

RWANDA: STATE OR NETWORK?

In the previous chapter, I analyzed the RPA and its profitable commercial activities in the Congo. In this chapter, I shall analyze what Rwanda really is as well as the RPA's motivation for participating in the Congo War. I shall do this by asking whether Rwanda is indeed a state in the classic sense – or whether what is officially labelled 'the institutions of the state' are in reality dominated by a structure of closely-related power networks.

The Classic State

I shall not go through the entire body of theories on the state, since it is not relevant for this dissertation. However, in order to assess whether Rwanda is indeed a state in the classical sense, I shall briefly outline the characteristics of a classic state. In the words of E.D. Brown, the qualifying core characteristics for statehood are as follows:

The State in quest of recognition must have a stable government, which does not recognise any outside superior authority: it must rule supreme within a territory – with more or less settled frontiers – and it must exercise control over a certain number of people.¹

With one exception, this corresponds well to Barry Buzan's line of thought set forward in his much discussed book *People, States and Fear*, where he suggests that besides sovereignty, the state is made up of three components, neither of which can be replaced by any of the others; the idea of the state (which is not mentioned by Brown), the physical base of the state and the institutional expression of the state. First of all, this means that there can be no state unless there is a discourse of the state. Without a discourse of the state, it would simply not exist. Or, put differently, the state does not exist outside the discourse. Second, the state must rule over a territory and a population, and, third, the state must have institutions that are able to regulate the affairs of its citizens.²

While for a long time what Buzan terms 'the idea of the state' has been shared among virtually all citizens of Europe, the discourse of the state was not firmly rooted on the African

¹ E.D. Brown quoted Jackson, Robert H., *Quasi-states: Sovereignty, International Relations and the Third World* (Cambridge: Cambridge University Press, 1990), p. 53

continent until about the late 19th century. In other words, the state did simply not exist on the African continent until quite recently.

When decolonization gathered speed after World War II, the idea of the state was introduced and strong, nationalist movements initiated governments in many African states. Thanks to mass communication media, in particular radio broadcasting, the discourse of the state was introduced to a larger audience. The discourse of state has, perhaps surprisingly, survived numerous political upheavals, migrations, and civil and international wars. Paradoxically, the discourse of the state is tremendously strong among the inhabitants of one of the most fragmented African states of them all, the Congo. The Congolese people remain extremely devoted to the idea of a common Congolese state, despite more than 30 years of rule by a despot whose sole aim was to enrich himself at the expense of his subjects and gather power in his own hands and those of his family and allies from the region he came from. Suggestions by Rwanda or western politicians that a part of Eastern Congo – notably the North and South Kivu provinces - should be annexed to Rwanda are vehemently opposed by all kinds of Congolese. In fact, the Rwandan occupation has only worsened the notion that foreigners are plotting to exploit the Congo, and it has thereby helped fuelling Congolese nationalism as well as the discourse of the state in this otherwise fragmented country.³

As for the territorial claim – this is what Buzan refers to as the physical expression - the state must have the means to regulate activities across its borders.⁴ This includes goods, services and persons. Regulating border activities has proven to be a serious problem for many African countries, in particular the Congo, where the borders are almost wide open.⁵

Likewise, the physical expression of the state implies that it must be able to reach all inhabitants within its territory, which is problematic for certain African countries that more or less permanently have parts of their territories occupied by foreign troops or rebel movements. Again, Congo is among those African countries that clearly cannot fulfil this criterion.⁶

² Buzan, Barry, *People, States and Fear: An Agenda for International Security Studies in the Post-Cold War Era* (London: Harvester Wheatsheaf, 1999), pp. 63-67

³ Interview with Séverin Mugangu, Bukavu, October 2000; see also Jackson, Stephen, "Our Riches are being Looted!": War Economies and Rumour in the Kivus, D.R. Congo', *Politique Africaine*, forthcoming issue

⁴ *Ibid.*, p. 95

⁵ Lemarchand, René, *The Democratic Republic of Congo: From Failed State to Statelessness*, December 2000

⁶ *Ibid.*

States must also be able to provide functioning institutions, which regulate the lives of its citizens, such as arbitrate, police, and collect taxes to name but the most important. In short, the state must have a government that is able to exercise control over people within its territory. In order to provide these services, the state must have a relatively stable government and ditto institutions.⁷ Again, Congo comes to mind as a state that cannot meet the criteria of maintaining functioning state institutions, not even within those parts of the territory under the control of the Government Army.

As a side issue, Buzan argues that in order to fulfil the criteria of maintaining capable state institutions of defence, administration, and diplomacy, states typically need a relatively large population, simply in order to fulfil these tasks. Though no fixed threshold exists, Buzan suggests that the borderline is around 100,000 inhabitants. Some states, he points out, are still doing well with fewer people, although such microstates typically rely on other states for their physical protection, i.e. defence. "A population of 100,000 would generally be considered dangerously small," Buzan thinks, "but begins to approach the level of acceptability."⁸

Though many social entities are able to meet all the above-mentioned criteria of a discourse of the social unit (such as the family or a corporation), a physical base (such as a home or an office), and the institutional expression (such as parents influencing the behaviour of their children and the company controlling its employees) – some international corporations might even meet the somewhat fuzzy criteria of a large population – neither the family nor large corporations can be called states as such.

Thus the defining and crucial component that distinguishes states from other large social entities is sovereignty. Sovereignty means supreme jurisdiction in all affairs within the territory of the state; in other words, a monopoly of violence. According to Buzan, "the mark of the true state is that it claims undivided sovereignty in all temporal affairs. Sovereignty is divided among states, but not within them."⁹ Sovereignty is in other words absolute, indivisible and impossible to grade. Either a state is sovereign or it is not a state.

Sovereignty is thus a two-sided affair with both an internal and an external dimension. The internal dimension involves the exercising of control over its subjects through institutions. As elaborated on above, this includes defending its borders simply in order to be able to reach and

⁷ Buzan, p. 66

⁸ Ibid.

⁹ Ibid., p. 67

regulate the lives of all citizens within its territory. Not only must the state be recognized internally, it must also be acknowledged externally. This aspect of sovereignty is crucial for certain war-ravaged African countries, where the idea of the state is less powerful – internally and externally. For instance, Somalia has not been able to secure outside support, because it does not have any recognized government. At some point UN troops were even deployed without the permission of any domestic authority – simply because there was no externally recognized government.¹⁰

Externally, there are very few legal exceptions to the sovereignty of a state that meets the above-mentioned criteria. However, from an external point of view, the sovereignty of a country is in fact not absolute. Following the end of the Cold War, the extent to which other countries' sovereignty should be respected has been the subject of heated debate; how far can a government go in terms of harming its own citizens before foreign intervention is justified? According to international law, other states are allowed - in fact compelled - by UN conventions to intervene in the internal affairs of an otherwise sovereign state in order to prevent or stop genocide or other crimes against humanity.¹¹

¹⁰ See for instance Chopra, Jarat; Eknes, Åge; and Nordbø, Toralv, 'Fighting for Hope in Somalia', *Journal of Humanitarian Assistance*, no volume (October 1996), at <http://www.jha.ac/articles/a007.htm>

¹¹ This posed a great problem for the Clinton administration during the Rwandan Genocide in 1994, where it felt a pressure to intervene, but did not want to do so for various political reasons. Top officials therefore instructed US Government spokespersons to avoid referring to the Genocide as simply 'Genocide', but instead to 'acts of genocide'. Burkhalter, Holly J., 'The Question of Genocide: The Clinton Administration and Rwanda,' *World Policy Journal* Vol. 11, No. 4 (Winter 1994-95), pp. 44-54. There is in fact no such difference between 'genocide' and 'acts of genocide' since what matters is intent to destroy in whole or part (in casu) an ethnic minority, not the numbers killed. United Nations, General Assembly, *Convention on the Prevention and Punishment of the Crime of Genocide*, Resolution 260 (III) A, 9 December 1948, also available at <http://www.preventgenocide.org/law/convention/text.htm>

The Network Rulers

At the end of the colonial period, a large number of poor, developing countries were made independent by being granted what Robert H. Jackson has termed negative sovereignty by their former colonial masters.¹² The governments that threw up themselves at the commencement of the post-colonial period were not capable of - or interested in - establishing functional institutions that could regulate the interactions between its citizens. They were merely granted the formal-legal right of freedom from outside interference, i.e. from their former colonial masters, but they were not capable - or willing - to police borders and enforce internal control. As argued by Robert H. Jackson:

What has changed is not the empirical conditions of states but the international rules and institutions concerning those conditions [...] The weakness or backwardness of countries is no longer a justification for conquest or colonialism. Nor is it a justification for international support of anti-government rebels in derelict Asian and African states [...]¹³

While such non-interference from western states may not raise any eyebrows in today's political debates, the pre-World War II international legal framework "drew a sharp distinction between Europeans or people of European descent and non-Europeans: only the former were unquestionably entitled to sovereign statehood."¹⁴ Following World War II, public opinion and the international legal framework changed, and through the UN most former colonies achieved independence during the three decades following 1945. That is, they were – at least formally and legally through the UN - granted the privilege of exclusive legal jurisdiction or laissez-faire within their own borders, a *de jure* sovereignty.¹⁵ These former colonies, however, did not – and many still do not – have governments exercising control over the territories they laid claim to. One can therefore argue that these former colonies were not – and are not – *de facto* sovereign entities.

