

# **Conflict Resolution: Theories and Practice**

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# **Between Theory and Practice: Conflict Resolution in Rwanda**

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## **Introduction**

The 1994 genocide in Rwanda has spawned a vast literature, as scholars and policy-makers alike try to explain and to make sense of what happened. What has tended to receive less attention, however, is the complex and multi-layered conflict resolution process that preceded the genocide. It is this process – which culminated in the signing of the Arusha Accords on 4 August 1993 – that forms the focus of this chapter. For a book about the theory and practice of conflict resolution, Rwanda is a particularly important case study as it highlights a critical gap between the two. In short, the Arusha peace process can be described as ‘an extraordinary story of a sophisticated conflict resolution process gone disastrously wrong’ (Jones 2001: 69). The purpose of this chapter, therefore, is to explain why it went so wrong.

## **Context of the Conflict**

Civil war began in Rwanda on 1 October 1990 when the Rwandan Patriotic Front (RPF), formed in neighbouring Uganda in 1987, attacked northern Rwanda from its base in southern Uganda. The members of the RPF were the children of those Tutsis who had been forced to flee Rwanda in 1959. Up until that point, the colonial powers – first Germany and later Belgium – had always favoured Rwanda’s minority Tutsis over the

majority Hutus, regarding the former as Hamites and thus naturally superior to the Hutus (and the Twa). In 1959, however, the Belgians switched allegiance to the Hutus. This ignited an explosion of anti-Tutsi violence, driven by the deep-seated grievances and anger that the colonialists' discriminatory policies had created and fuelled among the Hutus. These grievances, in turn, were to play a significant role in the 1994 genocide, as Hutu extremists tapped into and exploited Hutu fears of once again being made subordinate to the Tutsis.

Following its attack on Rwanda in 1990, the RPF, which had close links to Uganda and President Yoweri Museveni, became engaged in a three-year conflict with the Rwandan army (FAR). According to Hutu extremists within President Juvénal Habyarimana's regime, however, it was not only the RPF who posed a fundamental threat. Rather, all Tutsis, by extension, were the enemy. The message that began to circulate, therefore, propagated in particular by the radio station *Radio Télévision des Mille Collines* (RTML), was that the Tutsi '*inyenzi*' or cockroaches needed to be exterminated. As the situation continued to deteriorate, moreover, two significant moments of crisis occurred. The first was the assassination, on 21 October 1993, of Melchoir Ndadaye, the first democratically-elected Hutu president of neighbouring Burundi. For Hutu extremists in Rwanda, the murder of Ndadaye served to further underscore the insidious menace posed by the Tutsis. To cite Hintjens, 'By an unhappy coincidence, the killing of Ndadaye coincided with the RPF's second invasion of Rwanda, giving apparent plausibility to the notion of a Bahima (pan-Tutsi) conspiracy to re-conquer the entire region and re-impose the old feudal order in Rwanda' (1999: 278).

The second and more fundamental crisis moment occurred on 6 April 1994. As President Habyarimana was returning to Rwanda from Tanzania, his airplane was struck by two missiles and everyone on board was killed. To this day, it remains unclear who fired these missiles. While some commentators point the finger at the RFP and its leader, Paul Kagame (see, for example, Lemarchand 2006: 6), others maintain that the most likely culprits were Hutu extremists and members of Habyarimana's own political party, the *Mouvement Révolutionnaire National pour le Développement* (MRND), since they had the most to lose from the nascent peace process (see, for example, Prunier 1997: 221; Clapham 1998: 204; Cochrane 2008: 120). Regardless of who killed Habyarimana, the genocide began almost as soon as his airplane was shot down, thus underscoring the fact that it was highly planned and organized. Over the next three months, between 500,000 and one million Tutsis and 'moderate' Hutus were killed, a faster rate of slaughter than the Holocaust.

The causes of the conflict and genocide in Rwanda are heavily debated, and one particular issue that has received considerable attention is the part that ethnicity played in these events. The conflict was ethnic to the extent that it involved Hutu extremists – like the *Comité pour la Défense de la République* and members of Habyarimana's *akazu* (literally 'little house') or inner circle – inciting hatred against Tutsis (but also against Hutu moderates and members of the opposition). Yet to describe the conflict as being solely or primarily about ethnicity is far too simplistic, for at least three main reasons. Firstly, prior to the arrival of the colonial powers, the labels 'Hutu' and 'Tutsi' denoted social, rather than ethnic, differences related to status, wealth and way of life (Fujii 2009:

60). What is more, these categories were very fluid. A Hutu, for example, could become a Tutsi through ownership of cattle. It was the colonialists' policies, not least the introduction during the 1930s of identity cards, that transformed 'Hutu' and 'Tutsi' into ethnic identities.

