third of the Batwa population, i.e. about 10,000 people, died during the past period of genocide, massacres and war... Another 8,000 to 10,000 Batwa fled the country. This brings the total of Batwa who remain in the country as of today at 10,000 to 12,000.”³¹

The Unrepresented Nations and Peoples Organization (UNPO) Mission, which visited Rwanda towards the end of 1994 recorded distressing reports:

In some villages visited by the UNPO mission, as many as 80% of the Batwa were killed or were still missing.³² [...] In Nyakayaga sector (Gituza commune, Byumba prefecture), only 25 Batwa, including children, remain out of a community that counted about 600 Batwa before April 1994. In Kanazi sector (Kanzenze commune, Kigali prefecture), some 30 persons, including children, remain out of an estimated Batwa population of more than 150 persons.³³ [...] On the basis of information gathered by the UNPO mission, it seems that almost all Batwa of Cyangugu prefecture were either killed or fled to Zaire.³⁴

Kalimba Zephyrin, Director of the Batwa umbrella organi-

zation, *Communauté des Autochtones Rwandais* (CAURWA), reflects:

The Batwa have not been integrated into the towns, and there is no will to recognise them as survivors of the genocide of 1994. Although, in Busozo, 110 Batwa were killed by the two opposing forces. In the case of the Kibeho refugee camp, 1,900 Batwa died in the FPR [*Front patriotique rwandaise* or Rwandan Patriotic Front] attack, yet no one talks of Batwa having been murdered. Only that the moderate Bahutu and Batutsi were the sole survivors.³⁵

Zephyrin reckons that a total of 10,000 Batwa perished in the genocide.³⁶ Such is the dilemma of the Batwa: to be invisible in their own genocide - part of a wider genocide, which, as a result of media coverage, has become one of the most visible genocides in history.

If the figures are correct, or even near correct, why is the fate of the Batwa not more widely known? Problems of illiteracy and innumeracy meant that the Batwa were ill equipped to document their own tragedy. Exclusion from circles of power and lack of media profile prevented them from broadcasting their predicament. However, another answer is obvious: size matters. What are 10,000 casualties against 800,000? – yet this still only answers part of the question. After all, the deaths of 10 Belgians received considerable international attention. But the Batwa could not advance their profile – even in death. A more penetrating question might be: who cares?

While they were not the prime targets of the genocide – “First we will kill the Batutsi, then we will kill you” [who is you in this statement]³⁷ – the ‘collateral damage’ to the Batwa was significant. After all, who would defend a Mutwa? The Batwa, however, were not just victims but also perpetrators of the genocide and, like many reluctant Hutus, were at times pressured into

participating in the carnage.

The Batwa found themselves vulnerable to attack from both *Interahamwe* and the Rwandese Patriotic Front (RPF), forced to take up arms to ensure their own survival. The lure of bounty and booty was an additional complicating factor, and the Batwa on occasion allied themselves for survival or profit with the Hutu extremists: “Some Batwa had joined the *Interahamwe* long before April 1994.”³⁸

Clearly some Batwa were involved in the orgy of rape. Documented is the practice of “‘handing on’ women to men from groups that are looked down upon, such as the Twa...”³⁹ On occasion Tutsi women were given to Twa men to be raped as a particular “humiliation in the social context of Rwanda.”⁴⁰

Lack of education and political clout meant that many Batwa were largely uninformed of the issues – and thus easy to be swayed as the conflict ebbed and flowed. Isolated Batwa found themselves pressured to provide food and shelter for armed groups, whilst simultaneously encouraging reprisals from the opposing side. Often they were afraid to report the atrocities committed against them.⁴¹ Like many others, the Twa were stunned by their experiences: “A group of several hundred Batwa refugees were discovered in 1994 living in a forested area outside Goma, Zaire, deeply traumatized by the events they had witnessed. They did not clarify, however, that they or other Batwa had been caught up in either side of the massacre.”⁴²

Such vague reports are typical of references to the Batwa, destined to remain peripheral figures – even in a genocide.

Aftermath of the Genocide

Life has not been easy for the Batwa in the aftermath of the genocide. Discrimination against them has persisted, in camps and in prisons, and much of the burden has been borne by women, who, in the Batwa case, find themselves even more disadvan-

tagged than their sisters in the rest of society. As Kalimba Zephyrin complains: “The 1994 genocide has compounded all the wrongs that oppress the Batwa.”⁴³

A people who have lost almost a third of their people in a genocide not of their own making might be forgiven for expecting some sympathy from an international community, ready to atone for its failings. But what sympathy has accrued to the Tutsi has not been extended to the Twa, who have been remembered by few and mourned by even fewer outside their communities.

The question as to which groups constitute ‘Indigenous Peoples’ is an uncomfortable one in Africa, where attention to disadvantaged populations has been marginal at best. Treated as curiosities by colonial rulers, such ‘backward’ peoples tend to be viewed as embarrassments by elite Africans. “Denial of the existence of indigenous peoples in Africa has tended to be the official position of African Governments, who argue that ‘all Africans are indigenous,’ thereby suggesting that there is no legitimate ground for what they maintain is preferential treatment of a sector of their societies.”⁴⁴

The Batwa clearly fit the World Bank’s description of ‘indigenous peoples’ as, “social groups with a social and cultural identity distinct from the dominate (*sic*) society which makes them vulnerable to being disadvantaged in the development process.”⁴⁵ The Bank outlines the social and historical characteristics that make such groups so vulnerable:

- (a) conditions of extreme poverty and deprivation;
- (b) forms of ethnic, cultural, or gender discrimination;
- (c) strong dependency on natural resources for subsistence and livelihood;
- (d) lack of access to political power and decision making.⁴⁶

Without question, the Batwa can be included in all four categories.

The Report of the African Commission's Working Group of Experts on Indigenous Populations/ Communities by the African Commission on Human & Peoples' Rights (ACHPR), places responsibility for the advancement of indigenous peoples firmly in the hands of African governments. It states that, "Indigenous peoples in Africa suffer from a range of human rights violations.... Until the governments of Africa take responsibility for striving to ensure that all their citizens have access to appropriate development, the indigenous peoples of Africa will continue to be at the bottom rung in African counties."⁴⁷

In the hierarchy of Rwanda, the Batwa, traditionally loathed by both Hutu and Tutsi, occupy the bottom rung of the social hierarchy. However a further complication presents itself in the Rwandan case. One of the main platforms of the Kagame government is the often repeated statement that there are no Hutus, Tutsis or Twas in Rwanda today, only Rwandans. But as Zephyrin maintains, this perspective is "no good for the Batwa."⁴⁸

Various local organizations have been formed to promote the rights of the Batwa peoples. In 1995, the three existing organizations united to form the main voice of the Batwa today, *Communauté des Autochtones Rwandais* (CAURWA). Globalizing tendencies are finally allowing the geographically separated indigenes greater representation at national and even international levels.

NGOs, such as Survival International, Minority Rights Group International and the Forest Peoples Programme, have also sought to speak and act on behalf of the Batwa. Some progress has been achieved, but the pace of change is slow overall and the perception of affirmative action policies favouring the Batwa can lead to charges of ethnic favouritism. Still lagging far behind the rest of society, the Batwa are hardly the *cause célèbre* of a nation in reconstruction.

One particularly hopeful sign was the establishment by the Government in 1999 of a Unity and Reconciliation Commission

(URC), which has gone some way to acknowledging that the Batwa have been marginalized historically and that attention needs to be paid to their legitimate grievances. “In April 2000, the URC recognized that the Batwa formed the murky side of Rwandan society, that they had been systematically forgotten as if they did not exist and, consequently, that they needed particular attention. The URC recommended positive discrimination in favour of the Batwa in terms of education and health services.”⁴⁹

But for any progress that is being made, it is hard to suggest that anything more than token attention is being afforded the Batwa, whose endemic problems are unlikely to be addressed in the radical manner that would be required for a necessary *volte face* by those in power. The forgotten people still remain on the margins as the free market and foreign investment work their wonders in the new Rwanda. As the nation seeks to come to terms with its past and busily charts its future, the Batwa seem destined to remain a footnote in Rwandan history.

Integration into the larger society was always going to be difficult for those who had been on the margins of society for generations. Adjusting to a new way of life might be possible when accompanied by significant resources, but with next to nothing it is a singular challenge. All the usual suspects of the development dilemma – land displacement, lack of health, limited education, powerlessness – are writ large in the Batwa case.

Land would be one place to begin to solve the Batwa question, yet how can land be found in such a densely populated country, which, in addition, supports a continuing influx of refugees? Any major resettlement policy favouring the Batwa – were any indeed possible – would not be well received by the other ethnic groups.

Another possible genocide – HIV/AIDS – looms large among the Batwa not just as a result of the use of rape as a deliberate weapon, but through ignorance. Educational levels lag well below the national average. Much progress needs to be made in

the direction of the simplest representation for the Batwa in local and national government, allowing them a voice in their own development.

Tourism is rebounding in Rwanda presently, and some see hope for the Batwa in this area. Can responsible tourism, along the lines of culturally sensitive 'pro-poor' tourism, perhaps be an answer? Care, however, needs to be taken to ensure that the Batwa do not become a curiosity as in centuries past. Various NGOs have established projects to maximize their cultural contributions, particularly in the area of craft and dance. As conservationists increasingly recognize the need to integrate human and animal in wilderness resource strategies, is it too much to hope that the Batwa can be incorporated in touristic and conservation efforts within their ancient forests?

The Batwa, like the Maasai and the San Bushpeople, find themselves bypassed and dispossessed, on the periphery of the parks that the rich pay to see. Animals can get more attention than humans, as Dallaire acknowledges, "I still believe that if an organization decided to wipe out the 320 mountain gorillas there would be still more of a reaction by the international community to curtail or to stop that than there would be still today in attempting to protect thousands of human beings being slaughtered in the same country."⁵⁰

The Batwa know well that they come off second best, as one of their own, Innocent Munyarugero, acknowledges, "The Batwa may be rubbed off the face of Rwanda...they are dying from simple diseases...yet mountain gorillas get drugs and medical care."⁵¹

Conclusions

Three conclusions are presented here. First, the Twa's existence, so tenuous on the margins, is still under threat. Without concerted attention they will continue to languish and diminish by slow assimilation or passive neglect. Over a century after the

pygmies crossed oceans to amuse civilized crowds in Europe and beyond, the Batwa still excite much curiosity, attract some sympathy, but inspire little action. Neglected for centuries, deprived of their forests, despised by their neighbours, the Batwa struggle for survival.

Beyond the efforts of a few local Batwa – Kalimba Zephyrin for one – and a few international NGOs – Forest People’s Programme, Survival International, Minority Rights Group, Norwegian Church Aid and other church groups – little is happening. The Batwa cannot survive as is – realistically once the forest was denied them, they would not be able to withstand the forces of modernization – presumably they will become assimilated in society at the margins (already happening) – uncanny parallels with the situation of First Nations here without the accompanying influx of money.

While the recent tenth anniversary has sought to remind the international community that genocide must not be allowed to happen again in Rwanda, or elsewhere, the ongoing plight of the Twa – a slow genocide? – continues unrecognized. Edmund Burke’s resounding statement only applies to those who are aware, “All that is necessary for the triumph of evil is that good men do nothing.”

Paul Kagame has called on the international community to become “a learning community,” and has appealed at home for leaders and institutions that “unite and reconcile,” “embrace diversity” and “seek to improve the livelihood of all citizens without discrimination.”⁵² Such entreaties must be encouraged, for Kagame can cement his place in history by bold moves towards those on the outside, unable because of status, let alone stature, to look in.

Secondly, the dilemma that indigenous peoples face in Africa must be taken seriously.⁵³ The ‘right to existence’ is an indigenous right and a human right:

Indigenous peoples and communities experience a range of human rights violations that ultimately boil down to a threat towards their right to existence and to the social, economic and cultural development of their own choice. *Articles 20 and 22* of the African Charter emphasize that all peoples shall have the right to existence and to the social, economic and cultural development of their own choice and in conformity with their own identity. Such fundamental collective rights are to a large extent denied to indigenous peoples.⁵⁴

The Human Development Report 2004 argues strongly that affirmative action and multicultural policies, as opposed to legislation imposing uniformity and homogenization, are essential for the survival and growth of the world's indigenous people, concluding that "there is no question that affirmative action has been necessary" in the countries examined in the Report.⁵⁵

Finally, the Rwandan genocide, which screams about inhumanity, also speaks about humanity. The fate of the Batwa raises one of the most important questions of our time. If one of the foundational causes of genocide includes "the demonization of the 'other,'"⁵⁶ then what might the dehumanization and demonization of the Batwa lead to? After centuries of prejudice and discrimination, the Batwa simply ask to be treated as human beings.

The UN Convention states that genocide occurs when acts are committed "with intent to destroy, in whole or in part, a national, ethnical, racial or religious group." A key clause pertinent to the Batwa, states that: "Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part,"⁵⁷ can constitute one of the acts of genocide.

Invisible in the Rwandan genocide, the Batwa still struggle for survival, forgotten people in a remembered land.

Notes

1. Charles Uwiragiye, "Rwanda in its Regional Context: Human Rights, Reconciliation and Rehabilitation," Statement. The Hague, September 16-17, 1994 <http://129.194.252.80/catfiles/0937.pdf> (accessed July 19, 2004).
2. Zephyrin Kalimba, "Open letter to President Paul Kagame", IRIN News, <http://www.irinnews.org/report.asp?ReportID=2412> (accessed April 29, 2004). An appeal in an open letter to President Paul Kagame to include the Twa more in efforts at national reconstruction and development.
3. Mutwa, or Mu'Twa – singular; Batwa or Ba'Twa – plural. The terms Twa and Batwa are used interchangeably in this article, though preference is given to the plural form, Batwa, as a result of its more common usage. The terms, Hutu[s] and Tutsi[s], are generally used, rather than the less familiar plural forms, Bahutu and Batutsi.
4. From the Greek, *genos*: "race, kind," and the Latin suffix, *-cide*: "kill".
5. United Nations, "Article 2" in *1948 UN Convention on the Prevention and Punishment of the Crime of Genocide*.
6. United Nations Development Programme, Human Development Report, *Cultural Liberty in Today's Diverse World*, (New York, UNDP, 2004).
7. Ibid, 6.
8. Ibid.
9. Roméo Dallaire, *Shake Hands With the Devil: The Failure of Humanity in Rwanda* (Toronto: Random House, 2003), 47.
10. Ibid., 543.
11. Samantha Power, "Bystanders to Genocide: Why the United States Let the Rwandan Tragedy Happen." *The Atlantic Monthly* 288, no. 2 (September 2001). <http://www.theatlantic.com/issues/2001/09/power.htm>. (accessed 21 April 2004).
12. Ibid.
13. Roméo Dallaire, "To Hell and Back" *Maclean's*, (September 27, 2004), 41.

14. Notable exceptions should be pointed out: the work of the Unrepresented Nations and Peoples Organization (UNPO) and of Jerome Lewis.
15. Used in this case to denote peoples of generally diminutive stature.
16. Unrepresented Nations and Peoples Organization (UNPO), *Batwa: Final Report*. (The Hague: 1995), 9.
17. Jerome Lewis, *The Batwa Pygmies of the Great Lakes Region* (London: Minority Rights Group International, 2000), 23.
18. African Rights, *Rwanda: Death, Despair and Defiance* Revised Edition. (London: African Rights, 1995), 3.
19. Alison des Forges, *Leave None to Tell the Story: Genocide in Rwanda* (New York: Human Rights Watch, 1999), 34.
20. Adam Hothschild, *King Leopold's Ghost: A Story of Greed, Terror and Heroism in Central Africa*. (Boston: Houghton Mifflin, 1998), 176.
21. Jeffrey Green "Edwardian Britain's Forest Pygmies" *History Today* 45, (1995), 34.
22. Quoted in Tara Golden and Anne Edgerton, "Forgotten People: The Batwa 'Pygmy' of the Great Lakes Region of Africa", *Refugees International*. [Online Journal] <http://www.refugeesinternational.org/cgi-bin/ri/bulletin?bc=00625>. (accessed March 21, 2004).
23. Quoted in Gerard Prunier, *The Rwanda Crisis: History of a Genocide* (New York: Columbia University Press, 1998), 6.
24. Local taboos and rumours abound: not being allowed to share the same well as Batwa; the breaking of drinking cups to avoid contamination from Batwa lips; sleeping with a Batwa as a cure for backache; the Batwa don't wash. Too much contact with the Batwa can lead to ostracism, as the proverb suggests: "If you shelter from the rain in a Batwa hut, then remain there."
25. African Commission on Human & Peoples' Rights (ACHPR), *Report of the African Commission's Working Group of Experts on Indigenous Populations/ Communities*. (Banjul: ACHPR, 2003), 7.
26. John Nelson, "Africa: Impacts of Protected Areas on Indigenous Peoples" *World Rainforest Movement Bulletin*, 73 (2003). <http://>

- www.wrm.org.uy/bulletin/73/AF.html#IP (accessed March 21, 2004).
27. Quoted at <http://listserv.arizona.edu/cgi-bin/wa?A2=ind9709b&L=birdchat&F=&S=&P=5890>. (accessed April 19, 2004).
 28. Paul Kagame, "Conflict Resolution in Africa: The Case of Rwanda," Speech at the Baker Institute, Houston, http://www.rwanda1.com/government/president/speeches/2003/06_03_03_houston.html (accessed 21 March, 2004).
 29. Associated Press, "Pygmies also Victims of Rwandan Massacres" *The Ottawa Citizen*, (August 25), A8.
 30. Lewis, *The Batwa Pygmies of the Great Lakes Region*, 23. This compares with the loss of around a third of the Tutsi population and some 14 percent of the overall population.
 31. UNPO, 23.
 32. UNPO, 19.
 33. Ibid.
 34. UNPO, 20.
 35. Kalimba Zephyrin, "Case Study 1: Rwanda" in *Principles to Practice: Indigenous Peoples and Protected Areas in Africa*, eds. J. Nelson and L. Hossack, (Moreton-in-Marsh: Forest Peoples Programme, 2003), 65.
 36. Interview with Kalimba Zephyrin, October 8, 2004.
 37. UNPO, 19.
 38. UNPO, 21.
 39. African Rights, *Rwanda*, 763.
 40. Ibid.
 41. UNPO, 20.
 42. US Department of State, "Rwandan Human Rights Practices 1995" (March 1996), 8.
 43. Zephyrin, "Case Study 1: Rwanda," 80.
 44. CHPR, 46.
 45. World Bank, <http://lnweb18.worldbank.org/ESSD/sdvext.nsf/63ByDocName/KeyConcepts>. (accessed 21 March, 2004).
 46. Ibid.
 47. World Bank, 46.
 48. Interview with Kalimba Zephyrin.

49. ACHPR, 25.
50. Roméo Dallaire, "UN Chief's Rwanda Genocide Regret", BBC, March 26, 2004, <http://news.bbc.co.uk/1/hi/world/africa/3573229.stm> (accessed April 9, 2004).
51. Quoted in Zephyrin, "Case Study 1: Rwanda," 84.
52. Paul Kagame "Conflict Resolution in Africa: The Case of Rwanda."
53. Recent reports suggest that the Batwa in the DRC are being subjected to "mass killings, acts of cannibalism, systematic rape and the looting and destruction of villages" in the ongoing chaos surrounding the war in the eastern DRC. Minority Rights Group International suggest that this is an attempt to 'exterminate' the Batwa in that area. <http://www.minorityrights.org>.
54. ACHPR, 75-76.
55. HDR, 72.
56. See Shadrack Wanjala Nasong'o, "Ethnonationalism and State Integrity in Africa: Cultural Objectification and the Rwandan Genocide," *Canadian Review of Studies in Nationalism*, XXX (2003) 53.
57. Article 2c.

Part IV: Regional Implications

150 *International Insights*

**Mille Libertés:
Presse audiovisuelle, forces d'occupation et agents
de sécurité à Kisangani (R.D. Congo)**

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Résumé : *Les médias, particulièrement la radio, ont joué un rôle important en dénonçant les abus des droits humains par le gouvernement et les groupes rebelles parmi la guerre congolaise en cours. Se basant sur des événements récents à Kisangani, cet article examine le rôle joué par les médias audiovisuels. Cet article débute avec une discussion du rapport entre les journalistes, en tant que partenaires pour sécuriser les populations, et les forces d'occupation et des agents de sécurité pendant la rébellion et l'invasion; et identifie ensuite les limites et les défis produits en essayant de communiquer le niveau de l'insécurité des populations locales à celles-ci. Le contexte de la guerre et de la recherche précipitée du contrôle de la presse par les combattants est une situation répandue de laquelle émanent nombreuses leçons.*

Abstract : *The media, particularly radio, has played an important role in exposing the human rights abuses by both government and rebel groups in Congo's on-going war. Drawing on recent events in Kisangani, this article examines the role played by audiovisual media. It looks at the type of relationship that the journalists, as partners in securing populations, had with occupation forces and security agents during the rebellion/invasion. It also looks at the limitations and challenges encountered when trying to communicate the level of insecurity to and about local populations. The context of war and the hurried quest for control of the press by the combatants, is rife with lessons to be learned.*

Introduction

Comme lors de la crise politique d'indépendance des années 60, la ville de Kisangani est restée stratégique pour les protagonistes des guerres et des rébellions congolaises. Elle est longtemps demeurée la « ville martyre » au regard du nombre toujours élevé des victimes identifiables dans la catégorie vulnérable de sa population : femmes, enfants et vieillards.

Durant la première guerre d'octobre 1996, la ville de Kisangani fut occupée par la coalition rwando-ougandaise sous le couvert de l'Alliance des Forces démocratiques pour la libération du Congo - Zaïre (AFDL). Des combats lourds en conséquence ont opposé l'armée régulière (Forces Armées Zaïroise (FAZ)) du Président Mobutu à cette coalition dirigée par Laurent Désiré Kabila. Ces combats se soldèrent par une victoire de l'AFDL et de son Président qui prirent le pouvoir le 17 mai 1997.

Moins de deux ans après la prise du pouvoir par cette Alliance, une nouvelle guerre a été déclenchée par une nouvelle coalition qui compte en son sein les dissidents de l'AFDL. Rapidement, Kisangani - 3ème ville du pays - a été de nouveau contrôlée, dès le 23 août 1998, par la rébellion du Rassemblement Congolais pour la Démocratie (RCD). À l'avant-garde, les journalistes et les autres animateurs des radios Fm de la ville, notamment la RTNC dirigée par le RCD/Goma ainsi que son allié rwandais, et la RALI, une radio du RCD/Kisangani d'obédience ougandaise. L'une des chaînes les plus engagées, Radio Liberté, tout en dénonçant les sévices et les autres violations de droits de la personne perpétrés par l'aile du RCD/Goma (soutenue par le Rwanda), finit par verser dans la xénophobie et la haine, comme le fit, en 1994, à Kigali, « Radio mille collines ».

Ces événements, qui constituent le propos de notre communication permettent de jeter un regard critique sur le rôle que la presse audiovisuelle, composante de la société civile, a joué dans les périodes les plus instables de l'histoire congolaise (1998 -

2003). Il s'agit de cerner les types de rapport que les journalistes, partenaires dans la sécurisation des populations, ont entretenu avec les forces d'occupation et les agents de sécurité commis (armée, police, renseignements militaire et civil) par la rébellion du RCD/Goma. Nous nous attarderons surtout sur les contraintes et les défis qui se sont érigés dans la communication des insécurités des populations locales.

Pour la clarté de notre exposé, celui-ci sera subdivisé en deux points principaux à savoir : la liberté de presse pendant la guerre et les contraintes de l'exercice du métier du journaliste pendant la rébellion du RCD/Goma.

La liberté de presse pendant la guerre

Au sein du RDC (de 1998 à 2003), la liberté de presse était garantie par la constitution, les lois nationales et les accords internationaux. La constitution congolaise proclame la liberté de la presse quand elle reconnaît que tout Zaïrois (Congolais) a droit à la liberté d'expression. Ce droit implique la liberté d'exprimer ses opinions et ses sentiments, notamment par la parole, l'écrit et l'image, sous réserve de l'ordre public, des droits d'autrui et des bonnes mœurs (article 18 de la constitution de transition, 1994). Cependant, en aucun cas, ces restrictions relatives au respect de l'ordre public, de la dignité humaine et des bonnes mœurs ne peuvent constituer un prétexte pour la suppression de ce droit.

Les accords internationaux énumèrent un certain nombre de droits qui, en période normale (état de paix) ou de guerre (état de siège ou état d'urgence) ne peuvent faire l'objet de limitations. Autrement dit, ces droits doivent être respectés en tout temps, en tout lieu et en toutes circonstances et ne sont donc susceptibles d'aucune dérogation. Ces libertés sont déterminées par l'article 3 commun aux quatre conventions de Genève de 1949, l'article 4 alinéa 2 du Pacte international relatif aux droits civils et politiques du 16 décembre 1966, l'article 1er alinéa 2 de la Convention

européenne de sauvegarde des droits de l'homme, et l'article 27 de la Convention américaine des droits de l'homme. Parmi ces libertés, il y a entre autres, le droit à la liberté de presse, de conscience et de religion.

Après l'examen de la liberté de presse pendant la guerre, nous parlerons dans la partie qui suit, des contraintes et des insécurités connues ou provoquées par la presse audiovisuelle de Kisangani dans sa mission de communication.

Contraintes liées à l'exercice du métier de journaliste pendant la guerre

La responsabilité traditionnelle dévolue aux agents de sécurité est d'assurer l'ordre public, et la sécurité des personnes et de leurs biens. Cette responsabilité de protéger la population pendant la guerre incombe aussi bien au gouvernement légitime qu'aux autorités de la rébellion, si l'on s'en tient à l'esprit des instruments juridiques internationaux. Mais à Kisangani, pendant la rébellion, les insécurités ont été plus créées ou provoquées par ceux - là même qui ont reçu la mission de protéger, c'est-à-dire les militaires. Ces insécurités n'ont pas laissé la presse audiovisuelle indifférente.

La dénonciation des insécurités créées par les militaires

Pendant la rébellion menée par le RCD, il y avait dans la ville de Kisangani, plusieurs forces armées à savoir : l'armée du RCD/Goma, l'armée du RCD/Kisangani, les armées Rwandaise (l'Armée patriotique rwandaise (APR)) et Ougandaise (Uganda People's Defence Forces (UPDF)), les forces Onusiennes (uruguayennes et marocaines), sans oublier les anciens militaires des forces armées congolaises, la Police nationale congolaise et les agents civils et militaires. Tous ces défenseurs supposés de la sécurité ont été paradoxalement les auteurs de tracasseries,

d'exactions, de viols et de vols à mains armées, d'exécutions sommaires, et de scènes obscènes comme en attestent les faits qui suivent :

Le 24 juillet 2002/07/2002 : M. Isetcha Jules, habitant sur la 14^e transversale n°42 dans la Commune de Kabondo a été interpellé dans la nuit du 24 au 25 juillet 2002 à 21 heures par un groupe de militaires en patrouille. N'ayant pas d'argent pour satisfaire leur exigence, Jules a été sommé de se coucher à plat ventre sur le sol pour recevoir 50 coups de fouet. Après avoir reçu 30 coups, les habitants qui l'entendaient crier l'ont secouru mettant en fuite tous les militaires.¹

Une femme prénommée Marthe, amie des civils ougandais, habitant Rizaco, Boulevard Makiso n° 26/A dans la commune de Makiso a été violée par huit militaires congolais, la nuit du 24 au 25 mai 2000.²

Ces deux cas et bien d'autres non cités ont été largement diffusés et commentés par la presse audiovisuelle de Kisangani. Les autorités militaires et les services de la police locale n'ont pas tardé à bannir la diffusion de ce type d'information, alléguant qu'elles ternissent leur réputation et celle des hommes sous leur commandement. Mais cette interdiction a été difficile à mettre en oeuvre en raison de la diversité des organes de presse. La radio privée Rali passa comme maître de la dénonciation des abus du régime RCD/Goma. La diffusion des cas de vols à mains armées prohibée à la Rtn, chaîne nationale, était diffusée en boucle sur Rali. Cette radio n'hésitait pas non plus à démentir des propos dénués de tout fondement provenant des autorités politiques et militaires du RCD/Goma, ainsi que le témoignent les faits ci-après:

En date du 30 juillet 1999/07/1999, alors que la diffusion des informations relatives aux cas de vols à mains armées par les hommes en uniforme était prohibée à la Rtn, Radio liberté annonçait un cas de vol à mains armées opéré dans la nuit du 27 juillet 1999/07/1999 aux éditions Boxom. En effet, les hommes armés, après avoir tiré des coups de balles, ont emporté un grand nombre de bandes cassettes. [Les animateurs ont appris] au moment où [il rendirent] cette nouvelle, qu'un lot de bandes cassettes volées aux éditions Boxom [avait] été retrouvé à l'État-major du RCD/Goma installé à Kisangani.³

Face à cette résistance de la presse audiovisuelle, les autorités ont décidé de s'en prendre aux récalcitrants. C'est ainsi que Nicolas Prince Balea, fut interpellé en août 2002 par le commandant urbain de la Police d'Intervention Rapide. On l'accusait d'avoir diffusé sur les antennes de la Rta (Radio télévision amani) des informations selon lesquelles les populations habitant le long des routes Opala-Kisangani-Ubundu étaient victimes d'exactions perpétrées par les hommes en uniforme.⁴

Beaucoup d'autres cas d'interpellations, d'intimidations et des menaces ont visé des journalistes; les informations qu'ils diffusaient incriminaient, et à juste titre, les autorités militaires et policières qui, plutôt que de garantir la sécurité des populations, s'étaient transformés en véritables bourreaux.

