

An Incomplete Peace: Justice, Identity, and Forgiveness in the  
Rwandan Tutsi Diaspora

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In the span of just 100 days between the months of April and July 1994, the Rwandan genocide claimed the lives of an estimated 800,000 civilians via a campaign of merciless killing orchestrated and executed by Hutu extremist soldiers, police, and militia. While the killing of Rwandan President Juvenal Habyarimana on April 6, 1994 served as the immediate catalyst for the Hutu government-sanctioned mass slaughter of Tutsis and moderate Hutus, the genocide was the ultimate result of a century of tension between Rwandan Hutus and Tutsis stemming from each party's respective struggle against the other for political and social power. As a result of this history of intergroup hostility, as well as a concerted mobilization effort on the part of military and government officials, most of the killings during the genocide were committed by citizens, the majority of whom had no prior history of committing lethal violence (Straus, 2006).

The path to reconciliation in the years following the Rwandan genocide posed a massive challenge to the Rwandan government: how could justice be completely and correctly delivered when so many thousands of citizens were perpetrators and so many more thousands were victims? To facilitate this arduous legal undertaking, the national government called for the institution of a community-based genocide court system spanning the entire nation, based on the ad-hoc traditional mediation practice of *gacaca* that had been utilized in Rwandan communities for decades to settle low-level local disputes ("The Justice and Reconciliation Process"). Almost 2 million cases of genocide-related crimes were tried in approximately 12,000 *gacaca* courts between the years of 2002, when the first trial-stage court was established, and 2012, when the courts officially closed (Human Rights Watch, 2019). The courts were hybrid restorative-retributive in nature, meting out sentences for individuals convicted of genocidal acts while also leaving room for community dialogue, the establishment of a shared narrative of the

events of the genocide, and the opportunity for perpetrators to offer apologies to survivors and for survivors to extend forgiveness to perpetrators (Hazan et al, 2010).

The legacy of gacaca is somewhat mixed among survivors and perpetrators alike—while many participants felt as if taking part in the process was constructive and helped them personally heal from the trauma of the genocide, others felt as if the courts exacerbated tensions within communities and did little to help heal those affected by the genocide. In addition, research undertaken over the course of gacaca’s proceedings has found that the majority of those involved did not believe the veracity of the claims of others involved, either believing that perpetrators falsely claimed innocence or that survivors made false accusations. This doubt calls into question whether gacaca achieved its restorative end as wholly as it achieved its retributive one, and specifically whether true forgiveness of Hutu perpetrators on the part of Tutsi survivors could be achieved in such a system. Forgiveness is defined by Ervin Staub, a notable contributor to the fields of mass violence and genocide psychology, as “letting go of anger and the desire for revenge” and “moving away from an identity as a victim” (Staub et al, 2005, p. 301). Forgiveness is regarded as a fundamental element in post-atrocity reconciliation processes, especially those with an ethnic dimension, and Staub asserts it must be achieved before widespread reconciliation can be (Worthington, 2006).

Abundant literature has been produced evaluating gacaca’s level of success in repairing relations between perpetrators and survivors of the genocide within Rwanda. However, a metric of the system’s success that scholars have heretofore neglected is its impact on diaspora populations. During the events of the genocide and in the years following 1994, tens of thousands of Rwandan Tutsis emigrated from the nation, the vast majority of these individuals being survivors and their descendants. As of 2020, there are nearly 600,000 members of the

Rwandan diaspora worldwide (both Hutu and Tutsi combined), equivalent to roughly 5 percent of Rwanda's total population (European Union Global Diaspora Facility, 2020). The diaspora is fractured along fault lines such as political allegiance, disparate accounts of the genocide's events, and, in a more subliminal and less overt sense, ethnicity, rendering the reconciliation process similarly relevant and potentially beneficial to them as it is to domestic Rwandans (Basabose, 2017).

The Rwandan government has dedicated structures to facilitating diaspora engagement since the early 2000s (European Union Global Diaspora Facility, 2021). Its official guiding framework for integrating diaspora communities into national development, passed in 2009, has three pillars: (1) fostering cohesion of the diaspora, (2) assuring that Rwandans in diaspora are "equipped with accurate information about their nation", and (3) giving diaspora populations a significant role in the socioeconomic development of Rwanda (ibid). The government has extended several reconciliation initiatives to the diaspora, especially to those who are politically neutral or sympathetic towards Paul Kagame's administration. However, diaspora policies across the board, whether development- or reconciliation-focused, are extractive, aiming to encourage contribution to the improvement of Rwanda on the part of diaspora members rather than ameliorate conditions in diaspora communities (Basabose).

Because Rwandans in diaspora are far removed from the domestic reconciliation process and initiatives such as gacaca that facilitated it in the post-genocide years, and because there are no reconciliation initiatives aimed specifically at promoting forgiveness within the diaspora, it becomes important to ask whether domestic transitional justice mechanisms such as gacaca had a diffuse reconciliatory effect across Rwandan populations living outside the country. Tutsi diaspora members face the same choice of whether to forgive their transgressors that their

non-diaspora counterparts do but were deprived of the communal dialogue spaces and compulsory reckoning with the past that gacaca created for domestic Tutsis. However, they still maintain an indelible connection to the events of the genocide despite their temporal and geographic removal from these events, which begs the question of whether transitional justice mechanisms in the aftermath of the genocide similarly maintain their influence across distance and time.

This study's research questions, therefore, are as follows: *How has the legacy of gacaca impacted the Rwandan Tutsi diaspora's process of forgiveness towards Rwandan Hutus? Furthermore, what role does ethnic identity play in forgiveness and the achievement of post-genocide reconciliation among members of the diaspora?* This study argues that gacaca proceedings did in fact sow seeds of forgiveness in the diaspora population and bestow upon Tutsi diaspora populations a responsibility to forgive perpetrators of their own volition. However, the proceedings also invariably conflated Tutsi ethnicity with victimhood among survivors, potentially limiting the realization of sustainable reconciliation throughout the diaspora population due to the way this conflation imperils other essential elements of post-conflict reconciliation such as truth and justice.