Secondly, while there was an important ethnic dimension to the conflict and genocide in Rwanda, ethnicity per se was not the cause of those events (Hintjens 1999: 248). Rather, what was critical was the manipulation and abuse of ethnicity, as extremists sought 'to make ethnicity the sole lens through which people viewed the country's current problems and the sole determinant for crafting possible solutions' (Fujii 2004: 102). Of course, such an instrumentalist, as opposed to a primordialist, view of ethnicity cannot explain why this elite manipulation of the masses was successful. To understand this, it is also necessary to have regard to the country's colonial history, the grievances that it engendered and the particular circumstances of the early 1990s; in particular the civil war between the FAR and the RPF, the uncertainties and fears that it generated and the impact of the economic crisis, fuelled by a fall in world coffee prices in 1989. To emphasize elite manipulation of ethnicity, however, is to highlight one of the key features of the genocide, namely its top-down dynamic. In essence, '...the episode's central feature was a deliberate, systematic, state-led campaign to eliminate a racially defined social group' (Straus 2006: 1). Elites, in other words, were the main drivers.

Thirdly, to over-focus on ethnicity is to neglect other important cleavages that contributed to the violence in Rwanda. There was, for example, a very significant

political dimension to the conflict, pitting moderates committed to multi-party democracy against those opposed to it. There was also a critical north/south dimension. In contrast to his predecessor Grégoire Kayibanda, who came from Gitarama in the south, President Habyarimana was from Gisenyi in north-west Rwanda and always favoured the minority northern Hutus. Under Habyarimana's rule, northern Hutu elites thereby gained significant power and privileges that they were intent upon preserving. From their perspective, therefore, it was not only Tutsis who posed a threat to their positions but also Hutu opposition parties from southern Rwanda. These political and regional aspects of the conflict were closely linked to democracy-building in Rwanda.

In response to strong pressure from France and the conclusion of a Franco-African summit at La Baule in July 1990, Habyarimana announced the introduction of a multi-party system in Rwanda. Thus, by March 1992, five main opposition parties existed – the *Mouvement Démocratique Républicain* (MDR), the *Parti Social Démocrate* (PSD), the *Parti Libéral* (PL), the *Parti Démocratique Chrétien* (PDC) and the *Comité pour la Défense de la République* (CDR). In April 1992, Habyarimana further agreed to the creation of a coalition government with the opposition parties, headed by Dismas Nsenyiremye from the MDR. In other words, 'There seemed to be genuine progress towards change' (Melvern 2006: 34). What is more, by agreeing to formal peace talks aimed at ending Rwanda's civil war, the new government played a key role in facilitating the conflict resolution process.

## **Actors Involved in the Conflict Resolution Process/Inclusiveness**

Owing to the very significant number of actors involved, the conflict resolution process in Rwanda was highly inclusive. The key actors in this process were of course the parties themselves, namely the RPF and the Rwandan government, both of which sent delegations to the Arusha negotiations. The RPF delegation – which included Dr Patrick Mazimpaka and Dr Théoneste Rudasingwa, the RPF vice-president and general secretary respectively – was united, organized and disciplined. It was thereby able to secure a strong position in the negotiation process. The government delegation, in contrast, was much weaker and far less effective. Headed initially by Foreign Minister Boniface Ngulinzira from the MRD, and subsequently by James Gasana from the MRND, the fundamental problem was that the government delegation was critically divided, comprising as it did ‘at least three different tendencies, each responding to a separate centre of power...’ (Mamdani 2001: 210).

While Habyarimana’s MRND had been the only political party in existence in Rwanda since 1973, the aforementioned moves towards political pluralism meant that during the Arusha talks, the government team consisted of opposition parties, who looked to the prime minister for direction; Habyarimana’s men, who took their lead from the President himself; and Hutu extremists, represented by the CDR, who were guided by their leader Colonel Théoneste Bagosora. Not only was the government delegation thus extremely fragmented, but the hardliners exploited the situation to portray the negotiations ‘as talks

between the internal opposition and the RPF, that is, between the RPF and its internal Hutu accomplices' (Mamdani 2001: 210).