Suite à la pression des différentes autorités, la presse audiovisuelle en général finit par adopter le langage imposé par le pouvoir en place. C'est ainsi qu'elle se plie à la terminologie officielle qui recommande qu'on remplace l'expression « hommes en uniforme » par « les inciviques », « les hors-la-loi ». La même idéologie exige que l'on dise désormais « M. Kabila » au lieu du « Président Kabila » ; les promoteurs de la terminologie officielle estimaient que l'appellation « Président Kabila » connotent la dictature, le tribalisme, et la malhonnêteté. Cette exigence pose

des problèmes en ce sens que le choix des mots à utiliser dans un article d'informations fausse également son objectivité car les mots ont la couleur des circonstances, du temps et des lieux.

Par ailleurs, la violence contre les femmes, en particulier la violence sexuelle exercée par les groupes armés, était devenue une pratique courante. Des femmes ont été enlevées par des hommes armés, maintenues en détention et réduites à l'esclavage sexuels, violées, obligées d'accomplir des travaux domestiques et de marier avec les membres des diverses factions.⁵

A Kisangani, il y a eu des marchés de prostitution nommés « Kampala », « Kigali », et « Bercy », érigés par les militaires ougandais, rwandais et les casques bleus uruguayens et marocains; les débordements sexuels avaient lieu à la Forestière, à l'aéroport de Bangboka, et à l'aéroport de Simi simi où les femmes de tous les âges vendaient leur charme au prix de l'argent, du pain et d'autres pacotilles. Ce phénomène a défrayé la chronique. Suite à la montée de la prostitution qui gangrenait toute la ville de Kisangani surtout dans des boîtes de nuit réputées comme lieux de loisirs des militaires, l'autorité urbaine a pris une série de mesures pour décourager ces pratiques.⁶

La presse audiovisuelle a été une des actrices de la société civile qui a lutté pour la réduction sinon l'abolition de la prostitution des femmes. La campagne de sensibilisation menée par la presse audiovisuelle et les différentes associations de défense des droits de l'homme se trouvant à Kisangani ont été à l'origine de la déconsidération des hommes en uniforme (militaires en général et des casques bleus en particulier) et des affrontements entre les étudiants de l'Université de Kisangani et les casques bleus uruguayens. Les étudiants reprochaient aux casques bleus d'être inactifs, de ne pas protéger la population civile et d'être trop dévergondés. Cela corrobore la déclaration du président Museveni devant la presse de l'Ouganda selon laquelle « la Monuc, c'est juste un groupe de touristes ».⁷

Mais, le travail de la presse audiovisuelle pendant cette

période de rébellion et d'occupation n'a pas été aisé. Cette presse a connu une grande insécurité due à la guerre.

Une presse audiovisuelle incendiaire et cible des attaques militaires

Si l'information sécurise, la désinformation insécurise. Pendant la rébellion, la presse audiovisuelle notamment les deux radios engagées (Rtnc et Rali), ne s'est pas préoccupée de la sécurité des populations en lui donnant l'information vraie, objective et impartiale. Elle s'est au contraire évertuée à désinformer, à intoxiquer, et à provoquer; aggravant par ces actions l'insécurité.

Toutes les guerres qui ont secoué la ville de Kisangani (les guerres de un, trois et six jours) ont été très médiatisées par la presse audiovisuelle, dont la Rtnc (radio officielle) d'obédience rwandaise et la radio liberté (Rali Fm), chaîne privée d'obédience ougandaise, dirigée par M. Bemba. Ces deux radios précitées ont joué un rôle de premier plan dans tous les affrontements armés entre les belligérants qui se disputaient le contrôle et le leadership de la ville de Kisangani. Ceci explique la dualité politique résultant de la scission du RCD en RCD/Goma et RCD/Kisangani appelé également RCD/ML ainsi que la bipolarisation de la presse audiovisuelle. Certains rapports en font preuve :

Pendant quelques temps, la guerre des ondes (Rtnc et Rali) faite d'insultes et d'attaques personnelles instaure la peur dans la population qui voit venir l'affrontement armé, chaque radio prenant fait et cause pour son camp.

Des émissions spécialisées ont développé avant, pendant et après les hostilités des discours irresponsables appelant à la guerre, incitant à la haine et menaçant l'intégrité physique des personnes.⁸

Parmi ces émissions, nous pouvons citer « Congo nouveau » qui était une création des autorités du RCD/Goma diffusée à la RtnC comme réplique de l'émission « changement fondamental » de la radio liberté.

Pour en avoir le cœur net, laissons parler les faits :

À l'invasion de la ville de Kisangani le 23 août 1998 par le RCD et ses alliés rwandais, ougandais, et burundais, les discours tenus à la RtnC/Kisangani évoquaient les sentiments xénophobes à l'égard des originaires de la province du Katanga, province d'origine du Chef de l'État Désiré Kabila. La radio locale (RtnC principalement) balançait à la longueur de la journée une cassette dans laquelle « les rebelles » avaient enregistré les noms de tous les ressortissants de la province du Katanga aux commandes des affaires dans le pays. La même cassette traitait le président de la République, de génocidaire, de tribaliste et de mégalomane.⁹

Avant et durant la guerre de trois jours du 15 au 17 août 1999, un message enregistré de Monsieur Bemba, président du Mouvement de Libération du Congo (MLC), diffusé sur la Rali FM, appelait la population à la désobéissance civile jusqu'à la tenue des élections des autorités territoriales tel que décidée par la mission de deux chefs d'État-major des alliés (rwandais et ougandais) et les accords de Kabale.¹⁰

À Kisangani, en rapport avec cette situation, le RCD/Goma a encouragé sur les antennes de la RtnC, l'organisation d'une marche « de colère », contre les Ougandais. Tous ces signes sont à l'origine des affrontements du 05 mai 2000, appelés « la guerre d'un jour » entre les troupes rwandaises et ougandaises.

Les hostilités du 05 mai 2000 (guerre d'un jour) étaient accompagnées, pendant toute la journée, de commentaires belliqueux distillés par Radio liberté (Rali) pro-ougandaise et la

Rtnc (pro-rwandaise) : Mardi le 09 mai 2000 à 9h00', la Rali diffuse un communiqué de l'Armée ougandaise qui enjoint la population de Kisangani de quitter le centre-ville dans les 50 minutes afin qu'elle procède au bombardement de la Rtnc. La panique est générale et le centre-ville est évacuée en moins de 30 minutes. Tous ces événements ont largement concouru au déclenchement de la guerre de six jours (du 05 au 10 juin 2000) entre les troupes rwandaises et ougandaises à Kisangani (RCD).

Le RDC, chaque fois qu'un complot ou une insurrection se préparait, et avant de prendre d'assaut le siège des institutions politiques, il y avait un bâtiment dont les insurgés voulaient essentiellement s'assurer le contrôle : celui où sont installés les émetteurs de radio et de télévision. C'est ce qui s'est passé le 14 mai 2002.

Ce jour-là, tout a commencé à 4h30 : des tirs ont retenti dans le centre-ville. À peu près deux heures plus tard, on apprend, en écoutant la Rtnc, qu'une mutinerie avait eu lieu au sein de l'armée du RCD/Goma. Les mutins distillèrent alors des messages empreints de xénophobie. Ils appelaient la population des six communes urbaines de Kisangani à se munir d'armes blanches (marteaux, houes, bêches, machettes, bâtons) et à descendre au centre-ville pour s'attaquer aux militaires rwandais. Des jeunes des communes Mangobo, Tshopo, Makiso, Kabondo répondent au cri de guerre des mutins. À leur passage, ils lapidèrent une personne, et en immolèrent une autre par le feu.¹¹ La suite, on la devine : massacres, actes de barbaries, sévices sexuels graves commises par les forces armées du RCD et ses alliés, en représailles contre la population de Kisangani.

Dans la plupart des cas, les journalistes et les animateurs ayant utilisé la radio à des fins belliqueuses étaient des gens sans formation théorique et pratique sérieuse, recrutés en fonction de leur orientation politique.

La presse audiovisuelle traquée par les agents de sécurité et par les forces d'occupation à Kisangani

L'objectif premier du RCD était de chasser le président Désiré Kabila du pouvoir. Ne bénéficiant pas d'un soutien populaire comme ce fut le cas de l'Alliance des Forces Démocratiques pour la Libération du Congo (Zaire), les tenants du RCD n'ont pas au départ adopté un comportement rigoureux envers les journalistes et la presse. Ils ont laissé la presse s'exprimer pour donner l'impression qu'ils étaient réellement démocrates et recevoir ainsi un appui populaire.

Dans la mise en oeuvre de cette ruse, même la Rtn, censée être au service du pouvoir en place, avait pendant un certain temps le loisir de critiquer le RCD et ses dirigeants. En réalité, cette récréation ne pouvait trop durer. Dès que le chef de département en charge de l'information est arrivé à Kisangani, il a remis « la pendule à l'heure ». Pour lui, les journalistes de la Rtn devaient désormais se considérer comme agents du RCD et au service de ce mouvement.¹²

Dès ce moment, le RCD a commencé à persécuter la presse, surtout lorsque celle-ci menaçait ses intérêts. A titre illustratif, nous pouvons relever les cas suivants : « À son retour de Kigali, le rédacteur en chef de la Rtn avait changé de langage et était devenu militant du RCD. L'émission « magazine de dimanche » qui permettait aux journalistes de dire des vérités s'est retrouvée congelée. »¹³

Plusieurs fois, les journalistes et les animateurs de magazine de dimanche, et les émissions « Vie et société », et « les dessous des cartes » de la Rtn ont subi des pressions et des intimidations des tenants du pouvoir qui n'appréciaient pas toujours le courage avec lequel ils faisaient usage de leur liberté de presse. La pression était souvent telle que certaines émissions étaient par moment gelées ou changeaient de ligne éditoriale. Sur le plan de la censure de la presse, les nouvelles autorités étaient nommées à

la RtnC avec un comité éditorial composé d'un représentant de l'armée, des services de sécurité, du RCD et d'un journaliste de la RtnC. C'est le gouverneur de la province qui a procédé à ces nominations alors que cette prérogative revenait en principe au président directeur général de la RtnC.¹⁴

Comme la société civile dans son ensemble, les journalistes de la presse audiovisuelle étaient aussi victimes de nombreuses tortures, brimades et intimidations. Les faits ci-dessous le démontrent bien :

À Banalia (territoire sous contrôle du Mouvement de Libération du Congo (MLC) et des Ougandais, situé à 128 km de Kisangani), Peter Tygesen, journaliste britannique en mission dans ce territoire, et accompagné du rédacteur en chef de la RtnC/Kisangani, monsieur Momoti, ont tous deux été arrêtés et détenus du 24 novembre au 31 décembre 2000 par les militaires ougandais qui les soupçonnaient de faire de l'espionnage pour le compte de la faction rebelle du RCD. Ils ont été libérés après avoir payé la somme de 100\$ américains.¹⁵

Le jeudi 09 août 2001, monsieur Olenga Sumaili, animateur pastoral catholique et de l'émission « échos de justice et paix » à la RtnC a été arrêté et détenu durant 24 heures au bureau de la direction des services de renseignements.¹⁶

En 2001, le journaliste Florry Ngongo de la RtnC Kisangani a été recherché plusieurs fois par les hommes armés et par la Direction des services de renseignements (Dsr) et par le bureau de renseignements militaires de l'État-major de Kisangani. Il a été traité de partisan du Président Désiré Kabila pour avoir évoqué sur les antennes de la radio la résolution des Nations unies sur la démilitarisation de la ville de Kisangani. Pour se sauver, il a été obligé de vivre dans la

clandestinité pendant une année.¹⁷

Le 05 septembre 2003, le journaliste Bwande Bwanapua, directeur des programmes à la RTNC/Kisangani a été suspendu de ses fonctions par le Directeur de la RtnC sur ordre du gouverneur de la province et de la hiérarchie du RCD. Il lui était reproché d'avoir écarté de la grille des programmes radiodiffusés, les émissions « RCD et nous », « Vers un Congo nouveau » chargées de la propagande et de la mobilisation du parti (RCD).¹⁸

Monsieur Alanda Mopepe, témoin oculaire des événements du 14 mai 2002 (mutinerie des soldats de l'Ans) a été obligé de vivre en cachette pendant longtemps parce qu'il était recherché par les services de sécurité et les autorités militaires de la 7ème brigade.¹⁹

Toutes ces exactions expliquent pourquoi les journalistes et les agents de sécurité de Kisangani se regardaient en chiens de faïence. C'était les rapports de méfiance, de soupçon et d'accusation mutuelle. Pour les agents de sécurité et les forces d'occupation, la presse audiovisuelle était incendiaire, et partisane à la solde du gouvernement central, alors que pour la presse, les services de sécurité étaient intolérants, tracassiers....²⁰

En réalité, en harcelant les journalistes le RCD, ses alliés et ses services de sécurité pensaient protéger la population contre la presse qui voulait remettre en cause l'ordre établi. Ils estimaient qu'une presse indépendante et revendicative ouvrirait les yeux des Congolais ce qui amènerait le RCD à perdre facilement et rapidement sa lutte armée.

Conclusion

En résumé, à Kisangani entre 1998 et 2003 la liberté de presse

était garantie par les lois nationales et les accords internationaux. Mais cette liberté n'était point respectée par les mouvements rebelles. La guerre ou la rébellion menée par le RCD/Goma, le MLC, le RCD-Kisangani a été caractérisée par des violations flagrantes de la liberté de presse. Pendant cette rébellion, les maisons et les journalistes de presse audiovisuelle ont été victimes des insécurités causées par les armées rebelles et d'occupation, les services de sécurité (militaires et civiles). Ces insécurités étaient dues au bombardement, aux interpellations, aux menaces et aux arrestations dont les journalistes et les organes de presse étaient l'objet. En guise de remède à cette situation ou des défis à relever, nous suggérons ce qui suit :

Aux journalistes et aux organes de presse audiovisuelle de :

- Respecter l'éthique et la déontologie professionnelles;
- Respecter les lois et règlements du pays;
- Assurer la formation permanente du journaliste;
- Mettre en place une haute instance de contrôle et de régulation de la presse;
- Intenter une action en justice contre tous les agents et les services de sécurité qui portent atteinte à la liberté de presse.

Aux mouvements rebelles, forces d'occupation et l'État Congolais de/d' :

- Éduquer la population à la paix, à la démocratie et au civisme
- Respecter les libertés fondamentales des citoyens (dont la liberté d'expression, d'opinion)
- Favoriser la création de plusieurs organes et maisons de presse
- Créer une armée nationale et des services de sécurité

dépendants du gouvernement

- Mettre fin à la guerre, réconcilier et unifier le pays
- Identifier et réhabiliter toutes les maisons de presse et tous les journalistes victimes des violations de liberté de presse

À la communauté internationale de :

- Faire pression sur le gouvernement congolais, et sur les mouvements rebelles afin qu'ils respectent la liberté de presse.

Notes

1. ANM, 2002. Rapport des violations des droit de l'homme. 3ème et 4ème trimestre.
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3. Mbalanga Ambemane, 1999. *La liberté de presse en temps des conflits armés en RDC. Points de vue des journalistes de Kisangani*. TFC (inédit) Spa Fassar, UNIKIS.
4. Information recueillies auprès de Nicolas - Prince Balea de la Tra en date du 3 février 2004.
5. *Rapport intériménaire de la rapporteuse spéciale de l'Onu sur la situation des droits de l'homme en RDC*, 24 octobre 2003, 19
6. Arrêté n° 01/022/MV/KIS/2002 du 13 août réglementant la circulation et l'habillement des femmes libres dans la ville de Kisangani; Aussi l'arrêté urbain n° 01/006/MV/KIS/2002 qui interdit aux femmes de mettre des vêtements « légers».
7. Cf la une du *The Monitor*, journal publié à Kampala,, numéro du 11 avril 2003
8. Groupe Justice et Libération, 1999. *La guerre des allies en RDC et les droits à l'autodétermination du peuple congolais*, 9.
9. ANM, 1998. *L'invasion de la ville de Kisangani par les forces armées rwandaises et ougandaises*, édition du 25 septembre, 8.
10. Groupe LOTUS, 2001. *Les droits de l'homme dans les*

territoires sous contrôle de la rébellion, février.

11. Groupe Justice et Libération. *La guerre des alliés en RDC et les droits à l'autodétermination du peuple congolais.*
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13. Sumaili Mulamba, 1999. *Le pouvoir et la liberté de la presse à Kisangani : de la période coloniale à nos jours.* Essai d'analyse sociologique, mémoire de maîtrise (inédit), FSSAP, Unikkis, 1999.
14. Groupe Justice et Libération, 2001. *Kisangani : la population et les acteurs de la société civile paient la paix de la confusion et du chaos créés par l'armée de la rébellion du RCD/Goma.*
15. Ibid.
16. ANM. Rapport des violations des droits de l'homme.
17. Informations recueillies auprès de Flory Ngongo de la Rntc, 22 janvier 2004.
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19. ANM. Rapport des violations des droits de l'homme.
20. Entretien avec Michel Ngoy, agent à la DSR/KIS, le 05 février 2004.

Conditions et défis du dialogue sur la sécurité civile en République Démocratique du Congo : Le rôle des intellectuels et des animateurs des ONG

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Résumé : *Le génocide rwandais de 1994 a mené à la nécessité d'innover un système de sécurité pour les populations civiles de l'Afrique. En tant que veilleuse et éducatrice quant aux droits de l'homme, du développement et de la sécurité humaine, la société civile dans les pays des Grands Lacs s'est mobilisée pour accroître sa participation dans le transfert de l'information concernant les problèmes locaux aux autorités civiles et militaires compétentes. Relevant du travail de la société civile du Congo-Kinshasa, cet article constate que les niveaux d'insécurité locale augmentent lorsque la société civile locale rapporte ce qui se produit sur le sol par des agents militaires et politiques de l'État.*

Abstract : *The 1994 Rwandan genocide led to the need to innovate a security system for civilian populations in Africa. As a watchdog and an educator with regards to human rights, development and human security, civil society in the Great Lake countries has mobilized itself to become a much more active player in the transfer of information to competent civil and military authorities regarding local unrest. Drawing on the work of civil society in Congo-Kinshasa, this article finds that levels of local insecurity increase when the local civil society report what is happening on the ground by state military and political agents.*

....

Introduction

De par son ampleur et sa cruauté, le génocide rwandais de 1994 a débouché sur la nécessité d'innover le système de sécurité des populations civiles. Dans ce processus, la consolidation de la démocratie s'est avérée très importante et la société civile s'est imposée comme partenaire incontournable. Veilleuse et éducatrice en matière de droits de la personne, de développement et de sécurité humaine, la société civile de l'Afrique des Grands Lacs et particulièrement du Congo-Kinshasa s'est considérablement investie dans le transfert des informations sur les insécurités locales vers les autorités civiles et militaires compétentes.

Comment ce dialogue s'est-il construit ces dix dernières années ? De quelles capacités a fait preuve cette société civile ? Quels sont les contraintes et les défis majeurs de ce dialogue ? Telles sont les principales questions autour desquelles va graviter cet article basé sur les actions des chercheurs, des penseurs et des animateurs des ONG sur la question sécuritaire locale.

Notre thèse s'inspire d'un constat paradoxal : plus les acteurs sociaux dénoncent les insécurités locales, plus ces dernières s'intensifient. Le contexte de guerre plus ou moins permanent en Afrique des Grands Lacs et particulièrement en R.D. Congo où triomphe l'idée des modes de gouvernement militariste soutendus par un entrepreneariat d'insécurité visant la rente politico-financière semble déterminer les conditions de ce dialogue. Les préoccupations de la dite sécurité de l'État – mais en réalité celle du régime – fait des gouvernants et de leurs agents de sécurité, un des principaux producteurs de l'insécurité. Il en est de même des corps expéditionnaires des pays voisins, des acteurs non-étatiques comme les milices, les rébellions, les bandes armées qui, sous la rhétorique de la démocratie, de la sécurisation des frontières et des minorités, et de la protection des intérêts des communautés locales, créent l'insécurité. De ce fait, communiquer ou dénoncer l'insécurité locale signifie accuser ceux-là même qui sont censés

protéger. Par conséquent le dialogue est annihilé et le rôle d'intermédiaires est imposé aux organisations internationales, aux médias et aux gouvernements extérieurs dans la transmission des messages aux services compétents. Le dialogue est plus transitif que symétrique. On peut dès lors se représenter le coût, la complexité, la lourdeur et l'inefficacité d'un tel schéma communicationnel.

Nous aurons, dans un premier temps, à examiner l'environnement socio-politique du dialogue *société civile-agents de sécurité* sur les insécurités civiles locales tout en insistant sur la nature de cette société civile. Dans un deuxième temps, nous explorerons les capacités, les contraintes et les défis de la société civile dans l'amélioration de sa participation à la sécurité humaine. Et nous dégagerons la condition minimale indispensable au développement d'un dialogue efficace et fructueux.

Quelles insécurités pour quelle société civile ?

De la libéralisation politique violente

Dès 1989, le régime Mobutu avait compris qu'il fallait s'engager sur la voie de la libéralisation politique afin d'amortir le choc qu'il allait subir. Le chef de l'État Mobutu, qui tenait à contrôler à tout prix la transition démocratique, organisa une consultation populaire à la fin de l'année 1989 pour, disait-il, prendre connaissance des avis des masses en ce qui est de la marche de l'État. S'appropriant l'initiative démocratique, il annonça « l'octroi de la démocratie contre la volonté populaire »¹ et tenta de contrôler cette démocratie jusqu'au bout. C'est ce processus que Willame qualifie « d'enrayage démocratique » qui va inaugurer les insécurités sur l'étendue du territoire national.²

Des vagues de pillages populaires initiées par les agents de l'ordre ont dévasté Kinshasa, la capitale, en septembre 1991 et se sont répercutées au cours du même mois et en octobre à Kisangani,

Mbuji-Mayi, Lubumbashi, Matadi, etc. Et, ils ont connu une réplique *après* une année après, car « les 7 et 8 octobre, des militaires [ont commis] des pillages à Mbuji-Mayi. Les 11 et 12 octobre, [ce fut] au tour de Mbandaka. En décembre, Kisangani et puis, pour la première fois, le Nord-Kivu [fut] la cible des soldats-pilleurs ». ³

C'est donc sous le prisme des violences politiques qu'il faut lire les insécurités qui allaient se succéder avant 1996. Des actes de terrorisme ont été organisés par le régime Mobutu contre l'opposition non armée, des massacres commandités, des épurations ethniques et des séquestrations orchestrées, et des répressions, des manifestations publiques, et des menaces à la sécurité humaine et civile ont été faites. Tels sont les cas de l'incendie de l'imprimerie kinoise Terra Nova qui travaillait pour plusieurs importants journaux de l'opposition, la chasse aux Kasaiens dans la province du Katanga, la séquestration des conseillers de la République les 24 et 25 février 1993, etc.

Ces violences ont contribué à saper l'autorité de l'État et à forcer les couches sociales à inventer ou à bricoler « d'en bas » des solutions à leurs problèmes spécifiques. C'est ce qui a débouché sur des violences populaires en Ituri et au Nord-Kivu dès 1991 autour des enjeux fonciers et identitaires. C'est donc dire que le décentrement de l'État au sens de Norbert Elias - monopole de violence et de fiscalité - a non seulement désarticulé la société, mais a aussi généré des nouvelles centralités militaro-politiques insécurisant les communautés locales et la communauté internationale.

Insistons un tout petit peu sur les implications internationales des conflits souvent perçus comme locaux et particuliers. Le rapport de la Commission internationale de l'intervention et de la souveraineté souligne ce qui suit :

Les guerres intraétatiques sont souvent perçues par l'Occident prospère, comme une simple série de crises

séparées et sans lien les unes avec les autres, qui se déroulent dans des régions éloignées et sans importance. En réalité, on assiste à un processus convulsif de fragmentation d'États et de formation d'États qui est en train de transformer l'ordre international lui-même. Qui plus est, les pays riches sont profondément impliqués dans ce processus. Les conflits civils sont alimentés par des armes et des transferts monétaires qui proviennent du monde développé, et leurs effets déstabilisateurs s'y font sentir sous des formes qui vont des réseaux terroristes mondiaux interconnectés aux courants de réfugiés, en passant par l'exportation de drogues, la propagation de maladies infectieuses et la criminalité organisée.⁴

Une telle évidence ne doit pas passer sous silence. Elle impose une analyse globalisante qui prend en compte les incidences internationales et la complexité des enjeux et des acteurs impliqués directement et indirectement. Les deux guerres de la R.D. Congo de ces dernières années illustrent parfaitement ces deux côtés des guerres qui souvent perçues à tort comme uniquement de portée locale.

Par ailleurs, alors qu'une sorte de complicité s'était installée entre le régime de Mobutu et son opposition corrompue et non armée, la guerre qui éclata à l'est, en septembre 1996, a surpris les politiciens écartés de leur peuple. En neuf mois, Kinshasa tomba sous le contrôle d'une alliance politico-militaire soutenue par le Rwanda et l'Ouganda. Moins de deux ans après la prise du pouvoir, une nouvelle guerre fut déclenchée par un rassemblement hétéroclite de mécontents de l'AFDL et d'autres opportunistes avides de pouvoir. C'est le RCD qui allait non seulement éclater en plusieurs ailes, mais aussi susciter l'émergence de d'autres mouvements de résistance.

Outre les cas d'insécurité courantes en R.D. Congo (arrestations arbitraires, tortures, rançonnements, extorsions et

pillages, enlèvements, et menaces) caractéristiques de la faillite de l'État et des violences politiques, un véritable entreprenariat d'insécurité transnationale s'installe. L'insécurité fut délibérément entretenue dans l'unique objectif de s'accaparer de biens matériels : de voitures, des biens manufacturés, des pierres précieuses, du café, de la papaine, du bois, de l'ivoire, des peaux d'animaux, etc.⁵ C'est dans cette foulée que des rébellions, des milices et des bandes armées, déjà bourgeonnantes ou existantes à d'autres fins⁶ ont été mises à profit par les protagonistes.⁷

Des espaces territoriaux *anétatisés*⁸ ont été soumis à la volonté des filières qui allaient appliquer leur propre volonté et se doter d'« *appareils de justice* » rocambolesques viciés par la quête du gain facile et la recherche de l'enrichissement illicite. Dans leurs affrontements, les protagonistes (gouvernementaux, rebelles et agresseurs) ont utilisé les « armes sociales » et criminelles les plus cyniques : viols,⁹ massacres à grande échelle, enrôlement massif d'enfants, enterrements de personnes vivantes, immolations, fusillades à bout portant, pendaisons, incendies des villages, vol de bétail, travaux forcés dans les mines, etc.

Les milieux ruraux et montagneux qui étaient jusque-là les cachettes sûres des populations apeurées sont devenues les tanières des milices et des rebelles armés qui les ont soumis à leur volonté. Souvent attaqués dans les opérations de représailles, ces villages-grainiers ont été désertés par les populations qui se sont entassées dans les centres et les villes plus ou moins sécurisés. À ce jour, la R.D. Congo compte plus de trois millions de personnes déplacées.

Loin de déboucher sur une sécurisation des milieux ruraux, la mise en place des nouvelles institutions de la transition consécutive au cessez-le-feu et au dialogue inter-congolais, ainsi que le retrait des troupes étrangères du territoire national, est loin d'atteindre cet objectif.

Avant d'examiner comment la société civile se comporte dans ce dialogue, disons d'abord un mot sur sa nature, ses particularités, sa composition, ses acteurs et leurs contradictions.

Société civile congolaise : entre politisation et courtage

La société civile est généralement définie comme l'espace social situé entre l'individu et l'État, et entre la famille, le marché et l'État. Elle est constituée au Congo de plus de trois mille ONG, associations et organisations à buts variés : culture, sport, religion, humanitaire, philanthropie, développement, actions communautaires et paysans, corporation, science, syndicat, paix, environnement, civisme, etc. De plus en plus, les animateurs de ces mouvements associatifs, souvent regroupés en réseaux, conservent leur caractère apolitique. Rigobert Minani (2003) reconnaît que la société civile congolaise est assez atypique et qu'elle cherche elle-même à se définir. La société civile est au pouvoir au Congo ; elle ne s'est pas seulement contentée de faire pression sur un pouvoir honni, délégitimé et jugé peu réceptif. Devant les vides sociaux laissés par l'État, son rôle s'est accentué et depuis plus de dix ans, aucun gouvernement ne peut plus être constitué sans représentation de la société civile. À ce jour, outre les quatre institutions de la transition dites citoyennes et animées par les membres de la société civile, cinq ministres du gouvernement de transition en proviennent.¹⁰ Elle n'arrête pas de demander plus de pouvoir, se réclamant représentante légitime de la population.