This research has several significant practical and academic implications. Because the great majority of Tutsis located in Rwanda in the spring or summer of 1994 were aggressed upon by a Hutu, either military or civilian, during the genocide, almost every surviving Rwandan Tutsi has at least one individual who has committed violence against them, their community members, or their family members who they must determine whether, or to what degree, to forgive. The aggregation of these individual choices determines the ultimate course of reconciliation in the Rwandan population at large, as dimensions of reconciliation such as mercy and peace

necessarily develop from the individual up to the societal level and can be facilitated by top-down institutions but not mandated by them (Lederach, 1997). Understanding the way post-conflict transitional justice practices can affect the process of mass forgiveness has significant generalizability for violent ethnic conflict as a whole, especially in societies that have experienced widespread and traumatic violence necessitating the extension of forgiveness from one side to the other or in both directions.

Secondly, it is widely acknowledged by scholars that diasporas have enormous capacities to play constructive roles in post-conflict peace processes, particularly in Sub-Saharan African contexts (Freitas, 2012). In the case of Rwanda, however, it is also widely acknowledged that the diaspora community has been generally neglected in the formulation of reconciliation measures (Basabose) and that “the traumatic legacy of the 1994 genocide has created deep divisions among Rwandan diaspora groups” (European Union Global Diaspora Facility, 2021). Diaspora populations can also fuel or intensify conflicts in their homelands—for instance, by providing financial or political support to belligerents (Mariani et al, 2018). In the Rwandan case, diaspora populations in neighboring Great Lakes countries have historically been extremely consequential in fueling the domestic Hutu-Tutsi conflict. The Tutsi Rwandan Patriotic Front, which invaded the nation in 1990 and sparked the civil war that eventually culminated in the genocide, was founded by Rwandan refugees in Uganda; additionally, Hutu refugees from Burundi living in southern Rwanda served as prime recruits for the Interahamwe, the Hutu extremist militia group responsible for some of the worst episodes of the genocide (United States Holocaust Memorial Museum). The study of diaspora mobilization in reconciliation processes has heretofore centered around the ways in which diaspora communities can contribute to domestic reconciliation but has unveiled little on how domestic reconciliation efforts affect diasporas. Therefore, it seems

natural that scholars should aim to assess reconciliatory progress within the Rwandan diaspora itself to more accurately predict its eventual effects on social conditions in the homeland and inform future reconciliation policy.

Ultimately, this research fills a gap in the literature connecting several scholarly conversations relating to post-genocide Rwanda. There exists a large base of scholarly literature concerning transitional justice practices and post-conflict reconciliation in general, as well as ample literature on post-genocide Rwandan society. Within the study of post-genocide Rwandan society, many subfields of literature exist—the three that are most relevant to this study are Tutsi forgiveness of Hutus, studies of the gacaca court system, and post-genocide reconciliation among members of the Rwandan diaspora. Therefore, my literature review proceeds in a general-to-specific thematic order, first covering forgiveness as part of post-conflict reconciliation and then proceeding to the three more specific topics of Tutsi forgiveness towards Hutus, the legacy of gacaca, and post-genocide reconciliation in the Rwandan diaspora. The intersection of these three subfields is the gap in the literature that this study aims to fill.

## **Literature Review**

### *Forgiveness in the Context of Reconciliation*

The process of reconciliation in post-conflict societies was incorporated under the umbrella of peacebuilding by multiple scholars in the 1990s as the field grew to encompass the entire range of processes, approaches, and practices necessary for developing peaceful relationships within a society experiencing division or conflict (Morris, 2013). Lederach asserted in 1997 that reconciliation is the sum of truth, justice, mercy, and peace (with forgiveness categorized within mercy), and that it necessarily involves confronting the paradox of

understanding a painful past to facilitate an interdependent future between antagonists. Several years later, Hamber and Kelly articulated the inclusion of reconciliation within peacebuilding as a “necessary process following conflict”, but one that “is a voluntary act and cannot be imposed” (Hamber and Kelly, 2004), producing a definition of reconciliation that covers not only *what* reconciliation is but *how* reconciliation is (or is not) to be accomplished.

The specific feature of reconciliation most relevant to this study is forgiveness. Staub et al define forgiveness as “letting go of anger and the desire for revenge” and “moving away from an identity as a victim” (Staub et al, 2005, p. 301). They assert that while forgiveness and reconciliation are closely linked, the former does not always engender the latter, maintaining that forgiveness is more likely to facilitate reconciliation if it is extended in response to an acknowledgement of wrongdoing by perpetrators and an apology for their actions—they term this condition “optimal forgiveness” (ibid). Worthington, however, asserts that “forgiveness is fundamental to guarantee successful reconciliation processes in identity conflicts” (2006, p. 57), insinuating that in the Rwandan context, forgiveness of perpetrators on the part of survivors must first exist for reconciliation to succeed.

Auerbach’s concept of the “reconciliation pyramid” provides some clarity to this debate and puts forth the idea that forgiveness and reconciliation might be too endogenous to ascribe a cause-and-effect relationship to. She asserts that reconciliation can be divided into seven stages and that forgiveness succeeds the penultimate step of perpetrator apology after the completion of multiple steps regarding acknowledgement of disparate narratives and assumption of responsibility for wrongdoing (Auerbach, 2009). This suggests that forgiveness is not so much a catalyst of reconciliation as it is a byproduct of correct execution of reconciliation processes. Like Staub et al, Auerbach also suggests that multiple social conditions mostly centering around



truth and justice must precede the onset of forgiveness. Echoing Auerbach in their article on the effectiveness of post-genocide healing workshops in Rwanda, Ordóñez-Carabaño and Prieto-Ursúa state: “It is only after speaking about truth and justice that it is appropriate to speak about forgiveness” (2021, p. 430).