During the Cold War, the two superpowers gave economic, military and diplomatic support to virtually any government or rebel movement that was ready to come up with the correct phrases in support of either the West or the East, regardless of whether those rulers had in fact the entire

¹² Jackson, Robert H., *Quasi-states...*, pp. 26-31

¹³ *Ibid.*, p. 23

¹⁴ *Ibid.*, *Quasi-states...*, p. 16

¹⁵ *Ibid.*, p. 27

domestic territory of their respective countries under control, were able to regulate transactions across their borders, or sustained stable and functional internal administrative hierarchies.¹⁶

With the decline of the Soviet Union, the United States and other western powers have been more reluctant to provide 'strategic aid', i.e. military aid, but this has not meant a complete drying out of resources going from the West to Third World countries. Humanitarian or development aid in the form of disaster relief or long-term aid has filled the income gaps. However, this change in the source of aid has not meant that rulers in many African states have gained better control of their countries, nor that they have built – or indeed acquired an interest in – functional and stable civilian institutions. But the shift from 'strategic aid' to 'development aid' and 'humanitarian aid' has meant that donors have – at least on the surface of things - been increasingly focused on the legitimacy and capabilities of the governments that they fund. Donors do not want to be seen supporting regimes that are not enjoying at least a modicum of popular support, and who are not willing or capable of providing for their subjects. In order to be recognized by donor governments, rulers in the post-Cold War era have therefore had an increasing interest in displaying to the outside world – or pretending - that their governments are legitimate, i.e. committed to representative parliamentary democracy, and that they are capable managers of sovereign states. In today's donor dependent Third World, rulers have therefore learnt to display at least a rhetorical commitment to sovereignty; otherwise donors would find it increasingly difficult to persuade public opinion in Europe or North America to provide them with sustaining aid. A fact those rulers are perfectly aware of. In the words of William Reno:

Rulers whose governments lack internal administrative capabilities deliberately manipulate supposed norms of sovereignty to extend the powers and interests of these regimes; in effect pretending that especially weak states exercise a degree of internal control that they in fact do not.¹⁷

This phenomenon of claiming internal control and legitimate public support merely for the sake of external recognition and support has been dubbed the "organized hypocrisy" by Stephen

¹⁶ Steven David, 'Explaining Third World Alignment', *World Politics* Vol. 43, No. 2 (January 1991), pp. 233-56; Handel, Michael, *Weak States in the International System* (London: Frank Cass, 1981); and National Intelligence Council, *The US-Soviet Competition for Influence in the Third World: How the LDCs Play It*, Memorandum 82-10005, 1982

¹⁷ Reno, William, *War, Debt and the Role of Pretending in Uganda's International Relations*, Occasional Paper at the Centre for African Studies, University of Copenhagen, July 2000, available at http://www.teol.ku.dk/cas/Occ_Reno_internetver.doc, unpaginated

Krasner.¹⁸ The result has been that donors have provided Third World governments with aid in exchange for a by and large rhetorical commitment to the discourse of sovereignty.

Here I will contest the claim by Barry Buzan (and others) that "although conceptually difficult, sovereignty is usually easy to recognize in practice".¹⁹ The case of the European Union (EU) makes it possible to argue that EU member states are no longer completely sovereign, since they have given up exclusive legal jurisdiction on certain matters to a common body, the European Council of Ministers, which issues directives on the matters concerned that are binding for all member states. And since sovereignty is undividable, it can, in fact, be argued that the members of the European Union are no longer states.

The sovereignty status of many African countries is also intriguing, such as the Congo, Angola or Sierra Leone, which all have armed insurgents controlling large parts of the territory that the so-called governments of these countries lay claim to.

A similar claim as Buzan's is made by some positivist legal scholars who contend that it makes no difference whether a state is being recognized or not, since it will exist regardless of external recognition. However, as clarified by Reno, Krasner and others, it is of utmost importance for many of today's African regimes to be recognized, especially by western governments, since diplomatic and financial support often comes together with such recognition.²⁰ With recognition follows aid as well as the possibility for legal acquisition of arms from western countries. Moreover, such recognition automatically means the non-recognition of other opponents in a civil war such as rebels or irredentists, who often find their access to outside support or weapon purchases severely curtailed.²¹

Many modern African rebel movements-turned-governments do not only use statehood to attract foreign aid and diplomatic support. Frequently, the "outcome is the involvement of those holding public office in weak states in commercial activities officially classified as criminal behaviour, both within those states and in international conventions."²² Rulers engaging in illicit trafficking are aided by their control of police forces and the lack of independent regulating services, such as

¹⁸ The title of Krasner, Stephen, *Sovereignty: Organized Hypocrisy* (Princeton: Princeton University Press, 1999)

¹⁹ Buzan, p. 67

²⁰ Reno, William, *Stealing Like a Bandit – Stealing Like a State*, unpublished paper, 2000

²¹ This is *not* to suggest that it is impossible to acquire weapons in contravention of international conventions and UN Security Council resolutions. However, a lack of recognition in most cases makes the purchase of military equipment more expensive and troublesome

ombudsmen, as well as non-functioning legal systems. Again, many modern African leaders are highly skilled in exploiting statehood, indeed the entire concept of sovereignty, to further their lucrative and illegal businesses:

Some rulers use the façade of statehood to control markets, including illicit ones. Sovereign prerogatives give rulers opportunities to shield transactions from the eyes of outsiders, and then offer these services to foreign partners.²³

Numerous examples of such exploitation of the official government power can be seen all across Africa, where multinational companies or powerful foreign individuals are granted access to valuable commodities in return for favours or a share in the profits. This has led several scholars to describe how a number of African states have been 'privatized' by rulers using those parts of the government apparatus that *do* function to legitimize and disguise their own business dealings. Rulers receive a personal trade-off from mineral exploitation, smuggling, and gunrunning – sometimes even from the trade with enemy forces or rebels. The aim of this 'privatization' is purely personal gain for those involved. In fact, government coffers may well pay for expenses involved in, say, a war under cover of which rulers can earn profitable amounts from smuggling or mineral exploitation.²⁴

Even though a government might be an institution with little contact to rural populations, indeed without a popular mandate and lacking any real control over the territory or country they lay claim to, the combination of access to wealth, control of security forces, absence of western interference, and negative sovereignty, does not in the least render it irrelevant to hold 'government' offices.

Several scholars have used the concept of the 'network state' to describe how many African governments not only manage to survive disorder, but indeed depend on and manage disorder to their own benefit. The formation of functional institutions, such as tax revenue authorities,

²² Reno, William, *Stealing Like a Bandit – Stealing Like a State*, unpublished paper, 2000. See also Bayart, Jean-Francois, Ellis, Stephen, and Hibou, Béatrice, *The Criminalization of the State in Africa* (Bloomington and Oxford: Indiana University Press and James Curry, 1999), p. 16

²³ Reno, William, *War, Debt and the Role of Pretending...*, at http://www.teol.ku.dk/cas/Occ_Reno_internetver.doc, unpaginated

²⁴ See also Bayart et al, *The Criminalization of...*, pp. 13-18; and Reno, William, *Stealing Like a Bandit – Stealing Like a State*, unpublished paper, 2000

customs authorities, uncorrupted police forces or vigorous courts would seriously threaten the powers that be. Indeed, such rulers' strategy is to thrive on this criminalization of the state.²⁵

Among others Patrick Chabal of Kings College London has argued that it is important for movements to cling to power, "since the state represents the most obvious and logical way to obtain resources," i.e. through skimming off tax revenue, public companies, etc.²⁶ However, they argue, there is a second attraction associated with being in the government. Holding office is important for leaders since they need to be able to continue feeding an informal network of supporters, for instance by employing the latter in attractive positions:

The fact that formal structures exist in even the poorest and most conflict-ridden countries, makes it possible for the political elite to use the resources from the formal structures – income from foreign aid and so on – to feed the unofficial system.²⁷

