

# CONSTRUCTING THE TRUTH, DEALING WITH DISSENT, DOMESTICATING THE WORLD: GOVERNANCE IN POST-GENOCIDE RWANDA

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## ABSTRACT

Post-genocide Rwanda has become a ‘donor darling’, despite being a dictatorship with a dismal human rights record and a source of regional instability. In order to understand international tolerance, this article studies the regime’s practices. It analyses the ways in which it dealt with external and internal critical voices, the instruments and strategies it devised to silence them, and its information management. It looks into the way the international community fell prey to the RPF’s spin by allowing itself to be manipulated, focusing on Rwanda’s decent technocratic governance while ignoring its deeply flawed political governance. This tolerance has allowed the development of a considerable degree of structural violence, thus exposing Rwanda to the risk of renewed violence.

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RWANDA IS A COUNTRY FULL OF PARADOXES, difficult for outsiders to comprehend and to apprehend. Although donor assessments differ considerably, and despite concerns over political governance domestically and the country’s interference in the DRC, many in the international community have given the post-genocide regime the benefit of the doubt. Rwanda became and has remained a ‘donor darling’.<sup>1</sup> Since most observers would agree that the regime has achieved impressive results since 1994, many are ready to support it without asking too many questions. The International Crisis Group (ICG) remarked that ‘If they sometimes privately agree that some things are going seriously

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1. Stefaan Marysse, An Ansoms, and Danny Cassimon, ‘The aid “darlings” and “orphans” of the Great Lakes Region in Africa’, *European Journal of Development Research* 19, 3 (2007), pp. 433–58.

wrong, there is a general consensus to give the government a smooth ride'.<sup>2</sup>

Yet there is consensus in the international scholarly community<sup>3</sup> that Rwanda is run by a dictatorship with little respect for human rights, little attention to the fate of the vast majority of its population made up of ever-poorer peasants, and little awareness of the structural violence its ambitious engineering project engenders. The regime seeks full control over people and space: Rwanda is an army with a state, rather than a state with an army. Although a report by the Commonwealth Human Rights Initiative expressed major concern and concluded that the state of governance and human rights did not satisfy Commonwealth standards,<sup>4</sup> Rwanda was admitted to the club without much debate in November 2009. President Kagame, against whom there is overwhelming evidence of responsibility for war crimes and crimes against humanity,<sup>5</sup> is given red carpet treatment on his frequent international visits, the Rwandan leadership's vision is lauded in many quarters,<sup>6</sup> and Rwanda is often presented as a 'model'.<sup>7</sup>

How does Kigali get away with it? This article tries to answer this question by looking not at the substantive aspects of governance in Rwanda, but at the regime's practices (I am of course aware that substance and

2. International Crisis Group, "Consensual democracy" in post-genocide Rwanda: evaluating the March 2001 district elections' (Report, Nairobi and Brussels, 9 October 2001), p. 20.

3. The only noticeable exceptions are Phil Clark (University of Oxford) and William Schabas (National University of Ireland).

4. Commonwealth Human Rights Initiative, 'Rwanda's application for membership of the Commonwealth: report and recommendations of the Commonwealth Human Rights Initiative' (August 2009).

5. These crimes took place mainly in Rwanda in 1994, in Zaïre/DRC in 1996–7, and again in Rwanda in 1997–8, as detailed in numerous reports by several UN bodies, Amnesty International, and Human Rights Watch. For an early survey of crimes against humanity committed by the RPF/RPA, see Serge Desouter and Filip Reyntjens, 'Rwanda: les violation des droits de l'homme par le FPR/APR – plaidoyer pour une enquête approfondie' (Working Paper, Centre d'étude de la région des grands lacs d'Afrique, Antwerp, June 1995). For a view on RPF abuse from within, see Abdul J. Ruzibiza, *Rwanda: L'histoire secrète* (Editions du Panama, Paris, 2005). More recently, a major UN report has confirmed and complemented the data on RPA abuse in the DRC: UN High Commission for Human Rights, 'Democratic Republic of the Congo, 1993–2003: report of the mapping exercise documenting the most serious violations of human rights and international humanitarian law committed within the territory of the Democratic Republic of the Congo between March 1993 and June 2003' (Geneva, August 2010).

6. Kagame set up a Presidential Advisory Council (PAC) which includes CEOs of foreign companies, academics, and even the founder of Saddleback Church, Pastor Rick Warren. Tony Blair acts as an 'unpaid adviser' to the President. Kagame travels from one award ceremony to the next.

7. When Kagame received a Global Citizen Award in 2009, the statement of the Clinton Foundation read as follows: 'From crisis, President Kagame has forged a strong, unified and growing nation with the potential to become a model for the rest of Africa and the world'. Clinton Foundation, 'Former President Clinton announces winners of the Third Annual Clinton Global Citizen Awards' (23 September 2009), <[http://www.clintonglobalinitiative.org/Newsmedia/newsmedia\\_pressreleases\\_92309c.asp?Section=NewsMedia](http://www.clintonglobalinitiative.org/Newsmedia/newsmedia_pressreleases_92309c.asp?Section=NewsMedia)>.

procedure cannot be fully separated, and that overlaps are inevitable). I analyse the way in which the regime dealt with external and internal critical voices, the instruments and strategies it devised to silence them, its assertiveness towards the region and the rest of the world, and its management of information and 'truth'. I look into the way the international community fell prey to the RPF's spin, by allowing itself to be manipulated and by preferring to see Rwanda's decent technocratic governance while ignoring its deeply flawed political governance. I go into a great deal of detail that may appear tedious, but only in this way can I show how the regime, acting in a piecemeal fashion, tested step by step the limits of what was tolerated by its backers.

#### *Dealing with external meddlers*

Since the RPF came to power in July 1994, keeping or getting outside observers out has been a constant concern. By the end of 1995, 38 international NGOs had been expelled and the activities of 18 others suspended, their assets frozen, and their equipment impounded. In June 1997 the government, through a large-scale diplomatic offensive, succeeded in having the mandate of UN Special Rapporteur René Degni-Segui terminated, as his reports had become a nuisance. He was replaced by a Special Representative whose mandate and interest in criticizing the regime over its human rights record was much more limited. The United Nations Human Rights Field Operation in Rwanda (UNHRFOR) was next in line. On 7 December 1997, the UN High Commissioner for Human Rights, Mary Robinson, previously considered a friend of the 'New Rwanda' (she visited the country on a couple of occasions when she was President of Ireland), issued a communiqué condemning the absence of a reconciliation policy and the practice of serious human rights violations. The spokesman for the Rwandan presidency immediately responded by vehemently and categorically denying Robinson's observations, accusing her of being influenced 'by informants whose aims are to mislead international opinion on the situation of Rwanda'.<sup>8</sup> The following year the government refused UNHRFOR permission to continue monitoring the human rights situation, and sought to limit its activities to mere technical assistance. Robinson decided that such a truncated mandate was unacceptable, and closed the operation at the end of July 1998. In April 2001, a round of efficient lobbying ensured the support of the African group in the UN Commission for Human Rights for striking Rwanda off the agenda, thus putting an end to formal international concerns with

8. Statement by presidential spokesman, Kigali, 7 December 1997.

human rights in Rwanda. Canada strongly objected, and got the routine treatment in return: the Rwandan delegate accused Canada of ‘harbouring many génocidaires’.<sup>9</sup>

Other external meddlers were from the press or academia. In 1997 alone, two journalists and one researcher were declared *persona non grata*. French scholar Gérard Prunier was violently taken to task after the publication of a critical but on the whole appropriate analysis.<sup>10</sup> The director of the official information office lashed out against Prunier ‘who claims to be an academic’, who presents ‘a pseudo analysis of Rwandan society’, and who is no less than ‘indirectly responsible for the 1994 genocide’.<sup>11</sup> On 9 February, Reuters correspondent Christian Jennings was expelled, apparently for having written two days earlier that, during a press conference, (then Vice-President) Kagame had asserted that ‘Rwanda has the right to divert a part of international aid to contribute to the internal war against Hutu extremists’.<sup>12</sup> On 28 November, Stephen Smith of the French daily *Libération* was in turn declared undesirable. The chargé d’affaires at the Rwandan embassy in Paris explained that ‘Smith only has himself to blame, given the horrors he has written about the country’.<sup>13</sup> More recently, in August 2008, the Rwandan Minister of Information accused the BBC and the VOA of ‘destroy[ing] the unity of Rwandans’ and announced that the government had ‘the capacity and the right’ to suspend their broadcasts ‘if the situation doesn’t change’.<sup>14</sup> On 25 April 2009, the government banned the Kinyarwanda service of the BBC. After listening to a preview of a forthcoming programme of ‘Imvo n’Imvano’ (‘Analysis of the Source of a Problem’) the Minister claimed that it contained ‘most outrageous statements’.

Criticism routinely met with strongly worded rebuttals. A few examples must suffice. After reports were almost simultaneously released by Amnesty International (AI)<sup>15</sup> and Human Rights Watch (HRW),<sup>16</sup> the Ministry of Foreign Affairs claimed that this was part of a ‘political strategy’ of opponents acting ‘under the cover of international human rights

9. Agence France-Presse (AFP) (Geneva, 20 April 2001).

10. Gérard Prunier, ‘Rwanda: the social, political and economic situation in June 1997’ (Report, Writenet (UK), July 1997).

11. Wilson Rutayisire, ‘Gérald [sic] Prunier: a eulogy for genocide’ (Ministry of Information, Kigali, 24 October 1997).

12. Reuters (Kigali, 7 February 1997).

13. Reporters sans Frontières (RFS) and International Freedom of Expression Exchange (IFEX) (*Communiqué*, Toronto, 2 December 1997). In ‘Rwanda: enquête sur la terreur tutsie’, published in *Libération* on 27 February 1996, Smith had documented crimes against humanity and war crimes committed by the RPF.

14. ‘La BBC et la VOA accusées par Kigali de “détruire l’unité des Rwandais”’ (AFP, Kigali, 19 August 2008).

15. Amnesty International, ‘The troubled course of justice’ (London, 26 April 2000).

16. Human Rights Watch, ‘Rwanda: the search for security and human rights abuses’ (New York, April 2000).

organizations'. The HRW report was described as 'very mean-spirited, grossly prejudiced and shallowly researched', and the organization was accused of 'consciously waging a war of lies and defamation against the Rwandan government of national unity'; the report was a 'patent and shameless attempt to interfere in the internal politics of Rwanda and an immoral attempt to enhance the political agendas of certain opponents'.<sup>17</sup> Barely a month later, a report by HRW accusing the Rwandan army of massacring civilians and practising rape on a large scale in the DRC<sup>18</sup> was said to be 'malicious, baseless and biased' by the government spokesman Joseph Bideri: 'These are not human rights reports, but just political documents. ... These documents are authored by one Dr Alison Des Forges who wants to slander the Rwandan government in the face of the donor community.'<sup>19</sup> Almost a decade later Des Forges, Human Rights Watch's senior adviser for Africa, was declared *persona non grata*.<sup>20</sup> HRW's May 2001 report '*Uprooting the rural poor in Rwanda*' was said to be 'baseless and full of lies', and HRW stood accused of disseminating 'a propaganda that undermines human rights by promoting ethnic division among Rwandans'. A month later, a report by AI on the human toll of the Rwandan occupation of eastern DRC<sup>21</sup> was characterized as 'outright bias, lack of objectivity and outright lies'. Amnesty's observations were 'clearly unsubstantiated' and 'a reflection of the longstanding antipathy that AI has demonstrated towards Rwanda'. Using its 'genocide credit' (see below) to exploit the suffering of the victims for political ends, the government claimed that AI's accusations were 'an insupportable insult to the memory of the more than a million victims of the 1994 genocide'.<sup>22</sup> Accusations of intimidation and fraud related to the 2003 elections gave rise to new angry statements. In a Foreign Ministry communiqué of 11 May 2003 a HRW report<sup>23</sup> was said to attempt to 'sabotage the

17. Pan-African News Agency (PANA) (Kigali, 29 April 2000).

18. Human Rights Watch, 'Eastern Congo ravaged: killing civilians and silencing protest' (New York, May 2000).

19. *The Monitor* (Kampala), 13 May 2000. Interestingly, during a visit to Kigali the UK Minister for Overseas Development Cooperation, Clare Short, made exactly the same accusations on Rwandan television.