Beyond the RPF and the Rwandan government, there were a wide range of regional and international actors involved in Rwanda's conflict resolution process from the outset. Indeed, according to one commentator, '...Rwanda became a laboratory wherein sub-regional and regional inter-state organizations tested their capacity to engage in conflict management' (Jones 2001: 54). In the early stages of the process, it was Zaire who assumed a leading role. It was, for example, President Mobutu Sese Seku who organized the first regional summit, held on 26 October 1990 in Gbadolite, Zaire. It was also due to Mobutu's efforts that a cease-fire agreement between the FAR and the RPF was signed in N'Sele, Zaire, on 29 March 1991. Zaire thus played a vital role in laying the groundwork for the Arusha negotiations. By the time that these negotiations began in July 1992, however, the initiative had shifted from Zaire to another of Rwanda's neighbours, namely Tanzania. This was a very positive development since Tanzania was regarded as far more neutral<sup>1</sup> than Zaire, the latter having supported President Habyarimana during the RPF attack on 1 October 1990. Although the Arusha negotiations were officially held under the authority of the Organization for Africa Unity (OAU), it was Tanzania – and more specifically the Tanzanian ambassador Ami Mpungwe – who acted as mediator. In addition, Burundi, Nigeria, Senegal, Uganda, Zaire, Zimbabwe, the OAU, the United Nations (UN), as well as Belgium, France, Germany and the United States, were all involved in the negotiations as observers.

That so many actors were engaged in the process may be viewed as evidence of a genuine and widespread regional and international commitment to resolving the conflict in Rwanda. Two key points, however, should be noted. The first is that there are questions regarding certain actors' reasons for participating in the conflict resolution process. France, for example, viewed the English-speaking RPF as a threat to its interests in Francophone Africa. According to one commentator, therefore, 'The Quai d'Orsay was, in short, pro-Arusha, not out of humanitarian concerns...but because Arusha was the best solution in terms of French interests' (Jones 2001: 77). During the negotiations, moreover, rather than assuming the role of a neutral observer, France strongly championed the position of the Rwandan government. A mutual mistrust accordingly developed between France and the RPF, which in turn extended to France's relations with Uganda, due to the latter's support for the RPF. That such negative relations existed between some of the central actors was not conducive to the resolution of the Rwandan conflict. Indeed, it might be argued that, '...the structure of international rivalries helped to exacerbate rather than moderate the conflict...' (Clapham 1998: 199). The second key point is that the involvement of so many actors encouraged the belief that the international community was sincerely committed not just to resolving the conflict but also to implementing any peace agreement reached (Khadiagala 2002: 471). Yet this belief ultimately proved to be ill-founded (Kuperman 1996), as highlighted in particular by the lack of international support and commitment to the ill-fated United Nations Assistance Mission in Rwanda (UNAMIR), created in 1993 to oversee the implementation of the Arusha Accords.

## **Capacity/Leverage of the Primary Mediator**

It has been suggested that mediation efforts should await the development of a ‘mutually hurting stalemate’ (Zartman 2008), as this ‘will have set the leaders on at least the intellectual course of considering alternatives and searching for a way out’ (Mitchell 2008: 97). In Rwanda, it can be argued that to some extent there was a mutually hurting stalemate, a concept based on the idea that, ‘...when the parties find themselves locked in a conflict from which they cannot escalate to victory and this deadlock is painful to both of them (although not necessarily in equal degree or for the same reasons), they seek an alternative policy or Way Out (WO)’ (Zartman 2008: 22). Not only was the international community threatening to cut off financial aid to Rwanda, discussed below, but the significant military gains secured by the RPF in February 1993, when it advanced to within 23 kilometres of Kigali, demonstrated to the Rwandan government that it faced a very formidable opponent. At the same time, the situation was also ‘hurting’ the RPF, owing to the creation, on 12 March 1993, of a UN Observer Mission Uganda-Rwanda (UNOMUR). Set up to monitor the border between Rwanda and Uganda, UNOMUR’s presence was thus threatening to cut off the RPF’s supply lines from Uganda. The conditions were therefore very ‘ripe’ for mediation.

Turning to the mediators themselves, the primary mediator in the Arusha talks was Rwanda’s eastern neighbour, Tanzania. While President Ali Hassan Mwinyi was the official facilitator to the negotiations, he largely delegated this position to Ambassador Ami Mpungwe. As primary mediator, Mpungwe thereby played a vital role in the

negotiations by, *inter alia*, setting the agenda for the Arusha talks, designing their structure, engaging in backroom diplomacy and threatening to withdraw Tanzanian mediation when the two sides failed to reach an agreement. Through Tanzania's mediation efforts, it was thus 'judged to have played an honest broker role' in the peace process (Jones 2001: 78).

