

A. Governance

1. General Controversy Around Governance in Rwanda

Understanding the style and structures of Rwandan governance, as well as attitudes and ideologies shared by Rwanda’s people, will help shed light on many of its national social and policy processes and developmental trends. As has been said, the feeling of many Rwandans toward the West is that genocide occurred on your watch—you didn’t stop it. Colonialism occurred; you said it was in *our* best interest, but it was actually in *your* best interest. The result is distrust towards the West which includes Western forms of governance and is exacerbated by differing cultural perspectives.¹

There is substantial external criticism against the present government for heavy-handedness. Many people have critiqued Rwandan governance as dictatorial. Freedom House continues to describe Rwanda as “not free” (Piano & Puddington, 2005, p. 525). They define freedom as “possessing a high degree of political rights and civil liberties in an environment of strong rule of law” (Piano & Puddington, 2005, p. 4).

One must consider these perspectives in the broader scope of the history of the country and from a non-Western viewpoint to fully understand the direction the country is headed to bring balance to these criticisms. Internal Rwandan human rights organization 3 says, “Compared to their neighbors . . . Rwanda seems to have good governance, the policies are good [exhibiting positive trends including] . . . unity and reconciliation . . . These show that things are going better . . . in spite of what happened

¹ For example, the practice of physically standing in line behind the person one is voting for in a public area for lower-level elections (instead of a private ballot). The candidate with the longest line wins This is the accepted Rwandan practice. It cuts down on administration fees and helps those who are illiterate to see who they are voting for visually before they vote.

[the genocide]. Rwanda is in the best position [compared with] neighboring countries. . . . Other borders are dangerous. . . . Rwanda is ok” (Organization 3, 8/14/06). How can these differing perspectives be reconciled?

2. The Best Means of Governance for Rwanda

Often when one thinks of African attitudes of governance, one thinks of the “big man” styles of leadership, such as deposed Ugandan President Idi Amin and the late president Mobutu Sese Seko of the DRC. This leadership model is typified by a single strong individual who maintains absolute power over his population and can utilize the nation’s resources as if they were his own (such as mineral wealth in the DRC). It is true that African power structures may not tend to function in the same way as those from the West. These corrupt leaders were not trying to lead their countries well, they were simply getting as much as they could for themselves and their supporters.

If westerners arrive in Africa expecting Africans to be American, French, or English, they will be disappointed. To expect American-style democracy is also a difficulty at this time as Rwanda emerges from such a difficult past. It is too soon for a democratic nation to spring fully grown from the ashes of a post-genocidal, ethno-autocracy. Such expectations ignore a past that includes colonialism, imposed laws, imposed political borders, and post-colonial wars. (The US, for instance, had experienced all of these limiting factors around the time of the Revolutionary War, and even up until the Civil War, however, over time, the US *has* emerged from this history.) One must also ask whether democracy is even the best form of government for every people group. It seems Rwanda might be represented more functionally by the phrase “emerging into democracy” instead of “democratic.”

When most Western political scientists describe democracy, they are talking about so-called liberal democracy, in which rule of law is highly valued, individuals have significant rights and liberties, the government is expected to obey the constitution, and there is significant freedom for minority populations. Similarly, there are some interesting points describing Rwanda's president, Paul Kagame's presidency and leadership style. President Kagame and the RPF led people into cessation of this genocide. They want to provide a strong example in many categories such as limiting corruption, increasing public voice, and ushering in more security, infrastructure, capacity, and profitability in the nation. The president is thus a strongly directive and respected figure. These views are in stark contrast to the expectations of the average Western nation—that mankind, given the choice, will be drawn toward moral righteousness and will make right choices requiring a *less* directive style of leadership.

There is of course significant debate about whether this dilemma of governance can be absolutely solved through any single argument or philosophy. When should a nation have significant choice or significant restriction? The scope of this work does not allow for a full treatment of this discussion, suffice it to say that the ways the people see these two views affects the lens through which they interpret the experiences within Rwanda in the last few years.