Ngoma estime que ce sont les convoitises du pouvoir politique, l'expérience et la maturation politique, l'impulsion nouvelle à la moralité dans la vie politique et le partenariat dans la gestion politique qui en constituent le fondement explicatif.¹¹

Il est certain que les ambitions qui naissent d'un tel état des lieux divisent plus qu'elles unissent. La société civile congolaise est à ce jour minée par des pures querelles de pouvoir. Elle s'éloigne de la base populaire dont elle se réclame souvent et de ses problèmes. Comme les politiciens véreux, elle parle au nom d'un peuple qu'elle n'a pas consulté. C'est la logique des intérêts des cliques et de l'inféodation au pouvoir ou à l'opposition qui

prime. C'est le cas de l'influence équivoque du clergé catholique sur la société civile de Bukavu et du Nord-Kivu septentrional.¹²

Ces enjeux d'ordre politique et économique ont non seulement multiplié le nombre d'ONG, déjà difficilement dénombrables, mais les a aussi poussées à adopter diverses stratégies dont le regroupement en réseaux ou en plateformes évoluant non pas dans la collaboration mais dans un antagonisme purement politique et économique. À ce jour, on dénombre huit plates-formes, chacune se réclamant la vraie société congolaise, et donc représentante du peuple congolais.

Par ailleurs, la forte dépendance financière des ONG et des associations de la société civile les pousse au simple « courtage » plutôt qu'à des actions pouvant soulager la misère des populations civiles. Les regroupements associatifs se présentent de plus en plus comme des petites boutiques, des petites entreprises écrans pour des opérations qui brandissent le développement, la sécurité, les droits de la personne... pour attirer et empocher les financements internationaux. Kinshasa et d'autres villes du pays connaissent bien des ONG qui ont en tout et pour tout bien une petite camionnette, juste de quoi marquer sa présence au sein de la société.

Il convient toutefois de noter que quelques organisations de cette société civile ont pignon sur rue et jouent un très grand rôle dans la vie des populations locales. Nous ciblons ici les ONG de droits de la personne et d'éducation civique, de la protection de l'environnement ainsi que des sociétés savantes.

Le dialogue sur la sécurité locale : Perspectives de la société civile Congolaise

Avant d'examiner le rôle de la société civile dans le débat et les actions de la sécurisation des populations locales, il importe d'identifier les agents qui créent l'insécurité.

Les principaux agents responsables de l'insécurité

Nous pouvons identifier quatre principales sources de l'insécurité en R.D. Congo actuelle.

L'État

L'État congolais actuel, issu de la colonisation et dont l'objectif primordial était la maîtrise effective des populations locales pour son exploitation et celle de ses biens (État dit *Bula matari* : casseur de pierre), n'a pas beaucoup évolué.¹³ C'est essentiellement le citoyen qui reste redevable à l'égard de l'État au travers de ses agents de l'ordre. Ce qui fait que les répressions sanglantes, les bastonnades, les arrestations arbitraires, les crimes crapuleux, les viols, les expropriations illégales, les rançonnements...ont fait partie des agissements quotidiens des hommes en uniforme, qui incarne l'État.

L'« État » congolais a été régenté par des hommes et des femmes qui ont pris le pouvoir par la force des armes : coup d'État, rébellions (entre 1964-1969, 1978, 1996 à ce jour), milices et bandes armées. Cette affirmation peut être illustrée par le coup d'État de Mobutu et son maintien au pouvoir pendant 32 ans contre la volonté populaire, puis par les rébellions congolaises d'abord contre Mobutu entre 1986 et 1996 qui leur a permis de se tailler des espaces sous l'autorité des structures comme représentants des nouveaux États, puis par les révoltes de l'Alliance des Forces Démocratiques pour la Libération du Congo-Zaïre (1996-1997), du Rassemblement congolais pour la Démocratie (ailes Goma, Kisangani et National), du Mouvement de Libération du Congo, de l'Union des Patriotes du Congo, et du Front des Nationalistes pour l'Intégration entre 1998 et 2003. Ces structures privées ont organisé des armées, des administrations fiscales, des corps de police et des organes judiciaires qui ont beaucoup plus répondu aux logiques individualistes qu'étatiques. C'est davantage l'esprit

du gain facile et la course à l'enrichissement sur un espace territorial fragmenté qui ont surdéterminé les violences et les insécurités locales.

La mauvaise gouvernance y a été pour beaucoup. Bien que le pouvoir étatique soit resté constamment contesté, par moment, des consensus partiels autour des institutions politiques se sont dégagés : avril 1994-mars 1997 avec le Gouvernement Kengo dit de la troisième voie et les institutions actuelles consécutives au dialogue intercongolais. Dans ces conditions, ce sont les incapacités des dirigeants politiques à contrôler et à rémunérer les hommes en armes qui ont aggravé l'insécurité.

Les rébellions et les corps expéditionnaires étrangers

La partie orientale de la R.D. Congo et particulièrement le Kivu montagneux (Sud-Kivu et Nord-Kivu) a longtemps servi de base arrière aux rebelles des pays voisins qui ont le plus souvent enrôlé de force des enfants congolais. On peut citer le *National Army for the Liberation of Uganda*, l'*Allied Democratic Forces*, les anciens éléments armés des *Forces Armées du Rwanda* et les miliciens *Interahamwe* (passés de l'ALIR au FDLR), le FDD burundais, etc. À l'ouest du pays, la rébellion de l'Union pour l'Indépendance Totale de l'Angola de Jonas Savimbi a été pendant longtemps protégée et alimentée par Kinshasa.

C'est pourquoi tous ces pays se sont intéressés au conflit congolais, comme le témoigne leur présence militaire. Si initialement le renversement du Maréchal Mobutu était l'objectif avoué, par la suite, c'est la quête des richesses qui préoccupa les armées étrangères.

Cette présence étrangère a beaucoup plus détérioré la situation sécuritaire des populations locales : pillages, vols à mains armées, travaux forcés, « portage », viols...

Des infrastructures et des biens communautaires et publics n'ont pas moins souffert de cette présence étrangère en « terre

conquise » : braconnage dans les parcs nationaux, fraude massive, minage des sols, trafics d'espèces végétales et animales rares (okapi, gorilles de montagne, perroquets, etc.), l'exploitation et le trafic des matières précieuses à partir des filières locales.

Les rébellions, les milices et les bandes armées

À part les « rébellions nationales » qui ont réussi à s'imposer dans des espaces considérables, nombreuses sont les « rébellions localistes », et les milices - en réalité les bandes armées sans objectifs politiques bien précis - qui ont envahi les montagnes, les forêts et brousses difficilement accessibles, pour harceler les forces régulières. C'est le cas des rébellions des Forces du Parti pour la Libération du Congo de Kibingu Marandura, du Mouvement des Paysans et des Travailleurs de Christophe Opango, et du front Watalinga qui, après avoir échoué dans sa tentative de franchir les limites des forêts frontalières à l'Ouganda dans le Territoire de Beni au Nord-Kivu, s'est spécialisé dans les exactions et d'autres sévices cruels, entre la fin des années 80 et le début des années 90. C'est aussi le cas des milices comme les Mongols, les Ngilima, les Katuku, les Maï-Maï qui, au nom de l'identitaire, ont abondamment et silencieusement insécurisé les populations des villages et des villes du Kivu et du Nord-Katanga.

Les forces internationales d'intervention

D'emblée, il paraît paradoxal d'argumenter que les forces internationales d'intervention peuvent créer l'insécurité dans la vie des populations pour lesquelles elles sont intervenues. Pourtant quelques cas peuvent être signalées en R.D. Congo avec les forces de la Mission des Nations unies en R.D. Congo (Monuc).

Les populations locales avaient placé beaucoup d'espoir en les forces de la Monuc. Or, investie d'une simple mission d'observation, celle-ci ne pouvait pas empêcher les nombreuses

exactions commises par les uns et les autres. Elle se contentait de protéger son site et ne pouvait recourir à la force qu'en cas d'agression.

Dès le 28 juillet 2003, avec la résolution 1493, la Monuc avait la possibilité d'envisager l'utilisation de la force militaire. Mais, l'opinion continuait à reprocher à la Monuc sa passivité. À la fin de son mandat en juin 2003, le deuxième Représentant spécial du Secrétaire général des Nations unies en R.D. Congo, Amos Namanga Ngonzi déclarait :

Si la Monuc n'a pas empêché les combats à Bunia, elle a réussi à minimiser des pertes et surtout à préserver des vies humaines en accordant la protection aux personnes qui étaient en danger imminent et étaient venues chercher refuge dans ses différents locaux. Elle a réussi à maintenir une situation sécuritaire acceptable jusqu'à l'arrivée de la force multinationale déployée au début du mois de juin.¹⁴

Le demi-succès des forces de la Monuc reste incontestable en R.D. Congo puisque les milices continuent à massacrer des populations civiles sous leur regard indifférent.

En plus de ce manque au devoir, certains éléments de la Monuc s'adonnent à l'alcoolisme à Kisangani, à l'exploitation de la pauvreté locale en abusant des jeunes filles en commettant des viols (un cas a été signalé à Kindu au mois de janvier 2004¹⁵), et à la provocation par leurs actions des heurts violents, comme ceux qui ont secoué Kisangani au second semestre de l'année écoulée. Les actes immoraux de certains membres de la Monuc poussent les populations à les haïr et parfois à les affronter. Des incidents et même des désarmements suivis d'enlèvements d'agents de la Monuc ont été signalés à Beni, Mongbwalu, Bukavu et Kisangani à l'est du pays, au cours de l'année 2003. Toutefois, ces quelques cas de violations de droits de la personne par la Monuc sont moins graves que les nombreux autres cas dont se rendent coupables les

rebelles et les différents pouvoirs congolais.

Essayons à présent d'identifier les canaux par lesquels les élites intellectuelles (chercheurs, professeurs, artistes) et les animateurs des ONG communiquent avec les décideurs habilités (gouvernement, rébellions, forces étrangères, Monuc, miliciens...).

Principaux modes de communication des insécurités locales

Face à un système resté pendant longtemps liberticide, le dialogue sur les insécurités paraît plus comme un procès, une dénonciation punissable et une indiscretion coupable aux yeux de ceux qui piétinent les droits de la personne. C'est ce qui justifie beaucoup plus l'usage d'un mode de communication communicationnel plus ou moins périphérique basé sur le monitoring le contrôle continu des connaissances/la surveillance ; les rapports et les publications ; la pression médiatique ; le plaidoyer et les memorandas ; les conférences ; séminaires ; les ateliers ; les campagnes dites de paix et d'éducation civique ; les manifestations publiques ; et les résistances.

Le monitoring, les rapports et les publications

Le monitoring et les rapports annuels et circonstanciels constituent actuellement les principaux moyens par lesquels les ONG et beaucoup d'autres organisations sociales font pression pour dénoncer et sensibiliser les acteurs politico-militaires par rapport aux nombreuses violations de droits de la personne. Il s'agit le plus souvent de décrire, de dénombrer et de publier les faits autour de la détention physique de personnes, de la matérialisation de la notion de l'ordre public et la violation des libertés.

Les partisans de cette approche communicationnelle espèrent qu'une fois les faits rendus publics, non seulement leurs auteurs peuvent s'amender, mais aussi que la communauté internationale

et bien d'autres acteurs épris de paix puissent se sentir interpellés et mener des enquêtes conséquentes pour établir les responsabilités.

Les publications des auteurs vivant le drame congolais ont été peu enregistrées. À travers quelques articles de presse, ouvrages et d'autres périodiques, les intellectuels congolais et étrangers ont eu à fustiger les indescriptibles violations de droits de la personne et d'autres pillages des ressources de la R.D. Congo.

La pression médiatique

Ce canal est à la fois, utilisé par les ONG et les élites intellectuelles. Il consiste soit en la publication des communiqués dénonçant des cas d'insécurité locales soit la médiatisation des éléments des rapports, du monitoring ou des résultats de recherches.

Etant donné l'importance des médias étrangers comme RFI, BBC, VOA, et Canal Afrique dans les conflits congolais, bien des acteurs sociaux les privilégient. Ils sont, non seulement supposés porter le message plus haut, mais surtout paraître contrôlés par les « maîtres du monde » qui sont par ce biais sensibilisés sur des faits auxquels leur inaction est interprétée comme une complicité et leur intervention comme une démarche impérialiste.

Le plaidoyer et les memoranda

L'immensité du territoire congolais, l'instabilité politique et la sous-administration territoriale et judiciaire qui s'en dégage font le lit des injustices. Si les organes judiciaires concernent théoriquement toutes les localités et les villages (habités par plus de 70% de la population), la justice reste une affaire urbaine. Et même en ville, elle est tellement corrompue que les citoyens/clients préfèrent renoncer à leurs droits plutôt que de s'adresser à la justice pour espérer une réparation. Cette situation crée un

environnement presque anémique où règne la loi du plus fort. La notion même de droit devient très absurde et sans contenu.

Les acteurs sociaux se sont ainsi organisés pour tenter d'accompagner des paysans, des prévenus, des femmes et des hommes devant des juridictions qui ne perçoivent pas nécessairement les droits humains de la même manière qu'eux. Le plus souvent c'est un dialogue de sourds qui s'établit.

Les conférences, les séminaires, les ateliers et les campagnes de paix et d'éducation civique

Au-delà de cet « accompagnement judiciaire » et de la « pression par les signatures » qui n'ont pas manqué de porter quelques fruits durant ces dix dernières années, les ONG congolais ont pris l'habitude de réunir différents acteurs pour discuter des questions d'actualité au pays et de divers problèmes pour la formation de différentes personnes sur des thèmes bien définis (droits de la personne, comportement politique, alimentation). À travers ces forums où les autorités en charge de la sécurité sont parfois invitées et/ou informées par des procès-verbaux, les questions de sécurité civile sont souvent abordées.

Bien des initiatives civiles locales qui ont servi de base aux actions des politiciens ont été enregistrées entre 1993 et 2004 au Nord-Kivu et Sud-Kivu autour des questions délicates de nationalité, de terre et de cohabitation ethnique. Au niveau local, les notabilités ethniques ainsi que les belligérants ont négocié un cessez-le-feu et le retour de la paix entre eux. L'initiative dite *barza communautaire* au Nord-Kivu et Sud-Kivu qui s'en est dégagée est à inscrire dans cette perspective.

Par ailleurs, les campagnes dites de paix et d'éducation civique ne prennent pas toujours les formes classiques de formation. Elles consistent aussi en des affiches, des concerts musicaux, des saynètes, du théâtre populaire, des campagnes en plein air, des clips télévisés, des émissions radiotélévisées, où les insécurités

sont fustigées.

Les manifestations publiques et les résistances

Peu nombreuses de par le contexte politique du pays, les manifestations publiques et les actions de résistance pacifique et de désobéissance civique sont aussi utilisées. Si certaines organisations comme l'église catholique à Kinshasa en 1992, à Bukavu entre 1997 et 2004 ont massivement mobilisé les masses dans les rues et dans leurs domiciles, les ONG et les intellectuels les mobilisent moins. Les mouvements étudiants dont ceux de Kinshasa en octobre 1996 au début de la guerre de l'AFDL, ceux de juin 1997, ceux de Bukavu au premier semestre 2003 et au début de 2004 sont les plus remarquables ; ils se sont toujours soldés par des bastonnades, des emprisonnements et des assassinats qui viennent gonfler le nombre de cas de violations des droits de la personne.

Atouts et contraintes

Comme nous l'avons souligné ci-haut, le contexte politique ne se prête pas aisément à la liberté d'expression. Le déclenchement de la démocratisation en avril 1990, son ralentissement progressif et surtout sa rupture, du fait de la guerre dite de libération ont mêlé à la fois pratiques démocratiques et autoritaristes.

Alors que la société civile reste plus collée à la réalité de la participation politique relevant des principes de la démocratie, elle a réussi à se tailler un espace d'expression dans un contexte de guerre marqué par l'absence de démocratie. Elle participe à la gestion de la société tant par sa présence au gouvernement que dans d'autres organes sécuritaires.

En l'absence de règles de jeu reconnues par toutes les parties et les partenaires de la sécurité civile et surtout face à la no-

tion de droit fort controversée dans ce contexte de violence et d'anomie, la société est confrontée à une deuxième difficulté : l'indifférence des décideurs politiques. C'est souvent au nom de la « *raison d'État* » ou de la « *sécurité d'État* » que les « *protecteurs-bourreaux* » marchent sur les espaces de liberté de la population et même de ceux qui se prêtent au travail de faire lui pression.

Une troisième contrainte provient du fait que c'est souvent durant des périodes bien identifiables que les activistes de la société civile sont appelés à élaborer leurs rapports périodiques et circonstanciels. Ceci semble leur conférer le rôle de simples rapporteurs, chroniqueurs et commentateurs des événements malheureux. Alors que les victimes attendent souvent un secours urgent et vital, un simple ouvrage, article de périodique, et coup de gueule s'avèrent souvent insuffisants. Le désespoir est à son comble quand ce sont ceux là-même qui sont censés les protéger – miliciens, rebelles, policiers, militaires et autres agents de sécurité et de renseignement –qui piétinent leurs droits.

Par ailleurs, les cas de violations de droits de la personne survenus dans les villes sont plus facilement identifiables que ceux survenus dans les campagnes. Ces derniers cas constituent la majeure partie des cas répertoriés. Les nombreux cas des milieux reculés restent inconnus en raison du manque de moyens modernes de communication (telephone ou email). D'autres terrains deviennent inaccessibles du fait de la cruauté des violences. C'est le cas de l'Ituri, du Nord-Kivu, du Sud-Kivu, de l'Equateur, du Nord-Katanga, du Kasai oriental, etc.

La quatrième difficulté tient à la dépendance idéologique et matérielle de la plupart des acteurs sociaux et de leurs organisations. Les organisations internationales qui financent les ONG, les chercheurs, et les manifestations culturelles et civiques à travers lesquelles les dénonciations seront faites, ont leurs exigences et préférences. Ce qui fait qu'il y a souvent filtrage des faits au profit du domaine d'action dans lequel s'inscrit l'organisation ou l'action

menée (environnement, femme, enfants, pygmées). La finalité est le plus souvent, non pas prioritairement le changement de la situation, mais l'obtention du financement du bailleur de fond selon sa conditionnalité. Tant pis si la situation empire dans le domaine voisin, il faudra trouver un autre bailleur de fonds qui s'y intéresse.

La dernière difficulté est liée à la précédente. Le fait que les mécanismes d'intervention des pays voisins, des forces sous-régionales, régionales et internationales soient liées à des organes (conseils de sécurité, parlement, Assemblées générales) dont la lourdeur est tant décriée et qui sont fonction de beaucoup d'autres pesanteurs (économiques, de pouvoir, géostratégique) ne permettent pas que les cris de secours de la société civile trouvent promptement un écho favorable. C'est souvent après les massacres à l'issue de la catastrophe qu'interviennent les forces étrangères et internationales. Le cas de la Monuc est très éloquent ici.

Que faire alors pour affiner ce travail amorcé, au sein duquel les acteurs poursuivent le même objectif par des voies différentes ?

En guise de conclusion : Perspectives pour un dialogue fructueux

De l'exploration précédente de l'action de la société civile congolaise en matière de sécurité, nous dégageons trois axes pouvant se situer dans la perspective de la conditionnalité pour un dialogue fructueux. À ce niveau, notre propos se limitera à la société civile seule. Ce choix nous permettra de parler de cette actrice peu citée et peu étudiée surtout du point de vue de sa contribution dans le domaine de la sécurité. Comme nous l'avons souligné, aucun débat politique, économique et culturel n'est possible sans la participation de la société civile. La sécurité n'est pas que militaire, ce serait une grave aberration que de la réduire à cette seule dimension.

Relevons d'entrée de jeu qu'il convient de repenser les bases

et la nature même de la société civile congolaise en général et particulièrement dans le domaine associatif. Si la politisation de la société civile est suffisamment fustigée, il convient de dire que l'on doit chercher à mieux comprendre les raisons de cette politisation. Entre autre hypothèse, nous postulons ici que la particularité du champ socio-politique congolais prédispose toute la société à une inflation du politique. Au-delà de l'« avidité courtière » des acteurs sociaux, les choses se passent comme s'il y a intériorisation du fait que, comme on le dirait en analyse marxiste, la contradiction principale des crises congolaises générant l'insécurité civile est politique. Ce qui fait que la plupart s'y attèlent au point de sacrifier leur principal raison d'être - combler les absences et démissions de l'État - au point d'imiter les dirigeants politiques qu'ils stigmatisent.

Si l'ordre politique actuel, légitime sur le plan international, s'avère être absolument de « couleur démocratique », il n'est pas inutile d'insister sur le fait que le phénomène de la société civile et de son partenariat avec la sphère étatique lui reste collé. La société congolaise dans son entièreté doit donc se démocratiser afin d'avoir un *modus vivendi* sur la base duquel le jeu politique, l'espace judiciaire et même l'essence du droit trouveront leur raison d'être. La communauté internationale qui est déjà au Congo doit arriver à asseoir un tel système politique avec la collaboration de la population congolaise et de ses dirigeants.

Cet environnement national est ainsi à inscrire dans un espace sous-régional et régional également assaini, sécurisé et démocratisé. Les insécurités internes de la R.D. Congo ne sont pas à comprendre comme le seul fait des contradictions internes, mais également des insécurités des pays voisins (Rwanda, Burundi, Ouganda, Soudan, Angola, Congo Brazzaville). Un tel environnement pourrait mettre fin à la marchandisation de l'insécurité au Congo et à ses frontières.

Ensuite, la société civile doit aller au-delà du simple activisme et du pur militantisme. Elle doit arriver à créer un

créneau des capacités utiles pour les nombreux espaces où l'État est absent et démissionnaire. Par-dessus tout, ces acteurs sociaux méritent d'être suffisamment outillés car la sécurité de plusieurs milliers d'âmes n'est pas la dernière question politique au sein des sociétés humaines modernes. À l'heure où la sécurité humaine reste dominée principalement par un combat contre un adversaire difficilement identifiable (le terroriste) et frappant à l'échelle mondiale, l'heure ne se prête plus à un discours fortement localiste à l'instar de celui des acteurs sociaux de la R.D. Congo. La société civile passe pour un domaine de la superficialité où le discours approfondi des situations de crise est le plus mal venu. Il s'installe finalement une confusion entre pragmatisme et superficialité. Ce sont souvent les schémas qui remplacent les analyses et l'appréciation des situations est fréquemment calquée sur le modèle, voisin ou lointain des conflits antérieurs qui n'ont rien à voir avec le cas en question. C'est dire que par moment, ces acteurs ne sont pas pris au sérieux par les autorités sécuritaires parce qu'ils abordent ces délicates questions sécuritaires avec amateurisme et avec une vision trop limitée.

Enfin, un nouveau contrat social entre les acteurs sociaux et les chefs militaires et la police mérite d'être envisagé. En effet, il s'est installé entre ces deux groupes de partenaires une sorte d'inimitié et méfiance. Les premiers sont perçus par les militaires principalement comme des politiciens voilés qui se servent de quelques bavures réels et imaginaires comme marche pied pour arriver au pouvoir. Ils sont également perçus comme des témoins indiscrets dont le rôle principal ne s'arrête qu'à la dénonciation. La société civile doit arriver à un réel partenariat avec le monde militaire et policier à travers ses activités d'éducation civique, de lutte contre la pauvreté, à travers les activités professionnelles d'auto-prise en charge, etc.

Tout cela est aussi réel pour les intellectuels (professeurs, chercheurs, homme de culture qui, souvent assimilés aux politiciens de par leur forte présence dans la sphère dirigeante,

sont facilement accusés d'avoir rendu intelligible l'entreprise d'insécurité qui profite plus à ceux qui se trouvent à la commande de la société. On se souvient encore du début de la démocratisation où ces masses, en furie avec les étudiants en tête, s'étaient abattues sur des professeurs nommés dans le gouvernement du premier ministre Crispin Lukoji, alors perçu comme la voie du détournement de l'idéal populaire de la démocratisation. Les discours et les actions des intellectuels doivent être orientés vers le bien-être social et le changement social au lieu de s'apparenter aux gestes de courtisans en quête du « manger », comme on le dit ironiquement dans le Français local.

Notes

1. Discours du maréchal Mobutu du 30 avril 1990.
2. J-C Willame, 1997. *Banyarwanda et Banyamulenge: Violences ethniques et gestion de l'identitaire au Kivu*. Bruxelles/Paris : Institut Africain/L'Harmattan.
3. Gauthier De Villers en collaboration avec J. Omasombo Tshonda and E. Kennes, 2002. *Guerre et politique: Les trente derniers mois de L.-D. Kabila*. Bruxelles : Afrika-Instituut/ ASDOC, 28.
4. Rapport de la Commission internationale de l'intervention et de la souveraineté des États (CIISE), (2001). *La responsabilité de Protéger*. Ottawa : CERDI, 5. Disponible en ligne: <http://www.iciss.ca/menu-fr.asp>
5. *Rapports du groupe d'experts mandatés par l'Onu pour enquêter sur l'exploitation illégale des ressources naturelles et autres richesses de la République Démocratique du Congo* (12 avril 2000, 10 novembre 2001 et 23 octobre 2003).
6. C'est le cas des Mai-Mai , Interahamwe, Kasindiens, Allied Democratic Forces, Alliance pour la libération du Rwanda qui opéraient dans la province pour des fins identitaires et politiques.
7. Confère les différents rapports de l'International Crisis Group sur les *Interahamwe*.

8. C'est plus la logique de l'*anétatisation* que de la désétatisation qui a prévalu. En bricolant des structures civiles « *jouant à l'État* » les forces de *rébellion-évasion* se voulaient être l'État. C'est la logique formaliste de l'État qui a été suspendue, manipulée et instrumentalisée. B. Sal, 1997. « Anétatisme et modes sociaux de recours ». *Les avatars de l'État en Afrique*. Paris : Karthala, 247-248.
9. Human Rights Watch, 2002. « République Démocratique du Congo. La guerre dans la guerre. Violences sexuelles contre la femme et les filles dans l'est du Congo ». www.hrw.org/french/report/drc2002/congofr0602-03.htm (27 septembre 2003).
10. Droits humains, Fonction publique, Anciens combattants et démobilisation, Commerce extérieur et Agriculture.
11. Binda Ngoma, 2003. Forces politiques de la société civile. Voie d'accélération du développement de l'Afrique ? *Congo-Afrique*. 380, 604-608.
12. J-P Bemba, 2002. *Le Choix de la liberté*. Gbadolite : Venus.
13. B. Jewsiewicki, 1992. De la nation indigène à l'authenticité : la notion d'ordre public au Congo 1908-1960. G. Thoveron et H. Legros (éds.), *Mélanges Pierre Salmon. Méthodologie et politique africaines*. Bruxelles : Civilisations, 103-127.
14. N-R Ngangoué, 2003. « Amos Namanga Ngongi se confie à Momuc Magazine ». *Monuc Magazine*. n° 7 ,6.
15. Entretien avec Madame Clémentine Sangana qui revenait d'une enquête sur le viol dans la Province du Maniema, Kinshasa, janvier 2004.

L'Éxperience de la société civile et de la MONUC dans la sécurisation des populations locales en période de guerre en R.D.C.

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Résumé : *Les acteurs de la société civile ont émergé en tant que joueurs principaux sur la scène politique du Congo en 1990 lorsque les procédés de démocratisation ont été lancés. Ensemble, l'échec de l'État congolais et l'incapacité des groupes rebelles de régir ont mené à la participation d'organismes de la société civile pour offrir de la sécurité aux résidents locaux, ayant souvent, toutefois, des effets contradictoires. Alors que certains croient que la société civile congolaise est infiltrée, d'autres la perçoivent armée. Tirant parti des expériences des acteurs de la société civile de la République Démocratique du Congo, cet article plaide pour une perspective différente du rôle de la société civile, en tant que fournisseuse de services de sécurité, qui tient compte des éléments négatifs de celle-ci dans ses rapports avec les agents de l'État, les groupes rebelles et les soldats de la paix de l'ONU.*

Abstract : *Civil society actors emerged as key players on Congo's political scene 1990 when democratization processes were launched. The failure of the Congolese state, combined with the inability of rebel groups to govern led to civil society organizations becoming involved in the provision of security to local residents, often with mixed results; some see Congolese civil society as infiltrated, while others see it as armed. Drawing on the experiences of civil society actors in the Democratic Republic of the Congo, this article argues for a different perspective on the role of civil society in providing security that takes into account*

the negative elements of civil society in their dealings with state agents, rebel groups and UN peacekeepers.

....

Introduction

La crise que traverse la région des Grands Lacs et, particulièrement, la République Démocratique du Congo, depuis les années 90, restructure, inéluctablement, tout son paysage politique et socio-économique, à telle enseigne qu'il devient crucial pour l'avenir, de non seulement examiner les politiques qui ont maintenu ses équilibres fondamentaux, mais surtout, apprécier, dans le cadre de la formulation des nouvelles orientations, les éléments nouveaux qui se dégagent des mutations connues et en cours.

En effet, une dimension de cette crise reste sans aucun doute, la crise de l'État qui, vidé de sa « *puissance symbolique* » n'arrive plus à assumer ses fonctions traditionnelles.

Face à sa démission, il a émergé dans la société, *et contre lui (l'État)*, comme le dirait Bayart, de nouveaux acteurs qui se sont réappropriés, parfois à leur corps défendant, les missions qui lui sont normalement dévolues.¹ À titre illustratif, citons les organisations de la société civile, les bandes armées contrôlant des espaces géographiques, et les sectes religieuses s'offrant comme espace thérapeutique de sécurité et de solidarité devant la paralysie des structures officielles.

Dans cette perspective, notons que c'est, entre autres, à la recherche de la sécurité que certains groupes armés se sont constitués ou encore, ont eu à nouer des alliances et que les organisations de la société civile se sont retrouvées impliquées dans la gestion de la question sécuritaire, au point d'en devenir des partenaires incontournables.