Although Tanzania was the principal mediator, however, very significant leverage – in the form of economic pressure – was exercised by the US and various international donors. Essentially, these actors threatened to halt economic aid to Rwanda in order to bring Habyarimana to the negotiating table and to keep him there. This, moreover, was no idle threat. When, for example, in 1993, the Rwandan government failed to comply with the conditions laid down by the US for continued economic aid – including reduced violence and respect for human rights – the latter responded by capping its aid at \$6 million. While such international pressure, which was not only economic, undoubtedly facilitated the negotiations, whether or not it ultimately proved effective is open to debate. According to Lemarchand, '...not only were the negotiations conducted under tremendous external pressures, but, partly for this reason, the concessions made to the FPR [RPF] were seen by Hutu hard-liners as a sell-out imposed by outsiders' (1994: 591-592). What is more, the pressure put on the parties to reach an agreement was incongruent with the lack of international support for the implementation of that agreement; '...it was clear to all and sundry that the international community had little will and less staying power to see the agreement implemented effectively' (Cochrane 2008: 121).

To conclude this section, mediation in the Rwandan conflict was effective to the extent that it brought the parties to a very comprehensive peace agreement. Certainly, without mediation, it is highly unlikely that the Arusha Accords would have been signed. Yet, as will be discussed, both the process leading up to those Accords and the peace agreement itself contained critical flaws, part of the responsibility for which necessarily lies with the mediators themselves. Critically, they arguably failed to appreciate just how much Rwanda's northern Hutu elite had to lose under the terms of the Arusha Accords, which in the latter's eyes represented a victor's deal. Ultimately, therefore, mediation never actually resolved the conflict in Rwanda. Rather, 'A conflict which three and a half years of international mediation had failed to settle was resolved instead by military force in an equivalent number of months' (Clapham 1998: 207).

### **Process Structure**

Almost as soon as the RPF attacked Rwanda on 1 October 1990, a flurry of diplomatic activity began. In mid-October, for example, on the initiative of Belgium, a series of regional talks took place, and on 17 October, a regional summit was held in Mwanza, Tanzania. This resulted in the Mwanza Communiqué which, *inter alia*, provided a basis for further negotiations to take place and formalized the role of Rwanda's neighbours in the nascent peace process. A series of subsequent agreements, like the Dar es Salaam Declaration on the Rwandese Refugees Problem (19 February 1991), cease-fires and pre-negotiations all paved the way for the Arusha talks to begin. That there were always very significant regional and international elements to the conflict resolution process in

Rwanda made the structure of that process very complex and multi-layered, involving a host of different actors and organizations with individual interests and priorities. Yet it was precisely the inclusion of these diverse regional and international players that gave the process its dynamic character and helped to create the necessary momentum for the negotiations to move forward. In addition to these formal, so-called track I international and regional diplomatic efforts, moreover, the process also involved unofficial, track II initiatives by such actors as OXFAM Rwanda and the Rwandan Catholic Church. The latter, for example, supported by the Vatican, put pressure on Habyarimana to negotiate; and in May 1992, secret talks took place between the Church and the RPF in Bujumbura, Burundi. It was this successful combination of official and unofficial diplomacy that the Arusha talks possible.

On the issue of structure, three particular points stand out vis-à-vis the Arusha negotiations. The first is that their structure closely reflected the beliefs and principles of the man who led the process, primary mediator Ambassador Mpungwe. He was seeking not merely conflict management or conflict settlement but conflict resolution. With this in mind, Mpungwe heavily designed the process around communication, as the vehicle for allowing the parties to dialogically resolve their issues, to change their perceptions of each other and to reach an agreement acceptable to them both. According to Jones, therefore, ‘...the design of the Arusha process certainly conforms more closely to the conceptions of peace processes found in conflict resolution literature than in the more traditional negotiation/mediation literature’ (2001: 71). If the structure of the process was thus too ‘academic’, this may help to explain why it ultimately failed. Perhaps a more

obvious problem, however, is that the dialogue and communication that took place between the government and the RPF were always very uneven, owing to the parties' unequal bargaining positions.