20. After having been refused access at a land border crossing with Burundi in early September 2008, Des Forges landed at Kigali airport on 3 December to attend an international conference on judicial assistance, but was prevented from leaving the plane and forced to return to Brussels. General Prosecutor Ngoga later justified the measure by stating that 'HRW's interference only benefited the *génocidaires*'. 'HRW chief meets government officials', *Sunday Times* (Kigali), 22 March 2009.

21. Amnesty International, 'Democratic Republic of Congo. Rwandese-controlled East: devastating human toll' (London, 19 June 2001).

22. Government of Rwanda (GOR), 'Response to the Amnesty International Report, "Democratic Republic of Congo. Rwandese-controlled East: devastating human toll"' (Kigali, n.d. [2001]).

23. Human Rights Watch, 'Preparing for elections: tightening control in the name of unity' (New York, May 2003).

process of political normalization (and) to counter the sending of aid'. On 13 May, the Rwandan (governmental) National Commission for Human Rights was 'surprised by the lightness of the information (that) only aims at stirring up confusion in the minds of the Rwandans'. Reacting to a report by Amnesty International,<sup>24</sup> the government wondered 'whether AI's sources are not those who still harbour the philosophy of *génocidaires*' and failed to 'understand the motive behind the baseless and malicious allegations contained in (the) report', adding that 'AI, since 1994, has been relentless in rubbishing the efforts of the Rwandan government'.<sup>25</sup>

Reports by official multilateral bodies fared no better. In July 2000, an International Panel of Eminent Persons (IPEP) entrusted by the OAU to investigate the genocide published its report,<sup>26</sup> which contained a section highly critical of the RPF, accusing it of having committed large-scale massacres before, during, and after the genocide. In a press statement, President Kagame accused IPEP of bias and lack of independence, and claimed it had relied too much on the 'revisionist literature' of Gérard Prunier and myself.<sup>27</sup> Interestingly, Kagame stated that 'Where the investigation has remained within the mandate and terms of reference given by the OAU, the report has been relevant, informative and shows originality in its investigation', but he criticized the report where, in his view, it went 'outside the mandate and terms of reference'<sup>28</sup> – in other words, where it mentioned RPF abuse. After an EU observer mission criticized aspects of the August 2003 presidential election, the chairman of the National Election Commission claimed that the mission was 'inspired by a spirit of bias, lacks the slightest objectivity, and simply wants to defend the interest of (opposition) candidate Faustin Twagiramungu'.<sup>29</sup> When the report on Rwanda from the African Peer Review Mechanism (APRM) congratulated the country on a number of issues, but was also critical on themes of political governance, Kagame lashed out at the experts: 'People who made the peer review report were experts who studied in the best universities in the world. We gave them access to all the information they wanted, but I was

24. Amnesty International, 'Rwanda: run-up to presidential elections marred by threats and harassment' (London, 22 August 2003).

25. GOR, 'Response to Amnesty International's report on Rwanda's forthcoming elections' (Kigali, n.d.).

26. International Panel of Eminent Personalities to Investigate the 1994 Genocide in Rwanda and the Surrounding Events, 'The Preventable Genocide' (Addis Ababa, 7 July 2000).

27. We were part of the editorial committee for the report; the Rwandan government unsuccessfully attempted to have us excluded.

28. 'Rwandan government protests against new report on the genocide' (News report, Africa Online, 24 August 2000).

29. 'Présidentielle: le Rwanda mécontent des critiques européennes sur le scrutin' (AFP, Kigali, 28 August 2003).

so surprised when they came up with allegations that Rwanda has no political space', adding that 'Probably they don't understand the meaning of political space. Because if they knew, Rwanda would be an example.'<sup>30</sup>

The 2005 US Department of State's *Country Reports on Human Rights Practices* met with an acerbic rebuttal. The report was said to be 'riddled with inaccuracies and inconsistencies', and most of its observations were simply denied. Thus, 'There are no political detainees in Rwanda'; the accusation that political freedoms were limited was 'a subjective opinion unsupported by evidence'; and 'Government considers the charge that Tutsis, particularly English speaking Tutsis, are favoured contemptible and unworthy to be dignified with a reply'.<sup>31</sup> The UN was treated in much the same vein. When a report discussed in the Security Council documented Rwanda's continuing support for the DRC rebel group CNDP,<sup>32</sup> the government responded in its usual style, denouncing 'the dangerous inaccuracies and outright lies' contained in the report, whose objectives were 'malicious' and which was replete with accusations 'resulting from hearsay, perceptions and stereotypes'. As always, it was the others' fault: the UN and the international community 'have failed to neutralize the persistent threat' posed by the FDLR, and they should 'boldly acknowledge and confront their own failures and weaknesses'.<sup>33</sup> Once again exploiting the 'genocide credit', the Minister of Information claimed that the report was 'a continuous ploy by powerful countries to disregard the truth when it comes to Rwanda (and) to hide their guilt after they abandoned Rwandans during the genocide'.<sup>34</sup> The reaction to the DRC Mapping Exercise of the UN High Commissioner for Human Rights<sup>35</sup> was similarly robust. Even before the report was released, Foreign Minister Mushikiwabo wrote to the UN Secretary-General that 'attempts to take action on this report – either through its release or leaks to the media – will force us to withdraw Rwanda's various commitments to the United Nations, especially in the area of peacekeeping'.<sup>36</sup>

30. 'Enough political space – Kagame', *The New Times (Kigali)*, 27 January 2006.

31. 'Rwanda Response to the 2005 State Department Country Reports on Human Rights Practices, released by the Bureau of Democracy, Human Rights and Labor on March 8, 2006' (Kigali, 2006).

32. United Nations, Security Council, 'Final Report of the Group of Experts on the Democratic Republic of the Congo' (S/2008/773, 12 December 2008).

33. 'Statement by the Government of Rwanda on the report of the UN Group of Experts on the Democratic Republic of the Congo' (Kigali, 15 December 2008).

34. 'UN report "part of west conspiracy against Rwanda"' (Rwanda News Agency, 15 December 2008).

35. UN High Commissioner for Human Rights, 'Democratic Republic of the Congo, 1993–2003. Report of the Mapping Exercise' (UNHCHR, August 2010).

36. Letter dated 5 August 2010 from Louise Mushikiwabo to Ban ki-Moon. This was not a hollow threat as Rwanda contributes several thousand troops to the UNAMID mission in Darfur.

*Eliminating domestic dissent*

After the RPF seized power in July 1994 and established a 'Government of National Unity' purportedly in line with the 1993 Arusha peace accord, initially a number of politicians, civil servants, judges, and military in place under the old regime either remained in the country or returned from abroad, and indicated their willingness to cooperate with the RPF. The illusion of inclusiveness was soon shattered, however, by the departure into exile first of Hutu, later of Tutsi genocide survivors, and even, eventually, of RPF old hands. From early 1995, Hutu elites became the victims of harassment, imprisonment, and even physical elimination. Provincial governors (*préfets*), local mayors, head teachers, clerics, and judges were killed in increasing numbers. During the following years, the same fate befell Tutsi politicians, officers, journalists, and leaders of civil society whose loyalty to the regime was in doubt. In many cases, the responsibility of the Rwandan Patriotic Army (RPA, which had become the national army) was well documented.<sup>37</sup> During the first months of 2000, the President, the Prime Minister and the Speaker of Parliament were forced to resign, and the latter two went into exile, showing how little space there was for views that were dissenting or seen as such. There are not many other countries where, in the absence of regime change, so many ministers, MPs, high-ranking army officers, civil servants, judges, diplomats, and civil society leaders have been jailed, killed, 'disappeared' or driven into exile abroad.

The destruction of the MDR (*Mouvement Démocratique Républicain*), the last party that attempted to maintain some autonomy towards the RPF, started in earnest in 1998. During a meeting in May of a 'Forum for national orientations', the MDR proposed a document in which it defended a number of positions on the past and the present that were quite opposed to those of the RPF.<sup>38</sup> The MDR was summoned to rewrite its homework in no uncertain terms, which it did in less than a week: the new document toed the RPF line and every word critical of the regime had disappeared. The party was nonetheless banned altogether in 2003 (see below). While it was dealing with the MDR, the regime made sure that no other opposition parties emerged. On 30 May 2001, former President and RPF leader Pasteur Bizimungu, a Hutu, announced the creation of a new party, the PDR (*Parti démocratique pour le*

37. For early examples, see the following reports by Human Rights Watch: 'Rwanda: a new catastrophe?' (December 1994); 'Rwanda: the crisis continues' (April 1995); 'Local Rwandan leaders assassinated' (August 1995); 'HRW and FIDH condemn new killings in Rwanda' (July 1996). See also Ruzibiza, *Rwanda*.

38. MDR, 'Contribution du Mouvement Démocratique Républicain dans la recherche de solutions aux problèmes que rencontre le Rwanda' (Party document, 23 May 1998).



*renouveau*)-Ubuyanja. Bizimungu and former Minister Charles Ntakirutinka were immediately placed under house arrest, while other initiators of the party were threatened to the extent that three of them left the party two weeks after its aborted creation. Interestingly, this campaign mainly targeted Tutsi members, which then made it possible to present the PDR as an ‘ethnist’ Hutu party. Another PDR leader, Gratien Munyarubuga, was assassinated; yet another, Major Frank Bizimungu (a Tutsi officer without blood ties to Pasteur Bizimungu), ‘disappeared’. On 7 April 2002, Kagame gave clear notice to his predecessor in a speech during the annual genocide commemoration: ‘The day will come when I will have to take decisive action against these people. When this day has come, even their (Western) sponsors with whom they spend time drinking tea will be powerless.’<sup>39</sup> Two weeks later Bizimungu and Ntakirutinka were arrested and jailed; during the following weeks, dozens of others suspected of supporting the PDR joined them in prison.

With elections in view later that year, the MDR was dealt the final blow in the Spring of 2003. Despite its full control of all instruments of local, provincial, and national management, and the reinforcement offered by its constitutional engineering, the RPF was not confident about the outcome of the polls.<sup>40</sup> It therefore closed off the last potential spaces of political contestation. President Kagame gave notice in a speech on 31 March, when he addressed his opponents in a veiled way that was however very easily understood by Rwandans: ‘If they come with the objective of hindering our programmes, they will be injured. ... Our clemency decreases. ... To whoever prides himself of having harvested sorghum or maize, we will say that we have mills to crush them.’ The outcome of the political process was without doubt: ‘I can tell you that the result of the elections is known. ... I can tell you for 100 percent that the elected will be those who follow the policy of reconstructing the country. ... Those who want to bring divisionism ... have no place in this country.’<sup>41</sup>

Kagame’s threats were immediately followed by deeds. On 15 April, Parliament recommended the banning of the MDR. During the debate, the meaning of ‘divisionism’ became quite clear: indeed the report of the

39. ‘Rwanda leader Kagame warns opponents on genocide anniversary’ (AFP, Kigali, 7 April 2002).