Si le contexte de guerre (1996-2003) a, en lui-même, renforcé

le poids de ces nouveaux acteurs internes, il faudrait noter que les interventions extérieures, dont la Mission des Nations Unies au Congo (Monuc), ont aussi marqué, de façon remarquable, la gestion de la sécurité des populations locales. Sur le terrain, elles font *ipso facto* partie de la constellation des agents intermédiaires de la sécurité des populations, entretenant entre eux et à leur niveau, des relations complexes.

Le présent article propose d'examiner, au regard de ce qui précède, la nature de la société civile en République Démocratique du Congo, ses mutations à travers sa participation de plus en plus active et conséquente dans les évolutions récentes, davantage dans la gestion de la question de la sécurité sécuritaire des populations locales, en période de guerre. Il cherche aussi à démontrer, à la lumière des réalités du terrain, la dialectique des relations que la société civile développe avec d'autres agents, en l'occurrence, les tenants du pouvoir d'État et la Monuc.

À cet effet, nous examinons, par rapport à l'implication *de facto* de la société civile dans ce qu'il convient d'appeler « *la responsabilité de protéger et de sécuriser* », ² trois points, à savoir : la montée en puissance d'une société civile engagée en quête d'une redéfinition, la Monuc et la protection des populations, ainsi que les défis à relever pour une sécurisation efficace de ces dernières.

Crise politique, guerres et montée en puissance d'une société civile engagée en R.D.C.

La société civile en R.D.C. qui se présente volontairement comme l'émanation de la volonté populaire, en l'absence d'un parlement élu démocratiquement et réellement représentatif, n'est qu'un sous-ensemble structuré de celle-ci. ³ Elle a sa propre histoire qui se construit au rythme des évolutions politiques de la société tout entière. Sa physionomie actuelle résulte de son passé et de ses efforts constants pour s'affirmer.

La société civile pendant la transition démocratique des années 90

En République Démocratique du Congo, la société civile, dans ses manifestations, reste dominée par les ONG de développement et de défense des droits de l'homme qui occultent, par moment, ses autres composantes, obligeant certains observateurs à assimiler l'histoire de la société civile congolaise à celle des ONG.⁴ Et pourtant, parfois perdus de vue, les syndicats, les églises conventionnelles, les nouveaux mouvements religieux, les associations culturelles et sportives, les corporations, les associations scientifiques et savantes, les associations des femmes et des jeunes, les organisations patronales, les organisations des médias, ... font partie également, dans leur ensemble et dans leur dynamique, de l'espace « société civile » qui se veut, selon son propre credo, « *neutre et apolitique* ».

S'inspirant de l'*Agenda pour la paix*, Minani définit la société civile d'une manière opératoire comme « un réseau de citoyens organisés en associations en dehors du pouvoir gouvernemental et institutionnel d'État, intéressés à l'amélioration de la qualité de vie des populations, connaissant ses devoirs et ses obligations, et engagés à défendre ses droits et libertés ».⁵

Si aujourd'hui, les ONG regroupées au sein du Conseil National des ONG, et le Congo semble vaguement incarner l'expression de la société civile, il faut reconnaître que la réalité de celle-ci, dans un contexte globalisant, que la situant au niveau de l'intermédiation entre l'individu et l'État remonte tout au moins au Congo à la période coloniale. En effet, en considérant la vision de Gramsci qui définit la société civile comme « un ensemble d'associations publiques non gouvernementales canalisant l'expression des différents intérêts populaires », on peut dire qu'il en existait bel et bien qui couvrait, à cette époque, l'ensemble des associations et des groupements de nature diverse, assurant l'encadrement social des masses selon leurs intérêts respectifs.⁶

Les structures confessionnelles de développement, et les associations laïques telles que le Centre médical de l'Université Libre de Bruxelles en Afrique Centrale, et le Fonds social du Kivu, en sont quelques exemples.

Lumuna indique, par ailleurs, qu'il s'est forgé, dans le milieu des églises notamment Catholiques, et au sein des associations et regroupements, une conscience sociale et politique de laquelle sortiront des leaders et des personnalités politiques qui feront partie de la première élite dirigeante du Congo indépendant.⁷

La dynamique actuelle du mouvement associatif qui conduit même certains observateurs à parler d' "*ONGisation*" de la vie en République Démocratique du Congo, débuta inmanquablement au Kivu vers les années 80, à la suite d'une crise socio-économique de plus en plus aiguë.⁸ Elle s'observa entre 1983 et 1985 dans le Bas Congo, le Katanga et le Kasai, avant de gagner l'ensemble du territoire national à l'approche de la période de démocratisation.

Dans les bouleversements politiques qui ont caractérisé cette période de démocratisation, la Société civile, qui jusque-là se préoccupait prioritairement de questions uniquement socio-économiques, est sortie des marges des structures formelles, pour s'imposer comme actrice historique sur la scène politique congolaise. En tant que groupe de pression, elle constituait, dans la tourmente de la crise, un espace d'espoir, d'alternatives, de négociation et d'organisation.

Désignée alors dans ce jeu politique comme la « *force vive de la nation* », elle accéda à des postes de responsabilité politique, et mieux, jusqu'à conquérir et exercer directement le pouvoir. L'exemple de Mgr. Laurent Monsengwo Pasinya, Archevêque de Kisangani, qui est devenu Président élu de la Conférence Nationale Souveraine et, par la suite, Président du Haut Conseil de la République-Parlement de Transition, entre dans cette logique.⁹ D'autres acteurs de la société civile occupèrent des fauteuils

ministériels ou d'autres postes politiquement importants. Cette position plaça certains ténors de la société civile en situation de compétition, ce qui exacerba les luttes internes. À l'instar des partis politiques, la société civile devient ainsi, également un tremplin, une formation par laquelle l'on pouvait aspirer, conquérir, et exercer le pouvoir.

Ce désir brûlant de « *faire de la politique* » perçu chez les responsables ecclésiastiques, et les responsables d'associations et d'ONG diverses, a fait croire à bon nombre d'observateurs qu'en République Démocratique du Congo, la société civile avait perdu son caractère apolitique et sa neutralité. C'est peut-être dans ce sillage que Hashimu parla de l'« *introuvable société civile* » en RDC.¹⁰ En effet, pour avoir droit au gâteau du pouvoir, il fallait se démarquer des autres acteurs, en l'occurrence des partis politiques. Dans ces conditions, l'apolitisme et la neutralité sont devenus des slogans creux, et des vœux pieux aux antipodes de la réalité.

Cependant, l'engagement politique n'a pas été sans heurts. Les contradictions de la classe politique ont commencé à se reproduire dans la sphère de la société civile, davantage quand certains responsables politiques qui en sont issus se sont mis à développer des mécanismes de maintien du pouvoir. Des conflits d'intérêts ont éclaté et débouché sur des divisions. Les manipulations politiques des clivages ethniques et régionalistes se sont multipliées et nombreux observateurs en font mention et en circonscrivent l'ampleur. Dans un rapport sur l'état des lieux de la société civile en RDC, on lit ce qui suit :

La compréhension des différentes plates formes de la société civile part de la Conférence nationale souveraine. Les associations se sont divisées à l'époque en deux grandes tendances qui représentaient les deux grandes tendances politiques concurrentes. Il y avait, d'une part, les associations de la société civile proche de l'opposition radicale, et,

d'autre part, les associations de la société civile proche du pouvoir mobutiste. Ces différents regroupements ont évolué en fonction de la situation politique.¹¹

En fait, la barrière entre la société civile et la société politique, incarnée par la sphère du pouvoir politique, c'est-à-dire l'État et ses représentants, était devenue si fluide que l'on assistait à une véritable osmose entre les deux entités. En dépit de cette ambiguïté, la société civile, définie d'après la conception instrumentaliste de Keller, existe toujours en dehors de la sphère politique formelle, même si elle est de temps à autre secouée par des crises politiques.

En considérant cette soif du pouvoir et la fulgurante émergence des forces politiques dans l'espace de la société civile en R.D.C., Binda propose le concept générique et paradoxal de « société civile politique » pour illustrer cette société civile atypique.¹²

Lukwebo, un des ténors de la société civile du Congo, proposa, à son tour, le concept de « *société civile infiltrée* », dans l'espace politique, compte tenu de l'autonomie relative qu'elle est censée y conserver.¹³ Son orientation s'apparente à celle de Keller et repose sur le rôle de premier plan accordé à la société civile considérée comme un agent catalyseur dans l'incubation et l'accélération du changement politique.

La Société civile pendant la période des guerres (1996-2003)

La guerre de 1996-1997 dite de l'AFDL, qui conduit à la chute de Mobutu et à la prise du pouvoir par L.D. Kabila, mis fin à une transition politique inachevée, voire « manquée ».¹⁴ Néanmoins, elle a été une période d'apprentissage politique qui a donné à la société civile l'occasion d'exercer directement le pouvoir. Ainsi, la dérive guerrière qu'inaugura l'Alliance des Forces Démocratiques pour la Libération du Congo -AFDL-, en

1996, trouva une société civile déjà riche d'une certaine expérience politique, consciente de la nécessité former un *corps constitué* capable d'influencer le déroulement des événements.

Au niveau local, les églises, les ONG et d'autres mouvements associatifs, se réclamant, en l'absence d'une autorité légitime, d'être les seuls encadreurs de la population pendant les hostilités, n'ont pas tardé à monter au créneau pour dénoncer les abus de la guerre, et l'engagement dans les rangs des insurgés de l'A.F.D.L., des militaires étrangers. À ce propos, le témoignage de Monseigneur Mzee Muzihirwa, Archevêque de Bukavu, assassiné au début des offensives militaires en 1996, reste éloquent. Il illustre le nouveau rôle des églises et de la société civile, dans son ensemble, pendant cette période difficile. En effet, celle-ci a protesté, et s'est formée un groupe de pression pour fustiger le nouveau pouvoir qu'elle accusait d'être responsable d'incessantes violations des droits de l'homme. Entre les deux acteurs, le nouveau pouvoir de l'AFDL et la société civile, s'est instauré un climat conflictuel.

Dans ce contexte, le nouveau pouvoir qui considérait la société civile comme n'étant pas acquise à la cause de sa « *révolution* », soupçonnait aussi ses initiatives et ses engagements politiques et surtout, dénonçait le financement extérieur, dont la plupart de ses composantes étaient bénéficiaires. Pour la fragiliser, les nouvelles autorités ont décidé de contrôler tous les financements accordés aux ONG qu'elles accusaient d'être des canaux d'embourgeoisement de leurs animateurs, et même de travailler pour le compte des étrangers, de servir de caisses de résonance aux partis politiques, et d'être, en fait, des partis politiques camouflés, dans un contexte où ceux-ci sont suspendus. Le rapprochement pendant les années 90 entre les acteurs de la société civile et les « *opérateurs politiques* » animant la nébuleuse des partis politiques étaient de nature à justifier ces appréhensions. Le nouveau pouvoir créa, par le Décret n° 071 du 18 mai 1998, la structure ONG dénommée « *Solidarité entre nous* » pour

coordonner l'action de toutes les autres ONG. C'est au cours de cette période que certains activistes, se sentant menacés dans leur intégrité physique, durent s'exiler. À ce propos, Kabarhuza nota ce qui suit :

Un mois à peine après la prise du pouvoir par Kabila, les ONG ont souhaité inciter celui-ci à engager un dialogue positif avec la société civile (...). Il a été constamment demandé au Gouvernement Kabila de rejeter une politique d'exclusion, de démocratiser le pays, de privilégier la paix (...). Mais le Gouvernement a réagi négativement à nos positions. Il n'a pas hésité à arrêter, à plusieurs reprises, les leaders des associations.¹⁵

Quand, en août 1998, éclata la deuxième guerre dirigée contre L.D. Kabila, Président de la République, conduite par ses anciens alliés, la société civile était déjà sur ses gardes. Willame démontre comment dans leurs dépêches, les églises, les ONG, les associations féminines et les autres membres de la société civile ont rendu régulièrement compte des crimes et des atteintes diverses aux droits des populations assiégées.¹⁶ Le milieu associatif qui poursuivait, dans une logique de contre-pouvoir sa mission de « *chroniqueurs d'événements* », de « *preneurs de positions* », et de « *plaidoyer* » devint la source privilégiée d'informations diverses. Les violations commises par les militaires rebelles, les milices Maï-Maï et les autres bandes armées furent ainsi signalées et portées à la connaissance de l'opinion tant nationale qu'internationale.

Dans leurs homélies et leurs prêches, prêtres et pasteurs ne ménagèrent pas les rebelles, tenant du pouvoir d'État dans les territoires sous leur contrôle. Dans une lettre pastorale écrite à l'occasion de la fête de Noël 1999, Mgr Kataliko, Archevêque de Bukavu, dénonça la nouvelle guerre dans un style que le RCD jugea violent et intolérant. Il écrivit en substance :

Des pouvoirs étrangers, avec la collaboration de certains de nos frères congolais, organisent des guerres avec les ressources de notre pays. Ces ressources, qui devraient être utilisées pour notre développement, pour l'éducation de nos enfants, pour guérir nos malades, bref, pour que nous puissions vivre d'une façon plus humaine, servent à nous tuer. Plus encore, notre pays et nous-mêmes, nous sommes devenus objet d'exploitation... Notre Église institutionnelle elle-même [n'a pas été] épargnée. Des paroisses, des presbytères, des couvents ont été saccagés. Des prêtres, des religieux, [et] des religieuses [ont été] frappés, torturés et même tués parce que, par leur mode de vie, ils dénoncent l'injustice flagrante dans laquelle est plongé le peuple....¹⁷

Cette lettre, comme beaucoup d'autres, a eu des implications dans les rapports entre l'église et le pouvoir politique. Le RCD muta son auteur à Butembo, au Nord Kivu, dans son diocèse d'origine et proposa qu'on le remplace par un autre Évêque. Plusieurs cas de répressions d'hommes d'églises, de destruction de certains lieux de culte, et de suspension de certaines chaînes de radio affiliées aux églises ou aux ONG de leur obédience, eurent lieu. En effet, les églises locales se retrouvèrent, comme les ONG et les associations de défense des droits de l'homme, dans le collimateur du pouvoir rebelle qui, entre autres, les accusa non seulement d'une certaine violence verbale, mais aussi d'œuvrer pour la cause de leur ennemi, le pouvoir de Kinshasa (celui de L.D. Kabila), voire d'être en complicité avec les résistants Mai-Mai considérés dans la logique de la rébellion comme des forces négatives en alliance avec Kinshasa.

Notons, par ailleurs, que si la société civile a eu à décrier les violations diverses des droits humains perpétrées aussi bien par les forces rebelles que par les bandes armées incontrôlées, il faut reconnaître qu'elle était beaucoup plus tolérante à l'égard des milices Mai-Mai autochtones avec lesquelles elle entretenait, selon

toute vraisemblance, des relations multiples et complexes. D'une part, ces milices étaient, pour la plupart, constituées d'enfants du terroir ; à ce titre, elles symbolisaient dans l'imaginaire collectif local, la résistance contre l'occupant, à savoir la direction politique et militaire de la rébellion, composée essentiellement des « *Banyamulenge* », considérés, dans l'opinion locale, comme des autochtones. D'autre part, l'élite locale composée des leaders de la société civile, passait, par moment, pour l'autorité morale des milices Mai-Mai, au point de bénéficier d'opinions favorables auprès des populations. Dans une étude sur les Mai-Mai à l'Est de la R.D.C, Mwaka Bwenge se demanda, s'il ne s'agissait pas d'une « société civile armée ».¹⁸

En somme, dans ce contexte des rapports de forces contradictoires, la société civile était représentée par les mouvements rebelles comme alliée aux « Mai-Mai », au pouvoir « *ennemi* » de Kinshasa, et à d'autres bandes armées. Quant à la société civile, la dénonciation des crimes était pour elle une « *obligation morale* », un « *mode de vie* » et un « *enjeu de combat politique* », voire sa seule raison d'être en situation de guerre.

Dans une enquête récente (novembre 2003), réalisée par le Cenadep-Centre National d'Animation et de Développement Populaire et portant sur la participation de la société civile à l'est de la R.D.C au processus de prise de décisions pendant la période de guerre, il en ressort que plus ou moins 95 % des associations évoluant dans cette partie de la République ont fait, le contexte de guerre l'obligeant, de la défense et de la protection des populations une préoccupation majeure. Les actions qu'elle entrepris, en synergie ou non, visaient non seulement à dénoncer les abus mais aussi à former les vulgarisateurs des droits de l'homme et à échanger les informations.

Au Sud Kivu, le Bureau Provincial de la Coordination de la société civile organise des rencontres hebdomadaires d'échanges d'informations sur la sécurité. Au cours de ces réunions, des stratégies de défense sont prises. Dans la mesure où ce Bureau

Provincial est actuellement associé aux réunions de sécurité de la Province, la société civile, dans son ensemble, se retrouve, par ce biais, associée à la prise de décisions dans ce secteur stratégique.

Ces enquêtes ont également démontré que dans les Conseils paroissiaux des Églises locales, ainsi que pendant les occasions de rencontres diverses (deuil, mariage, visites, ...), les informations liées à la sécurisation et aux stratégies de lutte et de survie pouvaient être échangées et/ou prises.

La société civile a réussi par le truchement de ses partenaires nationaux et internationaux à se créer un lobbying fort actif et incontestable. Si les massacres de Makobola, de Kasika, et de Uvira... ont été portés à la connaissance de l'opinion nationale et internationale, c'est à la suite du travail assidu de ce lobbying qui a recourt, entre autres, aux médias internationaux pour la sensibilisation (RFI, AFP, BBC, La Voix de l'Amérique ...). En effet, les différentes publications du Ministère des Droits Humains, pendant la guerre, ont pour principale source les églises, les associations et les ONG.

Il faut admettre qu'en matière de sécurité, plus grand-chose n'échappe à la connaissance de cette société civile qui a réussi à développer des mécanismes de communication grâce à sa présence au plus bas niveau de la communauté. Toutes les associations retrouvent dans leurs structures de petites cellules qui renseignent quotidiennement sur la situation au niveau de la base. Le Groupe Jérémie par exemple, ONG de Défense des droits de l'Homme et l'Éducation civique, va même dans les écoles pour avoir des petites cellules comme sources d'informations. Tous les secteurs de la vie sont ceinturés. Dans cette délicate mission, les églises jouent un rôle important compte tenu de leurs structures de communication fort diversifiée à l'échelle nationale et internationale (notamment l'Église catholique). Dans leurs multiples navettes, les commerçants, et les paysans vendeurs de produits viviers participent à la circulation de l'information. Bref, informer, s'informer, dénoncer... sont devenus des responsabilités collectives.

Toujours lors des enquêtes sous-citées, on a noté la montée en puissance des associations féminines qui se sont spécialisées dans la dénonciation des violences faites aux femmes. D'une simple chronique des faits, elles vont actuellement jusqu'à formuler, quoique encore timidement, des demandes politiques. Bisimwa souligne que « les femmes et les enfants ont été des catégories vulnérables qui ont payé un lourd tribut de la guerre. Il faudra aussi qu'au moment de paix qu'on leur accorde beaucoup plus d'attention pourquoi pas d'autorité ». ¹⁹ Cet engagement démontre que dans l'espace complexe de la société civile, les femmes pourront, dans un avenir proche, être les actrices de grands changements, à condition qu'elles arrivent à se départir, dans leur *praxis*, de la manipulation dont elles sont souvent l'objet. La propagande actuelle sur le genre devra permettre à la femme de disposer des capacités intellectuelles, sociales, économiques et politiques indispensables.

Il convient de relever qu'il reste fort possible que dans la logique de la lutte et dans un engagement politique fort évident, certains éléments évoqués dans la dénonciation arrivent à être amplifiés, et instrumentalisés. À ce niveau, précisons avec Kinyamba que les informations fondées sur la rumeur, qui se révéleraient fausses après vérification, restent susceptibles de causer des ravages certains. ²⁰ En effet, la société civile n'évolue pas sur un terrain neutre, mais plutôt sur celui où l'engagement des acteurs, qui « *produisent* » des stratégies pour des intérêts matériels ou immatériels, reste capable de conduire à des amplifications ou à des restrictions. Le chercheur qui est appelé à comprendre non seulement la dynamique des acteurs, mais aussi celui du contexte qui les produit et dans lequel ils évoluent, doit soumettre les données récoltées au crible de la critique.

Enfin, soulignons que la société civile ne s'est pas seulement contentée de dénoncer les brutalités des tenants du pouvoir d'État; elle a aussi fustigé la passivité de la Communauté internationale qui n'a pas pu imposer la paix dans un pays meurtri par les guerres.

Pourtant, cette communauté internationale a été et reste présente sur le terrain à travers la Monuc. Qu'en est-il de cette dernière ? Quels rapports entretient-elle avec la société civile ?

La Monuc et la société civile en R.D.C : La protection des populations pendant la période de guerre

La signature de l'Accord de cessez-le-feu de Lusaka en juillet 1999 a servi de premier jalon concret dans le processus de cessation des hostilités. La Mission d'Observation des Nations Unies au Congo (Monuc) s'inscrit dans la dynamique de cet Accord dans la mesure où elle permet d'assurer la liaison avec tous les signataires, de les aider à en appliquer les dispositions et de suivre l'évolution du niveau de sécurité de la situation. Elle pouvait prendre les mesures nécessaires dans les zones de déploiement de ses bataillons d'infanterie, pour protéger le personnel, les installations et le matériel de l'ONU ainsi que ceux de la Commission militaire mixte qui partageaient les mêmes locaux, et pour assurer la sécurité et la liberté de circulation de son personnel, et protéger les civiles.

Il convient de noter que si la Monuc, travaillant sur la base d'abondantes informations sécuritaires, a permis des avancées significatives dans la sauvegarde du cessez-le-feu, elle a aussi connu des difficultés majeures avec les incessantes violations. Le 14 janvier 2002, elle avait déjà reçu 221 plaintes dont 187 (84%) émanant du RCD-GOMA. Les observateurs militaires n'avaient enquêté que 92 plaintes et avaient pu établir le bien-fondé de 71 d'entre elles, soit 77 %. Les autres plaintes sont restées sans suite tout simplement parce que les plaignants n'avaient pas pu garantir la sécurité des équipes d'observateurs militaires.²¹

L'immensité du territoire de la R.D.C. et le caractère imprévisible des protagonistes (belligérants et milices locales) ne facilitaient pas les tâches d'observation et de surveillance de la Monuc qui paraissait politiquement incapable d'imposer, même

aux belligérants signataires, certaines résolutions.²²

À l'occasion de chaque déploiement des contingents de la Monuc (observateurs et militaires), la population attendait l'implication des Nations Unies, disons de la Communauté Internationale, « *dans ses malheurs* », afin de mettre hors d'état et de nuire aux belligérants, les rebelles, les groupes armés et leurs seigneurs de guerre, ainsi que les artisans des insécurités et des violences. Sans trop chercher à comprendre le mandat réel de la Monuc, elle s'est vue sacrifiée par cette dernière qui se limitait l'observation ; la Monuc était ainsi une spectatrice des *dramas humains*. Elle fut vite dénoncée par la société civile qui ne comprenait pas du tout le caractère ambigu et inadapté de son mandat. Devant des urgences humanitaires, l'ONU n'avait envoyé que des observateurs ne pouvant directement rien empêcher. Dans son rapport de mission la Rapporteuse Spéciale des Nations Unies sur les exécutions extra judiciaires, nota ce qui suit :

Les membres de la société civile sont indignés par le comportement de la Monuc. Ils espéraient qu'elle interviendrait physiquement pour protéger les populations contre les excès des brutalités du RCD. Mais hélas tel n'en fut pas le cas (...) Même les défenseurs de droits de l'homme en fuite ne bénéficièrent d'aucune assistance.²³

À Kinshasa, dans la presse écrite comme dans l'opinion publique, la Monuc fut traitée de complice des pays agresseurs. Au lieu d'imposer la paix pour que cessent les tueries inutiles, ses agents passaient l'essentiel de leur temps à vagabonder et à profiter des faveurs des jeunes filles congolaises. La troupe théâtrale « Simba », du théâtre populaire kinois, véhicula cette perception dans une de ses productions sur le plateau d'une télévision locale de Kinshasa - Antenne A- à la fin de 2002 et au début de 2003. Les « Bejarts », une autre troupe théâtrale, produisit dans la même perspective, la pièce « *La Monuc et la paix en RDC*

en question ». L'attitude à l'égard de la Monuc devint ainsi négative dans la capitale.

À Bukavu comme à Kisangani, les éléments de la Monuc étaient présentés comme les responsables de la dépravation des mœurs vu qu'ils y élargissaient le « *marché du sexe* » ; on les soupçonnait même d'être impliqués dans le trafic illicite des matières précieuses. La sécurité des populations était loin de faire partie de leurs préoccupations.

Désillusionnées, les populations et certaines organisations de la société civile se sont livrées à des actes de vandalisme contre les installations de la Monuc. À certains endroits comme à Beni, dans le Nord Kivu, et à Bunia dans l' Ituri, il y a eu des cas de prise d'otage, destinés soit à désapprouver une passivité coupable, soit à contraindre la Communauté Internationale tout entière à repenser le mandat de la Monuc.

Il n'y a pas que la société civile qui a désapprouvé de la passivité de la Monuc. Les mouvements rebelles ont, eux aussi, fustigé ce qu'il croyait être une complicité entre la société civile et la Monuc.

Au total, la Monuc a presque évolué entre le marteau et l'enclume, et sa mission n'a pas été du tout facile. Le numéro Un de la Monuc à l'époque, Mr. Amos Namana Ngongi justifia dans une conférence de presse l'attitude passive de ses hommes en ces termes :

La Monuc n'impose pas le cessez-le-feu. Elle est ici pour surveiller et faire en sorte que les parties respectent les engagements qu'elles ont pris (...) Notre rôle est d'assurer un monitoring et une surveillance et non d'imposer. C'est en d'autres termes de faire respecter les accords signés par les différentes parties.²⁴

L'incapacité de la Monuc à protéger les populations a terni son image auprès des populations locales et a favorisé, au-delà

des déclarations politiques optimistes, la manipulation des populations par les forces en présence en vue de la sauvegarde de leurs positions hégémoniques. C'est dans cette orientation que se sont inscrits les massacres des Hema et des Lendu en Ituri. Ceux-ci ont touché la conscience de la Communauté Internationale qui a finalement mis le mandat de la Monuc sous le chapitre 7 de la Charte des Nations Unies. En effet, c'est fort de ce nouveau mandat que le contingent français dans l'opération Artémis a pu intervenir sous le titre de l'ONU en Ituri.

Cette intervention s'est révélée salutaire à plus d'une fonction : elle a empêché une boucherie humaine, a favorisé le retour des populations dans la ville sécurisée, Bunia, et a facilité le début du désarmement des milices locales. Au niveau des populations, la collaboration avec les militaires français était bien facile grâce à la langue de communication « *le Français* » et grâce au souci manifeste de ceux-ci de prendre socialement et psychologiquement en charge les populations. Pour la première fois, les militaires symbolisant la communauté internationale paraissaient proches du peuple auquel ils garantissaient la sécurité.

En guise de conclusion : Quelques défis à relever pour un engagement efficace en faveur des populations

De prime abord, il importe de rappeler que le chaos que la République Démocratique du Congo traverse aujourd'hui tient principalement de la crise de l'État. Le retour à la stabilité des institutions susceptibles de provoquer une dynamique de développement exige la réinvention d'un État qui puisse répondre non seulement à la complexité des problèmes socio-économiques et politiques internes (sécuritaires inclus), mais aussi à la nécessité de la prise en compte de la population non comme simple bénéficiaire inactive, mais comme partenaire.

Dans ce cadre, la société civile comme la Monuc, voire les autorités politiques et militaires, doivent relever les défis qui leurs

sont imposés.

Pour la société civile

Contrairement aux affirmations *a priori* qui, dans une sorte d'histoire glorieuse, font l'éloge de la société civile en R.D.C, il convient de noter que cette dernière est encore loin de constituer une plate forme homogène. Elle est plutôt hétéroclite, composite, et traversée par plusieurs dynamiques, par moment, en compétition entre elles. Quoique cette situation cache en elle une richesse, elle reste un des goulots d'étranglement pour la société civile, minée et fragilisée par des divisions internes. En effet, dans ce cadre, le degré de collaboration diminue entre les organisations « concurrentes » en cédant la place à la méfiance, à la défiance et à une crise de leadership. Les actions en synergie deviennent rares sinon aucunement envisageables. Et la détermination par le pouvoir devient plus que possible. À ce sujet, le rapport annuel 2002 du Cnong révèle que presque tous les Bureaux actuels de la Coordination de la société civile au niveau des Provinces et au niveau national connaissent des problèmes de légitimité. Au Nord Kivu, dans la Province Orientale, au Katanga, et à Kinshasa, l'omniprésence des Bureaux parallèles est récurrente. Bien que Rigobert Minani minimise l'ampleur et l'impact de ces divisions, elles restent une réalité irréfutable aux conséquences imprévisibles.

Parmi les causes des divisions au sein de la société civile, il faudrait noter l'impossible gestion de l'équation ethnique qui tient à la crise de la société globale congolaise. Certains activistes se retrouvent contestés non pas à cause de leur incompétence, mais plutôt à cause de leur appartenance à un groupe tribal ou ethnique. C'est en fait leur ethnité qui est critiquée. La crise de légitimité que connaît le Bureau de la coordination de la société civile du Sud-Kivu, dirigé par Didas Kaningini Kyoto, par exemple, s'explique, en partie, par cette variable. L'identitaire ici reste actif comme fibre structurante.