Such network feeding does not have to include the awarding of large sums of money, but may merely consist of handing over control with certain geographical areas or lucrative business sectors to supporters. The prime example of how formal structures can be exploited to keep alive and feed a network is the former Zairian ruler, Mobutu Sese Seko. Not only did he understand how to divert income from foreign donors and mining activities to himself and the people supporting him, he also used the state apparatus to allow his supporters to care for themselves by providing them with informal access to wealth. Vital civil servants, such as most army cadres, were deliberately not paid but instead left to help themselves through control and exploitation of mineral-rich provinces. By playing one section of the administration or army off against another, he thus managed to stay in power, since defending their turf kept all parties under him busy.²⁸

In particular in countries with high unemployment, jobs are also an effective way to reward friends and supporters. Since high-ranking government officials and ministers usually have the

²⁵ See also Bayart et al, *The Criminalization of...*, pp. 1-31, and Chabal, Patrick, and Daloz, Jean-Pascal, *Africa Works: Disorder as Political Instrument* (Oxford: James Currey, 1999), pp. 141-163

²⁶ Translated into English by the author. *Månedstidningen*, 'Et afrikansk bistandsparadis - et brutalt netværk af berigelsesforbrydere', October 2000, also available at <http://www.willum.com/artikler/pressokt00C.htm>

²⁷ Ibid.

²⁸ Reno, William, *Warlord Politics and African States* (Boulder: Lynne Rienner Publishers, 1998), pp. 147-182. Zaire's second economy surpassed the official 'first' to such a degree that De Boeck has asked to what use it is 'distinguishing between formal and informal or parallel economies when the informal has become the common and the formal has almost disappeared?' De Boeck, Filip, 'Postcolonialism, Power and Identity: Local and Global Perspectives From Zaire', in Werbner, Richard, and Ranger, Terence, eds., *Postcolonial Identities in Africa* (London: Zed Books, 1996), p. 91, quoted in Jackson, Stephen, "Our Riches are being Looted!"...

power to pick and choose employees all the way down through the hierarchy, they have in their possession an effective means to take on board family, friends, and powerful connections.

This has two implications. One is that besides a more or less regular pay and perhaps associated benefits, such as cars or homes, many official positions also carry within them an opportunity to earn great sums of money through corruption. The second implication is that even in the case of donor financed projects, where corruption is perhaps somewhat more difficult to get by due to external revision, controlling who will be employed and who not imparts an immense power to sustain a network of supporters. Though Mobutu mainly used the control of mineral resources as 'rewards' to absorb powerful and potential rivals into his network, the same strategy is equably applicable in health or education sectors funded by foreign donors.

Is Rwanda a State?

So what is Rwanda? Is it a state, merely a geographical entity, or perhaps some kind of a 'quasi-state'? This is the question I shall seek to answer in this section.

The Official Veil of Formal Institutions

Officially, the RPF-led Government claims to base its legitimacy on the Arusha Peace Accords, which were signed in 1993 by the RPF and President Habyarimana's government. Among others, these peace accords outlined how a new post-war government should be composed of representatives of both Habyarimana's party - the *Mouvement Révolutionnaire National pour le Développement* (MRND), domestic opposition parties, and the RPF.²⁹

Since July 1994, a near-complete formal government structure has been in place and presented both domestically and internally as a government in control of all government institutions, including the army and the police. From the outset in 1994, the RPF-led government appointed members of Rwanda's two major ethnic groups to high-level government posts. Although a Tutsi, former Defence Minister Paul Kagame, became President in April 2000, Hutus continue to head key ministries. The Prime Minister has been a Hutu throughout the RPF's years in office and some Hutus have even reached high-ranking positions within the army, while a Hutu minister from the old Habyarimana government is currently Defence Minister.³⁰ All parties - except the *Mouvement Révolutionnaire National pour le Développement* (MRND) and the Hutu-

²⁹ Melvern, p. 53

extremist *Coalition pour la Défense de la République* (CDR) - have been officially included in the new Government. Members of these parties occupy seats both in parliament and government, which has helped sustain the notion that the government is having some sort of democratic mandate. Through these figureheads, the government has been able to present itself as a somewhat politically representative and 'ethnically legitimate' government, much more inclusive than the Habyarimana government.

The Akazu Power Network

The final breach of the Arusha Accords became evident in February 1999, when government ministers were forced to resign by the President, Pasteur Bizimungu, who appointed new ministers without consulting the political parties and the National Assembly, as prescribed in the Arusha Accords.³¹ According to a report by the UK asylum office:

The RPF has a minority of cabinet seats and assembly places, but it continues to dominate the government's policies. Whilst the coalition government appears to be fairly inclusive, with the participation of the MDR, PSD, PL and PCD [all parties singled out for government posts in under the Arusha Accords], in addition to the RPF, it merely implements policies under the current system. Responsibility for defining policy appears to be concentrated in the hands of a few, and all the key positions in the power structure are occupied by RPA officers or former RPA officers, who came to Rwanda from Uganda, where they were based until 1994.³²

Gérard Prunier writes of a dual power structure within Rwanda, "There is of course a government but this government carries out policies, it does not define them." As an illustrative example he mentions the lack of power by the former Finance Minister, who had often questioned the disbursement of large unauthorized sums of money to the military:

[In 1996] then Minister of Finance, Marc Ruganera, was asked point blank by an RPA colonel to give him US\$ 500,000 "to take care of urgent matters". When asked to state in greater detail what the money was for he said it was to pay his men. The Minister then asked him for a detailed list of personnel for whom this money was earmarked and what their salaries

³⁰ Economist Intelligence Unit, *EIU Country Profile 2001...*, p. 13

³¹ In addition, since 1997 the division of portfolios among the different parties had not been respected. Reyntjens, Filip, *Talking or Fighting...*, p. 5. Also, though of minor importance, the MRND and the CDR have both been banned by law. United States, State Department, Bureau of Democracy, Human Rights, and Labor, *Country Reports on Human Rights Practices – 2000: Rwanda*, February 2001, available at <http://www.state.gov/g/drl/rls/hrrpt/2000/af/index.cfm?docid=720>, unpaginated version

³² United Kingdom, Immigration and Nationality Directorate, Country Information and Policy Unit, *Rwanda Assessment*, April 2001, also available at <http://www.ind.homeoffice.gov.uk/default.asp?PageId=191>, unpaginated version

were. Whereupon the Colonel exploded and told Rukanera that he would "hear about it". Later, Vice President and Minister of Defence Major General Paul Kagame phoned Rukanera and told him to pay the US\$ 500,000 to the Colonel "for the good of the country". Rukanera did not push the matter any further and arranged for payment of the monies [sic!]. This illustrates fairly well the relationship between the Army and the civilian government.³³

All so-called top Hutu figures in the government have in reality had no real power and been subjected to frequent harassment by the army and the intelligence services, who watch their every move. For instance, the first prime minister in the post-war government, Faustin Twagiramungu, was once beaten in his own office by an army colonel, who thought that Twagiramungu had not been sufficiently swift to sign a government cheque for his daughter's medical care abroad.³⁴ During his tenure as President, Bizimungu once sought to have a handful of passports issued for some acquaintances. Since the issuing of passports is something jealously guarded by the inner circles of the government in order to prevent unwanted critics from leaving the country, Bizimungu himself called the passport office and provided the details over the phone. The phone line appears to have been tapped by the intelligence services, because when the immigration official arrived at the President's office to deliver in person, soldiers forced him to surrender the passports.³⁵ Even such a crucial decision as going to war in Zaire in late 1996 was something Twagiramungu's successor, then prime minister Pierre-Celestin Rwigyema (a.k.a. Pierre Celestin Rwigema), first heard about by reading it in newspapers, according to a written statement published by him after he fled for the United States.³⁶

Behind the scenes, a small clique of RPF insiders call the shots. This inner network consists of mainly high-ranking RPA Tutsi top officers from the former refugee camps in Uganda. Though the Akazu has members from the diasporas in Zaire, Burundi, and elsewhere, the diaspora from Uganda, consisting of 'Ugandan' Tutsis, has the upper hand and most of the top officers come from a few specific camps in Southern Uganda and have either been related to each other for a long time or have become related through marriage.³⁷ This power clique has become known as the Akazu, meaning 'little house' in the local Kinyarwanda, a power base of people based not so

³³ Prunier, Gérard, *The Social, Political and Economic Situation*, Issue Paper formerly posted on <http://www.writenet.org>, June 1997, now available at <http://www.udayton.edu/~rwanda/articles/prunier.html>

³⁴ Interview with former Prime Minister of Rwanda, Faustin Twagiramungu, Brussels, April 2000

³⁵ Interview with former journalist at *Rwanda Newslines* Ignatius Mugabo, Copenhagen, June 2001

³⁶ Rwigyema, Pierre Celestin, *Ikibazo cya Kongo-Zayire*, testimony on the war in the Congo, January 2001, at http://www.afroamerica.net/rwanda_testimonies.html

³⁷ Dorsey, pp. 329-330

much upon ethnicity as upon clan affiliation. A clan is defined as a group of people of unilineal descent whose members trace patri- or matrilineal descent from an apical ancestor, but do not know the genealogical links that connect them to this apical ancestor.³⁸ The reference to the 'little house' as an extended 'family' is clearly in line with this terminology. In the absence of common ancestors (or believed common ancestors), outsiders can become members of the Akazu 'family' through marriage.