40. The RPF’s limited belief in elections was made clear in an internal document produced before the genocide: ‘The strong foundations put in place during the transitional period must allow the Front to organize the timely departure of Habyarimana Juvénal with or without elections (these need to be organized at the moment of the RPF’s choosing, in the light of the situation in the country).’ RPF, ‘Objectifs du Front’, translated from French. This text is not dated, but it was probably written in February 1994. While it is not signed, the style suggests that the author may well be Tito Rutaremara, a leading RPF ideologue belonging to the (small) progressive wing of the party.

41. Speech by President Kagame on International Water Day, Rebero, Bwisige District, Byumba, 31 March 2003.

parliamentary commission stated that the MDR had said in November 1994 ‘that it is an opposition party (which means) that it has the intention to divide the Rwandans again’. The government did not play hard to get: on 16 May, ‘the Council of Ministers, having studied the conclusions of Parliament on the case of the MDR, approves these conclusions and confirms the banning of the MDR because of its divisionism, and requests the competent authorities to give effect to this decision in accordance with the law’.<sup>42</sup>

This decision was accompanied by a crackdown on those considered close to the MDR. Former Defence Minister General Emmanuel Habyarimana and Colonel Balthazar Ndengeyinka, both quoted in the parliamentary report, were lucky to escape to Uganda, and from there to Europe. Others were less fortunate: on 1 April, Major Félicien Ngirabatware was arrested and detained incommunicado; on 3 April, the former secretary of General Habyarimana ‘disappeared’, followed on 7 April by MDR MP Léonard Hitimana. When on 23 April the same fate befell former Supreme Court judge Colonel Augustin Cyiza, a *mise en scène* was devised to suggest that he had fled to Uganda.<sup>43</sup> In addition, two parties that attempted to fill the void left by the MDR were refused recognition: on 11 August, just before the elections, the government rejected the applications of ADEP-Mizero (*Alliance pour la démocratie, l'équité et le progrès*) and of the PSP (*Parti pour la solidarité et le progrès*).

In the eyes of the regime, the elimination of the political opposition was legitimate. As a matter of fact, it claimed there was no genuine opposition. During an interview with a Belgian journalist, President Kagame claimed that his opponents were ‘ignorant’, ‘misguided’ or ‘disgruntled’. Anyway, they were just a minority: ‘The majority of people in Rwanda are engaged in these processes (of building the country) and are happy.’<sup>44</sup> The idea that those who do not adhere to the RPF view have no place in the political dispensation is quite old. Already in 1996, the government weekly *La Nouvelle Relève* expressed the hope that the road followed would be ‘the result of a popular consensus between the leaders and the *enlightened part* of the people’;<sup>45</sup> this obviously leaves little space for the unenlightened part. In the same vein, the ICG noted that ‘When the regime’s viewpoint is not respected, accepted or understood, it is simply imposed. In this context, the

42. Government communiqué, ‘Le gouvernement approuve la dissolution du parti MDR’ (Agence Rwandaise d’Information, Kigali, 19 May 2003). At the time of this decision, the Prime Minister and the Minister of the Interior were members of the MDR.

43. On this episode, see Thierry Cruvellier *et al.*, *Augustin Cyiza: Un homme libre au Rwanda* (Karthala, Paris, 2004).

44. “‘Seek broad, long-term solutions”, Kagame urges Congolese’, Kigali, 13 April 2002, interview with Marc Hoogstejns, <[www.gov.rw/government/president/interviews/2001/drcserious.html](http://www.gov.rw/government/president/interviews/2001/drcserious.html)>.

45. *La Nouvelle Relève* (Kigali), 31 May 1996.

political parties that exist today in Rwanda are only tolerated if they agree not to question the definition of political life drawn up by the RPF.<sup>46</sup> Likewise, a USAID report concluded that ‘The regime has demonstrated a high degree of sensitivity to criticism. Those critical of the regime are often silenced, marginalized, intimidated, or forced into exile.’<sup>47</sup> The League for Human Rights in the Great Lakes Region (LDGL) observed ‘some sort of a vicious circle: the regime proceeds to the closure of democratic space; in order to counter that, initiatives are taken to combat the regime which in turn closes even further, in order to smother every attempt at contestation and every possibility of free expression’.<sup>48</sup>

Despite the disappearance of opposition parties, come election time the RPF did not feel secure. The National Election Commission was to be the weapon of control, indeed ‘political control at its best’ in the view of the ICG.<sup>49</sup> It was ‘both too powerful and too partisan ... a tool of political control, not an independent and transparent institution’.<sup>50</sup> The campaigns preceding the 2003 presidential and parliamentary elections and the 2008 parliamentary elections were marred by arrests, ‘disappearances’, and intimidation.<sup>51</sup> During the 2003 vote, an EU observer mission saw fraud, intimidation, the manipulation of electoral lists, ballot-box stuffing, lack of secrecy of the vote, and lack of transparency in the counting procedure. The mission concluded that ‘political pluralism is more limited than during the transitional period’.<sup>52</sup> The 2008 mission found that the RPF’s tactics had worked too well, as the party obtained over 98 percent of the vote,<sup>53</sup> a result seen as too ‘Stalinist’ and therefore reduced to 78.76 percent when the official result was proclaimed. So the RPF ‘offered’ 20 percent of the vote and 11 seats to two other parties, that were however not opposition parties, but part of the RPF’s cartel.<sup>54</sup> This

46. International Crisis Group, ‘Rwanda at the end of the transition’ (ICG, Africa Report No. 53, 13 November 2002), p. 2.

47. USAID, ‘Rwanda democracy and governance assessment’ (November 2002), p. 46.

48. LDGL, ‘Dynamiques de paix et logiques de guerre. Rapport annuel sur la situation des droits de l’homme dans la région des grands lacs. Année 2002’ (May 2003).

49. International Crisis Group, ‘“Consensual democracy”’, p. 12.

50. *Ibid.* p. 23.

51. Mission d’observation électorale de l’Union Européenne, ‘Rwanda. Election présidentielle 25 août 2003. Elections législatives 29 et 30 septembre, 2 octobre 2003’ (Final Report); European Union Election Observer Mission, ‘Republic of Rwanda, Legislative Elections to the Chamber of Deputies 15–18 September 2008, *Final Report*’.

52. Mission d’observation électorale de l’Union Européenne, ‘Rwanda. Election présidentielle’, p. 4.

53. This calculation by members of the EU observation team was based on a very robust sample size of 24.96 percent of the total vote (which gave a standard error for the smallest sample of under 1 percent).

54. While the observer mission noted a great number of irregularities in its report, the mission’s chairman, British MEP Michael Cashman, refused to make this particularly damning information public.

is therefore a *de facto* single-party situation, where the RPF is ‘the sole legal political operative in the country’.<sup>55</sup>

While the political opposition seemed to have been eliminated in 2003, it resurfaced in 2009–10 in the perspective of the 2010 presidential elections. Until then, none of the existing parties considered themselves to be in the opposition and they were part of a cartel dominated by the RPF. Indeed during a meeting of the Liberal Party in 2008, one of its leaders stated that ‘we are not here to oppose President Kagame, but to build the nation. Rwanda does not need a European-type opposition.’<sup>56</sup> One opposition party, PS-Imberakuri, was registered in mid-2009, while two other would-be contenders, the Democratic Green Party and Forces Démocratiques Unifiées (FDU)-Inkingi, were prevented from seeking recognition through systematic sabotage. Yet these initiatives challenged the RPF’s political monopoly and introduced, inside the country,<sup>57</sup> a debate that contested the ruling party’s discourse. Although the RPF controlled all layers of government, from the local to the national, these challenges were seen as a major threat, the more so since they occurred at a time when the regime experienced instability within.<sup>58</sup> Party leaders were threatened, splits in the parties were engineered, administrative obstacles prevented them from functioning. Opposition leaders were jailed, even assassinated, as were independent journalists.<sup>59</sup> The three candidates that were allowed to face the incumbent during the presidential poll on 9 August 2010 were put forward by parties belonging to the RPF’s cartel. In what was in effect a one-party contest, Kagame obtained 93 percent of the vote, while the turnout was a whopping 98 percent. Rwandans know well what is expected of them.

Civil society too was eliminated as an autonomous force. Since the second half of the 1990s, human rights defenders, advocates of rural development, and NGOs generally have been threatened by arrests, ‘disappearances’, and intimidation.<sup>60</sup> In 1998, two leaders of the human rights associations Cladho and Liprodhor went into exile. In the same year André Sibomana, chair of the Rwandan Association for Human Rights and Public Freedoms (ADL), died of an illness that might have

55. International Crisis Group, “‘Consensual democracy’”, p. 23.

56. ‘Rwanda. Elections en trompe-l’œil’, *Le Vif-L’Express* (Brussels), 4 August 2008.

57. A number of opposition movements have been active abroad during the last fifteen years.

58. Several high-ranking officers were arrested or fled the country, and there were recurrent rumours of a *coup d’état*.

59. For an overview, see Filip Reyntjens, ‘Chronique politique du Rwanda, 2009–2010’ in Stefaan Marysse, Filip Reyntjens, and Stef Vandeginste (eds), *L’Afrique des grands lacs. Annuaire 2009–2010* (L’Harmattan, Paris, 2010), pp. 273–98.

60. A survey of these practices can be found in Front Line Rwanda, ‘Disappearances, arrests, threats, intimidation of human rights defenders 2001–2004’ (Dublin, 2005). In addition to human rights defenders, the report highlights the persecution of rural defenders, independent journalists, and NGOs.

been cured had he been allowed to leave the country to seek treatment abroad. In addition to direct persecution, the secret services infiltrated civil society groups; 'such tactics have largely succeeded in breaking up the Rwandan local NGO network'.<sup>61</sup> The Tutsi survivors' organization Ibuka, which had become increasingly critical of the government, was neutralized in 2000. Its vice-president Josué Kayijaho went into exile and Kayijaho's brother Assiel Kabera was assassinated. Ibuka's leadership was replaced by RPF faithfuls such as Antoine Mugesera, a member of the party's political bureau, and Ibuka ceased criticizing the regime. A law promulgated in April 2001 gave the authorities wide-ranging powers to control the management, finances, and projects of national and international NGOs. LDGL observed that 'Rwanda surprises particularly by the weird collusion between the government and important sections of civil society. Spaces of free expression are almost all invaded or reduced to a minimum in order to prevent contestation.'<sup>62</sup> In clear terms, 'civil society' was infiltrated and manipulated by the regime. The practice of controlling and coopting also extended to international NGOs: 'LandNet Rwanda, for example, an umbrella network of local and international NGOs, now has a Ministry of Lands official as an *ex officio* member.'<sup>63</sup>

The final assault on civil society came in 2004, a year after the elimination of the political opposition, and it was conducted in exactly the same vein. In a move reminiscent of the 2003 report on the MDR, at the end of June 2004 a 'Parliamentary Commission of Inquiry on Genocidal Ideology' recommended the banning of a number of associations 'preaching the ideology of genocide and ethnic hatred'. Among them was the last remaining independent human rights organization, Liprodhor, as well as half a dozen other groups, including some involved in the promotion of peasant interests. In addition, several international NGOs, as well as France and the Netherlands, stood accused. International human rights groups protested, to no avail.<sup>64</sup> Contrary to the MDR precedent a year earlier, it proved unnecessary to ban Liprodhor formally. After Parliament sent a list of a dozen Liprodhor cadres to the government with the request

61. International Crisis Group, "Consensual democracy", p. 20. This tactic of infiltration was widely used. The ICG noted that from July 1994 RPF cadres 'applied to work in UN agencies, local and foreign NGOs and key businesses to monitor attitudes towards the government and general activities', *ibid.*, p. 7.