Before coming to this issue, however, a second important point relating to the structure of the Arusha talks must be noted. In some peace processes, particularly contentious issues are postponed for resolution at a later date. The Dayton Peace Accords, for example, which ended the war in Bosnia-Herzegovina, left unresolved the heavily disputed status of Brčko District, instead submitting the matter to binding international arbitration; and the 1993 Declaration of Principles (DOP), signed by Israel and the Palestinian Liberation Organization (PLO), deferred negotiations concerning the most difficult questions, such as Jerusalem, final borders and security. In the Arusha negotiations, in contrast, nothing was postponed. However, the process was structured in such a way that the least controversial issues were dealt with first. Hence, during the first two stages of the negotiations, in July and August 1992 respectively, the focus was on issues pertaining to the rule of law and on the creation of a new cease-fire. This goal was successfully achieved on 14 July 1992, based on the previous N'sele cease-fire agreement negotiated by Mobutu in March 1991. The third stage of the negotiations dealt with power-sharing and political co-operation. Agreements were reached and initialled, but they were not actually signed, due to lack of support from President Habyarimana. The difficult issue of power-sharing was further addressed during the fourth stage of the negotiations, in October 1992, when the parties agreed upon the creation of a multi-party transitional government, a shift from a presidential to a parliamentary system and, as a corollary, a

significant reduction in the President's powers. The two most sensitive and contested issues, namely the composition of the transitional authorities that the parties had agreed to create and the integration of the FAR and the RPF, were reserved until the final stages of the negotiation process. What is interesting is that on both of these latter issues, it was the RPF who prevailed, which brings us to the third key point concerning the structure of the Arusha talks.

On 30 October 1992, the parties signed a protocol on power-sharing, which subsequently became the basis of the Arusha Accords. The RPF, however, insisted that the extremist CDR should be excluded from the new transitional government. While the government delegation, backed by France and the US, was equally adamant that the CDR must be included, it ultimately conceded to the RPF's demands. As a consequence, Habyarimana and the CDR rejected the power-sharing protocols and organized demonstrations against the Arusha talks, notably in the two Habyarimana strongholds of Gisenyi and Ruhengeri. The ensuing violence against Tutsis and moderate Hutus led the RPF, in turn, to end its ceasefire in February 1993. Yet this may have been a tactical move, designed to strengthen the RPF's bargaining position in the forthcoming negotiations on the issue of the armed forces (Jones 2001: 83). Following a high level summit in Dar es Salaam on 7 March, organized by Tanzania, and the conclusion of a new cease-fire agreement, these negotiations began in March 1993. The government initially proposed only a 15 per cent share for the RPF in the armed forces, yet subsequently consented to the RPF's demand for a 50 per cent share. Thus, the final agreement was that there would be a 50/50 split in terms of command positions and a 60/40 split in favour of the FAR for all other positions.

It is clear, therefore, that because the RPF delegation represented a very strong and united force, in contrast to the government delegation,<sup>2</sup> it was in a position to extract significant concessions and to secure its objectives. What this meant in terms of the structure of the Arusha talks, however, is that they were rather one-sided, ‘a lop-sided negotiation dance’ (Scourgie 2004: 69) which, in turn, produced a ‘somewhat lopsided deal’ (Jones 2001: 95).

### **Design Proposed**

On 4 August 1993, 13 months after the Arusha negotiations began, President Habyarimana and Alexis Kanyarengwe, the chairman of the RPF, signed the Arusha Accords. These consisted of five main elements. Firstly, all those refugees who had been forced to flee Rwanda as a result of the violence that began in 1959 would be free to return to Rwanda.<sup>3</sup> Secondly, the formerly warring factions would be integrated into a new army of 19,000 troops, of which the FAR would constitute 60 per cent and the RPF would represent 40 per cent. Thirdly, a broad-based transitional government (BBTG) would be set up within 37 days of the signing of the Accords, including a new cabinet consisting of 21 ministers. Of these, five would be members of Habyarimana’s MRND; five would belong to the RPF; four would represent the MDR; three would come from the PSD; three would be members of the PL and one would be from the PDC. Regarding the top portfolios, the position of prime minister would go to Faustin Twagiramungu from the MDR, the job of minister of defence would fall to the MRND; and the position of minister of the interior would be accorded to the RPF. According to the Arusha

Accords, a Transitional National Assembly (TNA) would also be set up, consisting of 70 members representing the various political parties.<sup>4</sup> Fourthly, under the terms of the Arusha Accords, democratic elections would take place in 1995. Finally, all of the above developments were to be overseen by a neutral international force. To this end, the UN Security Council created UNAMIR, a peacekeeping force whose 2,548 members fell significantly short of the 5,500-strong force requested by UNAMIR's Canadian commander, Lieutenant General Roméo Dallaire. Furthermore, UNAMIR was not established until 5 October 1993, even though part of its mandate was to oversee the creation of the BBTG which should have been formed by 10 September 1993. From the outset, therefore, the very ambitious timetable laid out in the Arusha Accords began to slip.