L'engagement politique de la société civile soulève aussi quelques interrogations, notamment la question de son rôle de contre-pouvoir. Comment, tout en étant au pouvoir, la société civile pourra-t-elle assumer sa traditionnelle mission de groupe de pression pour influencer la prise de décisions ? Elle perd ainsi ce qui a toujours constitué sa force d'« être en dehors des arcanes du pouvoir tout en lui restant critique ».

Un autre défi à relever a trait à l'incapacité des églises, pourtant actives et proches des populations, à s'imposer comme forces fédératrices de toutes les autres forces qui se reconnaissent de la société civile. Considérées comme autorité morale imposante, les églises restent noyées dans l'espace de la « société civile » au point d'évoluer presque en « solo » ou avec les seules organisations qui lui sont affiliées. Cette situation rend certaines de ses actions inefficaces. Par exemple, au Nord Kivu, le clergé catholique local n'a pas réussi, en dépit de tout son engagement, à unifier les différentes bandes Mai-Mai. Les négociations en vue de possibles alliances ont débouché sur des actes de violences orientés contre l'église Catholique tout entière. La recrudescence de la criminalité, observée en certaines périodes, dirigée contre certains acteurs des associations de la société civile proche de l'église Catholique serait liée à cet état des choses.

Bref, la société civile de la R.D.C. devra comprendre que la collaboration entre les organisations au niveau du pays et surtout au niveau des États de la sous-région reste une exigence fondamentale si elle veut accroître son efficacité dans son rôle traditionnel de groupe de pression et, pourquoi pas, d'acteur politique.

Pour la Monuc

Pour le cas de la R.D.C., une Mission d'intervention des Nations Unies, comme la Monuc actuelle, devait dès le départ être capable de prendre des mesures coercitives en cas de non-

respect des résolutions. Le déploiement des forces pour le rétablissement et le maintien du cessez-le-feu ne devrait pas souffrir des limitations qui favorisent le règne de l'arbitraire.

Par ailleurs, la communication avec les populations locales et les milieux associatifs dans lesquels elles évoluent et se reconnaissent doit tenir compte du contexte culturel et psychologique de celles-ci. Se rendre impopulaire par des conduites morales peu responsables (du point de vue des cultures et des attentes locales) ne peut que ternir l'image des représentants de la Communauté Internationale qui ont besoin de la collaboration des populations et non de leurs résistances, même passives. Pour la Monuc, particulièrement, la réussite des programmes actuels comme ceux de Désarmement, de Démobilisation, de Réinsertion, et de Réinstallation en dépend.

Si la Monuc est appelée à réaliser de petits projets dans le secteur social, elle devrait, dans leur conception, leur organisation et leur exécution, impliquer les associations locales. Au Sud Kivu, certaines réalisations se sont révélées inefficaces. (Curage des caniveaux mal réalisés, ponts mal posés, ...). Cet état de choses ne fait que renforcer la distance sociale entre elle et la population qui finit par la considérer comme une intervention mercenaire.

Dans le cadre du programme de Désarmement, de Démobilisation, de Réinsertion, et de Réinstallation, la Monuc devrait octroyer des moyens conséquents aux démobilisés pour faciliter leur conversion à la vie normale. Cela pourrait encourager les autres candidats volontaires, voire ceux destinés au rapatriement. Sinon, le contraire bloquerait tout mouvement de sortie des forêts et la menace que représentent des bandes incontrôlées en brousse continuera à peser sur les populations et les États.

L'engagement de la société civile et même des populations doit être pris en compte dans la perspective de la gestion future des affaires de l'État. Le niveau élevé de la maturation de la conscience politique ne peut plus permettre à ce qu'il soit tenu à l'écart.

Leur point de vue sur la démocratie, la bonne gouvernance, la sécurité, l'intégration économique régional, ... doit aussi intéresser les décideurs politiques et militaires, et les Nations Unies qui, en R.D.C. (à travers la Monuc et surtout le Comité International de Suivi de l'Accord Global et Inclusif -CIAT) peuvent orienter les politiques nationales d'aujourd'hui et de demain.

Notes

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Part V: Lessons?

**The African Union and The Responsibility to
Protect:
Towards a Protection Regime for Africa?**

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Abstract: *This paper traces the normative changes from the Organization of African Unity to the African Union, particularly with respect to provisions guiding intervention for human protection purposes. The paper places the African Union's founding documents within a protection framework as articulated in The Responsibility to Protect. It then draws on the case study of the African Union's first peacekeeping mission to Burundi to assess how these commitments have played out on the ground. The paper concludes by drawing preliminary conclusions on how the African Union and the rest of the international community can contribute to building a protection regime in Africa.*

Résumé: *Cet article trace les changements normatifs de l'Organisation de l'unité africaine à l'Union africaine, notamment en ce qui concerne les dispositions qui ont guidé l'intervention pour la protection humaine. Cet écrit classe les documents fondateurs de l'Union africaine dans un cadre protectionniste, tel qu'articulé par La responsabilité de protéger, et, à partir de plusieurs études de cas de la première mission de maintien de la paix au Burundi de l'Union africaine, évalue la manière dont ces engagements ont été déployés sur le terrain. Cet article termine avec des conclusions préliminaires sur la façon par laquelle l'Union africaine et la communauté internationale peuvent contribuer à l'établissement d'un régime de protection sociale en Afrique.*

Introduction

The decision of African leaders to recreate the Organization of African Unity (OAU) as the African Union (AU) in 2002 has resulted in profound changes to the pan-African peace and security agenda and architecture in Africa. The norms underpinning the AU's peace and security regime resonate with a protection framework envisioned in the ICISS document, *The Responsibility to Protect*. The AU's security agenda, like *The Responsibility to Protect*, lays out provisions for intervention in the internal affairs of a member state through military force, where necessary and only as a last resort, in order to protect vulnerable populations from human rights abuses. Implicit in these provisions is the understanding that sovereignty is conditional and defined in terms of a state's capacity and willingness to protect its people. These changes make the AU Constitutive Act the first international treaty to recognize the right of an international organization to intervene for human protection purposes. In order to operationalize the security provisions of the Constitutive Act, the AU's Protocol for the Establishment of the Peace and Security Council (the Peace and Security Protocol) calls for the creation of a rapid reaction force, an African Standby Force (ASF) with the mission and mandate to intervene in internal conflicts in order to halt or avert genocide, crimes against humanity and war crimes.

On paper, the AU's new peace and security regime is impressive. Indeed, many leaders in Africa and a number of African security experts have heralded its creation as an important step toward building a lasting peace in Africa.¹ However, there is a paucity of research that examines how these declared commitments are likely to be implemented. This paper will help fill some of these gaps. It places the AU's Constitutive Act and its Peace and Security Protocol within a protection framework as defined in *The Responsibility to Protect* document and demonstrates that, in terms of the norms governing intervention for human protec-

tion purposes, the AU is closely aligned with *The Responsibility to Protect*. It then explores how the AU's new normative commitments to the protection of vulnerable populations have been realized in practice by drawing on the case study of the AU's peacekeeping mission in Burundi.

The paper demonstrates that, at least in the case of Burundi, the AU and key African leaders possessed the political will to implement the Union's normative commitments to peace and security, including the protection of vulnerable populations on the continent. The AU's peacekeeping mission in Burundi indicates a willingness on the part of some leaders in Africa to provide political and material support to the AU's peace and security regime. In deploying the African Mission in Burundi (AMIB), the AU sent a clear message that it intends to depart from the OAU's relative inaction in the face of Africa's profound security challenges. However, the AU continues to confront serious resource and capacity constraints in implementing its peace and security agenda. The Burundi case makes clear that the AU will require sustained and meaningful support from African leaders and the rest of the international community in order to actualize its commitments to peace and security, including the protection of civilians. Engaged members of the international community need to provide support not only for short-term military measures to protect vulnerable populations, but also to implement longer-term reforms to deliver on the responsibilities to prevent and rebuild in Africa.

The Responsibility to Protect

In 1999, United Nations Secretary General Kofi Annan challenged the international community to develop a consensus around how it should respond to gross and systematic violations of human rights. The Canadian government took up this challenge and supported the creation of the International Commission on Inter-

vention and State Sovereignty (ICISS). Co-chaired by Gareth Evans and Mohamed Sahnoun, the ICISS was comprised of 12 commissioners from both the North and South, and was charged with the task of confronting key questions surrounding intervention for human protection purposes. In 2001, after extensive consultation around the world, the Commission released a report called *The Responsibility to Protect*.

The Responsibility to Protect reframes the debate surrounding intervention from a 'right' to intervene to suggest that the international community has a 'responsibility' to intervene in humanitarian catastrophes to protect vulnerable populations. It is a pro-sovereignty doctrine insofar as it recognizes that strong and accountable states are best able to protect their citizens. However, it makes clear that sovereignty entails responsibility on the part of the state to provide for the security of its citizens. When a state is unwilling or unable to protect its population or indeed, is targeting its own citizens, the responsibility to protect is transferred to the international community. According to *The Responsibility to Protect*, the international community has an obligation to act through the use of military force if necessary, even without the consent of the target state. The criteria for intervention are derived from established international human rights principles. They are described as:

- A. **large scale loss of life**, actual or apprehended, with genocidal intent or not, which is the product of either deliberate state action, or state neglect or inability to act, or a failed state situation; or
- B. **large scale 'ethnic cleansing'**, actual or apprehended, whether carried out by killing, forced expulsion, acts of terror or rape.

The Responsibility to Protect suggests that authorization for

intervention should be provided by the international community, more specifically, by the United Nations Security Council. “There is no better or more appropriate body than the United Nations Security Council to authorize military intervention for human protection purposes.”² While acknowledging that the UN should not be ‘surprised’ if regional organizations or a ‘coalition of the willing’ ultimately intervene, especially if the Security Council fails to act appropriately, the options provided by the Commission indicate that intervention should be on the UN’s terms.³ The Report notes that in situations where the Security Council fails to act:

- the question of intervention can be deliberated by the General Assembly in Emergency Special Session under the ‘Uniting for Peace’ procedure;
- regional or sub-regional organizations within the area of jurisdiction can act under Chapter VIII of the Charter, although they must seek subsequent Security Council authorization.

In addition, the mechanisms for intervention are those established or authorized by the UN.

The Responsibility to Protect has generated a great deal of international interest. Most of the attention surrounding the Report has been on the reaction agenda – that is, how the international community should react to egregious human rights violations – namely because military intervention in the internal affairs of a sovereign state is one of the most contested practices in international relations. However, it is critical to note that *The Responsibility to Protect* envisions a continuum of protection that links prevention, reaction and rebuilding activities. It stresses the importance of preventing the development of conditions that create a need for intervention in the first place. It identifies issues

such as the weakness of state structures and the inequitable distribution of wealth as causes of conflict. Furthermore, *The Responsibility to Protect* calls for a rebuilding agenda that promotes good governance, and social and economic development to ensure that the conditions that prompted military intervention are transformed. In short, *The Responsibility to Protect* reinforces the link between security and development, and provides a comprehensive protection mandate that calls for an integrated approach to prevention, reaction and rebuilding.

The African Union and *The Responsibility to Protect*

The engagement of the OAU in conflict resolution in Africa dates back to the mid-1960s when the Organization became involved in the resolution of disputes that arose out of border demarcations and the territorial claims of African states.⁴ In addition to settling border disputes, the OAU's conflict resolution in its early days was directed towards the diffusion of tension that resulted from the ideological differences of the Cold War.⁵ The creation of a more robust response on the part of the OAU to different forms and phases of conflict, however, is a more recent development. In June 1993, African Heads of State passed a resolution leading to the establishment of the Mechanism for Conflict Prevention, Management and Resolution.⁶ The functions given to the Mechanism were:

- to anticipate and prevent situations of potential conflict from developing into full blown wars;
- to undertake peacemaking and peacebuilding efforts if full-blown conflicts should arise: and,
- to carry out peacemaking and peacebuilding activities in postconflict situations.

Although the establishment of the OAU conflict resolution mechanism should have moved the OAU to the centre of conflict management in Africa, the performance of the mechanism was not impressive.⁷ As Ambassador Sam Ibok, former director of Peace and Security at the AU Commission, noted in 1999:

Even though the OAU and its Charter came into existence as a continental framework for the promotion of the African collective will to ensure collective security and collective development, we have been unable in over thirty years to craft a comprehensive security architecture to drive the peace and security agenda of the Continent. This is in spite of the establishment in Cairo in 1993 of a Continental Mechanism for Conflict Prevention, Management and Resolution.⁸

As a response to the ineffectiveness of the OAU's Mechanism, African leaders decided in May 2001 to devise a new security regime to operate within the framework of the AU. The AU's emerging security regime is mandated to perform a wide range of peace and security functions. Specifically, the tasks that have been assigned to AU's security mechanisms are:

- to promote peace, security and stability in Africa;
- to promote and implement peacebuilding and post-conflict reconstruction;
- to develop a common defence policy, that can be operationalized;
- to coordinate and harmonize continental efforts in the prevention and combating of international terrorism; and
- to promote and encourage respect for the sanctity of human life and to protect human rights.⁹

The norms underpinning the AU's emerging peace and security regime resonate closely with elements of the protection framework found in *The Responsibility to Protect*. Like *The Responsibility to Protect*, the AU's Constitutive Act and Peace and Security Protocol are pro-sovereignty doctrines; they assign high priority to the sovereignty and territorial integrity of its member states. For example, Article 4 (f) of the Peace and Security Protocol advocates "non-interference in the internal affairs of another." In addition, Article 3 (b) of the Constitutive Act states that a core objective of the AU is to "[d]efend the sovereignty, territorial integrity and independence of its Member States."

The AU, like *The Responsibility to Protect*, also places important limitations on state sovereignty. It is based on the premise that sovereignty is conditional and is defined in terms of a state's willingness and capacity to provide protection to its citizens. If a state fails to live up to these commitments, the AU has a right to intervene through military force if necessary for human protection purposes. Article 4 (h) of the Constitutive Act declares that the Union has "the right to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances: namely war crimes, genocide and crimes against humanity." In February 2003, the AU Heads of State and Government added an amendment to Article 4 (h) that extends the right to intervene to situations that pose "a serious threat to legitimate order to restore peace and stability in the Member State of the Union upon the recommendation of the Peace and Security Council." In addition, consistent with the protection mandate and in striking contrast to the OAU, the AU does not require the consent of a state to intervene in its internal affairs in situations where populations are at risk. The OAU's system of consensus has been abandoned. Under the AU, a decision on the part of a two-thirds majority of the Assembly of the Heads of State and Government is required for intervention purposes.

One important distinction between the protection mandate

and the AU's emerging peace and security architecture is that the Constitutive Act and the Peace and Security Protocol still use the language of a 'right' to intervene rather than adopting the Commission's language of 'responsibility.' However, in an important way, the norms of state sovereignty and intervention endorsed by the AU actually advance the protection mandate. The AU's provisions for intervention – “war crimes, genocide, and crimes against humanity” – are codified in international law, thereby providing a clearer set of criteria governing intervention than those articulated in *The Responsibility to Protect*. Furthermore, the AU's Constitutive Act is the first international treaty to identify a right to intervene in a state for humanitarian objectives. The fact that the recent amendment to the Constitutive Act enables the AU to intervene in response to serious threats to legitimate order may mean that the AU has actually set lower thresholds for intervention for human protection than those outlined in *The Responsibility to Protect*.¹⁰

In order to implement these protection norms, the AU calls for the development of a rapid reaction force, an African Standby Force (ASF), to be fully developed by 2010. The ASF is mandated to keep, or enforce, the peace and will build on the military capabilities of Africa's regions. The ASF will be mandated to perform a variety of functions in response to conflict scenarios, including observation and monitoring, preventive deployment, intervention, providing humanitarian assistance and engaging in peacebuilding, including post-conflict disarmament and demobilization. The ASF will also undertake tasks that fit within a protection mandate. Specifically, the force may adopt standard operating procedures relating to “[t]he protection of vulnerable groups, namely women, children and the aged, in armed conflict.”¹¹

Although the Constitutive Act notes that the AU will work closely with the United Nations, the relationship between the two organizations is a complex one. The Act indicates that the AU will aim to conduct all of its military operations under the au-

thorization of the UN. For example, Article 17 (1) of the Peace and Security Protocol states that “the Peace and Security Council shall cooperate and work closely with the United Nations Security Council, which has the primary responsibility for the maintenance of international peace and security.” However, at the same time, the AU has acknowledged the tragic lessons of Rwanda where the international community’s inaction led to the death of up to a million people, and recognizes that the continent must be prepared to take action in situations where the UN is unwilling or unable to conduct or even authorize an intervention. As a senior official at the African Union Commission noted, “Africans know that if we have to wait for the UN, people will die.”¹²

To address these inconsistencies with its relationship with the UN, the AU has devised a compromise arrangement. Under this arrangement, the AU will deploy a military capacity to respond to immediate crises and to create conditions sufficiently stable for a United Nations intervention. This relationship is based on the assumption that peacekeeping must remain an international endeavour and the AU will in fact be intervening on the part of the UN. The AU will thus expect the UN and other members of the international community to provide necessary support and to eventually assume responsibility for a mission.¹³

The decision by the AU to establish conflict prevention, resolution and management instruments ‘with teeth’ may finally serve to turn the tide on conflicts in Africa which continue to ravage the continent leaving death, disease, and social, economic and environmental disaster in their wake. Indeed, on paper the new security regime of the AU marks a clear departure from the peace and security provisions of the OAU. However, there is a dearth of research on how these declared commitments to a protection agenda are likely to be translated into practice. The African Union’s security regime is in its early stages of development. Its Peace and Security Protocol only entered into force in December 2003 and the Peace and Security Council was launched on 25

May 2004. Moreover, the ASF is not scheduled to be fully developed for another six years. However, an early analysis of the African Union's peacekeeping mission in Burundi provides some insight into the opportunities and challenges facing the AU and its efforts to help bring a lasting peace to the continent.

Delivering on *The Responsibility to Protect*?: The African Mission in Burundi

The African Mission in Burundi (AMIB) is the AU's first full-fledged peacekeeping mission. The 2000 Arusha Peace and Reconciliation Agreement for Burundi originally called for a UN peacekeeping operation to assist with the implementation of the peace agreement.¹⁴ However, the UN would not authorize a military operation due to the degree of instability on the ground.¹⁵ The UN stated that it would not send a peacekeeping operation to Burundi unless the following conditions were met:

- a) All-inclusive and comprehensive ceasefire agreement, including a demonstrated commitment by all Parties to advancing the ceasefire process;
- b) Agreement by armed groups on disarmament of their combatants as a first step in the ceasefire process;
- c) Complete cessation of hostilities between all signatories of ceasefire agreements, including operationalization of a Joint Ceasefire Commission;
- d) Conclusion of Forces Technical Agreement (including details of reform processes) and agreement on bilateral assistance for military reform.

In response to the UN's reluctance to offer troops, the AU and regional leaders agreed to deploy an African peacekeeping mis-

sion. At the Regional Summit held in Arusha in December 2002, regional leaders and the AU recognized the importance of securing peace in Burundi in order to bring some stability to the Great Lakes Region. The AU also recognized its responsibility for the management and resolution of conflicts on the continent and its right to intervene in grave circumstances in accordance with Article 4 (j) of its Constitutive Act, particularly in situations where the international community was not willing to provide robust support.¹⁶ Consequently, in April 2003, the AU deployed a peace-keeping mission to Burundi comprised of approximately 2600 troops from South Africa, Mozambique and Ethiopia, with additional military observers from Burkina Faso, Gabon, Mali, Togo and Tunisia.¹⁷

Key African leaders and AU bureaucrats demonstrated a great deal of political support for the deployment of AMIB. This was due, in part, to the fact that African decision-makers anticipated receiving widespread support from the international community, especially in light of the perceived similarities to the conditions preceding the 1994 genocide in Rwanda. In addition, with a shaky peace agreement in place, African leaders felt that AMIB was likely to successfully fulfill its mandate. Consequently, it serves as an example of Africa's emerging peace support capacity as well as demonstrate an appropriate division of labour between the African Union and the United Nations. Finally, the South African leadership saw the deployment of AMIB as a crucial opportunity for the pan-African organization to demonstrate its departure from the OAU and to establish itself at the apex of peace and security in Africa.

AMIB's central objective was to create conditions sufficiently stable for the UN Security Council to authorize a UN intervention. It was deployed based on an understanding that the UN would take over the mission after twelve months. It is important to note that the military force called for in the Arusha Accords did not have an explicit mandate to protect civilians. Its central objec-

tives were to:

- Oversee the Implementation of the Ceasefire Agreements;
- Support disarmament and demobilization initiatives and advice on reintegration of combatants;
- Strive towards ensuring that conditions favourable for the establishment of a UN Peacekeeping mission;
- Contribute to political and economic stability in Burundi.

However, after several months on the ground, the officials leading AMIB drafted rules of engagement (ROEs) to allow their troops to use force to protect civilians in “imminent danger of serious injury or death.”¹⁸ According to these ROEs, troops could intervene with force to protect civilians in cases of genocide and mass killings along ethnic lines, although they required prior authorization from military and civilian officers.

In May 2004, the UN Security Council passed Resolution 1545 (2004) authorizing the deployment of a United Nations peacekeeping operation in Burundi. On June 2, 2004, after 14 months on the ground, AMIB was officially taken over and absorbed into the United Nations Operation in Burundi (French acronym ONUB). ONUB is comprised of 5,650 troops from the three AMIB contributing nations as well as Angola, Nepal, and Pakistan. ONUB has been provided with a Chapter VII mandate and was deployed to ensure respect of the ceasefire agreements, carry out disarmament, demobilization and cantonment activities, and to contribute to the successful completion of the electoral process. It is also authorized to protect civilians under direct threat of physical violence.¹⁹

Assessment of AMIB and the Rest of the International Community's Performance in Burundi

The deployment of AMIB and now ONUB represents a critical moment for the development of a continent-wide security architecture in Africa. Not only is sustainable peace in Burundi essential for controlling the spread of violent conflict in the already volatile Great Lakes Region, but AMIB's performance in Burundi will also provide an early indication of the contribution the AU is likely to make to promoting peace and security on the continent, particularly through the protection of civilians. Moreover, the AU's willingness and capacity to implement the provisions in the Peace and Security Protocol could have far-reaching implications for the future of the organization and could influence the willingness of African leaders, civil society and donors to support its new continental security architecture.

AMIB received a great deal of international attention and has been heralded as a possible model for an "African solutions to African problems" approach to peace and security on the continent. For example, regional leaders and the African Union stated in a Communiqué of the 20th Summit of the Great Lakes Regional Peace Initiative on Burundi in November 2003 that AMIB serves as a "shining example and model of African solutions to continental security challenges." More recently, the Peace and Security Council of the African Union acknowledged "the crucial role played by the African Mission in Burundi in the consolidation of the peace and reconciliation process, inspite [*sic*] of the severe financial and logistical constraints facing the Mission."²⁰

AMIB had some success in Burundi inasmuch as it helped stabilize certain parts of the country and contributed to creating conditions sufficiently stable for a UN deployment.²¹ However, fighting persisted under AMIB's watch between the Burundi army and the FDD on the one hand, and the Palipehutu-FNL, on the other.²² All sides continued to target civilians. A December 2003

Human Rights Watch report found that government soldiers and rebels were “responsible for deliberate attacks on civilians in violation of international humanitarian law, including killings, rape and other violence to persons, looting and causing forced flight.”²³ This pervasive sense of insecurity also compromised the capacity of humanitarian agencies to deliver aid to large portions of the population.²⁴

The inability of AMIB to fully realize its mandate and to provide meaningful protection to civilians is due, at least in part, to major resource and capacity constraints. Of the African countries contributing to AMIB, South Africa bore the greatest financial burden. A number of other countries contributed financial resources as well. For example, the United States and United Kingdom provided close to USD 6 million each to provide the necessary resources for Mozambique and Ethiopia to deploy troops. However, the European Union (EU), which committed • 25 million, provided the most significant contribution to AMIB. Yet, due to delays in decision-making at the EU as well as a lack of absorption capacity on the part of the African Union, these funds were only released close to a year after AMIB first deployed in Burundi. Moreover, they were not sufficient to cover AMIB’s total costs,²⁵ which amounted to USD 134 million. Furthermore, the EU’s contribution to AMIB was drawn primarily from its development envelope for Burundi and did not serve to meet AMIB’s outstanding logistical and financing needs, which were greater than the AU and troop-contributing countries anticipated due to the United Nations’ delay in replacing AMIB.²⁶

AMIB was also generally unable to follow through on its revised rules of engagement authorizing the protection of populations at risk of mass killings or genocide because it lacked the capacity to operate effectively within the context of insecurity in many parts of Burundi. Senior officers found that AMIB was not able to provide meaningful protection because they were not equipped to move out of the relative security of urban areas.

Human Rights Watch also suggests that AMIB lacked the proper training to protect civilians.²⁷ The result, as Kofi Annan noted in a March 2004 report to the UN Security Council, is that even under AMIB's watch "... the Burundian population continue[d] to live in fear."²⁸

In addition to living in fear, most Burundians live in extreme want, a situation which could seriously undermine peace efforts in the country. Burundi is ranked fifth from the bottom of the Human Development Index. This is due, in part, to civil war, which has drastically disrupted people's livelihoods. But it is also a result of the fact that donor policies in Burundi have done little to address the needs of the majority of the population. Pledges made by the international community to Burundi from 2000 onward were directed primarily toward the immediate tasks of "post-conflict" reconstruction such as providing humanitarian assistance and reforming the security sector. At an international donor conference in January 2004, donors dramatically increased their commitment to Burundi and pledged over USD 1 billion (approximately CAD 1.3 billion) to assist with reconstruction. However, at the time of writing, donors had still not released these funds. Even more troubling is the fact that the donor community and the Government of Burundi lack a clear strategy on how they will help address the political and social vulnerabilities which contributed to conflict in the first place. This could have serious implications for the longer-term prospects for peace in the country. Unless the Burundian population see a meaningful improvement in their lives as a result of the anticipated peace dividend, they are less likely to support the peace process. Moreover, Burundi requires economic growth addressing the root causes of the conflict. As Kofi Annan notes, "... in Burundi, even more so than in other post-conflict countries, the equitable expansion of economic and social opportunities is essential for a sustainable peace."²⁹

Conclusions

The transition from the OAU to the AU has far-reaching changes to the pan-African peace and security agenda and architecture. The principles underpinning the AU's emerging peace and security regime can be understood as drawing on elements of *The Responsibility to Protect* framework. In terms of the norms governing intervention, the AU finds itself closely aligned with the protection mandate in that it has a right to intervene without the consent of the target state to protect populations against massive human rights violations. The AU's engagement in Burundi highlights a number of important lessons regarding the opportunities and constraints facing the AU as it develops its capacity to promote peace and security and to protect vulnerable populations on the continent.

The AU is likely to become a critical building block in Africa's security architecture. In Burundi, the AU compensated for the UN's initial reluctance to provide a peacekeeping force due to levels of instability on the ground. AMIB's deployment indicates a willingness on the part of at least some leaders in Africa to provide political and material support to a peace and security initiative under the auspices of the AU. Furthermore, it confirms that there is support among some key decision-makers to enable the AU to assume a responsibility to provide physical protection to populations at risk.

However, the AU faced a number of challenges while trying to meet its peace and security objectives in Burundi. Inadequate financing delayed AMIB's deployment and limited its ability to fulfill its mandate. The AU's experience in Burundi also suggests that it may face severe capacity constraints in future attempts to deploy military missions, particularly those with a mandate to protect civilians. These types of constraints could impact confidence that national and regional leaders have in the AU and may limit their willingness to commit to future deployments.