The Western view says people need a very high level of freedom in personal choice (which is termed “liberal democracy”); Rwandan government imply that their society still needs more oversight concerning their liberties, though they affirm

democracy and freedom much more than many human rights agencies give them credit for, which will be discussed in the human rights section.²

This attitude is most clearly shown by the anti-divisionism laws in the Rwandan constitution which state: “The State of Rwanda commits itself to conform to the following fundamental principles and to promote and enforce the respect thereof: [1] fighting the ideology of genocide and all its manifestations; [2] eradication of ethnic, regional and other divisions and promotion of national unity”³ (Chapter II, Article nine, points one and two). This constitution was created through national referendum—people voted it into existence. It includes requirements for 50% of the parliament and the speaker of the house to be of a non-majority political party. There were also numerous focus groups and nationally scaled surveys to find out more of the people’s needs throughout this process. The country needs these laws until it can return to an understanding of a Rwandan national identity other than the strong delineations of Hutu, Tutsi, and Twa that have been promoted since colonialism. President Kagame and the government of Rwanda see these laws as the only way for the country to experience reconciliation in the broadest terms, and are committed enough to them that former President Pasteur Bizimungu was jailed for his use of genocidal ideology while in office.⁴

Many expatriate Rwandans, as well as several nations are quite verbal in their attitudes that these laws are contradictory to true reconciliation. They feel the laws create a tendency to ignore the past. This group wants people to speak openly about their past

² One of the report’s readers mentioned the contrast between human rights and human responsibilities which is an important discussion to consider throughout this section. Rwanda needs to foster much more responsibility in its people to gain an even firmer grasp on her developmental goals.

³ Division would imply anything that touts a Rwandan ethnic, political, religious or ideological underpinnings as more important than his or her Rwandan nationality, thus detracting from national unity.

⁴ The former president was pardoned on April 5th 2007, (allafrica.com, retrieved 7/15/07)

experiences. Furthermore, they say that Hutus are numerically a larger demographic; therefore, they should have much more control of the circumstances of governance. This attitude leads to identity-based politics, which is exactly what the present administration is trying to avoid.⁵

Rwanda is taking a risk by choosing these types of limiting laws. The leadership agrees that it should not always be this way, however, they believe that this is the best way to take care of the issues in the country for this time in history. As was said prior, the people passed these laws by referendum which would require their consent. It was not evident that those interviewed were attempting to deny the past in any way. Many of those interviewed were actually taking on the past in an effort to pursue complete reconciliation.

Many of the countries espousing these allegations against Rwanda (such as France and other European nations) could be seen as developed; their rule of law and governance systems are stable, agreed upon by the people, and obeyed by those in leadership. They have not recently emerged from totalitarian, genocidal, or post-colonial rule. Yet they are quick to criticize the fledgling governments they are in part responsible for creating, through colonialism, neocolonialism, foreign policy, and outright military intervention, as in the case of France's complicity through 1994. Furthermore, many of these countries can also look at insecurity and national challenges that truly threaten livelihood as a thing of the past. Many of them are less aware or connected to their own tumultuous heritages. Finally, it is a conflict of interest at best, especially when these accusers have potential for financial or geopolitical gain as a result of their accusations.

⁵ For more information on this topic, see the Genocidal Ideology or Freedom of Speech sections.

There are examples of non-Western countries requiring time to turn from non-democratic, or even totalitarian, rule into Western-style democracies. According to Waugh (2004),

The early progress of the emerging Asian economies such as Malaysia, Taiwan, and South Korea in the aftermath of World War II was particularly achieved through decades of authoritarian rule, which was accepted by much of the population as a necessary sacrifice and only gave way to democracy some time after their economic and social miracles had been achieved. (p. 163)

Waugh goes on to describe the willingness of the American populace regarding certain elements in the US system of government, how US citizens are willing to accept certain limitations and suspensions of rights in such cases as the patriot act in exchange for heightened perceived security. The recent emergence from colonialism is another limiting factor for Rwanda; it simply has not been given time to develop effective social systems. Another important point to consider is that in many cases this development of personal rights would be more accurately described as an introduction of rights as Rwandans are only recently gaining many rights and freedoms under RPF rule.