The term Akazu was used before 1994 to denote the insiders of the old regime, which was also based on clan affiliations and whose stronghold had been a particular commune in North-Western Rwanda. This pre-1994 clan had also been called 'la Clan du Madame', since power had been centered around the Habyarimana's wife, Agathe Habyarimana, whose family enjoyed significant privileges, and whose members occupied top posts under Habyarimana.³⁹ Before Habyarimana's era, which commenced with a coup d'état in 1973, power was centered around a (Hutu) clan in Southern Rwanda connected to Rwanda's first President Gregoire Kayibanda.⁴⁰

While 'la Clan du Madame' detested all Tutsis and kept rival Hutus in Southern Rwanda at bay, the RPF has in a similar fashion excluded all Hutus from power and sought to contain the power of 'non-Ugandan' Tutsis. In anthropological terms, the current version of Akazu is a kinship organization with members being recruited among 'Ugandan' Tutsis. It is important to stress that far from all 'Ugandan' Tutsis are members of the Akazu, since eligibility, i.e. the right ethnic and family background, is not the same as membership, which must be exercised through loyalty to the 'family'.⁴¹ For instance, 'Ugandan' Tutsis founded the independent *Rwanda Newsline*, but due to their criticism of the Government of Rwanda, its journalists are not members of the Akazu but its enemies.⁴² However, once a member is adopted into the group, which does not take a formal ceremony, there is as such no degree of kinship: though the Akazu is not a homogeneous entity, Akazu brothers or sisters are considered 'insiders' or partners while outsiders are viewed as potential enemies.⁴³ There are no in-betweens.⁴⁴ Resignations are treated as high treason⁴⁵ and several ex-RPF members have been assassinated in exile.⁴⁶

³⁸ Keesing, Roger M., *Cultural Anthropology: A Contemporary Perspective* (New York: Holt, Rhinehart and Winston, 1976), p. 548, and pp. 550-551

³⁹ Melvern, pp. 41-43

⁴⁰ Prunier, Gérard, *The Rwanda Crisis...*, first edition, pp. 57-61

⁴¹ Keesing, Roger M., *Cultural Anthropology: A Contemporary Perspective* (New York: Holt, Rhinehart and Winston, 1976), p. 245

⁴² Confer the section 'Political Implications of Private Sector Funding'

⁴³ Prunier, *The Rwanda Crisis...*, third edition, p. 366

⁴⁴ Keesing, Roger M., *Cultural Anthropology: A Contemporary Perspective* (New York: Holt, Rhinehart and Winston, 1976), p. 235

In political life, Akazu insiders are offered influential posts from where they can control the population. Michael Dorsey lists how nearly all powerful posts in the current government are occupied by a group of 'Ugandan' Tutsis; in particular within the army, the police, and the intelligence services:

Within the army, of the 45 main positions – Ministry of Defence, RPA and Gendarmerie Chiefs of Staff, and unit commanders – 27 'belong' to the 'Ugandans', as against 10 to the 'Burundians', and 5 to ex-FAR members, 3 to the 'Rwandans' and just one to the 'Zairians'. Every one of the unit commanders of the RPA is 'Ugandan', as are three of the five Gendarmerie commanders. Among the five existing Intelligence Services in Rwanda, the same 'Ugandan' preponderance is present today. The head of the DMI [Department of Military Intelligence], following a temporary 'Burundian', is a 'Ugandan'. The head of the ESCO and his deputy are 'Ugandans'. The head of the Gendarmerie Intelligence Service was born in the Congo but educated in Uganda. There is also a 'Ugandan' at the head of Special Intelligence, with a 'Burundian' deputy.⁴⁷

Though Hutus have, as mentioned, been appointed to seemingly powerful government posts, they hold little power. As Reyntjens has summarized in a report from 1999, non-RPF ministers are kept under strict surveillance in a 'tutsification' of the government machinery:

Even while the government, the country's international "business card", has grosso modo equal representation (14 Hutu, 12 Tutsi and 1 unidentified, out of the 18 general secretaries identified, 14 are Tutsi from the RPF; With the exception of two ministers, all the non-RPF ministers are flanked by a general secretary from the RPF. While the National Assembly already has a Tutsi majority, it continues to be subject to purges [...] Out of the twelve prefects, nine are Tutsi [...] The number of Tutsi mayors is estimated to be over 80%.⁴⁸

In addition, the Hutu President Pasteur Bizimungu, who had been RPF's figurehead during the war against Habyarimana, was sent packing in late March 2000, and shortly after Paul Kagame was elected head of state.⁴⁹

⁴⁵ Confidential telephone interview with Rwandan diplomat, 2000

⁴⁶ Confer the section 'Suppression of Political Dissent'

⁴⁷ Dorsey, p. 327. See also Mugabe, 'The Killings Resume...', at <http://www.strategicstudies.org/crisis/rwanda.htm#Uganda-Rwanda>. As mentioned above, the Gendarmerie was dissolved in 2000 and replaced by a national police force.

⁴⁸ Reyntjens, Filip, *Talking or Fighting...*, pp. 5-6. On the issue of 'tutsification', see also Prunier, *The Rwanda Crisis...*, third edition, p. 369

⁴⁹ Confer section below, 'Suppression of Political Dissent'

The Akazu is first and foremost involved in illegal plunder and trade of precious goods from the Congo, and for this purpose the government structure is used to prevent checks and balances and shield the smuggling of profitable commodities from outsiders, the non-Akazu. Government institutions and parastatals are heavily penetrated by Army control through the appointment of ex-army officers at the top of government departments or as managers of public companies, such as the national telecommunications company, *Rwandatel*, and the national water and energy company, *Electrogaz*.⁵⁰ Through the government, the Akazu is also able to favour private enterprises belonging to Akazu insiders, which obviously means that the Akazu dominates the private sector, which shall be discussed in the next chapter. In turn, this has meant that not only jobs in the public sector, but also well-paid jobs in the private sector, mainly go to 'Ugandan' Tutsis. Though it is already hard to find a job in Rwanda, where the estimated unemployment rate is 31%, ordinary Tutsis and Hutus thus have an even harder time finding a job.⁵¹ For Hutus returning from the camps in the former Zaire it is virtually impossible to find jobs, since suspicions can easily be floated that they linked to 'genocidaires'. This has led to a polarization of the Rwandan population: any Hutu is considered a potential collaborator of ALIR and hence an enemy.⁵² The government has, aided by donors, therefore herded a large number of Hutus together in makeshift camps in order to be able to better control them.⁵³ As for the Tutsi Genocide survivors, the money spent on the war means their needs go unmet. As argued by the International Crisis Group, "Ultimately, as long as the war continues, there can be no sense of common interests between Rwanda's two ethnic groups."⁵⁴

Power-struggles are also going on within the Akazu. There are so to speak competing networks within the Akazu network, typically based upon sub-networks or sub-clan membership, i.e. perceived descent from common ancestors. For instance, Dorsey claims that in 1998 some Akazu members sought to contain the influence of a Ugandan Akazu sub-network called the Gahini network, a group of 'Ugandan' Tutsis who had lived in the same refugee camps named Nyakivara and Nshungerezi in Uganda and called so because of their origin from Gahini in the

⁵⁰ Mugabi, John, and Kanuma, Shyaka, *Dossier Journal Newslines*, statement circulated as e-mail medio January 2001, n.d., available at <http://www.multimania.com/obsac/OBSV3N16-DOSattentHabyari.html>; and Dorsey, pp. 324-326

⁵¹ Economist Intelligence Unit, *Country Report Rwanda*, 10 April 2000

⁵² Prunier, *The Rwanda Crisis...*, third edition

⁵³ Human Rights Watch, *Uprooting the Rural Poor in Rwanda* (New York: Human Rights Watch, 2001), also available at <http://www.hrw.org/reports/2001/rwanda>, unpaginated version

⁵⁴ International Crisis Group, *Scramble for the Congo...*, at <http://www.crisisweb.org/projects/showreport.cfm?reportid=130>, p. 26

Rwandan prefecture of Kibungo. They did this, according to Dorsey, by supporting the firing of two important members of this group from important government posts.⁵⁵ In this move, he claims, the much weaker Kadas network, comprising of members of the French-speaking diaspora, supported them.⁵⁶ But the struggle among sub-networks of the Akazu dates back to the beginning of the movement when especially 'Rwandan' and 'Burundian' Tutsis were targeted for persecution or right-out execution, according to several ex-RPA officers.⁵⁷ Even high-ranking RPF members appear to be 'expendable', such as the former Ambassador to Kenya, Alphonse Mbayire, a 'French' Tutsi. Mbayire, who was known in Kenya under a different name, Alphonse Mbabane, was apparently murdered by the RPA after he was publicly associated with the killing of former Interior Minister Sendashonga.⁵⁸ Growing dissent or internal struggles within the Akazu has led to many Hutus and Tutsis fleeing the country, including a number of high-ranking RPA officers from the ranks of the Akazu.⁵⁹

Suppression of Political Dissent

Numerous political figures have been arrested, forced to flee, or simply murdered after having fallen out with core elements in the RPF-led government.

