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A Perilous Path to Democracy

Political Transition and Authoritarian Consolidation in Rwanda

Marina **Rafti**



University
of Antwerp



INSTITUTE OF DEVELOPMENT
POLICY AND MANAGEMENT

Comments on this Discussion Paper are invited.
Please contact the author at <mrafti@mfa.gov.cy>

Instituut voor Ontwikkelingsbeleid en -Beheer
Institute of Development Policy and Management
Institut de Politique et de Gestion du Développement
Instituto de Política y Gestión del Desarrollo

Postal address:	Visiting address:
Prinsstraat 13	Lange Sint-Annastraat 7
B-2000 Antwerpen	B-2000 Antwerpen
Belgium	Belgium

Tel: +32 (0)3 275 57 70
Fax: +32 (0)3 275 57 71
e-mail: dev@ua.ac.be
<http://www.ua.ac.be/dev>

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Marina **Rafti****

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**Marina Rafti is a researcher at the Institute of Development Policy and Management (IOB), University of Antwerp.

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ABSTRACT

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The most influential literature on political transitions, the “transition paradigm”, conceived a normative theoretical framework based on the fundamental assumption that any country, which shifts away from authoritarianism is a country in transition to democracy. The Rwandan transition does not fit the “transition paradigm” and Rwanda did not shift in an orderly manner from an authoritarian to a democratic regime. A second school of thought on political transition contends that political transition is not an orderly process and that democracy is not the sole outcome of transition. Scholars have coined new types of “hybrid” regimes that bear democratic and authoritarian regime features and indeed, the post-transition Rwandan regime bears both such features. This paper explores the Rwandan transition and post-transition from the perspective of regime change, that is, changing regime characteristics (ideological/procedural/behavioural attributes) between 1973 to the present day.

RESUME

Un chemin dangereux vers la démocratie

La plus influente littérature sur les transitions politiques, “le paradigme des transitions politiques”, envisageait une structure théorique normative basée sur l'hypothèse fondamentale que tout pays qui s'écarte de l'autoritarisme est un pays en voie de transition vers la démocratie. La transition au Rwanda ne correspond pas au “paradigme de transition” et le Rwanda n'a pas évolué d'une manière méthodique d'un régime d'autoritarisme vers un régime démocratique. Une seconde école de réflexion sur les transitions politiques affirme que la transition politique n'est pas un processus régulier et que la démocratie n'est pas la seule issue d'une transition. Des spécialistes ont inventé de nouveaux types de régimes “hybrides” qui portent les caractéristiques de régimes démocratique et autoritaire et en effet, le régime rwandais de l'après-transition présente ces deux caractéristiques semblables. Cet article examine la transition et l'après-transition au Rwanda depuis la perspective d'un changement de régime, c'est-à-dire des changements de caractéristiques d'un régime (attributs idéologiques, /procéduraux/ comportementaux) de 1973 à nos jours.

GLOSSARY

APRM	African Peer Review Mechanism
CCM	Centre for Conflict Management
CDR	Coalition pour la Défense de la République
CND	Conseil National du Développement
DRC	Democratic Republic of Congo
FAR	Forces Armées Rwandaises
FIDH	Fédération Internationale des Ligues des Droits de l'Homme
GNU	Government of National Unity
HRW	Human Rights Watch
ICG	International Crisis Group
International IDEA	International Institute for Democracy and Electoral Assistance
LDGL	Ligue des droits de la personne dans la région des grands lacs
MDR	Mouvement Démocratique Républicain
MRND	Mouvement Révolutionnaire National pour le Développement
MOE-UE	Mission d'observation électorale de l'Union Européenne
NDI	National Democratic Institute
NEC	National Electoral Commission
NEPAD	New Partnership for Africa's Development
NRA	National Resistance Army
NRM	National Resistance Movement
NURC	National Unity and Reconciliation Commission
Parmehutu	Parti du mouvement d'émancipation des Bahutu
PDC	Parti démocratique chrétien
PL	Parti Libéral
PSD	Parti social-démocrate
RDF	Rwanda Defence Forces
RoR	Republic of Rwanda
RPA	Rwandan Patriotic Army
RPF	Rwandan Patriotic Front
TNA	Transitional National Assembly
UNDP	United Nations Development Programme