Many have appropriately criticized the emergence of the former USSR and the Baltic States into so-called capitalism; those instituting this process have assumed that capitalism yields perfect governance, mutual positive regard among citizens, emergence of rule of law, and the emergence of a democratic state that resists corruption. The actual socioeconomic travesty shows the poor implementation of foreign and economic policy on the part of many governments and businesses. African leaders have watched this and other missions of assistance, implemented in countries in crisis, end in circumstances

much worse than the initial problems. This experience included their own post-genocide disaster in the DRC and other places. Rwandan leaders would say that social development necessitates a process in which leaders help populations develop to the point where they can attain as much as possible.

President Kagame has responded to the needs of his country in effective ways. The country has been rebuilt from the ground up: new businesses and business ventures have started, children are being educated, people are eating, infrastructure is on the upswing, and security has been instilled. There is a legal system and a new constitution in place as of 2003, and rule of law and civil society are in place and developing, though not as quickly as some would like.

Both rule of law and civil society are especially key because, prior to Kagame, neither could have been described as in a process of development (with the exception of a brief period under Habyarimana when, under pressure from the international community from the Arusha Accords, the former president was required to give ear to other political parties and emerging human rights voices). As discussed earlier, this action was politically motivated so he could continue to do what he wanted to do, rather than from a desire to make things better for his country (Prunier, 1995, p. 186). Prior to this, both civil society and rule of law had been primarily manipulated by the government. It is also key to understand that Rwandans have great respect for their president: “Christians say that ‘God brought Kagame to the lead’” (Confidential, 8/17/06). Rwandans are not the only people to favor Kagame. A confidential interviewee from the DRC, said, “The coming of Kagame is like a salvation in and out of the country” (Confidential, 8/25/06).

There is now a zero-tolerance policy for corruption. Alfred Ndararasa talked about how the government is always changing because of the desire to challenge impunity regarding corruption in leadership. This has led to many people's being fired from very visible positions as the president shows how serious he is in combating such trends. President Kagame even fired his own cousin, which has enormous implications in the Rwandan culture that is so dependent upon family, social networks, and relationships.

This quest for accountability is further shown by *Imihigo*. Each newly elected official in each region must create a document describing his measurable goals within the first three to six months in office. These goals will be revisited at the prescribed time, and if the official has not satisfactorily attained these goals, he will be asked to leave and cannot complain about doing so. These goals are made publicly available, so anyone can view them. As Tom Baguma (8/10/06) says, a leader in Rwanda must solve problems: "if you don't solve a problem, you are useless to the population." *Imihigo* shows the commitment on the government's part to create a place for accountability in the state. Habyarimana's regime, with its goal of 100% approval for a single candidate and single-party elections, would never have allowed such policies.

Another way Kagame is relating to people is through participation in their local communities, speaking with people and answering their questions in person. Tom Baguma (7/10/06) talked about people meeting the President. He says there "is a free line to the president, he listens and stands by his word."⁶ Baguma is not a member of the RPF. He described how his party (the PSD—*Parti Social Democrate*, a moderate party primarily composed of teachers and social servants) discussed the needs of the country

⁶ When President Kagame visited Bugesera, Tom Baguma spoke of people's bringing issues to him as he greeted them. These issues should have been brought to much lower courts (Baguma 8/10/06). The people did not know where to go. This reflects the need for further education in Rwandan society.

and wanted to field a presidential candidate. As they discussed their criteria with the RPF delegates, they realized everything they were asking for was already being completed by the RPF.

As in many other aspects of Rwandan governance, neither ethnicity nor gender is a consideration when determining who will lead, so long as those who lead avoid divisive ideology. A confidential source said that “leadership and governance are built on qualifications, *not* ethnicity or relationship” (Confidential, 8/17/06) This is, again, a departure from many of the regional and cultural concepts of leadership and an affirmation of the government’s goals of being Rwandan first, rather than Hutu, Tutsi, or Twa. Rwanda’s government enjoys equal representation with regard to the gender of elected officials, as 52% of parliamentarians are female. This is statistically more than any other country in the world, even superseding Sweden with its strong egalitarian tendencies.

President Paul Kagame wants to be a new kind of African ruler. He wants to be a leader offering democracy and contextually African solutions to the problems of his people. The RPF seek to right the wrongs of previous regimes in Rwanda. History will judge their effectiveness to these ends.