### *Rwandan Hutu-Tutsi Conflict*

Before delving into literature concerning the dynamic between Rwandan Hutus and Tutsis, it is imperative to establish the relevance of ethnic identity to questions of reconciliation in post-conflict societies. Over the course of protracted intergroup interaction, historical events and struggles become incorporated as aspects of each group’s identity, and trauma from prior outbreaks of intergroup violence can root itself in the collective memory of an identity group and shape group psychology and behavior, a phenomenon Volkan terms “chosen trauma” (2001, p. 84). A web of chosen trauma in a protracted ethnic conflict amounts to a metanarrative—an abstract, intangible scheme shared by individual members of a large group identity that place narratives of experiences and events in a broader context and represent a source of identity and legitimacy (Ordóñez-Carabaño et al, 2019). Metanarratives concerning victimhood and chosen trauma become difficult to confront and overcome in pursuits of interethnic reconciliation. According to Ordóñez-Carabaño et al, for reconciliation to occur in this context, groups must “confront the conflicting narratives that are in the basis of the conflict, and that have grown for decades (or even centuries) feeding each other’s victimhood narratives” (ibid, p. 57). Furthermore, as Staub et al’s definition of forgiveness necessitates “moving away from an identity as a victim”, forgiveness for the purposes of this study also requires confrontation and transformation of trauma-laden group metanarratives.

Now we turn to the ethnic groups whose reconciliatory progress this study aims to assess: Rwandan Hutus and Tutsis. In the years following the genocide, the Rwandan government instituted policies that prohibited the use of “divisionist” terms that distinguished between ethnic groups, such as Hutu, Tutsi, and Twa, in favor of a superordinate Rwandan identity, Banyarwanda (Moss and Vollhardt, 2016). However, some scholars are skeptical that this unity policy has succeeded in advancing reconciliation between ethnic groups, contending that the Rwandan government has not succeeded in healing the wounds that persist between either individual Rwandans or the groups that they comprise (Kohen et al, 2011) and that at least for some, the Banyarwanda identity is not yet strong enough to override subgroup identities (Moss and Vollhardt, 2016).

A large body of interpretivist research conducted by Lyndsay McLean Hilker in the 2000s and 2010s shows that as recently as a decade ago, ethnicity in Rwanda was still very salient. Her study of Rwandan youth in Kigali on the subject goes so far as to assert that ethnicity “continues to be the most important [identity] shaping everyday, urban social relations” (2009, p. 92). Hilker posits that although “there is little discernible ethnic segregation in everyday life” anymore, the young Rwandans she interviewed “exhibited a constant and almost existential need to know the identity of significant others they interacted with”, as interpersonal dynamics and levels of trust are significantly shaped by ethnicity (ibid). The tacit ethnic identification of others described by Hilker’s work is evidence of widespread ethnic categorization; as demonstrated in the following section, scholars have gathered evidence that gacaca may have exacerbated collectivization and stigmatization along ethnic lines in Rwandan society.

### *Gacaca Court System*

The gacaca community court system was an exceedingly ambitious transitional justice process that shaped the lives of the millions of Rwandans whose communities participated; as such, there is a large body of literature analyzing the effectiveness and public perception of gacaca. Many in the scholarly conversation have pointed out gacaca's shortcomings as a truth-telling and justice-delivering mechanism. Rettig points out that during proceedings, "the accuracy and completeness of confessions almost always [were] challenged", and that "more than 70 percent of nonsurvivors and 90 percent of survivors and returnees say that people tell lies at gacaca" (Rettig 2008, pp. 25-50). Shaw, Waldorf, and Hazan outlined multiple reasons why defendants might lie or omit information at gacaca, including protecting family and community members and the tendency towards emotional privacy ingrained in Rwandan culture (2010). Because of high levels of distrust in the veracity of claims made and therefore the sentences issued by gacaca, they assert that "most ordinary Rwandans... do not believe that gacaca delivered justice" (ibid, p. 195).

Harkening back to King's psychocultural practices of categorization, collectivization, and stigmatization, scholars have asserted that gacaca has exacerbated interethnic tensions in several communities by contributing to the latter two practices. Nowotny, besides confirming Rettig, Shaw, Waldorf, and Hazan's findings on the veracity of gacaca testimonies, asserts that in about 50% of communities he studied, gacaca proceedings caused everyday relations between members of the community to deteriorate (2015). Falling short of a categorically negative characterization of the system, he finds that gacaca carries a positive legacy for participants whose communities achieved meaningful reconciliation. In terms of negative legacy, however, Nowotny asserts that gacaca has led to a binary alignment of Hutus and Tutsis along a perpetrator-victim dichotomy, leading to the imposition of collective guilt on Hutus and the

construction of a “victor’s justice” on behalf of Tutsi and hindering progress towards sustainable reconciliation (ibid).

### *Reconciliation and the Diaspora*

Finally, we turn to the body of literature covering progress towards post-genocide reconciliation in Rwandan diaspora populations. Findings in the field indicate an inextricable link between diasporic and domestic reconciliation and suggest that Rwandan diaspora populations draw more heavily from the reconciliation landscape in the homeland than from their own day-to-day lives when formulating opinions on post-genocide forgiveness and justice. Marson’s study on Rwandan diaspora populations in the United States and Canada asserts that diaspora members feel as if justice has not yet been served in Rwanda and it is therefore impossible to conceive of it being achieved among populations abroad (2018). Participants asserted that because they feel the emotional, psychological, and political needs of domestic genocide survivors have not been met, survivor diaspora members are unable to extend forgiveness to perpetrators due to this perceived ongoing injustice (ibid). This link between the attitudes and beliefs of diaspora members and the material conditions faced by members of their kinship group in Rwanda indicates that the success of transitional justice measures such as gacaca would theoretically have residual positive effects on diaspora members.

Orjuela further explores this link by applying the concept of *past presencing* to diaspora populations whose homelands have experienced mass violence. Her study utilizes the definition of past presencing originated by Sharon Macdonald: “the various ways in which the past is present or made present; how it is represented, experienced and performed... experience, performance and representation are key words indicating that the past is not a set of facts to uncover or remember, but instead something which is continuously made sense of, lived through

and acted out by individuals and collectives” (2012, p. 235). Orjuela asserts that transitional justice initiatives and engagement therewith by diaspora populations are arenas where past presenting takes place, as “versions of the past are represented and performed” by initiative participants (2018). Therefore, these initiatives, even if occurring exclusively domestically, present opportunity structures for diasporas to politically engage with the homeland, either positively or negatively, by reliving and either affirming or denying the narratives of the past relayed during these justice mechanisms. In the Rwandan case, Orjuela states gacaca has contributed to the calcification of both supportive and hostile attitudes among diaspora members, providing legitimation to (mostly Tutsi) pro-government individuals and points of contention to (mostly Hutu) anti-government individuals.