After defecting in December 1996, RPF Colonel Lizinde, a Hutu formerly serving with Habyarimana's government, chose to go into exile but was assassinated in the Kenyan capital Nairobi on 6 October 1998, only two days before a Rwandan businessman was abducted in Nairobi as well. Their bodies were found 20 km north of Nairobi.⁶⁰

In August 1995, Prime Minister Faustin Twagiramungu and Interior Minister Seth Sendashonga decided to resign from the government because of continued RPF massacres, a decision which was 'not taken lightly', according to a recent statement by Sendashonga's wife. The power to Twagiramungu's house was cut and only by the intervention of foreign diplomats

⁵⁵ Dorsey, pp. 329-330. According to former RPA intelligence officer Jean-Pierre Mugabe, those who created Akazu came from exactly these two refugee camps, Nyakivara and Nshungerezi. Mugabe, 'The Killings Resume...', at <http://www.strategicstudies.org/crisis/rwanda.htm#Uganda-Rwanda>, pp. 4-7

⁵⁶ Dorsey, p. 330. A similar power-struggle within the Akazu was reported in *AfroAmerica Network*, 'Joseph Mugenga, a new casualty of Power Struggle within RPF', 25 April 2001, at <http://www.afroamerica.net/afroamerica.html>

⁵⁷ See for instance Mugabe, 'The Killings Resume...', at <http://www.strategicstudies.org/crisis/rwanda.htm#Uganda-Rwanda>, pp. 4-7

⁵⁸ Confer below section 'Suppression of Political Dissent'

⁵⁹ See for instance, *Reuters*, 'Disquiet Stirs in Tightly Ruled Rwanda', 29 May 2001; and *East African*, 'RPF Split Over Alleged Bias in Handing Out Govt Jobs', 2 October 2000, also available at <http://www.nationaudio.com/News/EastAfrican/08102000/Regional/Regional17.html>

⁶⁰ United Nations, Office for the Coordination of Humanitarian Affairs, *Integrated Regional Information Network for Central and Eastern Africa* (IRIN-CEA), 'Weekly Roundup of Main Events in the Great Lakes region', 13 October 1996, at <http://stone.cidi.org/humanitarian/glr/96b/0038.html>

were Twagiramungu and Sendashonga allowed to leave the country.⁶¹ Once out of the country, Twagiramungu, who had settled in Belgium, and Sendashonga, who had chosen to live in Nairobi, founded an opposition party in exile, much to the dismay of the RPF government.⁶²

In Kenya, Sendashonga's moves were frequently monitored and after reporting the case to the Kenyan Special Branch, one of the people following him was identified and, according to Sendashonga's wife, admitted that the Rwandan Embassy in Nairobi had commissioned him.⁶³ In February 1996, Sendashonga survived an assassination attempt. Nearby, Kenyan police arrested a Rwandan diplomat literally with a smoking gun, but the Rwandan government refused to waive his immunity.⁶⁴ In May 1998, Sendashonga and his bodyguard were assassinated; once again, it appears that the Rwandan Ambassador to Kenya, Alphonse Mbayire, was involved.⁶⁵

However, before the verdict had been passed, Mbayire was suddenly recalled to Kigali by the Government of Rwanda and shortly after found shot dead in Kigali. On 31 May 2001, the Kenyan Justice acquitted the three men, saying he found that none of the three accused had been present at the shooting, although he said the first accused might have known about the plot to kill Sendashonga. In his verdict, he also stated that he was "persuaded that the murder was political".⁶⁶

⁶¹ *Internews*, 'Analysis: The Trial of Sendashonga's Assassins', 18 December 2000, available at http://www.internews.org/activities/ICTR_reports/ICTRnewsDec00.html#1218b; and Confidential interview with diplomat, Kigali, August 1997

⁶² *Internews*, 'Analysis: The Trial of Sendashonga's Assassins', 18 December 2000, available at http://www.internews.org/activities/ICTR_reports/ICTRnewsDec00.html#1218b

⁶³ *Ibid.*

⁶⁴ *Ibid.*

⁶⁵ Shortly after the murder, Kenyan police arrested three suspects, one Rwandan and two Ugandan. A police officer told the Nairobi High Court that the three men initially confessed to having committed the murder. The supposed mastermind behind the operation, the Rwandan named David Akiki Kiwanuka, initially motivated the murder by a desire to avenge his father, an alleged Director of Immigration in the office of the then Rwandan President, whom he claimed had been swindled of US\$ 54 million by then Interior Minister Sendashonga. Not only did this theory statement fit badly with Sendashonga's reputation as a man of high principles, but according to both the Finance Minister and the Foreign Minister at the time in question; the post-war country simply did not have such an amount of money to steal. Moreover, no man by the name of the accused person's father had held any such post in government, the former ministers said. In court, all three accused suddenly denied the charges they had previously confessed to and pleaded not guilty. However, they admitted having been at the stage of planning the murder of Sendashonga, but said someone else had come before them. During the trial, police officers testified that the Rwandan Ambassador to Kenya, Alphonse Mbayire, had often visited Kiwanuka's family. Mbayire, a former official of the Rwandan Department of Military Intelligence (DMI), had paid for the upkeep of Kiwanuka's family, police officers said that Kiwanuka's wife had told them. *Ibid.* and *Hirondelle Foundation*, 'Sendashonga Trio Acquitted of Murder', 31 May 2001, at <http://www.hirondelle.org/hirondelle.nsf/caefd9edd48f5826c12564cf004f793d/4b9ea21c40b3001bc1256609007b2870?OpenDocument>

⁶⁶ The Defence Counsel, John Waiganjo, said that he had received death threats, but that he was mostly worried about his client, Kiwanuka, whom he requested be placed under the protection of the United Nations High Commissioner for Refugees. Waiganjo said he feared for his life, apparently bearing in mind the fate of Mbayire, who had also had compromising information on the RPF-led government. *Hirondelle Foundation*, 'Sendashonga Trio Acquitted of Murder', 31 May 2001, at

Since the RPF came to power, many other politicians have also chosen to flee from the country, many after being intimidated. The Speaker of the National Assembly, Joseph Sebarenzi, in January 2000 had to flee to Uganda, while three army officers suspected of assisting him were imprisoned and tortured.⁶⁷ Sebarenzi, who was forced to resign on 6 January 2000, was a popular Tutsi and highly critical of embezzlement in government circles.⁶⁸ Aciel Kabera, an adviser to the Office of the President and a close friend and aide of Sebarenzi, was subsequently shot dead by unidentified gunmen in front of his house on 5 March 2000. Despite the fact that Kabera was murdered in an area heavily guarded by the army, the Rwandan authorities failed to apprehend the assassin and refrained from properly investigating the murder. His family accused the RPF of assassinating him.⁶⁹

A particular effort has been done to limit the influence of the Mouvement Démocratique Républicain (MDR), which turned out to be the most important 'opposition party' within the new government, and it has been curtailed by effectively quashing its new initiatives.