The Accords stipulated that all of the aforementioned elements were to be realized within a 22-month timetable. Yet just eight months after they were signed, nobody in Rwanda was thinking about their implementation. On 6 April 1994, genocide began. The relentless slaughter lasted for 100 days, by the end of which 80 per cent of Rwanda's Tutsi population had been killed. The Arusha Accords, therefore, were a spectacular failure. More than that, however, they were a major contributing factor to the genocide. To cite Paris, 'The evidence suggests that the mass killing of Tutsis was a last-ditch effort to block implementation of the Arusha Accords' (2004: 74). This thereby raises two critical questions: why did the Accords fail and why did Hutu extremists want to prevent their implementation?

According to Darby, ‘...a peace process must include five criteria. The protagonists must be willing to negotiate in good faith; the key actors must be included in the process; the negotiations must address the central issues in the dispute; force must not be used to achieve objectives; and the negotiators must be committed to a sustained process’ (2001: 11). These criteria, it is argued, were largely absent in the case of Rwanda. First of all, there are questions as to whether the parties were actually negotiating in good faith. For example, there is evidence that both the government side and the RPF were continuing to arm themselves as the Arusha negotiations were taking place (Waugh 2005: 610; Melvern 2006: 39; Straus 2006: 31; Kinzer 2008: 115). Regarding Habyarimana himself, whose support for the process was essential, he never attended the Arusha talks; on 30 November 1992, he denounced the power-sharing protocols that preceded the Arusha Accords as ‘mere pieces of paper’; and one month after the signing of the Accords, to which he was ‘a reluctant signatory’ (Khadiagala 2002: 476), a member of his family set up RTLM, the vitriolic anti-Tutsi radio station that played a crucial role in inciting people to kill. Prunier’s assessment, therefore, is that Habyarimana signed the Accords ‘not as a genuine gesture marking the turning-over of a new leaf and the beginning of democratisation in Rwanda, but as a tactical move calculated to buy time, shore up the contradictions of the various sections of the opposition and look good in the eyes of foreign donors’ (1997: 194-195).

Regarding the second criterion, although the extremist CDR was included in the Arusha negotiations, the party was excluded from the new transitional government, as demanded by the RPF. For one commentator, therefore, the fact that the Arusha Accords failed to

deal with the CDR means that they were ‘signed stillborn’ (Mamdani 2001: 211). The CDR and its leader, Bagosora, can be regarded as a classic example of ‘spoilers’, as defined by Stedman (1997). More specifically, they can be viewed as ‘total spoilers’ – as individuals who ‘pursue total power and exclusive recognition of authority and hold immutable preferences...’ (Stedman 1997: 10). This thereby raises critical questions as to whether excluding the CDR was the correct approach. For some commentators it clearly was, as engaging with the extremists was simply not an option (see, for example, Clapham 1998: 206). For Stedman himself, however, the fact that the Accords contained no strategy for dealing with the CDR means that they were necessarily critically flawed. He suggests that a strong peacekeeping force, combined with credible threats against the use of violence by extremists, might have prevented the genocide (Stedman 1997: 25). The problem was that there was no international commitment to create such a force, and UNAMIR itself was in no position to threaten the extremists. What existed was to a large extent a no-win situation: ‘Bringing the CDR into the new government would have doomed that government. Keeping it out had the same effect’ (Kinzer 2008: 108-109). Yet had some attempt been made to actually deal with the CDR, this would perhaps have alienated and antagonized its members far less than their total exclusion from the process.