Existing literature additionally indicates that the past is especially salient to diaspora members in the process of identity construction both in relation to themselves and others. In her studies of domestic Rwandan youth populations, Hilker concludes that an individual’s past experiences during the genocide or gacaca can affect how they are categorized ethnically, and that post-genocide policies, including gacaca, have “tended to inculcate a binary logic of ‘Tutsi = victim, Hutu = perpetrator’” and reinforced these attributes as indivisible components of each ethnic identity (2012, p. 235). Kuradusenge presents evidence that this phenomenon resonates in diaspora populations as well. Her studies of Hutu diaspora populations in Belgium indicate that the enforcement of a narrative that classifies Tutsis as the exclusive victims of the genocide in transitional justice policies such as gacaca has denied Hutu diaspora members who were negatively impacted by the genocide any claim to victimhood (2018). This exclusion has shaped the Hutu diaspora identity twofold: it has intensified individuals’ affiliations with Hutu as a group identity precisely because of government imposition of an all-encompassing national

identity (ibid), and it has disillusioned Hutus abroad of faith in post-genocide reconciliation due to belief that the transitional justice mechanisms put in place to achieve this goal were not designed for them or their narratives (Kuradusenge, 2016).

### *Synthesis of Literature Gap*

The literature in this review provides ample foundation for understanding the transitional justice measures instituted in post-genocide Rwanda and demonstrates that (1) inter-ethnic tensions still exist between Rwandan Hutus and Tutsis, (2) gacaca facilitated the beginning of a forgiveness process for many Tutsis but also left a sizable portion of participants unsatisfied with the truth and justice produced, and (3) diaspora members are deeply affected by the events of the genocide and the reconciliation process that consequently unfolded and have developed calcified narratives and identities surrounding the genocide and its aftermath. However, a gap in the literature exists at the intersection between these three conclusions, leaving unanswered the question of whether gacaca succeeded as a transitional justice practice in terms of allowing survivors in diaspora to embark on the path towards forgiving genocide perpetrators. Additionally, although the official position of the Rwandan government on the existence (or rather nonexistence) of post-genocide ethnic identity is known, it is less clear how diaspora members regard themselves and others in terms of ethnicity, and how these perceptions influence the processes of forgiveness and ultimately reconciliation.

This study aims to assess influence of both gacaca and post-genocide ethnic identity on the way the events of the genocide are remembered, perceived, and made sense of by Rwandan Tutsis, the sect of the population that was aggressed upon and therefore bears the burden of initiating the process of forgiveness. Harkening back to Staub et al's description of "optimal" forgiveness, we can ask the question of whether gacaca as a community dialogue forum and a

mechanism of both retributive and restorative justice set the optimal stage for the process of Tutsi forgiveness of Hutu perpetrators via acts of acknowledgement and apology. By focusing on the Tutsi diaspora, we can ascertain the degree to which the effects of gacaca, including broader narratives of the genocide reinforced by its proceedings and its contribution to the construction of post-genocide social identities in Rwanda, bled across Rwandan borders to the diaspora, a crucial and overlooked contributor to whole-of-society reconciliation. As of yet, no literature studies this precise potential relationship; it is therefore this relationship that this study intends to investigate.

## **Methodology**

### *Data Collection and Analysis*

Between July 2021 and January 2022, nine semi-structured interviews were conducted with Tutsi members of the Rwandan diaspora in the United States between the ages of 24 and 34 who lived in one of the approximately 12,000 Rwandan communities who hosted gacaca between the years of 2002 and 2012. Interviewees' places of origin within Rwanda span 3 out of 4 of its provinces as well as the capital city of Kigali. Additionally, the study population's gender demographic is roughly evenly split between men and women. These factors ensure the sample population represents a sufficient range of experiences on the bases of age, gender, and geographic location. The interviews consisted of questions related to participants' life histories, their perceptions of ethnic identity both in relation to themselves and others, their experiences with and opinions on gacaca, and their assessments of progress towards Hutu-Tutsi reconciliation both personally and on a whole-of-society level. Contact with study participants was made through individuals with professional and personal connections to Rwandan diaspora

communities, and snowball sampling was used to acquire additional participants. All interviews were conducted via Zoom.

This study's data analysis employs qualitative methods and consists of thematic analysis of semi-structured interview transcripts. Interpretative phenomenological analysis, used to explore in detail how individuals make sense of their personal and social world as shaped by their lived experiences through a certain event, phenomenon, or time period (Smith and Osborn, 2003), was employed to analyze the testimonies of interviewees. The specific events explored in interviews were the 1994 genocide itself and gacaca proceedings between the years of 2002 and 2012. An emergent design structure was applied to interview transcripts to identify relevant themes. After presenting and analyzing interview findings, this study proceeds to situate findings in the broader context of existing literature concerning post-genocide reconciliation, the Rwandan diaspora, Rwandan Hutu-Tutsi relations, and perceptions of gacaca to synthesize an argument regarding gacaca's effects on the forgiveness process of Tutsis in diaspora and the role of ethnic identity.

#### *Ethical Considerations and Limitations*

This study takes appropriate precautions to maintain the anonymity and confidentiality of participants involved therein; pseudonyms are utilized in all written work, and no part of the transcribed interview texts contain personally identifiable information. Interview recordings, transcriptions, and informed consent documents are stored on a password-protected computer accessible only to the researcher. To minimize the risk of emotional distress during interviews, questions directly related to the 1994 genocide were prefaced by a warning, and participants could choose whether they would like to proceed to the question or skip over it.



This study's pool of interview participants is limited by researcher inability to enter some virtual spaces meant for members of the Rwandan diaspora for the purposes of recruitment. However, utilization of connections made within Rwandan social communities helped to ameliorate this barrier via the eventual acquisition of members of the Rwandan diaspora who could vouch for the value and credibility of the study. Additionally, interview questions were reviewed and edited by academics familiar with the Rwandan diaspora population and peacebuilding practitioners experienced in working with individuals who have lived through mass atrocities. This both reduces risk posed to study participants and enhances the operability of interview questions. The primary limitation to the generalizability of this research is the potential hesitancy of members of participants who do not support the Kagame regime or its reconciliation policies, including gacaca, to express their views on the subject, especially if they know these views will be published.