3. Culture of Dissent

When it comes to voicing dissent, Rwanda, and indeed much of Africa, have unique cultural views. If one comes from a Western view of media, one sees political and press freedom as creating room for freedoms of speech and expression. The goals of these freedoms define the ways people voice dissent and ultimately lead our understandings of governance in Rwanda astray. There is an often unrecognized attitude

on the part of the West and many other cultures, an assumption that dissent should be cultivated. However, dissenting voices have, for the most part, aligned themselves with the culture in such a way that their criticism is usually constructive, and will not cause significant social upheaval if implemented. This is not true in countries that have been under authoritarian rule for a long time (like Rwanda before the genocide), countries with a high value of saving face, or countries with monarchs in place. All of these categories need to build their culture of dissent and civil societies as we shall see.

In Rwanda, both the press and human rights agencies want to have the ability to challenge anything they perceive to be an egregious error. The previous regime actually paid for the RTLM's⁷ genocidal reports; the average Rwandan would listen to it because they could not believe that people could say the things they said. Paul Rusesabagina (2006) says: "I can't begin to tell you how revolutionary [the RTLM] was. . . . RTLM was fresh. It was irreverent. It was *fun*. It constantly surprised you. It was giving us what we wanted in a way that was lively and modern and American. Even those who were offended were hooked. It was the giddiness that comes from looking at your friend in shock and saying, Can he really *say* that? Yes, I think he just did" (p. 51). In a sentence, the RTLM made pre-genocidal stereotypes fun. If the press wants to function as a watchdog or accountability structure, it must earn the right to challenge the perceived ills of the country. Rwanda is only a semiliterate country, where people are only recently discovering their voices in a public forum—it is necessary to realize Rwanda will need to develop its freedoms of speech, press, and association along with its other capacities. This process requires continuing dialogue between the government and the various civil society and press organs.

⁷ A state supported Rwandan radio station that broadcasted from [8 July](#) 1993 to [31 July](#) 1994.

Tom Baguma described a significant increase in freedom of speech and ability to challenge leaders and teachers under RPF rule (8/10/06). This observation is in stark contrast to the views held by the Habyarimana regime prior to the genocide. Under his rule, only Hutus from his region of Rwanda were allowed to attain office; those who disagreed were often ignored or killed, as in the initial murders in the genocide.

Additionally, two other interviewees described the differences between growing up in Uganda and growing up in Rwanda. In Uganda, one could disagree with teachers in a very straightforward way; this is culturally inappropriate in Rwanda. These two confidential sources agreed that social censure against perceived dissent did not depend on the act of dissent, but much more on the form and timing of the dissent. “[I]t’s about how you disagree and why, not just scapegoating.” They contended that “People aren’t stopped from opinions or criticism” (confidential, 7/28/06). The student government from the University of Butare (8/23/06) agreed with these views. They said “no one in Africa can say that Museveni [the president of Uganda] is a dog.” The implication is that there are different styles of dissent between Africa and other places.

In Rwanda there is deference in attitude to those in power. It was not clear within the scope of the data whether those in power used this cultural feature to their advantage, however, all of the government’s published goals would contrast such activities, and specific actions that they pursued lead the author to believe that they engage in actions and policies with good intentions. Less than a quarter of the earth’s population would allow Western-style dissent through public channels: most of the world values saving face so highly that they will not directly confront anyone for any reason, especially not a leader (University of Butare Student Group, 8/23/06).

4. Are Restrictions Necessary?

There are numerous differing views concerning the best form of government across cultures and throughout history. The prevailing view in literature and international press often posits the high value of democracy—particularly liberal democracy—as an ideal form of government. This is often done in contrast to many existing states that function well without structures purely democratic in nature.⁸ There is another assumption, that democracy is the best practice for everyone. Current views classify governments in fairly narrow ways in terms of democracy, which do not allow for the broad spectrum of states better described as emerging democracies to be accurately classified. Instead, they tend to be much more black and white; something is either democracy or it isn't, and there is little room in between. In reality there are unique attitudes toward governance around the world that need to be considered, and these considerations have huge implications on policy, development, and understanding of international law. Are these grey area states in a process toward democratic development, or are they merely trying to deny their people freedoms?