62. LDGL, 'La problématique de la liberté d'expression au Rwanda' (Report, Kigali, December 2001).

63. Johan Pottier, 'Land reform for peace? Rwanda's 2005 land law in context', *Journal of Agrarian Change* 6, 4 (2006), pp. 509–37, p. 510. See also Paul Gready, "'You're either with us or against us": civil society and policy making in post-genocide Rwanda', *African Affairs* 109, 437 (2010), pp. 637–57.

64. See, for example, Human Rights Watch, 'Rwanda: parliament seeks to abolish rights group' (New York, 2 July 2004); Amnesty International, 'Rwanda: deeper into the abyss – waging war on civil society' (London, 5 July 2004).

that they be arrested and prosecuted, in early July most of its leadership fled to Uganda and Burundi. This was the end of Liprodhor as an autonomous organization, something the government openly welcomed: in a declaration of 18 September, it noted 'that Liprodhor has separated itself from those among its members corroded by the ideology of genocide (and that) the General Assembly of Liprodhor, during its meeting of 11 September 2004, has asked to be forgiven by the people and government of Rwanda for the bad behaviour of some of its representatives and members'.<sup>65</sup> This contentment was understandable, as most new members of the board of Liprodhor were RPF faithfuls. Rather than banning it, the RPF took over and thus neutralized Liprodhor.

The media underwent the same fate as civil society.<sup>66</sup> Under the title 'An atrophied and muzzled press', the ICG noted that 'Since 1998, each stage in the concentration of power seems to have been accompanied by additional restrictions on the subjects the press could cover.'<sup>67</sup> In November 2001, Reporters sans Frontières called President Kagame a 'predator of press freedom' and noted that only one weekly, *Umuseso*, was 'relatively independent'. The report concluded that 'Journalists continue to suffer threats and pressures'.<sup>68</sup> Around the same period, a report by the LDGL found that 'the press is again targeted by the regime' and that 'while fewer journalists are arrested or killed lately, this is not due to a larger openness of the authorities, but rather to the fatigue and/or the resignation of a profession that prefers to adopt a low profile instead of seeking confrontation with an authoritarian regime... The degree of press freedom is inversely proportional to the omnipotence of the internal (DMI) and external (ESO) intelligence services.'<sup>69</sup> The 'relatively independent' *Umuseso* was under continuous threat. Its editor-in-chief Ismail Mbonigaba was twice arrested in 2002 and 2003, and three journalists were detained in mid-2002. Harassment came in several ways: pressures on announcers, intimidation, demonization, seizure of entire issues, but the strongest threat came in the wake of the campaign against the MDR (*see above*). Among the 'promoters of division', the parliamentary committee included 'the journalists of *Umuseso*'. Again in August 2006,

65. 'Déclaration du conseil des ministres à l'issue de sa réunion au Village Urugwiro, le 17 septembre 2004, relative au rapport de la Chambres des Députés sur les tueries de Gikongoro et de l'idéologie génocidaire au Rwanda' (Kigali, 18 September 2004).

66. For an excellent survey of the fate of the media under RPF rule, see Lars Waldorf, 'Censorship and propaganda in post-genocide Rwanda' in Allan Thompson (ed.), *The Media and the Rwanda Genocide* (Pluto Press and Fountain Publishers, Kampala, 2007), pp. 404–16.

67. International Crisis Group, 'Rwanda at the end of the transition', p. 14.

68. Reporters sans Frontières, 'Rwanda. Discreet and targeted pressure: President Kagame is a predator of press freedom' (Paris, 7 November 2001).

69. LDGL, 'La problématique de la liberté d'expression'.

Reporters sans Frontières expressed concern about the ‘increasingly hostile climate’ for independent papers, after several journalists were threatened, arrested, or roughed up. In April 2010, *Umuseso* and *Umuwugizi*, another paper with independent tendencies, were suspended for a period of six months, thus banning them from covering the electoral campaign and the presidential poll (*see above*). The editor of *Umuwugizi* fled to Kampala, while its co-editor was killed in Kigali the day after he published a story on the regime’s hit squads on the paper’s website (which was blocked inside Rwanda). Even foreign media were targeted. In January 2006, two Rwandan journalists working for the VOA and the BBC were accused of ‘treason’: according to the police spokesman, they were no ‘patriots’ and ‘the ideology of these journalists needs revision’.<sup>70</sup> The BBC was banned from FM relay in Rwanda during two months in 2009, and threatened with the same sanction in mid-2009, this time along with the VOA.<sup>71</sup>

The way in which the political opposition, civil society, and the press were treated epitomized a more general attempt at controlling people and space. This showed in the maintenance of a large and efficient army, able to operate inside and far beyond national borders; in the establishment of ‘re-education’, ‘solidarity’, and ‘regroupment’ camps; in the villagization policy (*imidugudu*); in the tense relations of distrust with non-state and foreign actors; and in the emergence of a powerful intelligence capacity, with the DMI operating inside the country and the ESO abroad. Despite its civilian appearance, Rwanda is an army with a state rather than a state with an army, and it is effectively run by a military regime. The central place taken by the military and intelligence services allowed one analyst to call Rwanda a ‘securocracy’.<sup>72</sup> Indeed military skills permeate the way in which Rwandans must be ‘educated’. A ‘Manual for the solidarity camps and other training’ issued by the Civic Education Service of the National Unity and Reconciliation Commission (NURC) contains a section on ‘self-defence’. Among other things, students are taught how to ‘perform military drills’, ‘stripping and assembling of AK-47 rifle’, and ‘use combat tactics in a section and a platoon’.<sup>73</sup>

Control is not just military. Law, too, became a potent instrument in the RPF’s hands. Laws on ‘divisionism’ (2001) and on ‘genocide

70. Reporters sans Frontières, ‘Rwanda: le chef de l’état inaugure une salve d’attaques verbales des autorités contre les journalistes’ (31 January 2006).

71. ‘Pressure on VOA radio mounts from government’ (RNA, Kigali, 19 June 2009); ‘BBC risks indefinite ban from Rwanda’ (RNA, Kigali, 26 June 2009).

72. Elizabeth Sidiropoulos, ‘Democratisation and militarisation in Rwanda: eight years after the genocide’, *African Security Review* 11, 3 (2002), pp. 77–87.

73. République du Rwanda, Commission nationale pour l’unité et la réconciliation, ‘Manuel pour les camps de solidarité et autres formations’ (Manual, Kigali, October 2006), p. 120.

ideology' (2008) allowed the elimination of dissident voices and the imposition of the RPF's reading of history and truth. Ill-defined charges under these broadly phrased laws were frequently used to serve political or personal interests.<sup>74</sup> As of August 2009, there were reportedly 912 persons in prison on genocide ideology accusations.<sup>75</sup> The 1995 'Fundamental Law' was a piece of subtle and smart constitutional engineering that allowed concealment of the monolithic nature of the exercise of power. Under the labels of 'power sharing' and 'national unity', it institutionalized RPF dominance, while avoiding the creation of an image of unfettered control.<sup>76</sup> The 2003 constitution proceeded from the same logic. Among other mechanisms, this was achieved by the role assigned to the Senate and the Consultative Forum for Political Organizations, both dominated by the RPF, to 'discipline' political parties.<sup>77</sup>

Despite the appearance of political pluralism, e.g. through a 'coalition government', the RPF managed to monopolize real, though sometimes less visible, decision making. The ICG found that, from July 1994, RPF cadres were posted at all levels of the administration, both in Kigali and the provinces, to control the actions of civil servants, ministers and politicians.<sup>78</sup> Still according to the ICG, 'The administrative chain of authority – from the office of the President, to the hills – is under control of an omnipresent security apparatus, which shadows the official system.'<sup>79</sup> In 2002, while ministers were drawn from several parties, the vast majority of permanent secretaries were RPF members. Twelve out of 16 ministries had an RPF permanent secretary, and at the remaining four ministries, the ministers were from the RPF. Exiled opponents who were once ministers said that this practice amounted to giving them a post but no authority, while the RPF secretary-generals wielded the real power.<sup>80</sup> This hidden exercise of control was nearly complete in 2010, when 17 out of 18 permanent secretaries were from the RPF (in addition, 15 were Tutsi). Exactly the same phenomenon can be seen in local government,

74. Human Rights Watch, 'Law and reality: progress in judicial reform in Rwanda' (24 July 2008), p. 40.

75. Amnesty International, 'Report 2010: the state of the world's human rights', London, p. 273.

76. For details, see Filip Reyntjens, 'Constitution-making in situations of extreme crisis: the case of Rwanda and Burundi', *Journal of African Law* 40, 2 (1996), pp. 236–9.

77. According to a USAID document, the Forum 'has served as a means of limiting the range of allowable ideas among politicians', and a source of the report compared it to the central committee of a single party. USAID, 'Rwanda democracy', p. 50. According to the experience of the former Speaker of Parliament Joseph Sebarenzi, '[c]reating the Forum of Political Parties was a way for Kagame to remove members of Parliament who stood in his way', and he offers many examples of how this worked. Joseph Sebarenzi, *God Sleeps in Rwanda: a journey of transformation* (Atria Books, New York, NY, 2009), pp. 146–51.

78. International Crisis Group, "'Consensual democracy'", p. 7.

79. *Ibid.* p. 22.

80. International Crisis Group, 'Rwanda at the end of the transition', p. 11.



where the executive secretaries, the most powerful persons at sector level, are generally RPF Tutsi unknown to the area, appointed and paid by the central government, while elected positions are often occupied by Hutu originating from the area, unpaid and with no real power.<sup>81</sup>

Another way of hiding control by the RPF is the use of youth and women's organizations. In 1998 an RPF congress put Aloysia Inyumba, the Minister for Women and Social Services, in charge of building up a national network of women's groups, using aid funds for women's empowerment allocated to her ministry. By the first quarter of 1999, Catholic youth leaders were recruited to mobilize the young. Women and youth leaders were promised positions within the future district councils or even seats in Parliament if they supported the RPF. In parallel, the 'solidarity camps' organized by the NURC became the training grounds for RPF political sensitization and education, and for the selection of electoral candidates.<sup>82</sup> Although internationally hailed as a model of women's empowerment, the 24 MPs representing women, elected in an indirect and opaque way, are all 'RPF-approved', and they serve to hide the RPF's domination of Parliament.