## **Findings**

There are three major themes through which the effects of gacaca on forgiveness among the study population are assessed in this study: (1) formative personal experiences relating to the genocide and gacaca, (2) beliefs regarding gacaca's effectiveness as a reconciliation mechanism, and (3) participant perceptions of ethnic identity in relation to both themselves and others. The ultimate objectives of the study's analysis are to make a judgment on whether gacaca has had a positive effect on the Tutsi diaspora's forgiveness process towards perpetrators, to assess the role ethnic identities have played in the forgiveness process, and to provide context, but not make a definitive judgment, on the overall progress towards reconciliation in the Rwandan diaspora.

### *I. Formative Personal Experiences*

“We were looking at a country that had lost a lot of people, and not only people but... I don't know whether to call it destroyed unity because it was beyond being destroyed, it was so bad.”

- Marie

Table 1: Ages and Life Experiences of Interviewees

pseudonym	birth year (age in 1994)	experience during genocide	experience with gacaca
Olivier	1987 (7 years old)	fled from home with mother and siblings. hid in the houses of neighbors until genocide ended. lost family members	primary school teacher was an inyangamugayo (judge) in his town's court
Jean	1990 (4 years old)	family fled from Kigali to Western Province. lost a brother	has family members who participated. attended several sessions as a reporter covering the event
Marie	1995 (N/A)	family fled to Uganda before genocide began	does not know anybody who was involved
Alice	1997 (N/A)	family fled from home, eventually hid in the house of a family friend. lost 3 uncles	has family members who participated
Emmanuel	1993 (1 year old)	fled to Congo with mother and siblings. lost 2 grandparents, 5 uncles, one aunt, and his father	mother gave testimony 3 times. knows many other people who participated
Eric	1979 (15 years old)	directly experienced violence, fled home and became temporarily orphaned. lost entire family except mother and one brother	knew many people involved. followed the results of proceedings even after leaving Rwanda
Peter	1977 (17 years old)	lived in Uganda at time of genocide, returned in 1994 after genocide	observed and participated in gacaca proceedings
Claudine	1987 (7 years old)	family hid in the house of neighbors until genocide ended. lost her father	older siblings participated in proceedings
Joseph	1990 (4 years old)	family lived in Congo at time of genocide	has family members who participated

### Ubiquity of Gacaca

As Table 1 shows, all interviewees who were born before the genocide's occurrence and all interviewees who lived in Rwanda between 2002 and 2012 when gacaca was operational—eight out of nine in total—stated that they knew somebody who participated in the courts. All eight made clear the fact that gacaca was not a practice people opted out of nor was it a practice that left any corner of the nation untouched. In Olivier's words, "If someone tells you they don't know somebody who participated in it, they're lying." All eight also made clear the fact that community members of both Hutu and Tutsi ethnicity were affected by gacaca and attended the weekly sessions. Although no interviewees participated directly in gacaca, their levels of exposure to the system and their fully formulated opinions on its levels of efficacy and propriety indicate that gacaca had sufficient social impact to influence the perceptions, attitudes, and beliefs of generations of Rwandans succeeding the one that participated in and was subsequently tried for the genocide.

#### *II. Attitudes Towards Gacaca*

"I wouldn't say [gacaca] was the only way... there is no such thing as an only way or the best way. No, there's always a better way. But I think what I'm trying to say is that considering the circumstances, I think it did what it was supposed to do, which is to try to give justice as best we can and then let the country move forward."

- Jean

### Qualified Acceptance

A dominant theme in the responses of all interviewees, one that runs counter to most academic discussion offering evaluations of gacaca in retrospect, is one of acceptance of gacaca as a moderately effective if imperfect institution capable of setting Rwanda on a path to post-genocide reconciliation. The general consensus of international affairs scholars is that due to its nature as an ad-hoc and decentralized practice, inconsistencies and legal issues in gacaca

proceedings engendered a substantial amount of mistrust between the Tutsi on the accusing side and the Hutu being tried (Hazan et al, 2010). However, respondents' remarks indicate the opposite: that despite the inconsistencies and issues, which are somewhat readily acknowledged, gacaca was still able to sow seeds of forgiveness within the population.

Interviewees maintained a generally instrumentalist view of the system, pointing out that gacaca accomplished two tandem goals: the administration of justice and the cultivation of closure and forgiveness via forced intergroup dialogue. Forgoing any overly critical judgments concerning how well either of these goals were achieved, interviewees laud the fact that gacaca was able to accomplish them to any extent in the face of a deeply divided society, over a million trials to be conducted, and the complete inadequacy of the existing Rwandan criminal justice system. It is important to note that this finding is not generalizable to the entire Rwandan diaspora population but more specifically to Tutsi diaspora members; as an initiative of Paul Kagame's administration that has contributed to the "Tutsification" of the Rwandan state and increased the administration's legitimacy as a source of reconciliation (Tiemessen, 2004, p. 66), diaspora members who are supportive of the Kagame administration (who are much more likely to be Tutsi) are more likely to have positive perceptions of gacaca.

### Defense of System

Four interviewees pointed out the fact that the Rwandan criminal justice system was logistically and materially unprepared to handle the sheer magnitude of individuals awaiting trial following the genocide. Speaking of the logistics of conducting post-genocide trials on a mass scale, Jean said: "I believe the government didn't even have any other way of doing it. Because first of all, Rwanda was still developing before 1994. I don't know if we even had a good number

of lawyers or prosecutors... people who could do the normal legal jobs.” In the same vein, Emmanuel said:

One thing everyone can agree on is that [trying everyone in the existing courts] could never work for so many reasons. One, the lawyers and prosecutors were involved in the genocide, or they were killed in the genocide. So who's gonna try [the cases]? The other thing is that they didn't have the capacity to accommodate all the prisoners. And you don't even physically have a law that punishes someone who committed genocide, because genocide was not codified in the book of law.