There is a significant difference in worldview between those who believe Rwanda needs fewer restrictions and those who believe Rwanda needs more. What is required to move from the anarchy caused by wartime situations into a stronger, more functional rule of law? Rwanda was one of the oldest and best-defined systems of government in Africa. This was highlighted by several of the interviews and, indeed, by the geopolitical context as well. There are many prevailing voices and injunctions passing through Rwanda by

⁸ For instance, Singapore and Japan.

way of media, diplomatic channels, and literature that challenge Rwanda to a standard that is different from the one that they seem to be pursuing.

In some cases, these differing standards took the shape of muddled or false reporting. On more than one occasion, human rights reporters discussed the need for more rule of law and then decried the laws as they were passed. Human rights reporting will be emphasized in later sections, but for now there is a distinction between a law-intensive system and one more free of legal restrictions, which often implies it is an older and more established system of law.

Some would say that Africa limits rule of law as a result of limited infrastructure and governance, while maintaining strong social systems such as families, tribes, ethnic groupings, and class (albeit often in severe poverty). The systems clash to create de facto rulers, undocumented systems of trade, and certain informal market networks, which can affect everything from business to politics to building codes. One interviewee said that Rwandans could live for themselves, which is why they resisted structure (Organization 3, 8/14/06). This is shown by the systems of circumvention many try to proliferate within the society such as burning firewood in the cities instead of using charcoal or propane. The government challenges this because of the damage it causes to the environment; however, the poor have a hard time affording other methods.

This continual tension between the law and practical need was highlighted when one human rights advocate spoke about people's being forced out of their homes in a market area. When the allegation was pursued, it was found that these people had built houses that contained businesses in the lower levels. They completed the business section of the dwelling to the prescribed code and then neglected to finish their houses while both

living and working in the space. “People were recently stopped from building a business downstairs and a house upstairs . . . but not completing [the house before they were open for business]” (Confidential, 8/17/06). It turns out that the people were warned, and they simply did not think the government was serious about enforcing a law passed to create safer houses and work environments. Previous governance has led the people to anticipate fewer restrictions and the government tries to change the social systems. This can create conflict, as seen above.

Another example is the banning of plastic bags. Anyone who has traveled in impoverished areas of the world knows that any market, no matter how rustic, will have access to plastic bags for one’s purchases. Without proper public sanitation programs, these bags can be seen blowing down the street like tumbleweeds or wrapping themselves around fence posts and trees. They eventually kill vegetation, are not biodegradable, and look terrible. To correct these issues, the Rwandan government (along with the governments of Uganda and Kenya, while Tanzania is considering similar action according to Mark Whitaker of the BBC 6/30/2007) made plastic bags illegal, instead requiring vendors to use paper bags. This required more regulations, and raised costs, but was more forward-thinking in protecting the environment. There are numerous other examples of restrictions with regard to implementing reforms within Rwanda, which will be pursued in the next section.

5. Good Ideas, Bad Application?

“[I]f he fails, he fails trying” (Interviewee 5A, 8/29/06). It is fair to say the government of Rwanda has had to revise and change every aspect of their social system either in response to the genocide or to rebuild their society because of it. The

interviewee from Organization 3 (8/14/06) said, “Rwanda has a good constitution and good laws but poor application . . . because of [the] selfishness of [the] general populace. . . people live for themselves.”

As the author spoke with Rwandans throughout the country, it was clear that even the most basic social systems and practices have been seen as possible candidates for reform. Problems have arisen, however, as the RPF has attempted to implement the changes sought. They do so with positive intentions, but their reforms often create challenges for traditional ways of life or affect individuals more susceptible to poverty than others.

The aforementioned plastic bag reform is an example of the differentiation of the effect of laws on different socioeconomic segments of the society. There are different ways to look at this. The negative side is the average person cannot afford paper bags, and he might get in trouble for breaking the law. The positive side is people might bring their own bags, which everyone has in the first place. It also minimizes landfill costs and usage and allows biodegrading. This law could bring the average person to think through the implications of his actions before using certain materials, thus educating the society.