The AU's experience in Burundi reveals that it requires backing from the international community in order to live up to its peace and security commitments. Yet there are profound shortcomings with external support for the AU's peace and security initiatives. The dynamics behind donors' support for AMIB and development assistance to Burundi more generally reinforces a worrying observation that the international community prioritizes stability over peacebuilding and structural conflict prevention.³⁰

The AU's involvement in Burundi also highlights some of the challenges of implementing *The Responsibility to Protect*. It begs critical questions about where the responsibility to protect actually resides in Africa and exposes the tensions between recent trends towards devolving responsibility for peace support from the UN to regional organizations, and the grim realities of operating in the African context. International engagement in Burundi provides some insight into the potential inconsistencies between the reaction and rebuilding priorities of a protection mandate and raises profound questions about how to carry out initiatives that mitigate human suffering while at the same time creating conditions conducive to sustainable peacebuilding and structural conflict prevention. Indeed, much work needs to be done in determining how the African Union, African leaders and other members of the international community can actually deliver on their responsibility to protect along the prevention-reaction-rebuilding continuum. These are critical lessons as the African Union strengthens its engagement in Darfur, Sudan.³¹

Notes

1. See for instance, Mark Malan, *New Tools in the Box? Towards A Standby Force for the African Union* (Johannesburg: Institute of Security Studies, Forthcoming); Maxi Schoeman, *The African Union after the Durban 2002 Summit* (Centre of African Studies, University of Copenhagen, February 2003), 11; Jakkie

- Cilliers and Kathryn Sturman "The Right Intervention: Enforcement Challenges for the African Union" *African Security Review* 11 no. 3 (2002).
2. International Commission on Intervention and State Sovereignty (ICISS), "The Responsibility to Protect", (Ottawa: IDRC, 2001).
 3. This interpretation of the findings of *The Responsibility to Protect* was shared by participants attending the Operational Dimensions of Intervention Workshop, hosted by Project Ploughshares. Access the workshop report at: <http://www.ploughshares.ca/CONTENT/REDUCE%20MILITARY/OperationalDimensionsSeminarRept.html>.
 4. Funmi Olonisakin, "African 'Homemade' Peacekeeping Initiatives" *Armed Forces and Society*, 23, no. 3 (1997): 349-372; Mark Malan, "The OAU and African Subregional Organisations: A Closer Look at the 'Peace Pyramid'" *Occasional Paper* no. 36 (Institute for Security Studies, January 1999).
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 6. Richard Jackson, "The Dangers of Regionalising International Conflict Management: The African Experience" *Political Science*, 52, no. 1 (2000); Eric Berman, "African Regional Organisations' Peace Operations: Developments and Challenge" *African Security Review* 11, no. 4 (2002).
 7. See Monde Muyangwa and Margaret A. Vogt, "An Assessment of the OAU Mechanism for Conflict Prevention, Management and Resolution, 1993-2000" (New York: International Peace Academy, 2002).
 8. Sam Ibok, *The OAU Mechanism for Conflict Prevention, Management and Resolution*, (Addis Ababa: 1999), 4.
 9. See "The Peace and Security Protocol: Article 2," Institute for Security Studies, http://www.iss.co.za/AF/RegOrg/unity_to_union.
 10. See Thomas G. Weiss, "The Sunset of Humanitarian Intervention? The Responsibility to Protect in a Unipolar Era" *Security Dialogue* 35 no. 2 (2004): 135-153. Cf., Evarist Baimu and

Kathryn Sturman, "Amendment to the African Union's Right to Intervene: A Shift from Human Security to Regime Security" *African Security Review*, 12, no. 2 (2003).

11. See *Issues Paper on the Establishment of the African Standby Force and the Military Staff Committee for First Meeting of the African Ministers of Defence and Security on the Establishment of the ASF and the CADSP* (Addis Ababa, Ethiopia: January 20-21) MIN/Def.&Sec.2 (II)Rev.1 Annex.
12. Interview, African Union Headquarters, Addis Ababa, Ethiopia, (February 2004).
13. Ibid.
14. Arusha Peace and Reconciliation Agreement for Burundi, Protocol V, Article 8. (August 2000), 94.
15. Issues Paper on the Establishment of the African Standby Force and the Military Staff Committee for First Meeting of the African Ministers of Defence and Security on the Establishment of the ASF and the CADSP (Addis Ababa, Ethiopia: January 20-21) MIN/Def.&Sec.2(II)Rev.1 Annex, 11.
16. See, for example, AMIB "An Explanatory Memorandum" (Bujumbura, Burundi: October 2003), 4.
17. AMIB augmented and transformed the 700 South African troops which had been deployed in 2001 to protect political leaders during the transition.
18. Human Rights Watch, "Everyday Victims: Civilians in the Burundian War" *Human Rights Watch* 15, no. 20 (A) (December 2003), 10.
19. UN Security Council "Resolution on Burundi: Resolution 1545" (2004).
20. Communiqué of the Peace and Security Council, Second Ordinary Session (Addis Ababa, Ethiopia: 25 March 2004) PSC/PR/Communiqué (II).
21. United Nations Security Council "Report of the Secretary-General on Burundi" (March 16, 2004). On 1 June 2004, the UN Secretary General acknowledged that the "African mission built a solid foundation for UN force." *UN News Service*, 1 June 2004.
22. See, for example, IRIN "Clashes in Burundi after Truce An-

- nouncement” *IRIN News* (April 23, 2004); *The Mercury, Fighting Hampers Burundi Elections* (April 6, 2004); United Nations Security Council “Report of the Secretary-General on Burundi”.
23. Human Rights Watch, “Everyday Victims: Civilians in the Burundian War”. These findings are corroborated in United Nations Security Council “Report of the Secretary-General on Burundi”. See also, Human Rights Watch, “Burundi: Suffering in Silence: Civilians in Continuing Combat in Bujumbura Rural” *Human Rights Watch Briefing Paper* (June 2004).
 24. United Nations Security Council “Report of the Secretary-General on Burundi”.
 25. The funds contributed by the European Union were used to cover: i) the operational costs of the peacekeeping troops, including fuel and medical expenses; and ii) daily stipends for peacekeeping troops and military observers.
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 28. United Nations Security Council “Report of the Secretary-General on Burundi”, 21.
 29. United Nations Security Council “Report of the Secretary-General on Burundi”, 6.
 30. Interview with senior AU officials, African Union, (Addis Ababa: February 2004).
 31. For an early assessment of the AU in Darfur see Kristiana Powell with contributions from Thomas Kwasi Tiekou, *The African Union’s Emerging Peace and Security Regime: Exploring Opportunities and Identifying Challenges for Delivering on The Responsibility to Protect in Africa* (The North-South Institute, Spring 2005, forthcoming).

The International Community in Rwanda and the Responsibility to Protect¹

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Abstract: *This article analyzes the concept of intervention, using the Rwandan Genocide as a lens through which the international community can identify its military, political and diplomatic errors. Obstacles in identifying the role of intervention in the current political system arise out of the debate of the very nature and concept of intervention itself. The human security agenda and the notion of a 'responsibility to protect' must become enshrined in the United Nations system for the international community to better deal with issues of intervention. The principle of state sovereignty must make way for the assertion that a state's primary responsibility is to its citizens.*

Résumé: *Cet article analyse le concept de l'intervention en utilisant le génocide rwandais comme le moyen par lequel la communauté internationale peut identifier ses erreurs militaires, politiques et diplomatiques. Les obstacles à l'identification du rôle de l'intervention dans le système politique actuel proviennent de la discussion du concept et de la nature même de l'intervention. La sécurité humaine et la notion de la « responsabilité de protéger » doivent devenir enchâssés dans le système des Nations Unies afin que la communauté internationale puisse mieux répondre aux problèmes d'intervention. Le principe de la souveraineté de l'État doit céder de la place pour affirmer que la responsabilité première de l'État est envers ses citoyens.*

....

This week we remember Rwanda and the genocide that took place there ten years ago. The 1994 Rwandan genocide begs for greater understanding. Although portrayed as playing a 'bystander' role, the international community acted more as an accomplice. The central case that it is not the indifference of the international community that needs addressing – sins of omission – but that intervention of the wrong kind can be equally damaging and may tip a dangerous situation into a catastrophe – sins of commission.

Perhaps lessons learned apply beyond the realm of humanitarian issues and can judge and test pre-emptive intervention as the emerging doctrine of the present United States (US) administration. It shows how much we have to learn and how fraught with problems applying simple solutions can be. Issues of conflict and security today are multi-dimensional and require more than military, political or diplomatic resolution. The case of Rwanda provides a powerful warning of what occurs when conflict resolution addresses only one dimension of a conflict.

So I would like to raise some wider questions about the nature and role of intervention and how we are faced with competing approaches and ask ourselves some serious questions about what is the role of the international community at a time when such a basic notion itself is being challenged and how do we begin the political process of change.

Importance of ideas in bringing change to the international society of states

You will remember the story of Raphael Lemkin, the Polish lawyer who from his perch at Duke University was able to define the crime of genocide and then lead a movement to have the United Nations (UN) adopt a convention outlawing this horrendous crime. It showed the power of an idea.

Our time calls for a similar translation of ideas into action. We are in a world of the fanatic, the warlord, the predator, the

warrior state. We are witnessing today the transformative clash between two global networks. One of terror, unbound by territory, linked by thin tendrils of finance and communications, dedicated to the destruction of its enemy. The other centered in the world's most powerful state, but with spokes and connections encompassing a vast military machine with economic and diplomatic nodes. They assert the right to be above the law.

It is because of that challenge that there is a need to depart from conventional wisdoms, to seek out new navigational guides for security that offers an alternative to American determined 'internationalism'. [...] The tools used to govern ourselves are less relevant to the intermingling of our common fate in today's global conditions. An international system centered on traditional domestic and sovereign concerns is no longer governed in a way that protects individuals and is no longer perceived as offering hope and opportunity of escaping the fear of want and the fear for life. This is a breakdown that bodes ill for us all.

But the Rwandan experience shows that the UN was ill prepared. The Security Council was never designed to deal with such issues and the veto system makes it very difficult. At the time, the post-Somalia trauma of the US made it impossible to move, and the Secretariat reflected that reality. And, even if there was a will, the UN system was dysfunctional. It did not have the capacity for early warning or rapid response. Peace operations had less capacity for assessment than a battalion of Special Forces, and less budget.

What happened in Rwanda led me to decide to support a hard military intervention in Kosovo. That intervention was launched to stop what had become a massive case of ethnic cleansing of the majority Muslim population – an action not without controversy because the North Atlantic Treaty Organization (NATO), not the UN, made the decision to carry out the operation. It was an intervention motivated by humanitarian concerns: the need to protect human beings from a ruthless government

bent on displacing an entire community of people from their ancestral homes. It sparked debate on the rules justifying the overturn of principles of sovereignty in the cause of defending people against state terrorism. It is one of the most important debates of this new century, with far-reaching implications for the way global society is to be governed in the future.

Kosovo proved an opportunity to advance the credibility of the human security concept. In the past, the notion of protecting individuals from new global threats had usually been seen in the light of the Canadian practice of doing good works. So-called hard-nosed critics had seen it as nothing more than being an international do-gooder. Kosovo changed that. The ultimate test for a human security policy was a willingness to exercise military force to uphold the principles of protection – an argument we were able to advance day after day in Parliament and the media.

Kosovo raised questions pertaining to humanitarian interventions, and the meaning of sovereignty. While there was strong endorsement of the need to intervene to protect people from the widespread abuse, there was equally strong criticism of the way the actions in Kosovo contravened fundamental articles of national sovereignty without explicit UN Security Council authorization. The time has come to face these issues. Death and destruction from internal armed conflicts had become a scourge and things look no better now. 150,000 casualties a year is one current estimate of the human cost. But the ripple effect these conflicts have on disease, poverty, environmental degradation and overall instability are equally damaging. At the G-8 Foreign Ministers meeting I made a presentation, “Non-interference remains basic to international peace and security, so the intervention in Kosovo must not be held up as a precedent to justify intervention anywhere, any time or for any reason. However, in cases of extreme abuse, the concept of national sovereignty cannot be absolute... the UN Security Council cannot stand aside in the face of outrages we have seen in a variety of violent disputes”

To answer difficult questions on what to do in the face of such human tragedies, we at the Department of Foreign Affairs, Canada established – with the blessing of Kofi Annan – the International Commission on Intervention and State Sovereignty (ICISS). The ICISS crafted a definition of sovereignty centered not on the prerogatives of the state but on its primary responsibility to protect its citizens. If a state legitimately protects its citizens then it is in full right of its sovereign power. If it fails to do so, or in fact is the perpetrator of a massive attack on the rights of its citizens, then the international community must assume the function.

UN Reform

An interesting by-product of debate at the United Nations has seen a resurgence of interest in this project that Canada helped launch a few years ago. The Report on *The Responsibility to Protect* has been a difficult sell in the developing world, seen purely in the Kosovo context, because of the incorrect perception that it is just another Western tool to impinge on their state sovereignty. Recent efforts to advance a resolution at the United Nations have met resistance because it has been seen in the wake of the Iraq war as a justification to intervene. I would argue the opposite. I begin to set out rules. Some are beginning to see the ‘responsibility to protect’ as a legal way to stop intervention when the cause is not universally embraced, but may be the policy of some states only.

It would be to enshrine the principle of responsibility-to-protect in the basic mandate of the UN. If that initiative, led by Canada, is successful it can alter the meaning of sovereignty so that it cannot be used to hide oppression and violation of human rights. This could enhance the role of the General Assembly as a place to decide the applicable ‘responsibility to protect’ measures when human security risks are at stake.

Reference to the recommendations of the ICISS report can be of great importance in setting the right parameters for intervention, beginning with securing a mandate from the UN, the only body under the Charter authorized to endorse the use of force. Barring agreement there, then as the ICISS recommends, the General Assembly should be brought into play. I do not believe the UN is a paragon of democratic decision-making. Indeed the issue of UN reform is paramount. But right now it is what we have and it must be the central institution in deciding on actions to protect civilians.

Present efforts to undermine and eviscerate the UN are serious acts of irresponsibility. It is not an irrelevant institution as many neo-conservative thinkers and administration officials claim. It is still the one place where a degree of commitment to stop the killing can be forged. Indeed, its mandate must be strengthened. The mandate of the Security Council was to stop large cross border conflicts. The formula was not created to deal with today's security problems. There is no reason that the General Assembly (GA) could not take on a far more active role in prevention and protection of individuals using the tests and criteria set out in the ICISS report.

This is where the existence of a UN constabulary or gendarmerie style force is a prerequisite. If heavier lifting is needed then the GA can request the Council to use its Chapter Seven mandate² authorizing contributions from members to back up the intervention. There can be no more important area of reform required than to begin putting in place a capacity and machinery for a force that can act rapidly and on behalf of the community of states as advocated in the Brahimi Report.³ If the objective is to protect people and prevent violence, a credible UN presence to start a mission quickly is required – not after 4 to 6 months. Speedy response means that there is less likelihood of insecurity and violence. A dedicated UN mechanism including a range of services – military, police and civilian — as well as the capacity to use

force, is necessary. [...]

Another important tool of intervention is the use of the law itself, as embodied in the Statute of Rome and the International Criminal Court (ICC), which became a reality on July 1st 2002. While the ICISS report conveys the theoretical transformation we see in global politics, the ICC is the first bona-fide institutional expression of human security. The ICC follows the logic of the Responsibility to Protect, underscoring the primacy of the individual over the state. The Rome Statute was devised with the security of the individual in mind. [...]

Equally important is the need to strengthen the international justice system. The most immediate, pressing need for Canadian sponsored networking is within the ICC. The ICC can become one of the most effective tools for combating dictatorship. It is the cornerstone for introducing into domestic legal systems the norms of the Rome Statute, and extending the reach of investigations and enforcement of these important additions to holding individuals accountable for humanitarian crimes against their fellow citizens. It can have a major role in deterring criminal activity and therefore can supplement [...] the role of the UN in dealing with human security violations.

During a discussion with the UN Ambassador from Jordan, Prince Zaid, who has played a critical role in guiding the establishment of the court through the UN process, the point was made that the ICC is the best embodiment of a smart sanction which targets perpetrators and not civilians.

That's the potential. The key issue is to make it happen. The ICC will need substantial resources to get off the ground and prove its worth. It has the capacity to be a cornerstone for all the attempts to forge systems of justice and reconciliation underway in places like Rwanda and Sierra Leone as a way of healing the rifts and giving a chance for a new start. [...] As John Lloyd wrote in the *Financial Times*, "Intervention has become a fact of life. Its future as international policy – and the future of the majority of

the world's poor and struggling peoples – will depend on the articulation of rules and practices that command wider assent than at present”.

Application to Iraq and weapons of mass destruction

Paradoxically, the place to begin applying these principles is in Iraq. What have the Americans discovered? They have discovered that rebuilding post-conflict societies is much more difficult than taking Baghdad. They have discovered that they cannot rebuild states alone, nor can they rebuild by building power plants, repairing oil wells and hospitals. This is only part of the project. Iraq must build and rebuild its institutions, its government, its legal system, and the confidence of the Iraqi people. The Americans cannot handle it alone. The United Nations must play a role. All of the international community must lend a hand. It is a collective enterprise.

Current discussions over a re-entry of the UN will depend to a large extent in accepting a system of international security. Blue helmets will be needed. [...] One flaw is the lack of capacity because of the weakness in developing national priorities towards the establishment of peace building resources.

The same can be said in meeting the challenge of pre-emption to deal with weapons of mass destruction. Iraq set a precedent for robust intervention to meet threat and risks inspections. There was an international means of enforcement being applied until the war machine took over. We must begin developing similar international capacity now in order to preempt the preemptors. Recall the 1961 US State department report that draws a compelling relationship between disarmament and a UN Peace Group. As it states, “There is an inseparable relationship between the scaling down of armaments on the one hand and the building up of international peacekeeping machinery and institutions on the other. Nations are unlikely to shed their means of self protection

in the absence of alternative ways to safeguard their legitimate interests".⁴

Building schools and wells and roads and bridges is crucial. But they are not enough. Protecting people and promoting the rule of law is a critical part of a human security initiative in the Middle East. It cannot wait until all the schools and wells are built. Only when societies have rules and laws, and respect and trust for those rules and laws, can societies find long-term security. Democracy is achieved through the creation of trust in these types of rules and institutions. So we have to make laws that work, courts that work, train lawyers and judges, implement law enforcement, and develop ways to have an international presence. [...] The lessons of human security and the responsibility to protect are at the centre of a re-wiring of the global circuits and help to design an appropriate set of rules for intervention by the international community.

Another key area is disarmament. One threat is the potential spread of weapons of mass destruction into the private hands of warlords and terrorists. Proliferation is no longer a problem confined just to the nation-states, as individuals can now obtain the materials, the technology, and the know-how to manufacture and deliver lethal weapons. This is the dark side to the global village. Little progress had been made to adopt the multi-lateral treaty and enforcement system to encompass this threat. Attempts to get negotiations underway in Geneva on a prohibition against the sale and use of fissionable material have stalled for years. The American answer as averred by President Bush is frightening in many respects, most simply in the crazy logic of the pre-emptive use of weapons of mass destruction to take out presumed weapons of mass destruction, but it has seemed the only active option on the table. The need to forge a strong multi-lateral response to this problem is self-evident; the capacity, will and intellectual commitment to do so is suspect.

Networks – the New Global Politics

If there is to be a re-assertion of multi-lateral efforts to cope with the emerging and long-standing disarmament issues, it must come from a coalition representing a broad range of civil and public interests along with like-minded states. The assertion of a strong participatory role of citizens runs clear counter to the conventional approach to disarmament negotiations, which have always had a mystique about them suggesting that they are beyond ordinary folk. It also presents a challenge to those who see the solution to global problems, in particular the problem of terrorism, through a hard power lens. If you let the non-governmental organizations (NGOs) decide the process then you cannot control the agenda and public opinion and demand might actually divert the chosen course. [...] For professional diplomats, it is an incursion into their private preserve. For governments who follow a hard-power agenda, like the US, it is anathema to their view of how the world should be run.

Robert Dahl, an American political scientist who spent his career examining the elusive question of “Who governs” wrote a book in the mid-eighties called *Controlling Nuclear Weapons*.⁵ Dahl poses the question of whether in an age and time where issues are complex and seemingly remote from the experience of ordinary citizens, is it possible to have democracy. On the management of nuclear weapons, his assessment is that decisions on this crucial life and death issue have been turned over to a modern version of Plato’s Guardians, a class of self-appointed, self-styled experts and insiders who jealously protect their prerogatives to determine the use of these weapons and articulate elaborate theories and threats to justify their control.

Dahl’s concern takes on added significance today, as we struggle with the question of how to build democratic procedures into the expanding range of global institutions. In a sense the debate over multilateralism versus unilateralism is slightly archaic.

It still presumes that national governments will make the decisions; it is just a matter of whether they do it together or alone. They are still the primary repository of decisions, but no longer exclusively. Global problems are beyond the scope of governments to handle under the present machinery, and there is a growing disconnect between what people want from their governments and what is being delivered.

Witness the recent experience with the Millennium Circle of women who are promoting the need for peace departments in countries around the world. It was my experience in Foreign Affairs that women tended to be more supportive of human security than men when it came to issues of protecting civilians and peacebuilding. Opinion polls show a gender gap on such matters as arms control, land mines, Third World development, human rights and the peaceful resolution of conflict. This is not to say that there are not female hawks – Margaret Thatcher and Condoleezza Rice come quickly to mind; the range of women's views is wide and varied – but overall there is a qualitative difference in the perspective of women on many public policies, and on protecting people.

What I have presented is a case for our acting as global citizens, each and every one of us. It is grounded in my belief that using democratic practices and following human security principles are the best means of confronting and controlling the global underworld. It is also grounded in my belief that it is the right thing to do. But to do so we must enhance our freedom of action and guard against forces that want us to travel only in the company of our powerful neighbour.

Notes

1. This is a re-print of a speech delivered to the United Nations during the International Day of Reflection on the 1994 Genocide in Rwanda. It has been edited for *International Insights*.

2. Editors' note: A Chapter Seven mandate is granted by the United Nations Security Council when international peace and security is threatened or breached. It authorizes the UN and its member states to use forceful means when undertaking an international intervention in another state.
3. Lakhdar Brahimi, *Report of the Panel on United Nations Peace Operations* A/55/305 - S/2000/809.
4. US Department of State, "Freedom from War: The United States Program for General and Complete Disarmament in a Peaceful World" *Department of State Publication 7277* (1961).
5. Robert Dahl, *Controlling Nuclear Weapons* (Syracuse, NY: Syracuse University Press, 1985).

Civil Society Perspectives on the Responsibility to Protect: 10 Years After the Rwandan Genocide

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Abstract: *Civil society actors – in particular, human rights advocates, local peace associations and local researchers working on human security issues – are key actors in assessing and communicating levels of human insecurity; debating strategies for effective intervention; and, ultimately assessing the quality and impact of international responses to human insecurity. Civil society actors need support to leverage their position. It is one uniquely suited to holding policy makers accountable to the principles. The Report details key themes that emerged during workshop proceedings, using the voices of participants whenever possible. The key finding is that in conflict-prone areas where state protection is not available, civil society, can and do innovate to promote their own human security independent of international interventions.*

Résumé: *Les acteurs de la société civile - en particulier, les défenseurs des droits humains, les associations locales de paix et les chercheurs locaux oeuvrant sur les problèmes de sécurité humaine - sont les acteurs principaux pour évaluer et communiquer les niveaux d'insécurité humaine ; pour débattre les stratégies afin d'assurer une intervention efficace ; et, finalement, pour évaluer la qualité et l'impact des réactions*

internationales face à l'insécurité humaine. Les acteurs de la société civile ont besoin d'appui pour accroître leur position. Celle-ci étant uniquement convenable pour rendre les décideurs responsables en termes de principes. En utilisant les voix des participants le plus possible, le Rapport énumère en détails les thèmes importants qui ont été soulevés durant les ateliers. La conclusion principale révèle qu'à l'intérieur des endroits qui sont enclins au conflit et où la protection par l'État n'est pas disponible, la société civile peut et va innover pour promouvoir sa sécurité humaine indépendamment des interventions internationales.

....

Introduction

Background

Unless we are able to find ways of talking about these issues and finding solutions so that these large-scale human rights violations are not repeated, we will not be making a meaningful contribution to humanity – Ugandan participant.

Commissioned by the Government of Canada in September 2000, the International Commission on Intervention and State Sovereignty (ICISS) was formed in response to a call by the United Nations Secretary General, Mr. Kofi Annan to “find common ground in upholding the principles of the Charter, and acting in defence of our common humanity.”

After wide consultations on the legal, operational, moral and political questions related to when, if ever, it is appropriate for states to take action against another state for the purpose of protecting people at risk, the ICISS released *The Responsibility to*

*Protect.*² The Report's central theme is that sovereign states have a responsibility to protect their own citizens from avoidable catastrophe; sovereignty is not absolute. When states are unwilling or unable to create and maintain an environment conducive to peace, prosperity and human flourishing, that responsibility must be borne by the broader community of states.

Since the Report's launch, the Canadian Department for Foreign Affairs and International Trade (DFAIT) has conducted follow-up conferences to help build policy consensus among different regional leaders and bodies.³

In Africa, new peace and security norms and regional mechanisms are emerging in parallel processes, such as the peace and security branches of the New Partnership for African Development (NEPAD) and the African Union (AU). The African Union's new Constitutive Act and Peace and Security Protocol grants the Union the right to intervene in the internal affairs of member states with military force, if necessary, in situations of war crimes, crimes against humanity and genocide. The continental organization also provides for the creation of a standby force to carry out interventions.⁴

As a further sign of sustained global norm diffusion, the UN Special Representative to the Great Lakes Region (GLR), Mr. Ibrahima Fall, is presently holding a series of consultations with regional, national and sub-national officials to build consensus on peace and security issues, to culminate in an international conference for peace, security and democracy for the GLR in 2005. This workshop represents an innovative and novel attempt to test the relevance of global norms vis-à-vis the lived experiences of activists in the region. The next section details the method employed to achieve this.

Method

The Kigali Workshop sought, as its guiding vision, to bring

new voices – African voices – into the debate on *The Responsibility to Protect*. Rather than focusing, as others have done in the past, on the inputs and insights of state representatives and policy-makers, we chose to focus on civil society actors and academic researchers, notably those in conflict-prone or open conflict zones in the Great Lakes Region.

Participants were sent the Workshop Concept Paper and were asked to reflect upon and critically analyze *The Responsibility to Protect* document. Copies of *The Responsibility to Protect* document were provided to workshop participants, many of who carried additional copies back to their field-based colleagues. More specifically, participants were asked to prepare a short (5-7 page) written contribution.

To guide participant inputs, a series of questions were posed in the workshop Concept Paper.⁵ These focused on the relevance of *The Responsibility to Protect* document to the Great Lakes Region; measuring compliance and political will; and assessing the quality and opportunities for dialogue between the various civilian and military components of protection.

Thematic panels structured the workshops, where participants spoke to their written contributions. In addition to the formal workshop presentations, semi-structured interviews and personal accounts were recorded informally.⁶ This subsidiary method allowed us to further explore the rich and varied experiences of participants.

Lastly, participants evaluated the workshop in three ways: 1) individually in semi-structured interviews with one (or more) of the workshop co-organizers, 2) through a formal written evaluation instrument, participants were sent a copy of the draft report and invited to contribute and amend before final publication.

Human Security and Local Landscapes

*...what does intervention really mean?*⁷

In principle, civil society participants agreed that the norms and values driving high-level political debates have currency at the grass-roots level.

The way states treat their own citizen has to be an issue for other states; and the concept of “crimes against humanity” implies that there are certain crimes that call for the whole humanity’s concern – Ugandan participant.

Workshop proceedings also confirmed that international instruments – such as international law, human rights treaties and covenants, as well as democratic norms and institutions – are important ideals and tools. Yet they are not easy to realize:

Universal models of international human rights law are interesting to us, but we don’t know how to get our government to apply these ideas locally – Ugandan participant.

When they are, significant gains can be made towards improvement of human security for previously marginalized groups. In Rwanda, a clear shift in government commitment towards international women’s rights norms has significantly reconfigured women’s relationship with the state:

In Rwanda, we know what can happen when human rights aren’t respected – I lost some of my family in the [1994] genocide. Now our government protects us by giving us our rights. We [Rwandan women] didn’t have rights before the genocide and now we do. A government must be willing to protect human rights – Rwandan participant.

However, many also highlighted the importance of recognizing the state as a perpetrator of violence. In some areas in the region, state institutions such as the military, police or judiciary often

commit egregious human rights abuses to suppress dissent:

The government likes to claim that human rights groups instigate conflict. Then they use general discontent as an excuse to crack down on activists. – DRC participant.

African governments are [state] security-obsessed but they never ask us for our input on gaining security. Human security is secondary...we are suffering a crisis of leadership – Rwandan participant.

Governments that come to power through illegitimate means, hold on to power through illegitimate means – Ugandan participant.

Participants agreed that the security sector is too often the most immediate threat to human security, as the testimony of rape survivors in the Democratic Republic of the Congo (DRC) attest:

*These soldiers are not here to protect us; they are here to rape us.*⁸

*Most members of the military do not believe it is their responsibility to protect populations.*⁹

Such contradictions were not limited to the Congolese case. In Northern Uganda, the Ugandan People's Defence Forces (UPDF) frequently recruits military personnel from within the Acholi internally displaced population – the main ethnic groups targeted by the conflict. At the same time, the UPDF have been accused of severe human rights abuses against the Acholi civilian population, for whom they have the *responsibility to protect*. To further complicate matters, the Lords Resistance Army (LRA), agent of large-scale massacres and abuses against the Acholi popu-

lation, is composed of abducted children from internally displaced persons (IDP) camps. Thus, when the UPDF fight and kill rebels, they are in fact, more often than not, fighting and killing the very children they failed to protect from abduction.

In the face of such paradoxes and contradictions, many participants expressed frustration with their *de facto* exclusion from the tables where decisions on the means and ends of protection are decided:

Why are state officials always invited to the tables when the people who are suffering are not? What does this all mean when local militias and civil society agents find themselves unlikely allies in the task of breaking up kangaroo courts and liberating people from prison because the injustice is so great and the law illegitimate? – DRC participant.

What the state means by protection of human rights is different than what we mean. We need a better definition of human rights that we can all work towards – Rwandan participant.

In other words, this exclusion translates into the perpetuation of, or new forms of, human insecurity for people living in the day to day of conflict zones.

Complicating Civil Society

That said, however, it remains important not to underestimate the number of cleavages and fissures in civil society itself; as participants from the DRC argued, civil society is often highly politicized and aligned with political parties that are contending for control over the state. Nelson Paluku Syayipuma of the University of Kinshasa, for example, explained that in the DRC “the

divide between civil society and political society has become fluid almost to the point of non-existence.”¹⁰ Likewise, despite the seeming unity of civil society groups in Rwanda, different actors, for complex reasons, have varying levels of access to centres of decision-making. In Northern Uganda, the strain of competing for resources to carry out humanitarian services in limited timeframes, can inhibit the ability of such actors to coordinate, and sometimes pits civil society organizations in competition against one another.