Although both interviewees qualify their responses by saying this does not mean that gacaca was necessarily the best substitute for conventional trials, they believe it was at least a workable alternative. Regarding the shortcomings of gacaca, all interviewees who positively categorized the system acknowledged that problems persisted in the forms of potentially untrue testimonies and a lack of legal formality. However, they qualified this judgment by stating, as explored in the following subsection, that gacaca's positive qualities contributed to reconciliation more than its negative qualities detracted from it. Three interviewees offered a numerical grade to the court system to describe their perception of its success; 2 out of these 3 gave gacaca a 90% success, 10% failure rate, and the third gave it a 60 to 70% success, 40 to 30% failure rate.

#### Belief in Contribution to Reconciliation Process

Consistent among the answers of all interviewees was the belief that gacaca contributed positively to the post-genocide reconciliation process. Interviewees pointed out two different kinds of effect that gacaca had on the Rwandan population that primed Tutsi participants for forgiveness: first, an increase in accountability due to forced discussion, and second, an increase in forgiveness due to internally imposed abandonment of grudges. As for the first effect, interviewees noted that the physical act of bringing all parties who were affected by and bore witness to the genocide together opened the door for the possibility of reconciliation. Some noted

that it allowed for a shared narrative to be constructed from locality to locality, reconciling disparate accounts of the genocide's events and allowing community members to validate their own experiences through the testimony of their neighbors and community members.

Others asserted that the requirement that perpetrators and victims occupy the same space and participate in the same system made gacaca the first mass collaborative effort between Hutus and Tutsis after the genocide, forcing members of the two groups to interact at a time when they would have otherwise been inclined to withdraw into their own communities. Although by and large it was Hutu who were convicted at gacaca and Tutsis who provided testimony, Alice stated: "Gacaca was not just for one ethnicity. It was mixed up—there were Hutu, there were Tutsi on the same team, working for one specific thing." Some scholars and most Rwandan Hutus would refute this, asserting instead that gacaca was "for" Tutsi survivors and the Kagame government in that it legitimated Tutsi authority and amounted to a sort of "victor's justice" (Tiemessen, 2004, p. 68, and Kuradusenge, 2016, p. 71). Others, including some Tutsi survivors, would take the opposite opinion, maintaining instead that gacaca was "for" Hutu perpetrators in that it offered reduced sentences and a "hidden amnesty" in exchange for confessions and apologies (Hazan et al, 2010, p. 197).

As for the second effect, interviewees noted that it required an enormous amount of emotional sacrifice on the part of Rwandans touched by the genocide to allow reconciliation to begin with gacaca. Because the focus of gacaca was not 100% retributive but partially restorative as well, not every person who committed genocidal acts served time in prison, and not every victim of a genocidal act received justice in the form of a conviction for their offender. Emmanuel discusses one such instance with a personal example:

I think gacaca kind of created a win-win situation for everyone, you know. I'm going to give you an anecdote... the person who was accused of killing my dad was never

convicted. He was convicted of other crimes, but he was never convicted of killing my dad. So, one, I never get a chance to verify that. Second, no one went to jail for killing my dad. But being me, I can look back and say, even though I have my reservations, you know, I can still say this was the best decision for the country.

Accepting that what is best for the country at large is necessarily incongruent with the individual desires for retribution or closure of each individual victim of the genocide is an important and voluntary step towards reconciliation that was taken on the part of Rwanda's Tutsi population post-genocide, and interviewees' responses indicate that this step was a deliberate display of trust for former perpetrators on the part of victims.

### *III. Ethnicity and Identification*

“When I sit with somebody, I don't say, ‘This is a Hutu, I am a Tutsi.’ No. They are my friend. I go into their families’ [homes], we eat together, we study together, we pray together, we do exercise together, we do games together, we [work] together. We share everything together... When I select friends, I don't select them based on their ethnic group. You see? I would say there is peace, even if reconciliation is a process. Personally, this is what I would say.”

- Olivier

### Support for Anti-Divisionism

Separate from the actual policies of Paul Kagame's administration that forbid the public classification of individuals into ethnic groups, all interviewees expressed at least lukewarm support for anti-divisionism as a concept, with seven interviewees fully embracing it and two interviewees expressing skepticism and qualifying the way the principle has been put into practice but overall agreeing with the concept in other terms. In terms of ethnic self-identification, four interviewees identified as Tutsi, two interviewees identified as mixed ethnicity Hutu and Tutsi, and the last three identified as simply Rwandan, although the information they provided regarding their families' experiences preceding the genocide indicated that they are descendants of Tutsi individuals. All interviewees, however, regardless of ethnic



self-identification, agreed that while ethnic identity can be an attribute to which people imbue personal significance and take comfort or pride in, it should not be used to divide populations into social classes. Several interviewees emphasized the fairly recent origins of the “ethnic” conception of Hutu and Tutsi, pointing to Belgian colonization of Rwanda in the early twentieth century and the fact that, prior to the issuance of ethnic identity cards by the colonial government, Hutu and Tutsi were social classes between which individuals could move depending on wealth, employment, intermarriage, migration, and the like. Others pointed to the arbitrary nature of the phenotypical features traditionally used to distinguish Hutu and Tutsi individuals as proof of the socially constructed nature of ethnicity.

Regarding the interpersonal dimension of ethnic identity, almost all interviewees stated that ethnic identity is not something that affects their perceptions of the people they interact with nor does the question of somebody’s ethnic identity cross their mind when meeting new people. Two of the interviewees identifying only as Rwandan, who also happened to be the youngest interviewees, were most adamant about this lack of consideration for ethnicity in their interpersonal relationships. One of these two interviewees stated that when it comes to ensuring sustainable peace and reconciliation, “I know how important it is to see myself as Rwandan and to see everybody else as Rwandan.” One interviewee identifying as Tutsi and one interviewee identifying as mixed-ethnicity agreed that ethnic identity is not important to them in their interpersonal relationships but state that there are some portions of the Rwandan population for whom this is not the case. Olivier stated, “I know some people who are not quite comfortable because of what their family was doing during the genocide. If you are a young person whose parents or siblings participated or [were] involved in the genocide against the Tutsi, sometimes you are still not comfortable being together with the Tutsi people.”