On 23 May 1998, the MDR put forward a document alleging *inter alia* that the prevalent consideration in RPF circles that all Hutus are somehow responsible for the Genocide contributes to the insecurity in the country. The document caused a great outcry in RPF circles, where the common view was – and is - that nearly all Hutus willingly participated in the Genocide on the Tutsis, and only a few Hutus were actually killed by the Hutu extremist militias.⁷⁰ The MDR was in no uncertain terms ordered to revise the document. The pressure had its effect: one week later, a completely rewritten document was tabled, acknowledging the RPF's point of view.⁷¹

In late July of that same year, the National Executive Committee of the MDR was dissolved, though it was "unclear by whom or according to which statutory provisions this move was made".⁷² Although the President of the party, Bonaventure Ubalijoro, contested this decision in a

<http://www.hirondelle.org/hirondelle.nsf/caefd9edd48f5826c12564cf004f793d/4b9ea21c40b3001bc1256609007b2870?OpenDocument>

⁶⁷ Human Rights Watch, 'Rwanda: The Search for Security...', at <http://www.hrw.org/reports/2000/rwanda>, unpaginated version; and Amnesty International, *Great Lakes Region: Refugees Denied Protection*, Report No. AFR 02/02/00, May 2000, at <http://www.web.amnesty.org/ai.nsf/index/AFR020022000>, p. 5

⁶⁸ *Ibid.*, p. 5

⁶⁹ Supposedly, no one heard or saw anything, and it took the police two hours to arrive at the crime scene. Economist Intelligence Unit, *Country Report Rwanda*, 10 April 2000

⁷⁰ In an interview with the author, RPF politician Tito Rutarimura claimed that a few thousand Hutu had died during the Genocide. Interview with RPF politician Tito Rutarimura, Kigali, August 1997. See also *Aktuelt* (Copenhagen), '125.000 lyserøde fanger venter', 28 December 2000, also available at <http://www.willum.com/artikler/aktuelt28dec00.htm>

⁷¹ Reyntjens, Filip, *Talking or Fighting...*, p. 6

⁷² Reyntjens, Filip, *Talking or Fighting...*, p. 6

letter to the Interior Minister, nothing happened.⁷³ Instead, Ubalijoro was arrested on the 27 February 1999, charged with alleged crimes committed back in the 1960s when he was the head of the old Department of Military Intelligence. Shortly after, two other dissidents, who had already been expelled from the MDR, were arrested.⁷⁴ Ubalijoro was released 1½ year later, but by then the party only consisted of RPF-supporters. In this fashion, it is not surprising that the MDR – or any other political party – has lost touch with their constituencies or party grassroots.⁷⁵

On 23 March 2000, Pasteur Bizimungu, who had been President since 1994, was forced to resign after having fallen out with the RPA core. Bizimungu, a former close associate of President Habyarimana, was vehemently anti-Tutsi, but fell out with his ally and in August 1990 left the government to join the RPF.⁷⁶ With Bizimungu out of office, Kagame was elected President, and the ‘ethnic balance’ of the RPF-led government had been disturbed. Apparently in an attempt to compensate for this, the old MDR Prime Minister Twagiramungu was asked to return and, in October 2000, was even offered an opportunity to have a lengthy speech broadcast on *Radio Rwanda* during an official ceremony. Twagiramungu, viewed by some as the only Hutu with something resembling a constituency in the countryside, used the opportunity to rap the RPF-led government, but refused the offer to return.⁷⁷

The Government held local elections at communal level in March 1999, but no parties were allowed nor were secret ballots used.⁷⁸ According to the Arusha Accords, elections were originally scheduled for July 1999. However, in June 1999, the Government announced an extension of the transition period for another 4 years. Although government spokesmen point out that officially elections will be held latest in 2003 in which competitive party politics will ‘probably’ have a role, there are no signs that free and fair elections will take place.⁷⁹

⁷³ Ibid.

⁷⁴ They were excluded from the Parliament “by a little-known parliamentary discipline committee with particularly untransparent working methods,” according to the Economist Intelligence Unit. “Charges on which the committee found the deputies guilty ranged from alleged participation in the genocide to insufficient support for reconciliation.” Economist Intelligence Unit, *Country Report Rwanda*, 30 April 1999

⁷⁵ Amnesty International, *Rwanda: The troubled course of justice*, 26 April 2000, Report No. AFR 47/015/2000, at <http://web.amnesty.org/ai.nsf/Index/AFR470152000?OpenDocument&of=COUNTRIES\RWANDA>, unpaginated version; and United States, State Department, Bureau of Democracy, Human Rights, and Labor, *Country Reports on Human Rights Practices – 2000: Rwanda*, February 2001, at <http://www.state.gov/g/drl/rls/hrrpt/2000/af/index.cfm?docid=720>

⁷⁶ Human Rights Watch, *Leave None ...*, at <http://www.hrw.org/reports/1999/rwanda>, p. 53

⁷⁷ Economist Intelligence Unit, *Country Report Rwanda*, 1 November 2000

⁷⁸ *BBC News Online*, ‘High turnout in Rwanda poll’, 30 March 1999, at http://news.bbc.co.uk/1/hi/english/world/africa/newsid_306000/306680.stm#top

⁷⁹ *Reuters*, ‘Disquiet Stirs in Tightly Ruled Rwanda’, 29 May 2001

After his dismissal, Bizimungu stayed away from politics for about one year, and then re-entered the political scene and in late May 2001 sought to launch a new party. But all present at the inauguration of the party - including reporting journalists - were immediately arrested by the security services. Leaving no room for interpretation, the official *Radio Rwanda* the same day broadcast a message declaring that, "There are well known political parties in the country. Anyone trying to launch a new political party will be punished in exemplary fashion."⁸⁰ At the time of writing, the whereabouts of former Interior Minister Theobald Rwaka Gakwaya are still unknown after he disappeared on 27 April 2001. Rwaka was frequently at odds with the RPF and was dismissed in March 2001 after serving in the government for only one year. It has been reported that he belonged to the group trying to establish Bizimungu's party.⁸¹

Suppression of Free Media and Human Rights Groups

Local journalists are frequently harassed, even foreign correspondents have been severely harassed after publishing stories criticizing the government, while several local journalists have gone into exile after publishing stories revealing government fraud.⁸² In particular stories involving scams by high-ranking military officers have earned many a journalist death threats.⁸³ Following the publication of a story about corruption in the Defence Ministry, the Editor-in-Chief of the English language opposition weekly *Rwanda Newslines* was jailed for several months. He was only released after pressure from donors and NGOs. During the first two months of 2001, the publication of *Rwanda Newslines* was furthermore suspended after death threats.⁸⁴

Another journalist and former RPA intelligence officer, Jean-Pierre Mugabe, founded *La Tribune du Peuple*, but fled after being warned by RPA friends that his life was in danger.⁸⁵

Concerning human rights, the Government of Rwanda expelled UN monitors in 1998 and frequently harasses local human rights groups. The Government has set up a Human Rights Commission, but it does not have the power to subpoena people, nor to carry out proper

⁸⁰ *BBC News Online*, 'Rwanda ex-president under arrest', 31 May 2001, at http://news.bbc.co.uk/1/hi/english/world/africa/newsid_1361000/1361820.stm

⁸¹ *BBC News Online*, 'Rwandan police admit former minister missing', 2 May 2001, at <http://news6.thdo.bbc.co.uk/1/hi/english/world/africa/newsid%5F1308000/1308867.stm>

⁸² Human Rights Watch, *World Report 2001* (New York: Human Rights Watch, 2001), also available at <http://www.hrw.org/wr2k1/index.html>, p. 66

⁸³ *Monitor* (Kampala), 'Journalist Seeks Protection In Uganda', 14 September 2000

⁸⁴ United States, State Department, Bureau of Democracy, Human Rights, and Labor, *Country Reports on Human Rights Practices – 1999: Rwanda*, February 2000, available at <http://www.state.gov/g/drl/rls/hrrpt/1999/index.cfm?docid=266>, unpaginated version. Mugabi, John, and Kanuma, Shyaka, *Dossier Journal Newslines*, statement circulated as e-mail medio January 2001, n.d., available at <http://www.multimania.com/obsac/OBSV3N16-DOSattentHabyari.html>

investigations, and it has refrained from seriously criticizing the military. According to Human Rights Watch, the commission also suffers from a lack of independence since several members of the commission are closely related to high-ranking government politicians.⁸⁶

Good Governance Campaigns Justify Firing of Unwanted Critics

As part of the 'official veil', the so-called good governance campaigns⁸⁷ are used by the Akazu to rid the government of unwanted critics, who can conveniently be accused of either corruption or participation in the Genocide. When former Prime Minister Twagiramungu and Interior Minister Sendashonga in July 1995 resigned in protest after having been completely marginalized in the government, the RPF fired two other prominent Hutu ministers and made it look as if they had all been fired because of mismanagement or participation in criminal activities. Michael Dorsey lists the official reasons given by the RPF:

Sendashonga was protecting a brother who had been implicated in the genocide. Nkubito was taking steps to block the enquiries into the crimes of genocide. Twagiramungu was denigrating the government of which he was a member and impeding government action.⁸⁸

Though no evidence has been produced to substantiate the alleged misdeeds of these ministers, other accused persons may very well be guilty of the crimes they are accused of. However, the Akazu ringleaders cleverly wait to use such information until it is opportune for political reasons. A case in point is the former Prime Minister, Pierre-Celestin Rwigyema, who had in fact had charges of participating in the Genocide brought against him during his tenure as Prime Minister.