Turning to Darby’s third criterion, the Arusha Accords did address the central issues in the dispute. Due, however, to the aforementioned divisions within the Hutu delegation and its relative weakness vis-à-vis the RPF delegation, the Accords did so in a way that largely favoured the latter. From the perspective of the Hutu camp, therefore, the Accords were a victory deal for the RPF (Stettenheim 2000: 224). Linked to this, although force

was not used to achieve objectives, as Darby's fourth criterion stipulates, the fact that one negotiating party was much stronger than the other meant that the two sides were not evenly matched. Hence, while one side was largely able to secure its goals, the other was consistently obliged to make major concessions. It was precisely because of everything that the northern Hutu elite stood to lose under the terms of the Arusha Accords, not only to the RPF but also to the Hutu opposition – from seats in parliament to control of the army – that the extremists were never going to accept these Accords. In short, '...the final result proved to be a recipe for disaster because it pushed well beyond what was acceptable in key sectors in Kigali on distribution of command posts and the distribution of seats in the BBTG' (Jones 2001: 95). As to the final criterion, neither the parties themselves nor the international community were committed to a sustained peace process. As previously noted, both sides continued to arm and various elements within the Hutu camp were 'venomously opposed' to the Accords (Barnett 2002: 62), for the reasons outlined above. What is more, international commitment to achieving a peace agreement in Rwanda appeared to largely dissolve when it came to actually implementing that agreement (Khadiagala 2002: 463). Most strikingly, as Dallaire petitioned the UN for additional troops to halt the unfolding genocide, the UN Security Council took the decision to reduce UNAMIR from 2,548 to just 270 troops.<sup>5</sup>

### **Status (Success/Failure)**

Rwanda's genocide ended on 18 July 1994, when the RPF took control of the country. A new government was formed the following day, and what is interesting is that it was in

keeping with the provisions of the Arusha Accords. Thus, this power-sharing government was headed by Faustin Twagiramungu, from the MDR, and the 21 cabinet ministries were shared among the RPF, the MDR, the PSD, the PL and the PDC (the MRND and the CDR were excluded). It can be argued, therefore, that, ‘The government that was inaugurated on July 19, 1994, was a genuine government of national unity. It was fully in the spirit of the Arusha Peace Agreements of August 1993...’ (Prunier 2009: 7). These very positive developments, however, were short-lived. In 1995, both Prime Minister Twagiramungu and Interior Minister Seth Sendashonga resigned, followed two years later by Justice Minister Alphonse Nkubito. As the wave of resignations continued, Twagiramungu’s successor, Pierre-Celestin Rwigema, together with the Speaker of the National Assembly, Joseph Sebarenzi, and the Rwandan President, Pasteur Bizimungu, all resigned within a three-month period in 2000. All of them accused the RPF of, *inter alia*, abusing its power, of discriminating against Tutsi and Hutu survivors of the genocide and of committing human rights violations, like the massacre at the Kibeho camp, in April 1995.<sup>6</sup>

Since the collapse of this power-sharing government, the RPF regime and President Paul Kagame, the former RPF commander, have become increasingly authoritarian. In the words of Reyntjens, the victim has become a bully (2004: 197). During local elections in March 2001, for example, political parties were prohibited from campaigning and voters were required to put their thumb-print – effectively equivalent to a signature – next to the name and picture of their chosen candidate. During the 2003 elections, moreover, the strongest opposition parties were banned, including the MRD, which was accused of

‘divisionism’; and Kagame, who had unofficially been Rwandan President since April 2000, ‘was elected by a massive 95 percent of the vote after a campaign marked by arrests, “disappearances” and intimidation’ (Reyntjens 2004: 186). At the same time, the regime has demonstrated a marked intolerance of critical voices and of anyone viewed as a potential threat to its power. In May 2001, for example, when former President Pasteur Bizimungu announced the creation of his own political party, the *Parti Démocratique pour le Renouveau – Ubuyanja*, he was arrested in Kigali. In other words, just as the RPF manipulated the Arusha negotiations to its advantage, it is now manipulating the current political situation for its own ends.

The genocide is over, victims and perpetrators are living side by side in the ‘land of a thousand hills’ and the wheels of justice – in the form of national courts, *gacaca* courts and the International Criminal Tribunal for Rwanda (ICTR) – are in motion. Yet no real solution has been implemented in Rwanda. The government has adopted a comprehensive policy of national unity and reconciliation, epitomized by the creation in 1999 of a National Unity and Reconciliation Commission (NURC). This policy, however, is fundamentally flawed, seeking as it does to forge such unity and reconciliation through the suppression of ethnicity.<sup>7</sup> In Rwanda, ethnicity ‘is crucial for addressing the roots of the injuries suffered by each community’ (Lemarchand 2008: 69). Its denial, therefore, means that notwithstanding the holding of criminal and *gacaca* trials, post-genocide Rwanda is not fully confronting and addressing the past. While there is of course much debate among scholars as to whether and how post-conflict societies should in fact deal with the past, the key point vis-à-vis Rwanda is that the official negation of ethnicity is in

reality helping to obscure what is really happening, namely the political manipulation of ethnicity.