Only one interviewee stated outright that he felt ethnicity was a factor that tangibly affected his interpersonal life. Regarding anti-divisionism, the interviewee expressed disdain for “those who say, ‘Oh, there’s no ethnic identity!’” and attributed at least some of the current peace between Hutus and Tutsis to the emotional privacy endemic to Rwandan culture, stating that many Rwandans hold more antipathy for those of other ethnicities than they let on. However, this interviewee ultimately concluded that despite the instinctive biases they may hold, they try not to allow ethnicity to be a factor in terms of who they choose to associate with or how much they trust those they do associate with. Other interviewees pointed out additional sources of ill will that still persist; for instance, Jean spoke to the crucial role Christianity plays in Rwandan society, noting that genocidaires relied on the Catholic Church for tacit support during the run-up to the genocide and that hateful ideology can still be discreetly conveyed under the guise of religious teachings. Overall, though, the responses of all interviewees indicate that most members of the Tutsi diaspora do not employ ethnicity as a consideration when forming relationships with others.

#### Conditional Emphasis of Tutsi Identity

Despite the almost universal negation of ethnic identity as a salient social marker by the interview population, all interviewees made consistent and explicit references to ethnicity when discussing the victimhood of Tutsis in the genocide. Several interviewees made a point to clarify the terminology commonly used to discuss the events of 1994, particularly regarding the term “Rwandan genocide”; said Olivier, “the genocide was not a Rwandan genocide. It is not another country who would come to kill Rwandan people, let me say it like that. It was a genocide that was targeting one group called Tutsi, let's make that clear.” All but one of the respondents also used the term “genocide against the Tutsi” instead of Rwandan genocide to refer to the genocide;

this is in a way not unexpected or unusual, as this is the term employed by the Rwandan government in discussion of the genocide, but its usage is still notable.

Additionally, when asked to self-identify in terms of ethnicity, several interviewees who self-identified as Tutsi also identified themselves as survivors of the genocide in the same statement, even though no question regarding their experience with the genocide had been asked. The linkage between Tutsi as an ethnic identity and victimhood in the 1994 genocide as an experience is illustrative of the Tutsi=victim, Hutu=perpetrator dichotomy that is commonly pointed out in analyses of the post-genocide social landscape of Rwanda. Another example of this is in the follow-up statement that Olivier made to his statement regarding the usage of the term “genocide against the Tutsi”. He says it is true that some Hutu died in the 1994 genocide and that therefore some may regard it as a genocide not exclusively against the Tutsi. However, he says, many Hutus who died in the genocide died in the process of attempting to protect their Tutsi neighbors and community members from being killed—therefore, the genocide still clearly targeted one group, and the Hutu who died in it were collateral casualties.

As explored in detail in the following section, the lasting effects of the genocide and Rwandan Tutsis’ indelible connection to its events have caused Rwandan Tutsi populations to regard the genocide as a point of chosen trauma and integrate it as a painful but essential part of their ethnicity. Without making a judgment on the propriety of this conditional invocation of Tutsi identity, it is important to note that this chosen trauma among Tutsi exists, even among a population removed by distance from the generation who had the most direct hand in the violence and even in the post-ethnic Rwandan society cultivated by Kagame-era anti-divisionism laws and initiatives. This finding does not necessarily speak to forgiveness that has or has not been initiated by Tutsi diaspora members towards Hutus—instead, it indicates that despite the

negation of ethnicity as a salient attribute in everyday interactions and life for Tutsis in diaspora, the Tutsi identity exists and is significant at least in the context of the genocide itself and its legacy, thereby inevitably incorporating an ethnic dimension into the reconciliation process.

### **Discussion and Going Forward**

This section argues that for Rwandan Tutsis in diaspora, a persistent connection to the aftermath of the genocide, the option to extend mercy to perpetrators via gacaca, and the chosen trauma of genocide survivorship has resulted in a *self-imposed responsibility to forgive*. In their eyes, the wellbeing of Rwanda as a whole and the realization of the ultimate goal of reconciliation supersedes personal feelings of hatred, resentment, or mistrust they may harbor towards perpetrators, and as a result they are willing to extend forgiveness even to those who committed violence directly against them or their family members. They maintain that reconciliation is best achieved through Tutsi survivors forgiving Hutu perpetrators and Rwandans eschewing ethnicity as a social marker to rid the society of the cleavages along which the genocide divided its population in the first place. However, despite supporting the interdiction of ethnicity as a salient social identity, Tutsis in diaspora still hold ethnicity as a salient personal identity in connection to genocide survivorship. According to interviewees, gacaca proceedings did in fact sow seeds of forgiveness in the diaspora population. However, the proceedings also invariably conflated Tutsi ethnicity with victimhood among survivors, potentially limiting the realization of sustainable reconciliation throughout the diaspora population due to the way this conflation imperils other essential elements of post-conflict reconciliation such as truth and justice.

As is somewhat predictable in the aftermath of an atrocity so indelible in generational memory, Rwandan Tutsis have internalized the events of the genocide as a *chosen trauma*. Chosen trauma “refers to the shared mental representation of a massive trauma that the group's ancestors suffered at the hand of an enemy—when a large group regresses, its chosen trauma is reactivated in order to support the group's threatened identity” (Volkan, 2001, p. 84). Because this trauma is transmitted trans-generationally, it endures across time and geography to affect individuals in diaspora as well as individuals who were not yet born during the genocide. The establishment of this trauma as an inextricable part of Tutsi identity has not necessarily occurred in response to a group “regression” as discussed by Volkan; however, the trauma of genocide survivorship is regularly invoked to refute narratives of the genocide that run counter to the established account maintained by the Rwandan Patriotic Front and the administration of Paul Kagame as well as to maintain the relevance of Tutsi as an identity in an anti-divisionist contemporary Rwanda (Ordóñez-Carabaño and Prieto-Ursúa, 2021).