Likewise, despite official adherence to the principle of separation of powers, the RPF has taken control of the judiciary. Although the law prohibits judges from belonging to political parties, many of them are RPF members. A Human Rights Watch report noted in 2008 that a judge said that loyalty to the RPF was important in getting appointed and that he had been recruited after several meetings with a representative of the RPF who had no link to the judicial system. According to another lawyer, of the two candidates presented to the Senate for appointment to the Supreme Court, one clearly was meant to be chosen while the second was there only for show. The second candidate is known in the profession as 'the bridesmaid'.<sup>83</sup>

The desire to control people and space is not just inspired by the need to fend off challenges to its power or to avert the return of Hutu extremism, but also by the way in which the RPF views the Rwandan population, which it treats with distrust and paternalism. Aloysia Inyumba expressed this very well when she stated that 'the ordinary citizens are like babies. They will need to be completely educated if we want to move towards democracy.'<sup>84</sup> In other words, democracy will come after re-education, but for the time being, 'a strong, "enlightened" leadership

81. Bert Ingelaere, 'Peasants, power and ethnicity: a bottom-up perspective on Rwanda's political transition', *African Affairs* 109, 435 (2010), pp. 287–91.

82. International Crisis Group, "'Consensual democracy'", p. 7. This information was based on interviews with a former RPF official, a youth district candidate and a NURC official.

83. Human Rights Watch, 'Law and reality', p. 46. The report also contains many examples of executive interference in the judicial process, pp. 46–69.

84. Jeroen Corduwener, 'Wederopbouw in Rwanda, met ijzeren hand' ('Reconstruction in Rwanda, with an iron fist'), *NRC-Handelsblad*, 27 March 2002.

is required'.<sup>85</sup> This is a longstanding belief. An internal text quoted earlier read as follows:

The majority of the Rwandans have neither democratic culture nor the will to change. Let us not be fooled, many of them have not detached themselves from Habyarimana because they see him as "their chief". Many have adhered to the MDR because they thought, rightly so, that it is the Parmehutu. Therefore, very few of them are really progressive, whence the need for the Front to approach this conservative population and to bring to it a message of change.<sup>86</sup>

*Dealing with the world and the region*

Rwanda is a small, landlocked, and extremely dependent country without much of a real economy. Over the post-1994 period, it has relied on international aid for about 25 percent of its GDP and over 50 percent of its budget. And yet, since 1994 it has tackled the rest of the world as if it were a global superpower. Its assertiveness has been based on two pillars: the genocide credit and a strong army.

The major conflict with the international community expressed itself through constant wrangling with the International Criminal Tribunal for Rwanda (ICTR). Rwanda, which in 1994 happened to be a non-permanent member of the UN Security Council, voted against the resolution establishing the ICTR because its Statute did not provide for the death penalty and because its seat was not located in Kigali. However, the real cause for the troubled relations with the ICTR lay in the Rwandan attempts to impose victors' justice on the institution. On 3 November 1999, the ICTR Appeals Chamber rejected the indictment of Jean-Bosco Barayagwiza on procedural grounds and ordered his immediate release. The reaction of Kigali was furious. The Cabinet 'vehemently contested the decision' and argued that 'The Rwandan people cannot tolerate this decision, which was the result of complete incompetence by the prosecution.' If the Appeals Chamber did not reconsider its decision, the government 'would take other measures'.<sup>87</sup> Rwanda suspended its cooperation with the ICTR and increased the pressure by refusing a visa to Prosecutor Del Ponte and preventing witnesses from testifying in Arusha.<sup>88</sup> When she argued the case for review, Del Ponte acknowledged the role

85. International Crisis Group, 'Rwanda at the end of the transition', p. 5. The same report quotes constitutional commission member Jacques Kabale as pointing out that 'the commission has the merit of asking the opinions of an uneducated population', p. 7.

86. RPF, 'Objectifs du Front'.

87. 'Rwanda slams decisions to free Jean-Bosco Barayagwiza' (Hirondelle News Agency, Arusha, 6 November 1999).

88. 'ICTR Prosecutor to ask for review of Appeal Court decision, as Rwanda refuses her a visa' (Hirondelle News Agency, Arusha, 22 November 1999).

played by political pressure: ‘Justice as dispensed by this Tribunal was paralysed. ... Due account has to be taken of the fact that, whether we like it or not, our ability to continue proceedings and investigations depends on the goodwill of the government of Rwanda.’<sup>89</sup> While the ‘new facts’ needed to ground its decision were flimsy, the Appeals Chamber duly revised its earlier ruling on 31 March 2000. The stage was set for – generally successful – attempts by Kigali to interfere in the international judicial process, and Del Ponte herself was to be the main victim.

The relations between the Rwandan government and the ICTR got worse when Del Ponte announced on 4 April 2002 that she hoped to issue the first indictments against RPF suspects before the end of the year. She complained about the lack of cooperation on the part of Rwanda, and added that President Kagame did not honour his promises; as a result, the Office of the Prosecutor (OTP) was forced to conduct its investigations into massacres by the RPF outside of Rwanda.<sup>90</sup> A few days later, ten prosecution witnesses refused to travel to Arusha, thus forcing the Prosecutor to strike them off the witness list. While the reason given for this refusal to cooperate was the treatment of witnesses, the Prosecutor stated that ‘the true reason is to be found elsewhere. ... We have good reasons to believe that powerful elements within Rwanda strongly oppose the investigation ... of crimes allegedly committed by members of the RPF in 1994.’<sup>91</sup> In her report of 24 July 2002 to the UN Security Council, Del Ponte denounced the lack of cooperation by the Rwandan authorities. On the same day, Rwandan Prosecutor General Gérard Gahima questioned the usefulness of the ICTR and rejected any idea of prosecuting RPF suspects: the RPA saved the nation and any attempt to indict one of its officers would be tantamount to an attack against the nation’s unity.<sup>92</sup>

By the end of 2002, the Rwandan government had decided that Del Ponte had to go, and it increased the pressure. In late November, it announced that Del Ponte ‘has lost the moral authority to prosecute cases linked to the genocide’<sup>93</sup> and on 12 December asked that she be removed. Del Ponte later recalled that during a conversation with Kagame at the end of 2002, he told her, ‘as if he was giving an order’, to limit herself to the genocide and to leave it to his government to deal with the soldiers: ‘Your work creates political problems for me and will destabilise the

89. ‘UN Prosecutor says Appeal Court decision on Barayagwiza violated victims’ rights’ (Hirondelle News Agency, Arusha, 22 February 2000).

90. Chris McGreal, ‘Genocide Tribunal ready to indict first Tutsis: Rwanda is blocking investigations of former rebels despite pledges, Prosecutor says’, *The Guardian*, 5 April 2002.

91. ‘UN Prosecutor rallies UK support’ (Hirondelle News Agency, Arusha, 3 December 2002).

92. ‘Rwanda questions usefulness of UN genocide court’ (Report from the UN, Reuters, 24 July 2002).

93. Gouvernement du Rwanda, ‘*Communiqué de presse*’ (Kigali, 21 November 2002).

country.<sup>94</sup> As the press relayed information that the OTP signed a US-brokered agreement with the Rwandan government renouncing further investigation of RPF abuse, Del Ponte's spokesperson stated on 1 July 2003 that the investigations continued and that 'the Prosecutor cannot conclude any agreement with any government whatsoever, in contradiction to its mandate'.<sup>95</sup> A few weeks later, the OTP claimed that Rwanda was exercising discreet pressures on the UN Security Council not to renew Del Ponte's mandate, which was due to expire in September. Her spokesperson stated that 'the objective is to prevent the Prosecutor from investigating crimes possibly committed by members of the RPA'.<sup>96</sup> On 29 July the UN Secretary-General, with the support of Kigali's allies in the US and the UK, proposed to appoint another Prosecutor for the ICTR. The Security Council endorsed the proposal, and Rwanda finally got rid of Del Ponte.<sup>97</sup> Her successor, Gambian judge Hassan Bubarac Jallow, abandoned the investigations against RPF/RPA suspects.

The regime also engaged in open warfare with other international players, sometimes even with its own backers. Particularly from 2002 on, Kagame became increasingly irritated by criticism, while feeling limited in his response by Rwanda's dependency on aid. In August 2002, he insisted that 'Rwandans must stop being dependent' on the international community, whose attitude 'that compounds our problems emerge[s] from indifference, ignorance and malice'. This came just after the USA, unhappy with the RPA's involvement in the DRC, blocked a disbursement in the context of Rwanda's Poverty Reduction and Growth Facility with the IMF. Without specifically mentioning Washington, Kagame stated that 'there may be abuse by some board members of these institutions (IMF, World Bank)' and he complained about the 'injustices perpetuated by some of the big powers'.<sup>98</sup> A month later, Belgium was lectured in less diplomatic terms after Foreign Minister Louis Michel told a newspaper that 'the exceptional situation (of Rwanda) as a result of the 1994 genocide should not be eternally translated in lack of democracy'.<sup>99</sup>

94. Quoted in 'I was sacked as Rwanda genocide prosecutor for challenging President, says Del Ponte', *The Guardian*, 13 September 2003.

95. 'Le TPIR n'a pas renoncé à poursuivre les membres de l'APR, selon un porte-parole' (Hirondelle News Agency, Arusha, 1 July 2003).

96. 'Le Rwanda veut écarter Mme Del Ponte de son poste de procureur (porte-parole)' (AFP, The Hague, 24 July 2003).

97. This shameful saga is detailed in Carla Del Ponte, *La Caccia. Io e i criminali di guerra* (Feltrinelli Editore, Milan, 2008), pp. 236–53 and Florence Hartmann, *Paix et châtement: les guerres secrètes de la politique et de la justice internationales* (Flammarion, Paris, 2007), pp. 262–77.

98. Speech at the opening of the Rwanda National Security Workshop with Civil Society, Kigali, 8 August 2002.

99. 'Le ministre belge des Affaires étrangères explique sa méthode', *Le Soir* (Brussels), 31 August 2002.

Rwandan government spokesman Joseph Bideri reacted: 'Rwanda has nothing to learn about democracy from Louis Michel or Belgium. ... Democracy is proceeding in Rwanda, fortunately without the contribution of Belgium. ... If Mr Michel is in search of colonies, Rwanda should be the last of his centres of interest.'<sup>100</sup>

Donors' suggestions that Rwanda should engage in negotiations with the (armed) opposition met with robust reactions. In early 1998, the Japanese ambassador encouraged the government to 'forget hatred, distrust and pride', so that 'the fighting may cease and negotiations may begin'. The response was immediate. On 29 January, Minister of Foreign Affairs Anastase Gasana stated that he was 'surprised to hear the ambassador of a country friendly towards Rwanda ... request negotiations with criminal groups, which should be brought before the courts', adding that 'given the historical heritage of Japan, it is regrettable that Mr Shinsuke proposes negotiations with the forces of genocide'.<sup>101</sup> Four days after this diatribe, the Japanese government announced that 'it did not speak out in favour of a negotiation between Rwanda and the rebels'; it had been a 'misunderstanding'.<sup>102</sup> When in April 2008 Belgian Foreign Minister Karel de Gucht advocated a dialogue with the FDLR, the reaction was equally furious. Foreign Minister Museminali stated that 'this declaration by a Belgian official is scandalous ... and of a nature that could feed another diplomatic scandal',<sup>103</sup> probably a reference to the severing of relations with France in late 2006 (see below).