However, Kagame and other RPF strongmen several times vehemently denied these charges with reference to the usual anti-RPF 'Hutu extremist propaganda'. But when the Akazu wanted a new Prime Minister, allegations of Rwigyema's involvement in corruption deals during his previous job as Education Minister were disclosed.⁸⁹ And when he shortly after fled the

⁸⁵ Interview with ex-Rwandan Patriotic Army officer, n.p., 1999

⁸⁶ Human Rights Watch, *Protectors or Pretenders? Government Human Rights Commissions in Africa* (New York: Human Rights Watch, 2001), also available at <http://www.hrw.org/reports/2001/africa/index.html>, unpaginated version

⁸⁷ For instance, in a reply to a report by Human Rights Watch, the government wrote about an 'anti-corruption crusade'. Rwanda, Government of, *Reply to Human Rights Watch Report "Rwanda: The Search for Human Rights and Security"*, Press Release, May 2000, at <http://www.rwanda1.com/government/HRWresponce.htm>

⁸⁸ Dorsey, p. 315. See also the charges brought against Parliament Speaker Joseph Sebarenzi once he left Rwanda, for instance in Rwanda, Government of, *Reply to Human Rights Watch Report "Rwanda: The Search for Human Rights and Security"*, Press Release, May 2000, at <http://www.rwanda1.com/government/HRWresponce.htm>

⁸⁹ See Human Rights Watch, 'Rwanda: The Search for Security...', at <http://www.hrw.org/reports/2000/rwanda>, unpaginated version; and Economist Intelligence Unit, *Country Report Rwanda*, 26 January 2000. Similarly, allegations

country and started denouncing the regime from abroad, he was suddenly accused of being a top-level 'genocidaire', and the Rwandan Government made a fuss out of having a request filed at Interpol for the issuance of an international arrest warrant made out in his name.⁹⁰ A very similar case is that of former President Bizimungu, who in the 1970s was an ardent anti-Tutsi politician and supporter of Habyarimana. But when relations between Habyarimana and Bizimungu subsequently soured, Bizimungu suddenly joined the RPF and became its official chairman. However, since he had been a Hutu extremist, the RPF Akazu has a squeeze on him, which it can use to smear his credibility if need be.

The local state-run or RPF-owned media has been used in campaigns to smear unwanted Hutu politicians, such as Rwigyema and Bizimungu, accepting and broadcasting RPF accusations without reservations.⁹¹ Before being fired in March 2001, Interior Minister Theobald Rwaka Gakwaya was suddenly subject to a media campaign in the state-owned press, which denounced him as a supporter of the Interahamwe militia.⁹² Dorsey also thinks that the press has been shrewdly used by certain members of the Akazu to target the Gahini network by revealing corruption and nepotism in ministries held by members of the latter network.⁹³ It is probably needless to point out that if the press reveals the involvement of Akazu members in corruption scams or other criminal activities, the journalists - and not the Akazu members - are likely to end up in jail.⁹⁴

A Sovereignty Discourse Justifies the Congo Campaign

The discourse of statehood and sovereignty has been consistently used in official statements to justify the intervention in the Congo with reference to the Hutu militias waiting in the Eastern

were levelled against Bizimungu just before he left the government. *BBC News Online*, 'Analysis: Why Bizimungu Mattered', 23 March 2000, at http://news.bbc.co.uk/hi/english/world/africa/newsid_688000/688587.stm

⁹⁰ *CNN.com*, 'Warrant out for Rwandan Ex-PM', 11 April 2001, at <http://www.cnn.com/2001/WORLD/africa/04/11/rwanda.arrest>; and *BBC News Online*, 'Rwandan PM resigns in corruption row', 28 February 2000, at http://news.bbc.co.uk/hi/english/world/africa/newsid_659000/659842.stm

⁹¹ See for instance *BBC News Online*, 'Rwandan PM resigns...', at http://news.bbc.co.uk/hi/english/world/africa/newsid_659000/659842.stm

⁹² *BBC News Online*, 'Rwandan police admit former minister missing', 2 May 2001, at <http://news6.thdo.bbc.co.uk/hi/english/world/africa/newsid%5F1308000/1308867.stm>

⁹³ Dorsey, pp. 329-330

⁹⁴ Two instructive examples were John Mugabi of the independent *Rwanda Newslines* and Valens Kwitegetse of the Government-owned vernacular *Imvaho*, who both worked on two unrelated corruption stories involving RPA officers. Their stories earned Mugabi several months in jail, while Kwitegetse was asked by his superior, RPA Captain Rogers, to hand over all details of his sources, after which Kwitegetse fled the country for Uganda. Needless to say, none of the officers involved faced any consequences. Interview with Editor-in-Chief of *Rwanda Newslines*, John Mugabi, Kigali October 2000; Copenhagen, June 2001; and by telephone, September 2001; and *Monitor* (Kampala), 'Journalist Seeks Protection In Uganda', 14 September 2000

Congo to finish off the Genocide on the Tutsis. Communications with donors on this matter usually follows a certain pattern: first, donors make feeble demands for a withdrawal from the Congo. Then the Government of Rwanda – often with a sarcastic reference to the role of the West and the UN during the Genocide – invokes its right to defend its sovereign country from external threats by intervening in the Congo, since, it argues, no one else wants to prevent the Hutu militias from attacking Rwanda. Donors then point to the Lusaka Accords, which stress that Rwanda is supposed to withdraw from the Congo. Next, the Government of Rwanda stresses its ‘strong commitment’ to these Accords. This last argument is usually accepted by the donors (who then go on disbursing aid).⁹⁵

For instance, in the wake of the *UN Exploitation Panel Report*, Kagame was reported by the official *Radio Rwanda* as having said:

There have been accusations about human rights violations in eastern Congo. There have been accusations about plundering Congo's wealth [...] As far as I am concerned, true or not true, these are secondary. The main reason for our being in the Congo has to do with security concerns for our country [...] Congo became a sanctuary to the forces that threaten our security and maybe other people's security [...] That remains the problem.⁹⁶

As is clear from Kagame's statement, an important element of the sovereign discourse has been to legitimize the Congo campaign as a quest for security in the ‘national interest’ of the country. Great efforts have therefore been used in downplaying or rejecting the exploitation and plunder aspect of the campaign.

First, official Rwandan statements have sought to legitimize the exploitation by invoking regional trade agreements and calling the exploitation legitimate trade between two independent nations.

Second, in January 2001 the Government of Rwanda for safety's sake announced on *Radio Rwanda* that new coltan ores had been discovered inside Rwanda, thereby trying to justify an increased export of coltan from Rwanda. These so-called new discoveries accounted for a sudden increase in production and export of coltan, some 120 tons per month as of April 2001,

⁹⁵ Confer the section ‘Donors and the ‘Government of Rwanda’ Agree on Lenient Conditions’

⁹⁶ United Nations, Office for the Coordination of Humanitarian Affairs, *Integrated Regional Information Network for Central and Eastern Africa* (IRIN-CEA), ‘Rwanda: International community “merciless” – Kagame’, 9 April 2001, at <http://www.reliefweb.int/IRIN/cea/countrystories/rwanda/20010409.phtml>

according to a statement produced in response to the *UN Exploitation Panel Report*.⁹⁷ In previous years, the coltan production had been much lower, amounting to only 122 tons for the whole of 1999 and 83 tons for 2000, and the explosive increase is questioned by experts in the field.⁹⁸ The high production is further questionable given that the Rwandan Minister for Mines and Energy stated that most mining sites had been closed due to accidents caused by poor maintenance. As pointed out in the previous chapter, RCD-Goma officials have repeatedly confirmed that massive amounts of Congolese coltan, usually referred to as at least 100 tons per month, are being exported from the Rwandan zone to international markets through Rwanda.⁹⁹