Gacaca directly aided the calcification of this chosen trauma among Tutsi by establishing and propagating a national *metanarrative of Tutsi-exclusive survivorship*. Although interviewees pointed to the “win-win” nature of gacaca and stated that Hutu and Tutsi worked together to catalyze community healing during the proceedings, it must be noted that only crimes committed by Hutu against Tutsi were discussed and tried at gacaca (Funkeson et al, 2011). This restriction of narrative, reinforced through weekly community dialogue, deprived moderate Hutus targeted by Hutu extremists or the Rwandan Patriotic Front of survivor status and refuted the legitimacy of their experiences during the genocide (Kuradusenge, 2016). In formulating a national account of the genocide informed only by Tutsi experience, gacaca established survivorship as a core feature of the Tutsi identity as well as placed the onus on Tutsi survivors to initiate the process of

forgiveness through acceptance of perpetrator testimonies and apologies. If we revisit Staub et al's definition of forgiveness, however, these two developments are contradictory. Since forgiving necessarily involves moving away from a victim identity, the centralization of victimhood in the Tutsi identity via accumulation of chosen trauma hinders progress towards forgiveness.

Outside of the proceedings of gacaca, the metanarrative of Tutsi-exclusive survivorship endures today despite the anti-divisionist policies that preclude the discussion of ethnic identity in other contexts. We can consider the concept of victimhood self-awareness when evaluating the political and social behavior of modern Rwandan Tutsi survivors and their attitudes towards forgiveness of perpetrators in the anti-divisionist context. Self-awareness of victimhood refers to the difficulty survivor groups may have in “[overcoming] that narrative of themselves as the only legitimate victims and, therefore, the others as undeniable aggressors” (Bartov, 2003, p. 85). Although the superordinate national identity Banyarwanda has replaced Tutsi, Hutu, and Twa in a practical sense, the Tutsi-survivor identity perseveres, because victimhood self-awareness is the element of the metanarrative that is the most resistant to change (ibid).

The fixity and relevance of this identity is owed both to the personal convictions of Tutsi survivors and to post-genocide policy pursued and rhetoric employed by the Kagame administration that reinforce the validity of the identity. For instance, while discussion of ethnic identity is essentially prohibited under laws that punish genocide ideology and divisionist speech (Human Rights Watch, 2008), the phrase “genocide against the Tutsi” is still the term utilized by the Rwandan government to describe the events of 1994. The term is also employed by prominent memorialization institutions such as the Kigali Genocide Memorial and Tutsi diaspora communities such as the Rwandan Diaspora Global Network. Consistent with the assertion that

any attempts to modify metanarratives are perceived as direct attacks on the group in question's own values or symbols, any rhetoric that insinuates that the victims of the 1994 genocide were not exclusively Tutsi is viewed as genocide ideology in Rwandan spaces (Orjuela 2018).

If we widen our scope of analysis from forgiveness to reconciliation as a whole, it becomes apparent that gacaca and the victimized Tutsi identity born from it create barriers to holistic reconciliation in post-genocide Rwandan populations. Harkening back to Lederach's definition of reconciliation as the product of truth, justice, mercy, and peace, we see that transitional justice mechanisms have the capacity to contribute to one or several components of reconciliation while hindering progress towards its overall achievement by eroding other components. Gacaca may have given Tutsi survivors the motivation to extend mercy to perpetrators and engendered peace in terms of cessation of violence, but at the same time its narrative of Tutsi-exclusive survivorship obfuscated the whole truth and, in the case of Hutu survivors, prevented justice. If we prefer to use a different theoretical framework, Auerbach's reconciliation pyramid outlines the necessary steps for reconciliation in roughly chronological order. Steps relating to the acquisition of truth, such as acknowledgment of disparate narratives, and the initiation of justice, such as assumption of the responsibility of wrongdoing by perpetrators, precede the step of apology and forgiveness; therefore, pursuing mercy via gacaca without first establishing an encompassing base of truth or accurately assigning responsibility of wrongdoing is not likely to lead to reconciliation.

Of course, gacaca is just one of a whole host of reconciliation-oriented policies pursued by the Kagame government since the genocide. In fact, "nearly all the decisions made [in Rwanda] in the last two decades have been oriented toward the reconstruction of the communities through direct dialogue and mutual understanding in order to reach peaceful and

safe coexistence” (Ordóñez-Carabaño et al, 2019, p. 435). Future research into the effects of additional reconciliation initiatives created and facilitated by the Rwandan government, such as *ingando* civic education programs, the *Ndi Umunyarwanda* forum on national identity, or the Rwanda Peace Education Program (RPEP), would aid in more completely capturing the landscape of reconciliatory progress and identity construction both in Rwanda and abroad and inform the efficacy of future transitional justice initiatives. Another potential subject of future research is a more macro-level comparison between post-genocide societies with robust transitional justice programming and those without to assess whether, despite the drawbacks asserted in this study and others, the simple existence of these programs and institutions has a lasting effect on reconciliatory progress or identity construction across societies.

## **Conclusion**

This study poses the questions: How has the legacy of gacaca impacted the Rwandan Tutsi diaspora’s process of forgiveness towards Rwandan Hutus? Furthermore, what role does ethnic identity play in forgiveness and the achievement of post-genocide reconciliation among members of the diaspora? Analyzing findings presented in interviews and situating them within existing literature reveal that gacaca proceedings did in fact sow seeds of forgiveness in the diaspora population but potentially limited the achievement of reconciliation as a whole due to its narrow construction of a Tutsi-as-sole-victim identity and narrative that prevent other elements of reconciliation, such as truth and justice, from being fully realized. For Rwandan Tutsis in diaspora, a persistent connection to the aftermath of the genocide, the option to extend mercy to perpetrators via gacaca, and the chosen trauma of genocide survivorship has resulted in a self-imposed responsibility to forgive perpetrators. However, the calcification of a painful metanarrative of Tutsi-exclusive survivorship hinders progress towards forgiveness as it prevents



Tutsis in diaspora from achieving the component of forgiveness that involves moving away from their identity as a victim. The anti-divisionism policy and rhetoric of the Kagame government reinforces this exclusive metanarrative through its regard for Tutsis as the sole survivors of the genocide and its interdiction of discussion of ethnicity in any form other than reaffirming Tutsi victimhood. As a result, sustainable reconciliation born from a balance of truth, mercy, justice, and peace remains out of reach for Rwandan diaspora populations and for Rwandan society as a whole.

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