Analyses by international donor agencies that did not fit the government discourse were aggressively suppressed. An expensive multi-country study launched by the World Bank in 2005 sought to collect data on determinants of movement out of poverty; it included observations of participatory decision making at local and national levels. Six months into the study, the Rwandan security forces seized at least half of the data because 'genocide ideology' was present in the study's design and content, and Rwandan and foreign researchers were questioned by the police. The World Bank was forced to destroy all data and to abandon the research project altogether.<sup>104</sup> In August 2007 the UNDP published a National Human Development Report on Rwanda<sup>105</sup> that contained a

100. AFP, Kigali, 11 September 2002.

101. AFP, Kigali, 29 January 1998.

102. AFP, Kigali, 4 February 1998.

103. 'Rwanda: Kigali critique la proposition belge de médiation avec les FDLR' (Panapress, Kigali, 30 April 2008).

104. For more details, see Bert Ingelaere, 'Do we understand life after genocide? Center and periphery in the construction of knowledge in postgenocide Rwanda', *African Studies Review* 53, 1 (2010), pp. 49–50.

105. UNDP, 'Turning Vision 2020 into reality: from recovery to sustainable human development' (UNDP, 2007).

number of observations critical of government policy. The report was rejected by the Cabinet, which asked the Minister of Finance and Economic Planning, James Musoni, to refute it officially. Musoni, however, had been chairman of the steering committee that oversaw the drafting, and had signed the foreword to the report. He claimed that he only saw a draft and blamed 'the inaccuracies ... on additional interpretations by the author'. Regarding the Swedish main author and a Rwandan university lecturer involved in the process, Musoni added: 'We have blacklisted them and won't associate them in any business.'<sup>106</sup> The UNDP was forced to issue a five-page 'Addendum-Corrigendum', which contained 28 points in which 'inaccuracies' were put right. When, in May 2006, the World Food Programme stated that almost 300,000 Rwandans needed urgent humanitarian assistance in response to famine, the government strongly dismissed the assessment, describing it as 'mere fabrication, opportunistic and serving selfish interests. ... WFP's claims are just politics intended to achieve nothing but to destroy the country. ... They are just looking for assistance on our behalf to keep them operating in the country.'<sup>107</sup> A few days later, the world march against hunger, organized worldwide by the WFP, was cancelled in Kigali 'for unclear reasons'.<sup>108</sup>

The most intense conflict was with France, an ally of the former regime and accused by the RPF of active involvement in the genocide. Accusations remained vague and the dispute was diffuse until on 10 March 2004 *Le Monde* published elements from a French judicial inquiry into the downing of President Habyarimana's plane, an attack that triggered the genocide. As the investigation pointed an accusing finger toward the RPF and even Kagame in person, the reaction was swift. Minister of Foreign Affairs Charles Murigande issued a 'categorical denial' and announced the line of defence Rwanda was to adopt systematically: 'These allegations must be placed in a certain context: everyone knows well the role France has played in the Rwandan genocide. ... It is France which has trained the genocidal army and the militias that have committed genocide.'<sup>109</sup> In an interview with Radio France International on 16 March, Kagame damaged relations further by stating that France

106. 'I never read UN report before launch – Musoni', *The New Times (Kigali)*, 24 August 2007.

107. 'Hunger: government refutes WFP claims', *The New Times (Kigali)*, 14 May 2006. Interestingly, during the same period, the Burundian government recognized the problem in a region that straddles both countries, and requested international assistance for famine victims. 'Nkurunziza urges Burundians to assist famine victims' (PANA, Bujumbura, 20 February 2006).

108. 'Report d'une manifestation du PAM à Kigali contre la faim' (PANA, Kigali, 22 May 2006).

109. AFP (Brussels, 10 March 2004).

had offered weapons and training to those guilty of genocide.<sup>110</sup> During the tenth commemoration ceremony in Kigali on 7 April, he denounced the 'shameful attitude' of the international community and lashed out again at France: '[The French] have knowingly trained and armed the soldiers and militiamen who were about to commit genocide, and they knew that they were going to commit genocide.' Directly addressing the French Vice-Minister of Foreign Affairs who was present at the ceremony, Kagame said that the French 'have the audacity to stay here without apologizing'.<sup>111</sup>

When, in November 2006, French judge Bruguière issued arrest warrants against nine Rwandan officers suspected of having been involved in the attack against the presidential plane, Kigali immediately broke off diplomatic relations with France and opened two backfires in the form of so-called 'independent' commissions of inquiry. The report of the first, known as the 'Mucyo Commission',<sup>112</sup> which was made public on 5 August 2008, 'found' that France had been actively engaged in the genocide, both before and while it took place. As the name of the commission 'entrusted with the task of collecting evidence of the implication of the French state' showed, it had a clear mission which it did not however accomplish in a convincing fashion, as the report was replete with unlikelihoods, doubtful testimonies, and at least one forged document. The second report, made by the 'Mutsinzi Committee', was published on 11 January 2010.<sup>113</sup> It attempted to show that the presidential plane was not taken down by the RPF but by Hutu military, and it was even less convincing than the previous one.<sup>114</sup> In the meantime, the regime played hardball with regard to the French judicial inquiry. Rose Kabuye, the chief of protocol at the President's office, was one of the officers against whom an arrest warrant was issued. Knowing that she would be arrested, she was sent on a mission to Germany, where she was duly apprehended on 9 November 2008<sup>115</sup> and transferred to Paris. After she was indicted,

110. Reuters (Kigali, 16 March 2004).

111. 'France blamed as Rwanda marks genocide date', *The Guardian*, 8 April 2004.

112. République du Rwanda, Commission nationale indépendante chargée de rassembler les preuves montrant l'implication de l'Etat français dans le génocide perpétré au Rwanda en 1994, '*Rapport final*' (Kigali, 15 November 2007).

113. Republic of Rwanda, Independent Committee of experts charged with investigation into the crash on 6 April 1994 of the Falcon 50 Aeroplane, registration number 9XR-NN, 'Report of the investigation into the causes and circumstances of and responsibility for the attack of 06/04/1994 against the Falcon 50 Rwandan Presidential Aeroplane, Registration number 9XR-NN' (Kigali, 20 April 2009).

114. See Filip Reyntjens, 'A fake inquiry on a major event: analysis of the Mutsinzi report on the 6th April 1994 attack on the Rwandan President's aeroplane' (IOB Working Paper 2010-7, Institute of Development Policy and Management, Antwerp, 2010).

115. The Rwandan government immediately retaliated by expelling the German ambassador in Kigali and by recalling the Rwandan ambassador in Berlin. However Germany had not done anything but act upon a European arrest warrant.

she (and Rwandan intelligence) gained access to the Bruguière file, which came in handy at the time the Mutsinzi report was being drafted. The paradoxical outcome of this saga was that France and Rwanda restored diplomatic relations.

Besides the ICTR and France, Spain too was attacked over a delicate judicial file. After Spanish judge Andreu Merelles issued arrest warrants on 6 February 2008 against 40 officers of the RDF over both the killing of Spanish nationals and crimes against humanity committed in Rwanda and the DRC, the reaction was swift and furious. In a communiqué dated 9 February, the Foreign Ministry stated that Andreu Merelles based his decision on information provided by ‘well-known detractors of Rwanda’, without specifying who these were. ‘[H]is so-called judicial file is full of hate and racist language, genocide denial and absolute falsehoods [and] an unacceptable attempt to rewrite and confuse history for political expediency’.<sup>116</sup> On the same day, Justice Minister Karugarama stated that this ‘racist and negationist document ... should be treated with the contempt it deserves’ and that it was ‘the result of coordinated efforts between negative forces and genocide suspects still at large, bent on destabilizing the country’,<sup>117</sup> again without offering any specification. Parliament followed suit: accusing Andreu Merelles of ‘judicial terrorism’, it urged the government to prosecute him for ‘negationism’.<sup>118</sup> Kagame too did not mince his words. Denouncing the ‘arrogance’ of the Spanish judge, he said that ‘If I met him, I would tell him to go to hell.’<sup>119</sup>

While it tackled the international community aggressively, Rwanda developed into a regional powerhouse. It twice invaded Zaïre/DRC, where it supported proxy rebel movements and committed massive war crimes and crimes against humanity, and it came close to waging a full war with its former ally Uganda.<sup>120</sup> Despite being a small and poor country, Rwanda developed an extraordinary degree of military, political, and economic control over its huge (but weak) western neighbour, and it shamelessly lied about its involvement. In January 1997, when Belgium stated publicly what everyone knew, namely that thousands of Rwandan soldiers were deployed in Zaïre, presidential adviser Claude Dusaidi reacted: ‘I believe that Belgium has gone senile.... It looks like they don’t know

116. Republic of Rwanda, Ministry of Foreign Affairs and Cooperation, ‘Rwanda government reaction to the Spanish judge indictments’ (Kigali, 9 February 2008).

117. ‘Karugarama accuses judge of snubbing international law’, *The New Times (Kigali)*, 9 February 2008.

118. ‘Sue Spanish judge, parties urge government’, *The New Times (Kigali)*, 25 February 2008.

119. ‘Rwanda’s Kagame blasts Spanish genocide indictments’ (Reuters, Kigali, 1 April 2008).

120. See Filip Reyntjens, *The Great African War: Congo and regional geopolitics, 1996–2006* (Cambridge University Press, New York, NY, 2009).



where the borders are, nor do they distinguish between Zairians and Rwandans.<sup>121</sup> Many more denials were to follow, but they sounded very hollow since Kagame himself unveiled the public secret in an interview with the *Washington Post*. Claiming regional leadership, he said that ‘the Rwandan government planned and directed the rebellion’, that ‘Rwandan forces participated in the capture of at least four cities’ and that ‘Rwanda provided training and arms for the (rebel) forces even before the campaign to overthrow Marshal Mobutu began last October’. Kagame added that it would have been ‘more suitable if Congolese rebels had done most of the fighting’, but they were not ‘fully prepared to carry it out alone’.<sup>122</sup>

Rwanda’s regional ambitions were made explicit early on. During a mid-1997 meeting in Brussels, RPF general secretary Denis Polisi stated that Rwanda had become a ‘master piece’ and that ‘henceforth nothing can be done (in the region) without passing by Rwanda’, adding that ‘Rwanda has just solved the problem of Zaïre and is getting ready to solve other problems in the region’.<sup>123</sup> One of the RPF’s ideologues, Privat Rutazibwa, referring to the nickname ‘Soldiers without borders’ given to the RPA by the Congolese, wrote that ‘the freedom fighters should have no borders, as long as there are still retrograde ideologies and oppressive regimes on this continent’, and he underlined ‘the stabilizing role of the new Rwanda throughout the region’.<sup>124</sup> He published these lines just weeks after Rwanda invaded the DRC a second time, while Kigali again denied its presence there. What were seen as hegemonic ambitions inspired fear in neighbouring countries. On 28 August 2001, Ugandan President Museveni wrote a letter to the UK Secretary of State for International Development Clare Short explaining why he needed to increase defence spending: ‘We have no doubts that Rwanda is planning aggression against us either using proxies or, even, directly.’ Referring to the size of the Rwandan army, he added that ‘It is possible this level of manpower gives them the arrogance to think that they can interfere in the internal affairs of Uganda.’<sup>125</sup> The arrogance that so infuriated Museveni explains the condescending and scornful way in which RPA Chief of Staff James Kabarebe described Congolese President Joseph Kabila:

121. AFP (Nairobi, 29 January 1997).

122. John Pomfret, ‘Defence Minister says arms, troops supplied for anti-Mobutu drive’, *Washington Post*, 9 July 1997.

123. Meeting with the Rwandan community, Brussels, 15 June 1997 (based on notes taken by two persons present).

124. Privat Rutazibwa, ‘Crises des Grands Lacs: la solution viendra du Rwanda’ (ARI/RNA, No. 104, Kigali, 20–26 August 1998).