Most donors nevertheless accept the argument of legitimate self-defence in the interest of national security. In particular American and British officials have used the sovereignty discourse to defend, at least in part, the Rwandan presence in the Congo. In a response to the UN exploitation report, the President of the Security Council and acting US ambassador to the United Nations, James Cunningham, nearly echoed Kagame's words. According to *Agence France Presse*, he said that "the United States believes the panel has painted a broadly accurate picture," while stressing that he did not believe the plunder had motivated the war, but that the plunder was rather a result of the conflict. "The longer the conflict goes on, the more the line becomes blurred," he was reported to have said.¹⁰⁰ British Minister of State for Foreign Affairs and the Commonwealth, Peter Hain, one year earlier lent his country's in-between-the-lines support to the Rwandan war effort: "We do not support the involvement of Rwanda or any of the parties in the DRC [Democratic Republic of Congo] war, although we recognize it has legitimate security concerns."¹⁰¹ The recognition of Rwanda's 'legitimate security concerns' clearly implies that Hain considered Rwanda to be a sovereign state. The British Secretary of State for International Development, Clare Short, has gone even further by more or less rejecting any allegations of plunder in an interview with the *BBC Radio 4*.¹⁰²

⁹⁷ Rwanda, Government of, *Reaction of the Government*, at

http://www.rwanda1.com/government/04_22_01news_Responce_To_UN_Report.htm

⁹⁸ Confer 'Table 2 – Official Rwandan Coltan Production and Export'; *Agence France Presse*, 'Découverte d'un gisement de coltan au Rwanda', 21 Jan 2001; and Tack, Luc, private correspondence to the author, 8 May 2001

⁹⁹ Confer the section 'Exports via Rwanda'

¹⁰⁰ *Agence France Presse*, 'Rwanda and Uganda reject report into plundering of DRC', 4 May 2001

¹⁰¹ United Kingdom, Foreign and Commonwealth Office, *Adjournment Debate on the Great Lakes*, speech by British Minister of State for Foreign Affairs and the Commonwealth, Peter Hain, London, 14 November 2000, at <http://www.fco.gov.uk/news/newstext.asp?4378>. See also *Guardian*, 'British aid to help armies reform', 17 February 2000, also available at <http://www.guardian.co.uk/Archive/Article/0,4273,3964363,00.html>

¹⁰² *File on Four*, BBC Radio 4, 10 July 2001, transcript available at <http://www.bbc.co.uk/radio4/progs/genre/transcripts/fileonfourmobilephones.pdf>

Provisional conclusion

Although a formal government structure is in place in Rwanda, there are few functional administrative institutions, except for the Army, Intelligence Services, and to some extent the Police. There is no coherent support from the government to farming, health, education, justice, and infrastructure – these sectors are either non-functioning or their services are paid for by donors. Moreover, those institutions that actually function are not controlled by the people who are supposed to do so: the prime minister and his government. In fact, functional institutions that were in control of the formal government would pose a threat to the Akazu, and they are thus not desired by the latter. Only certain members of the government - those who are also members of the Akazu - are in fact in control and run the above-mentioned security-related institutions.

This means that some parts of the government does not want to reach the majority of the population, while those who want to are without the means to do so.

A good example is the justice sector. While the government has so far assured that the numerous prisoners charged with participation in the Genocide are kept locked up, donors and NGOs, such as the International Red Cross and Red Crescent, have fed and otherwise cared for those prisoners. A Danish-led effort to speed up the prosecution of the estimated 120,000 accused persons by training lawyers, who are in short supply in Rwanda, has been obstructed on several occasions by the Ministry of Justice.¹⁰³ The court system also works arbitrarily: If Akazu members are suspected of having committed fraud or other crimes, these are not investigated, unless internal power struggles within the Akazu leads one sub-network to strike against another by means of the official institutions, such as the judiciary.

Another example is the housing sector. Donors, such as the UNCHR, built shelters and houses for the returnees from Zaire, but they were also used in a scheme by the Government of Rwanda to drive ordinary peasants from their homes into makeshift refugee camps. Once in the camps, the RPA was in a much better position to deal with these parts of the population. Driven away from their homes, peasants lost their homes and in some cases also access to their farming land. This was however not a concern to the RPF, who was preoccupied by controlling the population.¹⁰⁴

¹⁰³ *Aktuelt* (Copenhagen), 'Dansk projekt under pres', 28 December 2000, also available at <http://www.willum.com/artikler/aktuelt28dec00B.htm>. See also Prunier, Gérard, *The Rwanda Crisis...*, third edition, p. 365

The government is, in other words, only interested in dealing with select parts of the population in relation to select aspects.

The RPF strategy therefore strongly resembles the strategy employed by the former Belgian colonial rulers. The Belgians sought to mobilize the 'society' behind the 'state' by turning the two groups, the Hutus and the Tutsis, which had until then been socially defined groups, into racially defined groups based on the 19th-century Hamitic myth: that Tutsis resembled intelligent Europeans and thus were born to rule, while the Hutus were typical Africans made to do manual labour. Before the Belgian era, social mobility had been possible in the sense that wealthy Hutus could become Tutsis and vice versa, but the Belgians created two rigidly defined groups out of an inhomogeneous population and through this sought to create a 'society' by force that included the *rulers* and the *ruled*. The Belgian colonial administration could not care less for the well being of the Hutus, but used the Tutsi caste to exploit the Hutus through hard compulsory labour, which cost many men their lives.¹⁰⁵

In today's Rwanda, there have also emerged a class of rulers, the Akazu, and a class of ruled, which comprises the ethnic Hutu population as well a large part of the ethnic Tutsi population. The Government of Rwanda is thus not a government of a state but merely a network of powerful individuals who use the security services to further their criminal activities and to veil these activities. Apart from suppressing the population, the Government is neither willing to - nor capable of – effectively regulating the lives and interactions of its citizens.

What does this all mean for how one should term an entity such as Rwanda?

Whether Rwanda is a state obviously depends on the definition of a state.

For instance, Hinde and Halliwell question whether it is actually possible to have a core social or political unit, that is truly self-contained and self-determining: an entity that is able to rule truly independently of the outside world and any outside forces, such as global financial transactions.¹⁰⁶ Certain aspects of international law backs such an argument, since international law *does* in fact provide for the suspension of the non-interference criteria in certain situations - the Rwanda Genocide being a perfect example. It can thus be argued that classic international law prevents states from being *completely* sovereign – and it thereby rocks the very foundation for states. With the EU, this problem becomes even more apparent with an increasing number of

¹⁰⁵ Prunier, Gérard, *The Rwanda Crisis...*, first edition, pp. 1-40

¹⁰⁶ Halliwell, Christine, and Hinde, Barry, "Culture", "society" and the figure of man', *History of the Human Sciences* Vol. 12, No. 4 (1999), pp. 13-16

majority decisions made by the European Council of Ministers on behalf of EU member states. We could thus be moving toward an international system that in some respects resembled the pre-Westphalia period with different bodies having spheres of supranational jurisdiction over specified matters. For the purpose of this dissertation, it is important to note that if sovereignty is impossible to achieve, it also becomes obsolete to judge the nature of Rwanda by sovereignty. Unfortunately, Hinder and Halliwell do not elaborate on which alternative criteria can be used to define a state.

If we use Buzan's definition of a state, which notably includes sovereignty, our task becomes somewhat easier. As elaborated on above, Rwanda clearly does not have proper institutions, and this undermines its control and hence its sovereignty. Several scholars have suggested that if the criteria of statehood can be fulfilled in some respects, but not in all, we should refer to a 'weak state', a 'quasi-state', or a 'network state'.¹⁰⁷ However, it is important to stress that according to Buzan's definition, states are only states if they fulfil *all* criteria, most importantly the criteria of sovereignty, which *can not* be graded. Otherwise, large corporations could also be called 'quasi-states' since they fulfil the majority of the criteria for statehood and are quite powerful indeed with budgets many times the size of those of poor African governments. In other words: either Rwanda is a state or it is not. And in this case, it is not. Rwanda is, in other words, a geographical entity, a country, but not a state.

But if Rwanda is not a state, how about its government?

From the outset, it is important to note that the wirepullers in the government merely consist of a network of mainly top army officers, a mafia, working secretly for their own economic gain. Since there is no state, the political entity known as the Government of Rwanda has no authority within the geographical entity called Rwanda, which is not to say that it has no power: it just exploits its position to further its criminal objectives. Taken to its logical conclusion, this means that since it has no authority it is not a government either, and thus ought to be referred to as something along the lines of 'the political entity known as the Government of Rwanda'. As a consequence of this – and for reasons of simplicity – I shall for the remainder of this dissertation put the 'Government of Rwanda' in quotation marks when referring to this political entity.

¹⁰⁷ See for instance Buzan, pp. 96-111; Steven, David, 'Explaining Third World Alignment', *World Politics* Vol. 43, No. 2 (January 1991), pp. 233-256; and Reno, William, *War, Debt and the Role of Pretending...*, at http://www.teol.ku.dk/cas/Occ_Reno_internetver.doc, unpaginated