Consequently, in many contexts there exists a widespread suspicion of civil society and tensions within civil society are clearly apparent.

Thus, caveats invoked by the ‘paradox of protection’ – as discussed later – must be extended to grass-roots civil society, where political, social (gender, ethnicity or age) and economic differences challenge civil society’s claims to inclusive representation, and may well contribute to counter-productive advocacy and initiatives.

Civil Society Approaches to Protection

The burden of protection is too often placed on the most vulnerable and affected by the crisis – Ugandan participant.

In accordance with the ICISS Report, participants agreed that the state and the international community share the responsibility to protect. However, in circumstances where both the state and the international community have failed to adequately fulfil their obligations or where the state is actually targeting civilians, civil society *de facto* shoulders the entire burden.

One of the most interesting themes to emerge from the workshop was the key role that civil society actors play in threading together the social fabric, providing networking opportunities and

fuelling collaborative efforts. These are the basic building blocks for peace.

Workshop participants shared a number of strategies employed to contribute to the protection of vulnerable populations. While the insights generated by this workshop represent preliminary findings only, participant strategies illuminate potentially important sites to which more resources could be targeted and where it would make sense to pursue north/south connectivity.

For the sake of analytical convenience, given the research expertise of the invited regional academics and the focus of the civil society organizations in attendance, the rich narratives of the workshop are thematically delineated below as follows: a) governance/human rights, b) information flow and media, and c) poverty, inequality and exclusion. Further, while many of the experiences recorded have overlapping implications, many are also highly context-specific. The result is a complex weave of knowledge, which serve to illuminate the critical need for local actors to participate fully in the conversations about their (in)securities and how they might best be resolved.

Governance/Human Rights

If one cannot use the law, it will not be because they do not know the law – Ugandan participant.

Civil society organizations work hard to create non-violent political space for social cooperation and sustainable livelihoods. Chief among these strategies is constructive engagement through existing channels.

For example, Bernice Sam, of the Women in Law and Development in Africa (WiLDAF) found that the on-going process of democratization throughout West Africa helped open space for civil society to engage state actors at the state, sub-regional and macro-regional levels. This space was reinforced by self-organiz-

ing: the West African Civil Society Forum (WACSOF) created a network of actors in each country to engage in the state on security-related issues. Together, they participated in a forum for dialogue with state counter-parts in the Economic Community of West African States (ECOWAS). These networks and forums helped to equip civil society with the tool and relationships to work with governments to prevent, manage and resolve conflict and rebuild a sustainable peace.

Similarly, Human Rights Focus (HURIFO), a Gulu-based (Northern Uganda) human rights association, has encouraged individuals to refer a number of human rights abuse cases to the Ugandan High Court. The court rulings have set precedents for other human rights cases and provided HURIFO with powerful lobbying tools.

In addition, HURIFO has served as an interlocutor between local police and the community in an attempt to communicate levels of human insecurity, and to build confidence between the police and the local population. In response to widespread distrust, HURIFO organized dialogue workshops between members of the police force and the community. The workshops provided people with the opportunity to communicate their concerns and to generate a better overall consensus around the boundaries of police power.

In 2000, HURIFO initiated a paralegal training program in response to widespread human rights abuses on the part of military and police in the Gulu District. To date, HURIFO has trained and placed 122 paralegals in parishes throughout Gulu to strengthen the capacity of the state to protect vulnerable populations. These paralegals assume positions as observers and advisors within the Local Council Courts to ensure that more serious cases are referred to higher-level courts. They also play a 'watchdog role' by engaging in human rights monitoring at the community level and within the IDP camps.

Thus, many, like WILDAF and HURIFO, conclude that con-

structive engagement through existing channels will yield fruit. However, they also face daunting challenges. For example, in Northern Uganda the law provides for civil compensation to the families whose daughters have suffered statutory rape and/or defilement. Yet, desperately poor families are known to allow their young girls to be raped by older men so that they can collect on the compensation fines perpetrators are mandated to pay by local courts. Thus, as long as young women's voices remain remote from forums where the architecture of law is mediated, we can expect the knowledge needed to redress their specific insecurities to remain out of reach.

Another challenge articulated was that activists often contend with weak legal frameworks, resistance to reform on part of the government and widespread corruption at various levels of the judicial system. Additionally, efforts are inherently limited by a socio-economic context defined, in part, by poverty and profound inequalities.

In these instances, civil society often turns outwards to promote protection within: International mechanisms are viewed as increasingly important drivers influencing state and multilateral policy agendas. Here the distinction between human and state security becomes critical.

For many, the Rwandan Genocide marked the beginning of the end of post-Cold War optimism. The hope that communities could rely on the values entrenched in international law and the Universal Declaration of Human Rights for protection was now marked by doubt. The Rwandan state may have survived, but this was of cold comfort. For Professor Mwesiga Baregu, from the University of Dar-es-Salaam, "taking a look at the conflicts in the GLR it is obvious that...when intervention has been undertaken, it has been of a 'too little, too late' nature, particularly after the Somalia debacle in 1993."¹¹

The failure to protect during the 1994 Rwandan genocide casts a long shadow of doubt over the Great Lakes Region – and

by extension doubt that intervention will contribute significantly to a lived experience of good governance or human rights.

According to Arsène Mwaka Bwege, from the University of Kinshasa:

Preoccupations with state security – but in reality the state system – is the principle source of insecurity. From the Great Lakes to Congo Kinshasa, it is repressive governments and entrepreneurial strongmen who profit off the financial incentives of conflicts, who ultimately determine the quality of the relationship between the state and civil society. State agents and violent contenders for the state are the principle sources of insecurity. In the DRC the dynamic is all that much more complex still, because the effect is multiplied. There are regional and international peacekeepers, non-state militias, rebellions, roving bands of militarized youth, etc, all spouting the rhetoric of democracy and all contributing significantly to the general climate of insecurity. But to communicate or denounce local insecurity is to accuse those (however self-appointed) who are supposed to protect. That is why activists are often the primary targets of the security apparatus.¹²

State-centric approaches also lose their meaning in rural DRC where there is little to no dialogue between civil society and the state. Here the *Loi de la Tête* reigns. It is common to find local strong men – even church leaders – aligning with local militias in order to make a bid for regional dominance.

In these instances, state security loses its meaning and regional connectivity and transnational networks provide a conduit for political entrepreneurs to promote changes to both local and global governance architectures.

‘Our problems and our rights transcend borders, but are

limited by borders' – Ugandan participant.

Through the collection, documentation and wide dissemination of information, symbolic politics and moral argument and advocacy, transnational advocacy networks have been able to bring pressure to bear on those with capacities to mobilize. In Northern Uganda, for instance, local associations have collected information on human rights abuses in the North together with national and international actors. In January 2004, six civil society Delegates travelled to North America and London to meet with key donors and multi-laterals to appeal for humanitarian intervention in Northern Uganda, where state responses have failed to avail protection.

Further, participants discussed the impact that innovations in communication (the internet, email, cell phones) and travel have had on their ability to 'out-organize' the state at different levels and to act as a powerful transnational force, linking with likeminded groups around the world.

Information Flow/Media

Many participants noted that information flow, and more specifically, media organizations and technology, play a central role in advancing a protection mandate. For example, in the DRC, civil society groups frequently denounce abuses and play a central role in communicating levels of insecurity. A number of civil society organizations in South Kivu have developed mechanisms to access information at the community-level. *La Groupe Jérémie*, for instance, a human rights and civil education NGO has created information cells within local schools to facilitate information exchange. Churches also play key roles in gathering and exchanging information between communities. A central office for civil society groups organizes weekly meetings to create a forum for local NGOs and other actors to share information on the security

situation. They then make efforts to communicate these concerns to local authorities, and to relevant actors at the national and international levels.

Media houses also often provide critical conduits for information and analysis that can serve as early warning indicators of potential conflict. One participant reported that people in Burundi rely on the media on a daily basis to determine the levels of insecurity they face and to stay informed on the state of the cease-fire.¹³

Yet, as the case of the ‘hate radio’ that fuelled the Rwandan Genocide attests, the flow of information and the power of the media in the GLR interact with tangled webs of poverty, inequality and asymmetrical assessments to produce a highly ambivalent information context.

Workshop proceedings highlighted that even in best-case scenarios, media operating in the GLR face a number of obstacles to promoting new norms around human security and to contributing to the fulfilment of a protection agenda. For example, the media often operate in environments where people are often not encouraged – or even safe – to think critically about the information they receive. One participant noted that this “lack of autonomy of thought” makes a society susceptible to manipulation by “hate media”. In addition, journalists are often not held accountable for their failure to comply with the code of ethics for journalism. Even where journalists are committed to neutrality and impartiality, their stories are often distorted at the media houses. One participant commented:

The first thing the rebels do when they get to town is commandeer a radio station and hire a publicity agent. So many journalists and writers are starved for work. They have little choice but to hire out their services to the highest bidder. They do it just to make enough to buy a little something to eat. – DRC participant.

Throughout the Great Lakes Region, media oversight systems are often ineffective; the media frequently disseminate biased and politically charged information that serves to exacerbate social divisions. For example, in Kisangani, DRC, the freedom of the press is guaranteed by national laws and international agreements. However, the occupation forces, the military and the police fail to respect this right: “in reality, the war or conflict driven by the RCD/Goma is characterized by flagrant violations of the freedom of the press.”¹⁴ These armed groups arrest, interrogate and, in some cases, bomb journalists and employees of press houses. According to one participant, many otherwise fine journalists are forced to throw in their lot with one rebel force or another, either by threat of poverty or the gun. The DRC’s plethora of freedom of the press laws and accession to various international instruments does very little to change this.

As a result, Kisangani has experienced a number of ‘media wars’, all of which were activated by hate messages broadcast over the radio. Rebel groups have clearly become media/propaganda savvy, and most have their own ‘public relations and information wings’ employing skilled publicists and announcers to broadcast their messages over the radio waves.

In May 2000, the armed group RCD/Goma used the radio station RTNC to organize protests against the Ugandan occupying forces. These demonstrations contributed to the ‘one day war’, an outbreak of violence between Rwanda and Ugandan troops. In May 2002, a national television channel broadcasting out of Kisangani encouraged people to murder Rwandan citizens in an effort to ‘liberate’ the DRC from Rwandan influence. Bloodshed ensued.

Similarly, in 1992, the Burundian government created the National Council of Communication to protect the freedom of the press enshrined in the constitution. However, this organ is under-funded and is subject to control by the government. Opposition parties are still denied access to state-owned media. Moreo-

ver, the private press chronically suffers inadequate financing and its influence remains largely confined to urban centres.

Not surprisingly a similar pattern of media complicity in violence can be discerned in the Burundian case. For example, in 1993, a number of media outlets worked with political and armed groups to incite tension along politico-ethnic lines. The national mechanisms put in place to monitor professionalism in the media, such as the Association for Burundi Journalists, failed to respond adequately leaving the media to play a central role in fueling the conflict in Burundi.

*A weak press cannot fight against impunity, injustice, and violations of human and constitutional rights. A weak press is subject to all types of manipulation and can serve to undermine civil peace. In contrast, a strong press can actively assume responsibility. It can pursue with vigour an agenda to inform with objectivity, to educate and to entertain.*¹⁵

According to one participant, the highly politicized and provocative role played by the media was due in part to the fact that journalists in Burundi were confronted with a rapidly liberalizing political context – partly imposed through donor conditionality – but given few tools to mediate it effectively. Before 1992, the press was denied freedom and journalists were restricted to reproducing political speeches. The media served mainly to spread propaganda. Following multi-party elections in 1992, the media continued to align themselves with political parties and militias.

Participants seemed in agreement that, under current conditions, across the region, media and media technologies must be seen as ambivalent to the security context. This is especially true where state and non-state actors can mobilize sufficient coercive resources to control the information context to their own political, ethnic, gendered or economic interests.

In such cases, a delicate balance between local, regional and

international media sources may provide some answers. Outside sources take the pressure off local media houses by ‘letting the cat out of the bag’. They also provide proxy issues, which are simultaneously safe and politically relevant. For example, a participant from Northern Uganda recounted how women’s groups across Uganda seized on an interesting opportunity to organize marches and protests for women’s rights. When it was broadcast that an Italian judge ruled recently that it was not possible to rape a woman who wore a jeans trousers, women across Uganda marched in the street in support for their Italian sisters. While the protests were symbolically powerful, the issue was remote enough not to draw censure from government forces.

Poverty, Inequality and Exclusion

The rich and textured narratives of the participants were perhaps at their most compelling when they described the lived experience where vulnerability and insecurity meet. Participants were united in the observation that poverty and inequality at the community level translate straightforwardly into human insecurity. Therefore, any definition of protection and corresponding intervention to promote protection, must take into account overlapping categories of difference and inequality, such as age, gender, religion, ethnicity, as well as general access to resources – natural, social or otherwise.

To tackle these complexities, some civil society groups have identified a two-pronged strategy of building ‘knowingness’ about the architecture of government and working with groups at risk to better understand insecurities and advocate for structural change. For example, the Rwandan NGO, HAGURUKA (which means ‘stand-up’ in Kinyarwanda) uses existing legal mechanisms to promote the rights of women and children. It frequently meets with government officials to advocate on behalf of disenfranchised women and children.

Human rights are a new idea in Rwanda, only since the genocide. So before 1994 there was no real progress on human rights. There has been a lot of work since, and now I would say that people know the law and know their rights, but they don't follow through with challenging the government or social norms because of other systemic problems –
Rwandan participant.

HAGURUKA works to ensure that the protection provided by the state extends to isolated communities; it places paralegals within these communities to report rights violations and to identify cases that require further attention. HAGURUKA also works with the Ministry of Gender and Development and International NGOs to lobby for change at the community level. It has also assumed a transformative agenda insofar as it is engaged in reforming the legal system in Rwanda to provide property rights to women and children, irrespective of their relationship to make relatives. Accordingly, HAGURUKA feels it has assumed a responsibility to protect by contributing to the rebuilding of gender sensitive Rwandan state and society.¹⁶

The prospects for women in the conflict ridden DRC, however, appear dim. In the Ituri province, the *Programme de Promotion des Soins de Santé Primaires* (PPSSP) found that over 58% percent of internally displaced persons are suffering from acute trauma. Women arrive at the internally displaced persons camps having lost everything, including members of their family, and also suffering acute rape trauma, sexual disease and material deprivation. As Mwakamubaya Naweska of the PPSSP writes:

In every society there are people who are exposed and vulnerable. The most affected groups in this conflict are women and children. In 2002, MONUC stood by while over 1000 people were killed in Ituri, and thousands more raped and traumatized. We can't depend on help from the outside. Here

*we need to protect our neighbours ourselves.*¹⁷

Camille Welepele Elatre describes civil society efforts to stem the tide of sexual predation that accompanies conflict and peace-keeping.

Conflict undermines the life chances of women and girls in gender specific ways, particularly because the perpetration of sexual violence has become standard practice among armed groups. Women are abducted by armed men, maintained in detention and forced into sexual slavery; they are systematically raped and forced to perform slave labour.

*In Kisangani, prostitution markets known as “Kampala”, “Kigali”, “Bercy”, were set up by the Ugandan, Rwandan soldiers, Uruguayan and Moroccan blue helmets respectively, where the women of all the ages could be bought and sold for the bread. The people of the city where incensed.*¹⁸

It is, then, where the effects of conflict are the most horrific, immediate and systematic, that existing state-based protection mechanisms and strategies appear hollow and meaningless, even perverse and paradoxical. While it is frequently asserted that conflict contributes to cycles of poverty and underdevelopment in the formal sector, in the shadow economies of war, new forms of labour and economic productivity arise, causing new forms of human insecurity – at this point, those charged with protection can shade into those who exploit vulnerability. Scandals involving charges that humanitarian aid workers in West Africa traded basic survival goods, such as biscuits and tarpaulin, for sex, attest to the grave and ubiquitous danger of powerlessness.¹⁹

All of this foreshadows the following section: without locally-informed knowledge feeding into the processes that constitute humanitarian interventions, such interventions may reinforce

or deepen sources of continuing insecurity – or even produce new and pernicious ones. The following section elaborates the importance of recognizing this paradox if we are to realize *The Responsibility to Protect* at the level of everyday life in the Great Lakes Region.

The Paradox of Protection

Before we started educating the population about their human rights, they [the people] used to think it was okay to beat them. Now, they know their rights and they are still getting beaten by the same guys who they know are supposed to protect them. It's a real challenge for us to respond [as an NGO] to protect these people. How can international law protect us when it is to be upheld by the same governments that are abusing us? – Ugandan participant.

This quote illuminates a clear and persistent theme threaded throughout workshop discussion. The remote and external processes associated with the design and implementation of the *Responsibility to Protect* is often the mask of further emergent insecurities.

The first decade of post-Cold War peace support clearly illustrated that even best case mandate and strategy outcomes were extremely sensitive to variations in initial conditions. Even small misunderstandings and gaps in local knowledge can lead a peace support operation to contribute to, rather than alleviate, human insecurity.

According to participants, in worst-case scenarios, the international community may exacerbate levels of insecurity when attempting to promote protection. For example, reportedly, the presence of intervention forces in Kisangani, including the UN Mission in the DRC (MONUC), has led to the proliferation of prostitution and exposed large numbers of (mostly) women and

girls to sexual violence and sexually transmitted disease.²⁰

Participants from the DRC also pointed out that while MONUC operated under Chapter VI of the UN Charter, the fact that it did not have the mandate to use force to protect civilians was not effectively communicated to populations at risk. Consequently, civilians, believing that MONUC offered some substantive measure of protection, were shocked and appalled as their community members were massacred under MONUC's ineffective gaze.

At the same time, apprehending the ineffectiveness of the mission, rebel groups started to use the abandoned MONUC camps as easy settlement sites. Civilians were left with the impression that MONUC and rebels were equal and symbiotic forces for insecurity – leaving a defective legacy to the subsequent Chapter VII mission.²¹ In response, local media and arts groups scripted and performed widely popular theatre depicting MONUC forces drunk and carousing while civilians are being slaughtered in the background.

Workshop participants from the DRC – especially the Kivu and Ituri regions - therefore, cautioned those from Northern Uganda to be wary of what they wish for. International intervention does not translate straightforwardly into better survival odds.

Similarly, the internally displaced persons (IDP) camps in Northern Uganda tell a cautionary tale of perversion and distortion of the protection mandate. In 1996, the Government of Uganda (GOU) claimed it could not adequately protect people living in the north from rebel attacks. The GOU invoked the Geneva Conventions, which allow for the 'temporary' relocation of a population in situations where the state cannot otherwise provide protection. Initially, the actions of the GOU were considered 'noble' and populations in the north supported temporary relocation. Eight years later, the numbers of internally displaced has increased to 1.5 million, one of the largest IDP populations in Africa.

Rather than offering protection, the relocation exercise in-

creased vulnerability among these populations; rebels conduct frequent attacks on the camps and more easily prey upon vulnerable, concentrated and largely unprotected populations.²² One participant from Northern Uganda lamented:

These IDP camps have become one-stop shopping centres for the rebels. They can raid for food, women and girls and supplies all at once, and the people are left essentially defenceless. At least when they lived in their villages they could escape into the bush.

Thus, while participants were supportive of the norms and values underpinning *The Responsibility to Protect*, they were also sceptical of the ability of influential actors to design and implement these norms in meaningful ways. Further, they provided a sobering reminder of the facile nature of international norms and principles in the face of a predatory state and reluctant international community:

We know there are laws to protect regular people but we don't know how a poorly organized state like ours could ever award us our rights. For me, the state has resigned –
DRC participant.

What does democracy mean in the DRC? That the international community believes our government will be a democratic one is not helpful to people living in conflict every day of their lives –
DRC participant.

Nevertheless, civil society actively works towards fulfilling a protection mandate at the grass-roots level, recognizing that:

Waiting for the international community isn't always an option –
Rwandan participant.

Our preliminary findings from this workshop suggest that bringing civil society more systematically into the process, however, promises to yield better information, better policy and informed and targeted strategies.

Conclusions

Protection and Security as Lived Experience: Towards Benchmarks

Command-and-control from the top is not only inappropriate; it is also ineffective.... [I]t is necessary to put the clients – in other words the people affected by decisions taken – firmly in the driving seat in order to avoid going up blind alleys...[T]he means have to be found to enable ordinary people to determine which problems they wish to address, how the problems should be tackled, and by whom.²³

This Conclusion begins to map out what participants would consider real and substantive progress towards security and protection. Workshop proceedings indicate that civil society would measure *The Responsibility to Protect* by the following indicators:

Illegitimate representatives of the state and other violent contenders are not afforded privileged access to decision-making forums: Consistent with the principles outlined in *The Responsibility to Protect* document, participants agreed that there is a need to inculcate a culture of intervention that takes as its central referent the protection of vulnerable populations, not self-appointed leaders.

Credible local consultations take place and feed into broader networking processes: The extent to which community-based organizations are able to influence decision-making around intervention will affect whether the actual needs of peo-

ple on the ground figure into the creation and execution of mandate.

Permanent, accessible and well-publicized mechanisms for consultation and involvement of civil society in conflict settings to participate in decision making processes are established: Despite the prominent role played by civil society in providing protection in the context of conflict, workshop participants agreed that the *Responsibility to Protect* does not adequately recognize civil society's contribution to fulfilling a protection agenda, nor does it elaborate a mechanism for consultation and inclusion.

Investment is made in the collection and dissemination of regular and gender-disaggregated data and situation reports: Human Rights monitoring and reporting in conflict zones saves lives. As one participant stated "*in a war that is not 'visible', there are no witnesses for what happens... [and then the UN is absolved] of the responsibility to protect*". Another recalled the words of a military commander in his region who said "*You'd better start to write this down, soon you will all be dead*". For human rights workers or advocates seeking to speak out on abuses in a conflict zone, the presence of independent monitors that are well connected to local, national and international bodies that could mobilize an immediate response to the threats to their lives that often occur is critical.

Recognition that the media is a powerful tool for inciting violence – as well as peaceful co-existence – in all strategy documents. The testimonies and observations presented in this document suggest the media is a central area to address and local, regulated ownership can and does provide an important check to disinformation or hate campaigns.

The creation of forums where local and indigenous peoples can meet with the international actors – transnational corporations, donors, security council representatives – who make decisions that affect their lives. As one participant ar-

gued, “there is a strong connection between warlordism and international aid, military or otherwise”. There is a need to recognize and address international triggers of conflict, such as transnational corporations and international interventions that support rebel groups.

Invest in transnational networks: Pressure and provide checks to policy-makers at the national, regional and international level to respond meaningfully to insecurity in the GLR.

Key Lessons Learned

A number of far-reaching lessons were learned. These include:

More attention needs to be given by states, and regional and international bodies, towards the implementation of the responsibility to prevent and rebuild: While the sovereignty debate (the responsibility to react) might be the most controversial element of *The Responsibility to Protect*, states still have a long way to go to improve other, far less controversial, sections of the responsibility to prevent and rebuild. Moreover, improving other sections might in fact help avert the need to intervene in the first place.

Human insecurities transcend or move fluidly across borders: The Report’s emphasis on state sovereignty creates a false sense that security is limited to state borders. Human insecurities often transcend or move fluidly across borders: such as refugees, armed groups perpetrating harm, diseases and so on. Adequate responses must take regional, and in some instances, transnational circumstances into consideration to address heightened cases of human insecurity.

Civil society is neither homogenous, nor equitable: The heightened political nature of conflict means that few actors in a conflict zone are neutral. Civil society fissures are sometimes reinforced by unequal access to resources or centres of decision-

making. Recognizing this, humanitarian responses must navigate not only the complex terrain of conflict zones, but also actors considered ‘above politics’ – civilians and civil organizations – who are, in fact, always enmeshed in the wider politico-economic and social dynamics of the war-zone. Having recognized this:

Civil society has much to offer international responses for human protection purposes: Civil society offers important insights on how to improve current humanitarian responses to conflict-affected areas, including gender equality issues; enhancing relations and communication with these groups would enhance protection.

Civil society can act as a check and balance, from global to local: Civil society is well positioned to improve governance and accountability of states, acting as a check and balance. Their relative independence can be enhanced by linking with other actors at the regional, national and international level in contexts where state and society relations have been ‘ruptured’ or disrupted.

Regional and transnational links are critical: Partnering with other international non-governmental organizations (INGOs) and international governmental organizations (IGOs), improves civil society’s ability to navigate a predatory state and hold decision-makers accountable.

Civil society activists are willing and able to learn from one another: Useful and important learning took place between civil society activists and academics. An enormous amount of learning took place among workshop participants themselves. Activists working in one issue area had the opportunity to engage with colleagues working on similar issues, and found that they could derive valuable insights into their own actions and strategies as a result.

Protection is understood by civil society activists as a multidimensional concept: Protection is not restricted to physical security of people, but addresses issues of governance and economic security as well.

Future Directions

A number of regional and international processes currently present opportunities to civil society actors in the Great Lakes Region and in Canada. First, the Canadian Centre for International Studies and Cooperation (CECI) has begun to support a nascent civil society network in the Great Lakes Region, linking these networks into more formal processes involving state actors throughout the region. For instance, the Secretary General's Special Representative to the Great Lakes Region, Mr. Ibrahima Fall, is currently organizing regional meetings on the topic of peace and security, to culminate in a conference in 2005, the 'Great Lakes Region Conference on Peace and Security'.

Other initiatives around *The Responsibility to Protect* in particular and human security in general can also promote transnational and transcontinental networking to transmit up and out the local knowledge that civil society actors in the Great Lakes Region hold. Networks based at organizations like Project Ploughshares in Canada, the World Federalist Movement, the African Human Security Initiative, the Canadian Human Security Initiative and Global Partnerships for Protection are possible *fora* to feed African civil society voices into broader national, regional and international policy debates.

Finally, workshop participants suggested that similar workshops be supported in each of the countries represented in the Great Lakes Region, so that "participants [are able] to discover and learn more about these other countries by travelling to them, meeting the local people and thus learning more about the conflicts from first hand accounts"; and, "provide the opportunity for more local participants and civil society members of these regions to attend the workshop, thus expanding the network further."²⁴

Towards the idea of forging a network within the region and transnationally, participants expressed an interest in continuing

the dialogue through similar workshops in their regions to gather more information on strategies to lobby and influence the UN to adopt the [*Responsibility to Protect*] Report and to develop a conclusion as to what should be the next necessary steps towards mobilizing a regional network and grass-roots approach to *The Responsibility to Protect*.

Notes

1. At the time of writing (spring 2004), the author was attached with the Centre for Foreign Policy Studies, Dalhousie University. Currently based with the Institute for Research and Innovation on Sustainability, York University and the Centre for Civil Society, University of Kwa-Zulu Natal.
2. International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*. (Ottawa: IRDC, 2001). Available online at: <http://www.iciss.ca>.
3. For examples of follow-up work, see World Federalist Movement, <http://www.wfm.org/protect/>
4. See Kristiana Powell and Thomas Kwasi Tiekou, "From the OAU to the AU: Are We Any Closer to a Pax Pan-Africana?," Draft paper presented at the Kigali Workshop on *Civil Society Perspectives on The Responsibility to Protect: 10 Years After the Rwandan Genocide*, 15-17 February 2004. [Final version published in this Special Issue of *International Insights*].
5. The vision and rationale for the workshop was prepared by the workshop co-organizers and can be found in Erin K. Baines, Susan M. Thomson and J. Zoë Wilson, "Concept Paper" (December 2003). http://www.ligi.ubc.ca/kigali_conceptpaper.pdf .
6. The notes from these interviews, as well as draft versions of the Workshop papers, are on file with the workshop co-organizers.
7. Kwesi Aning, "From the Right to Intervene to the Responsibility to Protect: Lessons from West Africa," Paper presented at the Kigali Workshop on *Civil Society Perspectives on The Responsibility to Protect: 10 Years After the Rwandan Genocide*, 15-17 February 2004.

8. See M. Mwakamubaya Nasekwa, « Les Conflits Inter-Ethnique, Obstacle au Développement Intégral de l'Homme », Draft paper presented at the Kigali Workshop on *Civil Society Perspectives on The Responsibility to Protect: 10 Years After the Rwandan Genocide*, 15-17 February 2004 (2004).
9. See an elaboration of this view in Camille Welepele Elatre, « Mille Libertés: Presse audiovisuelle, forces d'occupation et agents de sécurité à Kisangani (R.D. Congo) », Draft paper presented at the Kigali Workshop on *Civil Society Perspectives on The Responsibility to Protect: 10 Years After the Rwandan Genocide*, 15-17 February 2004. [Final version published in this Special Issue of *International Insights*].
10. Nelson Paluku Syayipuma, « L'Épreuve de la société civile et de la MONUC dans la sécurisation des populations locales en période de guerre en R.D.C. », Draft paper presented at the Kigali Workshop on *Civil Society Perspectives on The Responsibility to Protect: 10 Years After the Rwandan Genocide*, 15-17 February 2004 (2004). [Final version published in this Special Issue of *International Insights*].
11. See Mwesiga Baregu, "The Responsibility to Protect: Regional vs. International Initiatives in the GLR," Draft paper presented at the Kigali Workshop on *Civil Society Perspectives on The Responsibility to Protect: 10 Years After the Rwandan Genocide*, 15-17 February 2004.
12. Arsène Mwaka Bwege, « Conditions et défis du dialogue sur la sécurité civile en République Démocratique du Congo : Le rôle des intellectuels et des animateurs des ONG », Draft paper presented at the Kigali Workshop on *Civil Society Perspectives on The Responsibility to Protect: 10 Years After the Rwandan Genocide*, 15-17 February 2004 (2004). [Final version published in this Special Issue of *International Insights*].
13. See Cyprien Ndikumana, « Exposé sur les médias et la responsabilité: cas du Burundi », Draft paper presented at the Kigali Workshop on *Civil Society Perspectives on The Responsibility to Protect: 10 Years After the Rwandan Genocide*, 15-17 February 2004.
14. Nasekwa, 8.