125. Bernard Leloup, ‘Les rébellions congolaises et leurs parrains dans l’ordre politique régional’ in Filip Reyntjens and Stefaan Marysse (eds), *L’Afrique des grands lacs. Annuaire 2001–2002* (L’Harmattan, Paris, 2002), pp. 83–4.

Joseph has always found it very difficult to adapt himself to the life of a soldier. This was clear during the exchange of fire. He didn't know what to do. I have taught him everything. ... (Laurent) Kabila insisted [that Kabarebe became Chief of Staff of the Congolese army], arguing that his son Joseph did not have a sufficient background. ... While Laurent-Désiré Kabila was a cheater, his son is timid. He is incapable of looking people in their face. I have never seen in him the slightest ability to command.<sup>126</sup>

### *Managing information, imposing the truth*

With regard to the massacres by the RPA of refugees in Zaïre in 1996–7, Nik Gowing has shown the importance of information management by the Rwandan regime. Without false modesty, Kagame stated that 'We used communication and information warfare better than anyone. We have found a new way of doing things.'<sup>127</sup> One technique, first used in Rwanda and later in Zaïre, was the 'closure of the conflict scene': Kagame confirmed that 'the aim was to let them [the NGOs and the press] continue their work, but deny them what would be dangerous to us'.<sup>128</sup> Intimidation was another tool: 'Kagame does not like NGOs, so he paralyzed them completely and terrorized them. If he did not like what they did with information, he kicked them out.'<sup>129</sup> Likewise, journalists 'knew the Rwandan government could make life unpleasant'.<sup>130</sup> Fear was reinforced by a practice of encouraging leaks and monitoring communications. Thus 'one particular NGO partial to the Rwandan government' would fax sit-reps directly to Kagame's office.<sup>131</sup> A humanitarian agent indicated that 'if the Save the Children person in Bukavu radioed that he had refugees ... then those refugees would be under threat because networks were bugged'.<sup>132</sup> Not content with remaining silent about RPF crimes, some reporters became 'RPF groupies', ready to excuse what they did wrong: one of them recognized that 'journalists and NGOs were in bed with the RPF'.<sup>133</sup> At any rate, the choice was simple: 'The RPA's line was that you are either with the RPA or against them'.<sup>134</sup> Pottier notes that the Kagame's information strategy was 'built

126. *Jeune Afrique/L'Intelligent*, No. 2155–6, 29 April–12 May 2002, quoted by Bernard Leloup, 'Les rébellions congolaises', pp. 95–6.

127. Nik Gowing, 'New challenges and problems for information management in complex emergencies: ominous lessons from the Great Lakes and eastern Zaire in late 1996 and early 1997' (Paper presented at conference on Dispatches from Disaster Zones, Oxford, 28 May 1998), p. 4.

128. *Ibid.*, p. 15.

129. *Ibid.*, p. 22.

130. *Ibid.*, p. 36.

131. *Ibid.*, p. 47.

132. *Ibid.*, p. 50.

133. *Ibid.*, p. 41.

134. *Ibid.*, p. 62.

around denial’;<sup>135</sup> it actually amounted to shameless lying. The RPF’s routine was ‘simple but effective: ban outsiders from the battle zone; delay and frustrate their movements; deny any “rumour” of military excesses; withhold information; apply moral argument by shaming the international community’.<sup>136</sup>

This kind of manipulation was facilitated by the genocide credit the regime astutely maintained and exploited to escape condemnation. It was used as an ideological weapon allowing the RPF to acquire and maintain victim status and to enjoy impunity for its own crimes. Pottier observed that ‘Those who represent the victims of genocide are not to be challenged.’<sup>137</sup> A diplomat interviewed by *Le Monde* in New York acknowledged that ‘any action undertaken against the regime in Kigali is always perceived as offering moral support to those guilty of genocide; it is true that the Rwandan regime is benefiting from this ambivalence, and we know it’.<sup>138</sup> The regime too knew: Minister Patrick Mazimhaka stated that ‘we were (diplomatically) stronger because nobody could argue against us’, while a US diplomat admitted that ‘the Americans were terribly manipulated by this government and now we are almost held hostage by it’.<sup>139</sup>

In 2001, Claudine Vidal analysed the use made of the annual genocide commemorations for propaganda purposes: ‘The ceremonies organized by the regime reveal an inevitable relation of power, first because they capture the silent words of the victims giving them a meaning determined by current goals, and second because they take over the private mourning of the survivors and transform it into a collective mourning in the name of considerations that are not theirs.’<sup>140</sup> She concluded that ‘at every commemoration, those in power have instrumentalized the representation of the genocide in the context of the political conflicts at the time’.<sup>141</sup> Johan Pottier translated this observation into the arena of the regime’s dealing with the international community. The RPF, ‘as Rwanda’s post-genocide spiritual guardian, displays exceptional skill at converting international feelings of guilt and ineptitude into admissions that the Front deserves to have the monopoly on knowledge construction’.<sup>142</sup> The regime ‘convinced the world that they – and they alone – had the right to

135. Johan Pottier, *Re-Imagining Rwanda: Conflict, survival and disinformation in the late twentieth century* (Cambridge University Press, Cambridge, 2002), p. 55.

136. *Ibid.*, p. 58.

137. *Ibid.*, p. 176.

138. *Le Monde*, 26 October 1996.

139. *Washington Post*, 14 July 1998.

140. Claudine Vidal, ‘Les commémorations du génocide au Rwanda’, *Les Temps Modernes* 56, 613 (2001), p. 44.

141. *Ibid.*, p. 45.

142. Johan Pottier, *Re-Imagining Rwanda*, p. 203.

know and determine what was going on in those parts of the Great Lakes region they now controlled', and they achieved this through a strategy based on the 'concept of morality, guilt and punishment'.<sup>143</sup>

Besides its moral high ground, the regime also succeeded in having its flawless narrative swallowed by the donor community because of its decent technocratic governance, with competent and even charming elites articulating an intelligent discourse, exactly the one the international community wished to hear. And yet, behind this façade is a regime that has ruthlessly killed tens if not hundreds of thousands of its own citizens and that has practised political murder on a large scale. Those considered a threat, Hutu and Tutsi alike, were physically eliminated. Jon Swain listed eight persons assassinated by the intelligence services only because of their knowledge of the RPF's role in the downing of former President Habyarimana's plane;<sup>144</sup> scores of others were killed because 'they knew too much'.<sup>145</sup> Assassinations did not spare RPA officers, as soon as their loyalty was in doubt. Ruzibiza described the physical elimination of over twenty military, in addition to several foreigners working in Rwanda who were suspected of having leaked information on RPF abuse.<sup>146</sup> A former Speaker of Parliament and a former government minister who were forced into exile offer chilling and unique behind-the-curtain views of the regime's practices that read like Nero's Rome: parallel hierarchies and channels of decision making; monitoring of telephone and email communications; deceit, lies, threats, and intimidation; setting of traps; corruption and nepotism; denunciation, spreading of rumours, and false accusations; manipulation and concealment.<sup>147</sup> After his departure into exile in early 2010, former Army Chief of Staff General Kayumba Nyamwasa used similar terms to characterize the regime's faults: 'intrigue, treachery, manipulation, and betrayal'.<sup>148</sup>

The monopoly of truth the regime successfully gained extended not just to Rwanda's visions and analyses of current affairs – for instance its democratic credentials, its human rights record, or its involvement in the DRC – but to history generally. In summary, this official history claims that pre-colonial Rwanda had been for centuries a unified, harmonious, and peaceful society and that, inspired by the so-called 'Hamitic

143. *Ibid.*, p. 151.

144. Jon Swain, 'The riddle of the Rwandan assassin's trail', *The Sunday Times*, 4 April 2004.

145. This is the title of a documentary film directed by Julien Elie on the murder in Nairobi of Seth Sendashonga, a former RPF leader: *Celui qui savait* (Alter-Ciné, Montreal, 2001).

146. Ruzibiza, *Rwanda*, pp. 420–41.

147. Sebarenzi, *God Sleeps in Rwanda*; Patrick Habamenshi, *Rwanda, Where Souls Turn to Dust: My journey from exile to legacy* (iUniverse, New York, NY, 2009).

148. 'Gen. Nyamwasa responds to Kagame', *Sunday Monitor* (Kampala), 30 May 2010.

hypothesis',<sup>149</sup> ethnicity was introduced by the Belgian administration and the Catholic Church in the context of a divide and rule policy. The RPF put an end to the genocide that resulted from divisive politics, and restored peace and harmony.<sup>150</sup> However, the leading historian of Rwanda, Jan Vansina, finds 'a whole set of false propositions and assertions'<sup>151</sup> in this narrative:

The linguistic and cultural unity of the country today did not exist in the seventeenth century and Rwanda is not a 'natural' nation. ... Rwanda really became a nation in the twentieth century. ... Formerly, neither abundance nor order flourished in the country and it is false to think that everyone was happy with their station in life and all lived in peace under the shepherd's staff of wise kings. ... The reasons for the elaboration of such erroneous propositions are evident. ... [T]here is the projection of a nostalgic utopia into the past, a past that contrasts with a painful present.<sup>152</sup>

If history did not suit the regime, a new history needed to be constructed. During a scholarly debate in Kigali in 2004 about the nature of the genocide, one foreign academic mentioned the value of different 'truths'. A high-ranking official in the audience immediately demanded the floor to insist: 'There is only one truth and we know it.'<sup>153</sup> The stated aim of an 'international conference' held in Kigali in July 2008 was 'on the one hand, to observe the failure of the human and social sciences that have led to genocide, on the other, the resourcing of the human and social sciences thanks to the efforts of the Rwandans'. The meeting called for 'a new methodology, a new literature, a *new history*'.<sup>154</sup> The regime even succeeded in penetrating international academic publishing to settle scores with critical scholars. A book published in 2008 contains a six-page preface in which President Kagame was not only allowed to put forward his regime's view on Rwanda's past, present, and future, but also to propose a strongly worded rebuttal of a chapter written by Lemarchand in that very book. Lemarchand was said to be 'mistaken', 'simplistic', and 'wrong'; 'The revisionists must receive justice for their crimes against historical truth and the affront of their fraudulent narratives.'<sup>155</sup>

149. Edith R. Sanders, 'The Hamitic hypothesis: its origin and function in time perspective', *Journal of African History* 10, 4 (1969), pp. 521–32.

150. This presentation can be found in many statements and documents. See, for example, National Unity and Reconciliation Commission, *The Rwandan conflict: origin, development, exit strategies* (Study commissioned by the NURC, Kigali, 2004).

151. Jan Vansina, *Antecedents to Modern Rwanda: The Nyiginya Kingdom* (University of Wisconsin Press, Madison, WI, 2004), pp. 197–8.

152. *Ibid.*, pp. 198–9.

153. Human Rights Watch, 'Law and reality', p. 36.

154. 'Rwanda: Apprendre de l'expérience du génocide rwandais' (ARI, Kigali, 23 July 2008), italics added.

155. President P. Kagame, 'Preface', in Phil Clark and Zachary D. Kaufman (eds), *After Genocide: Transitional justice, post-conflict reconstruction and reconciliation in Rwanda and beyond* (Hurst, London, 2008), pp. xxi–xxvi.