This manipulation can be seen in two main ways. Firstly, it can be seen in what Reyntjens calls the ‘Tutsization’ and ‘RPF-ization’ of power (2004: 188). In a country where ethnicity supposedly does not matter, for example, by 2000, ‘...out of a total of 169 of the most important office-holders, 135 (or about 80 percent) were RPF/RPA [Rwandan Patriotic Army] and 119 (or roughly 70 percent) were Tutsi’. Given that the Hutus constitute the overwhelming majority in Rwanda, it can be argued that these figures reveal ‘a strong ethnic bias in favour of a small Tutsi elite’ (Reyntjens 2004: 188). Secondly, the political manipulation of ethnicity is apparent in the Rwandan regime’s refusal to cooperate with the Arusha-based ICTR, as a result of which no RPF crimes have been prosecuted at the Tribunal.<sup>8</sup> The fact, therefore, that only one side is being held to account for its crimes serves to reinforce the notion, extremely useful to the RPF, that Tutsis were exclusively victims during the genocide.

Essentially, despite the efforts invested in Rwanda’s conflict resolution process, the conflict was never in fact resolved. If Hutu extremists sought to exterminate the Tutsis, in order to preserve their power and to prevent the imposition of a new Batutsi autocracy, they ultimately failed. While hundreds of thousands of Tutsis were massacred, similar numbers returned to Rwanda from neighbouring countries, in keeping with the Arusha Accords. The result is that, ‘post-genocide Rwanda is not just a Tutsi state; it is a state largely controlled by the returnees, with the “Ugandans” holding the top jobs in the

government, the economy and the army' (Lemarchand and Niwese 2007: 182). In other words, the genocide helped to create the very situation that the Hutu extremists had sought to avoid. Not only does the conflict thus remain unresolved but the Kagame regime is arguably sowing the seeds of further conflict, through its combined strategy of suppressing and abusing ethnicity.

## **Conclusion**

Based on conflict resolution theory, Rwanda in many respects should have been a success story. For example, the Arusha talks were inclusive, the parties had expressed their commitment to the negotiating process, there was strong regional and international support for the process and a mutually hurting stalemate existed. In practice, however, Rwanda presented enormous challenges for conflict resolution theory. Theories on how to deal with spoilers, for example, meant little in a situation where Hutu extremists were implacably opposed to, and fixated upon destroying and burying a peace agreement that represented a fundamental threat to their power. Similarly, while a mutually hurting stalemate may have encouraged the parties to sign the Arusha Accords, such a stalemate cannot lead to a peaceful resolution of conflict if, as in Rwanda, the final agreement benefits one side while significantly 'hurting' the other. Perhaps the key lesson to be drawn from this chapter, therefore, is that an overly-theoretical approach to conflict resolution is too limited and should thus be avoided. For a fusion, rather than fissure, of theory and practice, conflict resolution theory should be combined with empirical insights and case study analysis.

## Notes

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<sup>1</sup> Jones observes that, 'It has been suggested that the Tanzanian government supported the RPF, and although this may well be true in the sense of sympathy, it does not appear to have been true in the sense of taking sides' (2001: 100n23).

<sup>2</sup> For Jones, 'This strength/weakness distinction can be seen as a critical variable in explaining the Arusha process, both for understanding the agreements reached and for understanding what would follow the signing of the Arusha peace deal' (2001: 73-74).

<sup>3</sup> During the 1980s, the Hutu government in Kigali had 'declared that Rwanda was too over-populated to accept the repatriation of the approximately 600,000 Tutsis in exile' (Peskin 2008: 156).

<sup>4</sup> The MRND, RPF, MDR, PL and PSD would each provide 11 members, four members would come from the PDC and the remainder would be drawn from the smaller political parties.

<sup>5</sup> Dallaire maintains that he could have stopped the unfolding slaughter in Rwanda, had the UN Security Council granted his request for extra troops (2004: 374).

<sup>6</sup> For a discussion of this massacre, see Prunier (2009).

<sup>7</sup> According to Straus, the banning of references to ethnicity stems from the RPF government's erroneous conclusion that, 'participation in the genocide was massive and that participation stemmed from widespread ethnic commitment and racist indoctrination' (2008: 168).

<sup>8</sup> On this issue, see Del Ponte (2008).

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