15. Ndikumana, 4.
16. The representative from HAGURUKA noted that she would like to learn more about the *Responsibility to Protect* and was particularly interested in the rebuilding agenda of the protection mandate.
17. Nasekwa, 5.
18. Welepele Elatre, 5-6.
19. UNHCR-Save the Children UK “Sexual Violence and Exploitation: The Experience of Refugee Children in Liberia, Guinea and Sierra Leone” *Report of the Assessment Mission Carried out from 22 October-30 November 2002* (2002).
20. Welepele Elatre, 6.
21. Participants from the DRC noted that peacekeeping was only worth doing if the international or regional body involved could send well-trained and professional troops who also spoke the local language.
22. Reportedly, the military does not provide adequate security in these camps, often setting up in the middle of camp, using the IDPs as a buffer zone between themselves and the rebels. The camps are targeted by rebels who are able to rape and loot civilians, and abduct children without consequence. In addition, one participant noted that the military is advised not to engage rebels if they attack at night or if the military is outnumbered.
23. Samir Rihani, *Complex Systems Theory and Development Practice* (London, New York: Zed Books, 2002).
24. Paluku Syayipuma, 3.

Part VI: Book Reviews

We wish to inform you that tomorrow we will be killed with our families: Stories from Rwanda
By Philip Gourevitch. New York: Farrar, Strauss & Giroux, 1998. Pp. 355

Reviewed by Andrew J. Piner
University of Wales, Aberystwyth

“Genocide is like a cheese sandwich...What does anyone care about a cheese sandwich” (170).

In *Stories from Rwanda* – an emotive, yet restrained, victim-centred account of the recent history of the Rwandan people – author Philip Gourevitch provides us with an invaluable insight into tragic individual tales, coupled with a compelling critique of the role of the outside world that many other commentators have labelled ‘bystanders to genocide’. Moving beyond the wealth of literature produced on the genocide since 1994, Gourevitch offers us an alternative perspective to more internationally focussed accounts. His powerful journalistic prose, personal accounts, interviews and comments make the horror of this mass murder all the more accessible to the imagination. The thought-provoking prologue invites the reader to think about issues of identity and humanity – issues which, to my mind, have not been adequately addressed in the more common academic search for an explanation as to why the international community has allowed events to unfold in Rwanda and the surrounding region since 1994.

This more intimate understanding of Rwandans and the focus on Rwanda itself leads Gourevitch to a scathing attack on the international community for its ill-conceived actions before the genocide, lack of action during it, and the inappropriate action that has followed it. In order to appreciate this negative international influence, Gourevitch returns to the colonial era where he

highlights the uninterrupted peaceful relations between the Hutu and the Tutsi that had existed. He follows this broad historical trajectory directly through the colonial mindset (exemplified in Conrad's *Heart of Darkness*), and the Hamitic myth, as propounded by John Hanning Speke. These developments ultimately formed the foundation of the apartheid-like, ethnicity card system instigated by the Germans and the Belgians that championed inequality between Hutus and Tutsis. With the notable exception of Michael Barnett, most of the literature that has existed since the genocide spares little sympathy for the United Nations and the role it played. Gourevitch takes up this criticism wholeheartedly. He speaks frankly of the false hope that the deployment of UNAMIR gave to Rwandan Tutsis and moderate Hutus before and during the genocide. Gourevitch draws on important evidence, most notably the "Dallaire Cable" of January 11, 1994, which warned of a possible genocide, and his pleas to the UN to take pre-emptive action against it. In the light of this evidence the director of UN peacekeeping, Kofi Annan, comes under intense criticism for 'failing to mention' any of this evidence to the Security Council.

However it is interesting to note that Gourevitch repeatedly fails to take advantage of all the evidence available. His surprisingly brief comments on the Arusha Accords fail to appreciate the full extent of International shortcomings in Rwanda. By simply saying that the Accords were ineffective, he neglects a strong argument over the issue of whether Western-style approaches work for non-Western problems. Ironically, this issue underlies much of what he has to say about the post-genocide problems of justice in Rwanda including the inappropriate and naïve Western aid initiatives in the Zaire refugee camps. In addition to this, Gourevitch does not emphasize enough the evidence that was available to the United Nations before the genocide. It seems to me that his attacks on Annan and the UN Secretariat in general would have profited a great deal from including the vital evidence in Ndiaye's

report of August 1993, which actually used the word ‘genocide’, or the damning testimonies collected by human rights experts in March 1993.

The UN, however, is not the only organisation to suffer criticism. Individual sovereign states also draw Gourevitch’s strong disapproval. In a style characteristic of his ability to drive a point home, Gourevitch skilfully remarks on a poignant example of the seemingly heartless *realpolitik* of the United States. He describes an incident when Christine Shelley, a State Department spokeswoman, was pressed to define an act of genocide. Gourevitch points out that in the two minutes in which Shelley was asked and ultimately answered the question, “an average of eleven Tutsis were exterminated” (153). Nevertheless, if the U.S. excuses and policies of “ducking and pressuring others to duck” (151) seem petty, they pale in comparison to the scorn he reserves for the “downright conspiratorial” (154), actions and attitudes of the French. Accusations are levelled that the French were complicit and perhaps even encouraged the Hutu extremists before, during and after the genocide. This brings to light important evidence of France’s seemingly unwavering moral and material support of Habyrimana’s Francophone government and its successor (‘Hutu Power’) vis a vis its Anglophone enemy, the Rwandan Patriotic Front (RPF). These astute allusions to the geopolitical context associated with Rwanda offer the reader a painful reminder of the limits of traditional international peacekeeping.

Gourevitch is similarly unforgiving of the deluge of aid that the world sent to the refugee camps, which, situated just over the border from Rwanda, became bases where the genocidal government in exile could re-group, re-arm, and begin the war afresh against the new RPF government. His astute criticisms and observations of the naïveté that accompanied the “blankets, beans and bandages” (170) to the camps in Zaire, strongly encourages serious pause for thought for countries and agencies who think that humanitarian aid can be independent of serious political con-

sequences.

One of the major problems arising from the genocide is the divisive question of the international justice system and the criminal accountability of those involved. To his credit, Gourevitch addresses this tricky issue at length and affords his reader an invaluable glimpse at how Rwandans themselves view the situation. He brings extremely important issues into sharp relief. On the one hand, he walks us through the overcrowded prisons, where over 100,000 people await a trial. On the other hand he introduces us to Laurencie Nyirabeze whose neighbour had “massacred her family and left her, too, for dead” (304), but still “lives now with all his family and gets his property back” (304). Gourevitch equally points out the limitations of the International Criminal Tribunal in Arusha. For example, he looks at the relative merits of the traditional Rwandan death penalty as opposed to ICTR prison sentences. No international lawyer should underestimate his observations on the injustice felt by Rwandans when the murderers of their families are “sitting in full service Swedish prisons with a television” (255). He raises particularly valid questions on the credibility of international involvement in this issue, when the disastrous international track record in Rwanda hardly inspires hope for justice. Gourevitch manages convincingly to highlight these important and relevant issues to Rwanda without losing sight of those that really matter, the Rwandans themselves.

It is perhaps his dealings with Rwandans that ultimately provide the key to Gourevitch’s book. Implicit in his extensive inclusion of the Rwandan perspective, most notably in his interviews with the then Vice President Paul Kagame, Gourevitch seems to suggest that sometimes only the people that live in, and thus understand their own society, are able to resolve such an awful situation. Certainly he portrays the RPF and its leader Kagame in a very different light to how they are portrayed by others. Human rights groups, newspaper commentators and historians alike are not nearly as forgiving of the indiscretions of the

present Rwandan government. In highlighting the enormity of the task that faces post-genocide Rwanda, Gourevitch clearly empathizes with Kagame and the difficulties he faces. Is this a weakness within the book? It certainly does not fit in with the more popular image of Kagame as an “old-fashioned African big man, as willing to kill to retain power as most African leaders in the postcolonial era had been”, and the “vast crimes” of his regime. Although Gourevitch is by no means blind to these crimes committed by the RPF, one finds little of the scathing criticism that accompanies his comments on the international community. In light of these considerations Gourevitch should perhaps only be read in concert with those who maintain a more critical approach to Kagame’s regime.

Philip Gourevitch challenges us to consider if humanity has moved on since the Holocaust of the 1940s, or whether genocide is indeed the unimportant “cheese sandwich” (170) that the US intelligence officer in the Kigali Bar claimed it to be? Gourevitch asks us to look at this important issue through a more human-centric lens and not limit ourselves to thinking narrowly on our own [Western] terms of justice and reconciliation. Mostly, Gourevitch, like very few others who have written on the Rwandan genocide, gives a moving and personal voice to Rwandans who have suffered this great tragedy.

***Shake Hands with the Devil: The Failure of
Humanity in Rwanda*¹**

**By Roméo Dallaire (with Brent Beardsley). Toronto:
Random House Canada, 2004. Pp. 569**

**Reviewed by Gerald Caplan
Remembering Rwanda Coordinating Committee**

All genocides have their unique characteristics. Throughout the 100 days of Rwanda's genocide in 1994, for example, government officials and clergymen, mostly Catholic priests, persuaded terrified Tutsi to seek sanctuary in churches or schools. Scores of thousands did so. Trapped and defenceless, they were then systematically slaughtered by the Hutu army and youth militias, often abetted by former neighbours. After the genocide, 200 massacre sites were preserved, displaying countless tens of thousands of skeletons, many of them still twisted in unimaginable torment. Many of these sites are churches and schools.

There's another rarely noted yet quite remarkable characteristic that marks the genocide in Rwanda. The human symbol, the embodiment, the very face of the Rwandan genocide – the carefully planned and systematically executed extermination of 3/4 of the entire Tutsi population of the country, perhaps 800,000 unarmed men, women, and children, guilty only of being Tutsi – is a white, Catholic Canadian soldier. And I mean 'face' literally.

The jacket cover of Michael Barnett's study *Eyewitness to a Genocide: The United Nations and Rwanda*, features a photograph of Lieutenant-General Roméo Dallaire. The jacket cover of Carol Off's fascinating book *The Lion, The Fox and the Eagle: A story of generals and justice in Rwanda and Yugoslavia*, carries three photographs, one of them Roméo Dallaire's – the noble lion. (Off's weasely and cunning fox is Canada's other most famous soldier, Lewis MacKenzie.) *The Last Just Man*, a much-

praised Canadian-made documentary on the Rwanda genocide, IS Roméo Dallaire.

The hero of Linda Melvern's *A People Betrayed: The Role of the West in Rwanda's Genocide*, the best short study of the genocide, is Roméo Dallaire. In Madeleine Albright's new memoir, *Madame Secretary*, she acknowledges America's central role in preventing the Security Council from stopping the genocide when she was US ambassador to the UN. Albright generously pays tribute to "those who were right" at the time – four NGOs and Roméo Dallaire. The hero of the report I wrote for a panel appointed by the Organization of African Unity is Roméo Dallaire.

Now comes yet another book whose cover features a photograph of a uniformed General Dallaire looking like a central casting version of the ideal soldier – noble, steadfast, trustworthy, in a word, heroic. As it happens, he is in real life all those things.

Anyone who understands the first thing about Roméo Dallaire knows how deeply he must deplore the inappropriate status he has attained. Yet the arrival of Dallaire's own eagerly-anticipated memoirs is bound to perpetuate his unsought role. I fear this will be yet another cross he's going to be forced to bear, though he can hardly cope with a new one.

Shake hands with the Devil: The Failure of Humanity in Rwanda is Dallaire's personal insider experience of one of the greatest calamities of the past century, yet one that could have been prevented with ridiculous ease. As just about all students of the genocide agree, as Force Commander of the United Nations Mission for Rwanda (UNAMIR) Dallaire was one of the few honourable actors in a drama where most of those who wielded influence and power were guilty of indifference, arrogance, callousness, intransigence, racism, extremism, opportunism, stupidity or cowardice. In fact, this memoir reveals that the human obstacles Dallaire faced in trying to prevent and then minimize the genocide were even more intractable than many of us had quite understood.

To be sure, Dallaire pays tribute to a small band of humanitarians and soldiers for their integrity, bravery and, yes, heroism. It's a reflection of the small world that really cares about the genocide that most of us will know them personally: Amadou Ly from Senegal, the senior UN official in Rwanda; Brigadier General Henry Anyidoho, his trusted Ghanaian deputy commander; Dr. James Orbinski, the enormously dedicated Canadian who led the small *Médecins sans Frontières* team through the last half of the genocide; Phillippe Gaillard, the intrepid Swiss head of the International Committee of the Red Cross who remained in Rwanda throughout the 100 days of genocide, saving countless numbers of souls. Linda Melvern and I happened to be present in a small hotel in London 2 years ago when Gaillard and Dallaire came together for the first time since the genocide ended, and their long, passionate, tearful embrace shook us both to our very cores.

Readers of these memoirs will be repeatedly shaken. Dallaire's descriptions of the bodies of maggot-infested children and sexually mutilated girls and women that he routinely encounters every day for 3 months are hardly bearable for the reader, let alone for him. So are the stories of the cold-blooded murders committed against individuals who will be well-known to anyone familiar with Rwanda.

Dallaire tells of the phone call he received on the very first morning of the genocide from Helen Pinsky, a Montrealer who had married Landoald Ndasingwa while he was a student in Quebec. They and their 2 kids returned to live in Rwanda where 'Lando' became the only Tutsi member of a quasi-dictatorial Hutu government, a faction of which was already conspiring to perpetrate the genocide. The family was now in grave danger. Dallaire promised Helen they'd be evacuated. Lando then called one of Dallaire's senior officers. While they were on the phone, *genocidaires* broke into the Ndasingwa home and murdered Lando, Helen, the 2 children, and Lando's mother.

I co-coordinate a large international movement of volunteers

called 'Remembering Rwanda', committed to commemorating next April the 10th anniversary of the genocide; Roméo Dallaire was an original supporter. One of my co-coordinators is Louise Mushikiwabo, who lives in Washington and was Lando's sister. When I'm in Kigali I stay at Chez Lando, a hotel built by Lando and now run by his and Louise's sister, Anne-Marie Kantengwa. During the genocide, Anne-Marie hid for a month in a neighbour's ceiling before she and one of her daughters escaped the country. But like almost all other survivors, she lost much of her family, in her case a brother, her mother, sister-in-law, niece, nephew, and two of her 3 children. Anne-Marie told me that her surviving daughter, now going to university in Brussels, denies that she ever lived in Rwanda. But Anne-Marie herself has just shocked and thrilled her friends and remaining family by running for Parliament, campaigning like an old trooper, and winning.

When Dallaire finally left Rwanda, almost exactly a year after his arrival, his highly emotional farewell party was held at Chez Lando, which hadn't been opened since the Landos were murdered 4 months earlier. The next day, Roméo Dallaire, already beginning to crack up, obviously suffering the first symptoms of advanced post-traumatic stress disorder, wracked with guilt for having in his own mind failed his mission, near-suicidal, flew out of the country. He has, so far, never been back.²

It is true that Roméo Dallaire failed. He failed to convince those with the power and resources to intervene to stop the genocide. But it's also true that there was no way in the world he could have succeeded, as all the evidence, including his own, conclusively documents. Plucked from the bosom of the Canadian army to command a small, miserably-equipped, almost token UN mission to Rwanda, he quickly grasped that no one in New York understood how precarious and explosive the situation in the country really was. Under the cover of a stalled civil war between the Rwandan government and the Rwandan Patriotic Front rebels (the RPF), made up mainly of the sons of Rwandan Tutsi who had

fled the country some years earlier, Hutu extremists in the government were plotting a violent anti-Tutsi conspiracy.

He then learned that no one else cared. Neither before the genocide, as security in the country palpably deteriorated, nor during the 100 days of the genocide themselves, did he ever receive any reinforcements. In fact, although it seems beyond credulity even to write these words, 2 weeks into the genocide the Security Council voted to decimate his force. A month later, they voted to beef it up again, but deliberate US stalling tactics, which he describes, meant no reinforcements reached Dallaire until the genocide had been ended by the RPF victory.

Instead of moving heaven and earth to end the killings, it was Rwanda's tragedy that just about everyone but Dallaire and his people had other agendas and interests. *Shake Hands with the Devil* explicitly spells out Dallaire's hierarchy of Rwanda's betrayers, and it's largely consistent with the findings of most students of the genocide.

'The ultimate responsibility' lay with the power-hungry faction of Hutu extremists who surrounded the President and "planned, ordered, supervised, and eventually carried out" the genocide. Second come both the US and France. Before the genocide, the French gave unconditional advice, arms and international legitimation to the race-based Hutu dictatorship. During the genocide itself, they intervened militarily, allowing much of the unrepentant *genocidaire* leadership to escape into Zaire to fight another day, leading in turn to the subsequent appalling wars in central Africa.

As for Bill Clinton, his sole priority, after 18 Rangers were killed in Somalia 6 months earlier, was to avoid any political backlash at home from having more American soldiers die in some obscure African country. At the expense of nearly one million Rwandans, he succeeded.

Compared to these frontrunners, Dallaire concludes, the failings of the UN Secretariat and of Belgium, while serious, "were

not in the same league”.

But there is one unexpected addition to Dallaire’s list, and it comes in the standings immediately after France and the US. “The deaths of Rwandans can also be laid at the door of the military genius Paul Kagame [the RPF commander], who did not speed up his [military] campaign when the scale of the genocide became clear, and even talked candidly with me at several points about the price his fellow Tutsi might have to pay for the cause.” Dallaire believes Kagame made an immoral choice in refusing to deviate from his strategy of defeating the government in order to save victims of the genocide. Since Paul Kagame is now the president of Rwanda, the likely impact of this dramatic charge should not be minimized.

In the end, all readers of this *cri de coeur* will want to know how Roméo Dallaire is doing? Has the writing of this long book provided the catharsis that he needs to find some inner peace? Does he get any sustenance at all from the knowledge that no authority on the genocide believes him a failure? Or from the absolute certainty that his feeble, dysfunctional little UN mission in fact saved tens of thousands of lives? Or that there’s overwhelming agreement – including even former US Secretary of State Madeleine Albright! – that had attention been paid to his urgent appeals much of the genocide could have been prevented? The answer, I’m afraid, is precious little.

Rwanda is now planning for next April’s 10th anniversary commemoration of the genocide. Friends of Rwanda from abroad will be invited to attend. I think Dallaire believes it may finally be the right time for him to return. He’d re-connect with surviving friends like Anne-Marie Kantengwa, MP, who despite their pain and traumas and nightmares, have moved on with their lives.

I know that some Rwandans want to use the occasion to honour him. This would be the ultimate tribute, and many of us are hoping it will finally persuade him, as nothing else has yet done, that the failure was not his, that he did his absolute best,

that his merciless self-flagellation can and must finally cease.

What a perfectly Canadian irony. Our own Roméo Dallaire's the genuine article, a world-class hero, and everyone in the world but him knows it.

Notes

1. First published in *The Globe and Mail*, November 1, 2003. Reprinted with permission of the author and *The Globe & Mail*.
2. Editors note: Dallaire returned to Rwanda for the first time during the 10th Anniversary of the Genocide in April 2004.

A Sunday at the Pool in Kigali
By Gil Courtemanche, translated by Patricia Claxton,
Vintage Canada, 2004. Pp. 265

Reviewed by Owen Willis
University of Kwa-Zulu Natal

Reflecting on his time as a Reuters correspondent during the genocide in Rwanda, Aidan Hartley writes: "I told myself that observing extremes gave me a heightened sense of morality, but it might have meant the opposite, that to go on like that proved one was some sort of a borderline psychopath." That sense of conflict and contradiction may overpower the reader of *A Sunday at the Pool in Kigali* by Gil Courtemanche, originally published in French as *Un Dimanche à la Piscine à Kigali*.

A popular and critical success, this slim novel about the Rwandan genocide brooks no neutrality as it debates fundamentals of morality (and mortality). Why are we even reading this harrowing book? Can we be unaffected by its searing and scarring images? Do we become "pornographic voyeurs" as well as "borderline psychopaths"? Our hero, Bernard Valcourt, is guilty

of “being happy in the midst of barbarity,” trapped in the contradictory abyss where living becomes harder than dying and where “doom and horror... reaffirm life.”

Even Courtemanche has to caution the reader in a Preface: “Some readers may attribute certain scenes of violence and cruelty to an overactive imagination.” Stephanie Nolen’s reports on the tenth anniversary of the genocide in *The Globe and Mail* will reply along with Courtemanche: “They will be sadly mistaken.”

This is a love story in the shadow of the twin apocalypses of AIDS and Genocide. Sex and death are grist for the great novels, but seldom have they been juxtaposed in such graphic context. Comparisons with Joseph Conrad (“The horror! The horror!”) and Albert Camus (“at the heart of all beauty lies something inhuman”) abound, but at the heart of this immense darkness is the black hole of beautiful Rwanda.

The story is simple. A Canadian, Valcourt, falls for a waitress, Gentile, by the pool in Kigali. Passion – in all its meanings – ensues. The genocide – as we know it must – intervenes.

Gentile is the best of Hutu and Tutsi – the possibility of a new Rwanda. Valcourt the best (of a bad bunch) of Canadians. In fact, the sub-text is a tale of two countries: Rwanda and Canada. Neither come off well. Courtemanche misses little opportunity to castigate his country (or the aid industry) in stereotypical detail. But criticism of the Canadian general is visceral, as the unnamed soldier makes his cameo appearance by the pool, and, startled by a grenade, spills soup on his uniform: “A perfect incarnation of his country ... unassuming, apprehensive, ineloquent and naïve, like Canada.” In refusing to choose the higher ground, our general, like the international community, is lost in this land of a thousand hills.

The choices are stark. Life or death. Love or hate. Hutu or Tutsi. The middle ground is torture – as becomes evident in the unsatisfactory conclusion. Lost in Courtemanche’s polemic, I couldn’t help but think that Valcourt may have ultimately been as

weak as his general. But the scale and reality of what we are witnessing is so great that we can — and must — overlook the flaws of the novelist. Yet, one moral flaw in a moral book must be exposed: yet again in the literature about Rwanda, the invisible Twa are unseen. No, the Hutus have not “inhabited the region since time immemorial.”

John Keats wrote: “Beauty is truth, truth beauty, — that is all Ye know on earth and all ye need to know.” Beauty and truth engage us and escape us, but do not leave us unscathed in this remarkable novel. As Courtemanche, a self-avowed romantic, has commented: “There is nothing in life but love that is important.”

Can the upcoming French film be more graphic?

**King Leopold’s Ghost: A Story of Greed, Terror and
Heroism in Colonial Africa.**

**By Adam Hochschild. Boston: Houghton Mifflin Company,
1999. Pp. 384**

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As a historical narrative, *King Leopold’s Ghost* proves to be a frighteningly compelling, realist account of the horrors that occurred in the Congo Basin in the 1800s as a once confused, lost young Prince makes his first attempts at possessing his own colony. As a leader, King Leopold II searches for a strong identity, a powerful name, a title to own, a land to possess, a people to control. Under the veil of humanitarianism, with the accord of many powerful nations, the funds of the Belgian government and the umbrella of the International Association of the Congo to protect him, King Leopold II embarked on a journey to be the sole ruler of an area three times the size of Europe.

From literature from the first few voyages to Africa, the reader observes how both Europeans and Africans saw and treated each other as belonging to different species. From what has been written and passed down through folklore and stories, the idea that the Whites were “former possessors of the land” was passed down, implementing a hierarchical structure where Whites were considered to be the rightful rulers of the Congo Basin (16). Thus the idea of “ownership of Africa” begins as European and Western powers believe that they have a rightful claim over the “Dark continent” (18) as providers of religion, education and employment. Furthermore, we immediately see the advantage of the European written record to describe Africa “through white men’s eyes” and the lack of an “African voice” (16). This shall prove to be imperative throughout the book: the role of media and the written word as being the most powerful and influential tools in conveying beliefs, changing opinions and mobilizing forces.

We are first introduced to the character of King Leopold II as a young Prince whose growing desire for a colony eventually leads him to the Congo Basin and the establishment of the Congo Free State, *État Indépendent du Congo* (87). Living in a country that seemed too small to hold him (36), the Congo gave King Leopold II the chance to develop two aspects of his personality. On the one hand, Leopold was able to use his absolute power in the Congo to show his macchiavelist side which was being restricted under the Belgian parliamentary system. On the other hand, he was realizing the imperialist dream that few Belgians seemed to care about: to give Belgium a grand reputation in the world, based on a colonial empire. Dedicated to his obsession with colonies, Leopold made inquiries, connections and investments which all contributed to his eventual success in the art of manipulation. He used what he knew of the self-interest of individuals and the aspirations of countries to his advantage. By the time he was through, most countries did not even realize that he was the one to blame.

Although King Leopold profited from the ivory and the slave trade in Africa, it was not until the 1900s that the demand for rubber emerged and led to King Leopold's affluence. While the rubber industry "required only labour", it was founded on nothing else than terror and organized violence (160). Village quotas and induced kidnappings were used to increase "productivity", and when the Force Publique was still unsatisfied, hands and feet were cut off, villages burnt down, people executed. Although the figures have been disputed, approximately five to ten million Congolese people died at the hands of King Leopold and his Force Publique. While Leopold continued to advocate the abolition of the slave trade internationally, he actually became one of its largest contributors through his forced recruitment of porters, soldiers and railway labourers. In addition, the formation of the Force Publique divided the people and created "a class of foremen from among the conquered" (122), forcing Africans to kill other Africans.

Through *King Leopold's Ghost*, Hochschild explores how the lack of an African voice during the 1800s left the Blacks of the Congo without representation and without a case. While G.W. Williams, E.D. Morel, J. Conrad, W.H. Sheppard, R. Casement and H.A. Shanu all attempted to work to fight on behalf of the Congolese, many of their letters, books, articles and information proved to be futile because, in the end, few people know of their existence and of the millions of Africans who they failed to save. When the reader is introduced to E.D. Morel for the second time, however, Hochschild portrays him as a glimmer of hope, and a strong opponent to Leopold. Unlike the other characters in the book, Morel proves to be both an emotionally and intellectually stable man who is proud of his country and who has a stable family life. Morel makes it his "moral obligation" to "expose and destroy" King Leopold's "unimaginable barbarities...[and] vast destruction of human life" (186). Due to his attempts to put forth resolutions in Parliament, distribute books, articles, letters and

first hand accounts from Africans as well as European missionaries, etc., Morel came to be considered as the “greatest British investigative journalist of his time” (187). In addition, he was able to decipher and deliver evidence of Leopold’s complicated, international “web of deceptions” which Leopold and his cronies were responsible for (191).

However, Hochschild also gives us a glimpse of a darker side of our supposedly heroic character. It is exposed that Morel himself did not condemn the idea of colonialism as a whole, and while he defined Leopold’s Congo as a sadistic ‘system’, he never condemned his own country’s colonialist conquests. It is not clear whether Morel chose to ignore Britain’s own actions or if his obsession with Leopold blinded his judgment when it came to his own government’s doings. This makes us wonder whether Morel’s description of Leopold’s colonial influences as an entire “system” as opposed to just a specific case of oppression, proved to lead to his downfall (210).

The idea that the ghost of King Leopold continues to linger in present day is a recurring theme in the book. Hochschild outlines how the European’s misunderstanding and ignorance of Africans led to horrible human rights violations to be committed and justified in the 1800s. King Leopold was able to convince the world that he was fighting Arabic slave trading and ‘civilizing’ the local population of the Congo basin ‘for their own good’. Unfortunately, many people in Europe and the West continue to envision Africa within this image of an ‘uncivilized people’ who need the help of the ‘civilized’ to guide her towards equality and democracy. Meanwhile, the same ‘civilized’ people have often been the source of the persistent inequality, violence and authoritarianism in Africa.

King Leopold was not only able to accomplish his goals under the noses of the great powers, but he was also able to get away with it. How did the King once known as playing a key role in “the greatest humanitarian works of this time” (46) actually suc-

ceed in committing “the greatest crime which has ever been committed in the history of the world” (271)? As Hochschild outlines at the end of the book, even the Congolese people do not have any written proof that Leopold’s Force Publique was once maiming the limbs of overworked Congolese in order to retract ivory and rubber. The history has been erased so while the legacy lives on through hatred, inequality and abuse of the third world, one of the main culprits remains off the hook. There is no doubt that Leopold himself, while he never set foot in the Congo, was the main organizer of all the horrors that took place and was fully aware of everything that was going on. Realizing how evidence of his crimes could lead to his ruin, he burned a large part of his archives at the end of his life, eliminating stories about the numerous investigations and campaigns against him from the history books and museums. So while the “first international humanitarian movement” proved to put forth new ideas, educate people on colonialism and mobilize people, in some very sad way, the ghost of King Leopold has won the battle.