The government’s goal is to challenge people to change and act in ways that may be contradictory to their previous actions, which will be ultimately beneficial for the country as a whole. The same is true when it comes to multiple other reforms of basic needs for the society. For instance, during the time in-country, motorcycle taxis were banned from the middle of Kigali. The positive angle was there would be fewer accidents between motorcycles and larger vehicles (a frequent occurrence with dire consequences), greater safety for women who occasionally got harassed by these taxi drivers, and the

traffic and some air pollution would decrease in the capital city. The negative side was that men who took out loans to purchase motorcycles might need to default on them because of decreased demand for their services. This also affected their families as they were often the only income source. Finally, it would raise the cost of transport for the common person.

There are many more examples, including the baking of bricks, which uses too much wood, thereby causing deforestation, erosion, and air pollution, but which is often a way for impoverished communities to bring in revenue in addition to having an inexpensive way to roof a new house. There is the creation of charcoal, the traditional and preferred cooking fuel, which again destroys natural resources and produces carbon monoxide (Interviewee 5B, 8/29/06).

All these examples show the government has great goals, but could use some assistance in the application of its reforms. The way the government functions affects the impoverished much more than anyone else because they have a much smaller financial buffer in their lives when circumstances become difficult. If a poor person loses his job, he might go hungry and his kids might have to drop out of school. Several interviewees mentioned this as a significant challenge to the way the government interacts with the common citizen (many of whom are still heavily impoverished).

This can also be seen in some ways in the government's approach to *Gacaca*, where things need to be done to move the country forward. However, it has resulted in some witnesses being threatened and even killed. Amnesty International (2004, April) says that "Many witnesses are afraid to testify fearing reprisal by their neighbours." This is a terrible tragedy. The utilitarian ethical model posits that the good of the many can

outweigh the good of the few. When it comes to governance, however, this model does not fit. True liberal democracy accounts for everyone.⁹ The only time such utilitarian rhetoric would be legitimate is during a worst-case scenario such as the genocide in Rwanda. However, if the government continues to use this ideology as their paradigm, they will not be able to emerge into functional liberal democracy and continue to be marked as an autocratic state. Rwanda is aware of the limitations of this system of justice and knows it can only function in this manner for a limited time. The section on Justice and *Gacaca* will engage in further discussion on this topic.

It is very difficult to change a society in any way, and the Rwandan government has a lot of work ahead. They also need to continue to move forward in their pursuit of effective and far-reaching reforms. Interviewee 5B (8/29/06) said that trends are “going in a good direction [but the] process needs to be adjusted . . . [the] future looks bright.” Rwanda wants to be taken seriously in the international arena, which means they are necessarily trying to redefine their infrastructural systems and policy, while challenging members of their society to live by different standards than they have to date. These policy challenges will continue to create issues within the country until the understanding of the average citizen increases to the point where they see that they can benefit from restrictions while the government seeks more effective feedback loops from its citizens.

⁹ The actual feasibility of a liberal democratic stance on the part of the Rwandan government is not the point of this statement; Rwanda needs to find its own way. The salient point here has to do with liberal democracy being the primary definition of best practice governance for most NGOs at this time. Rwanda’s aid acquisition is in direct proportion to its adherence to these practices; whether it is right or wrong, it is the method through which these organizations believe that governance must occur.

6. Future Projections and Governmental Goals

Governance in Rwanda is moving in many positive directions. It has more freedom in democracy and individual choices than ever before. It is safer for investment and physical security than it has been since the Belgians departed. Rule of law is increasing, and reforms are being implemented, though application of policies must still be improved upon. The government is aware that it will need to diversify its exports in order to truly realize all of its goals as stated in the *2020 Vision* report.

There are many ways to attain good governance without having all of the pieces of the puzzle in place. Today, Rwandan governance is best described by the term illiberal democracy, (a term coined by Fareed Zakira (2004p. 20) to describe a system with many democratic tendencies but without pure democracy). Rwanda needs to be given the space to develop its governance structures as needed to best facilitate the population today. They are in a process of emerging into more liberal tendencies, but tempered with a distinctly Rwandan flavor. The Rwandans need to seek the ideal of a much better future while working in the complexities of the present.

It must be stated once again that Rwanda has a significant amount of capacity building, development, and healing to be accomplished if it will succeed. To do this it must maintain the highest standards of interaction with its people so the government can gain the people's trust once again. This will be an incredibly difficult but hopefully attainable process.