One particular aspect of imposing the truth served a very concrete project. The RPF vigorously denied the reality of ethnicity, a denial that was an essential element of the hegemonic strategies of a small Tutsi elite. The claim that 'there are no Hutu and Tutsi, but only Banyarwanda' allowed the concealment of domination by Tutsi. When, in the past, Hutu were a majority in public institutions, this was called 'ethnic domination'; however, now that Tutsi were a majority, this became 'meritocracy'. Though obviously denying this, the regime operated in ethnic terms, as evidenced by some telling facts. A calculation made in 2000 showed that about 70 percent of the 169 most important office holders in the country were Tutsi,<sup>156</sup> who make up about 10 percent of the population. A member of an INGO targeted by the government observed the contradiction in the accusations against his organization: 'On one hand you can't talk about ethnic groups, everyone is Rwandan, but then an organization can be raked over the coals for not hiring Tutsi.'<sup>157</sup> A parliamentary report noted that Liprodhor 'never gives an employment contract to a Tutsi' and found that the Mayor of Kanama District 'refused to hire Tutsi'.<sup>158</sup> Former Agriculture Minister Habamenshi recalled that he was summoned by Kagame 'to explain to him how Hutu think'.<sup>159</sup> In 1998, Kagame told US Ambassador Gribbin that Rwanda 'felt honor bound to support [the Banyamulenge mutiny in the DRC] on grounds of ethnic solidarity'.<sup>160</sup> After the RPF's victory, the exiled former speaker of Parliament Joseph Sebarenzi, a Tutsi genocide survivor himself, realized that 'the tables were turned and Hutu felt the same lack of security we Tutsi had felt for so many years'.<sup>161</sup> So the ethnic amnesia<sup>162</sup> preached by the regime only served to veil the fact that rule by a minority of the majority ethnic group was replaced by rule by a minority of the minority ethnic group.

Foreigners may be fooled,<sup>163</sup> but Rwandans know the link between power and truth very well: Ingelaere's respondents said that the origins

156. Filip Reyntjens, 'Rwanda, ten years on: from genocide to dictatorship', *African Affairs* 103, 411 (2004), pp. 177–210, 188–9.

157. Front Line Rwanda, 'Disappearances', p. 90.

158. République du Rwanda, Chambre des députés, 'Rapport de la Commission parlementaire ad hoc créée en date du 20 janvier 2004 chargée d'examiner les tueries perpétrées dans la province de Gikongoro, l'idéologie génocidaire et ceux qui la propagent partout au Rwanda', adopted by the Chamber on 30 June 2004 (unofficial translation from Kinyarwanda).

159. Habamenshi, *Rwanda*, p. 75.

160. Robert E. Gribbin, *In the Aftermath of Genocide: The US role in Rwanda* (iUniverse, New York, NY, 2005), p. 280.

161. Sebarenzi, *God Sleeps in Rwanda*, p. 82.

162. Term coined by René Lemarchand, 'Burundi: The politics of ethnic amnesia' in Helen Fein (ed.), *Genocide Watch* (Yale University Press, New Haven, CT, 1992), pp. 70–86.

163. A former police officer asked to assess the effectiveness of reforms in the justice system told Human Rights Watch: 'You can't understand. You see what's on paper but you

and context of the genocide ‘are already known and that the current government is taking care of the general “Truth” (with capital T) about the past’.<sup>164</sup> Apart from the legal means mentioned earlier, one way of imposing the truth domestically is through the *ingando* or solidarity camps, which van Hoyweghen sees as just one way of socially engineering the entire country. University students were urged in an *ingando* opening session ‘to choose their side and work with or against the government’.<sup>165</sup> That the Rwandans are not fooled shows in Susan Thomson’s experience of ‘re-education’. Her conclusion:

The graduates of these *ingando* camps that I met do not believe in the national unity of the re-imagined past or in the reconciliation of a re-engineered future. Rather, they see the camps and their ideological discourse as efforts to exercise social control over adult Hutu men. Instead of being re-educated, these graduates merely learned new forms of ‘ritualized dissimulation’ and strategic compliance.<sup>166</sup>

Rwanda is by no means the only place and historical circumstance where the construction of truth is the privilege of those in power, nor where the power to say what counts as true is an issue of contemporary politics. However, in today’s Rwanda the use of the instruments of knowledge construction have an extraordinary impact on the relations of those in power with both their own citizens and the outside world. Towards the latter, this allowed the regime to have its own narrative accepted and to silence the challenges to that narrative. Domestically, one truth was imposed, at least in its public expression. Yet James Scott has shown that, beside the public transcript of the powerful, the powerless – in this case most Hutu and many Tutsi – develop a hidden transcript.<sup>167</sup> This insurgent reading of history is invisible, yet very present in people’s minds and private exchanges.

### Conclusion

Rather than summarizing the themes developed in this article, I conclude by highlighting a number of transversal trends that have emerged clearly

don’t know the truth. ... You foreigners are easily tricked.’ Human Rights Watch, ‘*Law and reality*’, p. 44.

164. Bert Ingelaere, ‘Does the truth pass across the fire without burning? Transitional justice and its discontents in Rwanda’s *gacaca* courts’ (IOB Discussion Paper, Antwerp, 2007), p. 29.

165. Saskia van Hoyweghen, ‘The urgency of land and agrarian reform in Rwanda’, *African Affairs* 98, 392 (1999), pp. 353–72, p. 366.

166. Susan Thomson, ‘Getting re-educated in Rwanda’s solidarity camps’ in Scott Straus and Lars Waldorf (eds), *Reconstructing Rwanda: State building and human rights after mass violence* (Wisconsin University Press, Madison, WI, forthcoming).

167. James C. Scott, *Domination and the Arts of Resistance: Hidden transcripts* (Yale University Press, New Haven, CT, 1992).

over the past fifteen years. Prominent among these is the incremental way in which the RPF has monopolized power and eliminated countervailing voices. This piecemeal approach has allowed the regime to avoid condemnation by the international community, which was faced by steps considered, each on its own, to be too small to warrant a robust response. The RPF explored the limits of tolerance, and it realized there were none; so it crossed one Rubicon after the other. Referring to opponents, Kagame once said that a barrel can be emptied with a coffee spoon, and this also holds true for his dealings with the international community. Having eliminated individual domestic and external troublemakers one at a time, he had neutralized the political opposition by 2003, and civil society by 2004; between 2001 and 2010, the manipulation of elections allowed him to confer a layer of democratic legitimacy on what was in reality the gradual closing off of political space; the introduction of legal instruments allowed his regime to tighten its grip. This piecemeal approach, coupled with the regime's moral high ground, kept the international community in a constant waiting mood. It hoped things would improve, but they kept worsening to a point of no return, as its hesitant and confusing responses only emboldened the RPF. Front Line summarized the effects of international tolerance as follows:

The donor community gave Rwanda about \$7 million to hold superficially democratic elections [in 2003], but then turned a blind eye to the widespread fraud, intimidation, and human rights violations committed by the RPF to ensure its election victory – even though those problems were thoroughly documented and reported by the European Union's own election observer mission. If donors were unwilling to cry foul over flawed elections that they helped finance, the Rwandan Government clearly calculated that it did not have much to fear from donors when it came time to suppress human rights defenders.<sup>168</sup>

A second trend is the extraordinary sense of entitlement displayed by the RPF. The combination of its having defeated the forces of genocide, its efficient and cynical exploitation of international feelings of guilt and ineptitude, and its regional military might allowed it to tackle unsympathetic voices aggressively and with arrogance. Strongly worded, indeed intimidating statements reduced to silence many of those who might otherwise have spoken out. This assertive and proactive behaviour has allowed the regime to escape judicial scrutiny both by the ICTR and the justice systems of third countries. Though coming from a small and very poor and aid-dependent country, it has also served to avoid condemnation of the regime's human rights record, its poor democratic credentials, its dangerously flawed political governance, and its aggressive behaviour in the region. The major instrument for achieving this tolerance has been

168. Front Line Rwanda, 'Disappearances', pp. 98–9.



the skilful and cynical use of the genocide credit, which allowed the regime both to capitalize on the guilt feelings of the international community and to present itself as the victim of genocide. As a matter of fact, the RPF did not have much of a choice. While Straus and Waldorf point to a number of reasons why the regime chose the path it did,<sup>169</sup> the most important one is that the RPF would simply lose power if it accepted a competitive political system.

Strong information management is the third thread. The regime's performance in this field may well be traceable to the intelligence background and experience of some of the RPF's military leaders, including Kagame himself, who was the head of military intelligence in Museveni's National Resistance Army (NRA) until 1990. Monitoring and disseminating information is part of a strategy for both external and internal consumption. Externally, the RPF has successfully cordoned off the arenas of massive human rights abuse in Rwanda and the DRC and imposed a monopoly on the reading of history. In combination with the moral high ground achieved through the genocide credit, this has made the regime nearly unchallengeable for the international community. Domestically, the RPF has decreed one single truth and devised instruments (legislation, intimidation, 're-education', silencing alternative voices) to avoid its being challenged, at least publicly. By doing so, it has privileged the public transcript of the powerful, but failed to eliminate the hidden transcript of the oppressed. In all likelihood, in the privacy of their homes, in discreet conversations, and in the body language that accompanies their silence, the powerless construct *their* truth, which may well be more radical than the RPF believes. In Rwanda as in some other places, history is a highly political stake of the present and the future rather than a way of analysing and understanding the past. Its manipulation contributes to the structural violence so prevalent, yet apparently so invisible to outsiders.

The so-called international community bears overwhelming responsibility in allowing the RPF to deploy its skills successfully. It has been a willing hostage to Kigali's spin, whether it be on political governance and human rights, on massive violations of international humanitarian law, on the aggression and plunder of the DRC, on its dangerous social and economic engineering exercise, or on the way it has injected structural violence across the country and the region. This tolerance was visible

169. They identify five critical factors: institutional legacy (the ancient roots of Rwandan political culture and institutions include strong state-centred social control); the regime's pathway to power (its military and ideological background); the terms of settlement of the conflict (the RPF came to power with a relatively free hand); the base of political support (which is narrow and still narrowing); and the international environment (the permissive international community). Scott Straus and Lars Waldorf, 'Introduction: seeing like a post-conflict state' in Straus and Waldorf (eds), *Reconstructing Rwanda*.

from the early days after the RPF seized power. At a donors' roundtable in Geneva in January 1995, almost US\$600 million of aid money was pledged. The failure to tie the pledges to improvements in a rapidly deteriorating human rights situation may well have persuaded the regime that it could act without restraint, and that impunity was assured. This feeling could only be reinforced when reactions were muted, to say the least, after the RPA massacred thousands of IDPs in Kibeho camp in April 1995, after the Prime Minister and two other ministers left the government 'of national unity' in disgust in August 1995, after scores of Hutu officials were killed or went into exile throughout 1995, or after Rwanda invaded Zaïre for the first time in the fall of 1996 and committed massive atrocities there. Under these circumstances, the moment soon came when dialogue was futile, and the Rwandan showcase reached a point of no return. Peter Uvin's judgement is severe: 'In the case of post-genocide Rwanda, those who provide significant budgetary support claim to do so as part of a deliberate and respectful strategy in which both sides dialogue to produce a long-term political and economic vision for the future. ... In practice, the Rwandan side gains greater power, partly because no one in annual monitoring exercises wants to rock the boat and undermine the nice setup.'<sup>170</sup>

170. Peter Uvin, *Human Rights and Development* (Kumarian Press, Bloomfield, CT, 2004), pp. 116–17.