INTRODUCTION

Since the 1990s, much of Sub-Saharan Africa embarked on processes of political transition, which came to be described as the “Second Wave of African Liberation.” Against the backdrop of a mutating international political context, following the collapse of the Berlin wall in 1989, domestic and international pressure pushed African authoritarian regimes to shift towards political liberalisation. Many transitions, particularly in divided societies, were drawn-out, in many cases concurrent with violent conflict. Emergent “democracies” in Sub-Saharan Africa have tended to be merely nominal, or “formal,” with a constitutional order, a purported separation of powers and the holding of elections, but lacking in democratic *content*; they were hybridised regimes.

As elsewhere in Sub-Saharan Africa at the beginning of the 1990s, Rwanda was governed by single-party authoritarian rule. What distinguished Rwanda was its bi-polarity between two politically important ethnic groups– the Hutu majority and the Tutsi minority– and the presence of a significant number of Tutsi refugees in the sub-region of the Great Lakes. In 1990, Rwanda got on board of the “Second Wave of African Liberation” and began a political transition that purportedly sought to shift away from authoritarianism towards a multi-party (“democratic”) regime. The Rwandan transition was concurrent with a civil war that began in October 1990 when a politico-military movement of Tutsi refugees, the Rwandan Patriotic Front (RPF), invaded from Uganda. A peace treaty was agreed in Arusha, Tanzania in August 1993 that officially ended the war by framing a new phase in the transition through a compromise between the incumbent elite, the RPF and the domestic democratic opposition. However, the Arusha Peace Agreement was not implemented. On 6 April 1994, President Juvenal Habyarimana’s airplane was shot down over Kigali, triggering genocide of the Tutsi minority, massacres of Hutu opponents of the incumbents, and the resumption of war. The military victory of the RPF in July 1994 ended the genocide, marked the end of the transition and the installation of a new authoritarian regime. While the RPF stated that it would follow the spirit of the Arusha Peace Agreement through power sharing with the political forces that did not participate in the genocide in a so-called transitional period, it fundamentally changed the premises of the agreement and, in fact, embarked on a process of regime consolidation, which was completed in 2003. In so doing, the RPF fell short of lastingly contending with the deep (ethnic) divisions in Rwandan society that were at the heart of the trappings of the transition and that had brought about its own insurgency, choosing a blinkered approach of managing diversity after genocide.

The literature on political transition, originally revolving around the so-called “transition paradigm”, maintained that a country in transition was one embarking on a process of democratisation. This thesis disregards structural factors inhibiting a clear-cut passage to democracy and, markedly, the actual objectives of the political actors engaged in transition; a line in fact must be drawn between normative and instrumental objectives to democratise. The Rwandan transition was an exceptional case and plainly does not fit the “transition paradigm”. As such, the main concern of this paper is to explore the Rwandan transition from the perspective of a re-definition of transition. The central point at issue is how the fundamental premises distinguishing a regime have changed over different points in time, bearing in mind whether democratisation has been an objective during these periods and how societal divisions (ethnicity) were at play. The assessment of the Rwandan transition and the management of the

post-transition offer an avenue for comparison with other deeply divided societies in Sub-Saharan Africa.

This paper gives an overview of the main literature on political transition, noting the evolution from the focus on “democratisation” to the recognition of the significant impact contextual factors can have on transition, which can result in different types of (new) regimes. It proposes a change in focus on transition, seen from the perspective of regime change, or changing regime characteristics. Thus, successive Rwandan regimes between 1973 and the present day are examined from this viewpoint, highlighting the ideological, procedural and behavioural aspects of each regime and its key actors. The paper contends that Rwanda underwent a *single* transition in 1990-1994 and subsequent to regime change following RPF military overthrow, consolidation of (a new type of) authoritarian regime. Thus it draws attention to the authoritarian regime of Juvénal Habyarimana (1973-1990), the transition (1990-1994), and its outcome during a period of regime consolidation (1994-2003) and after it achieved consolidation (2003-date).

2. THE EVOLUTION OF THE MEANING OF “POLITICAL TRANSITION”

2.1. The End of the “Transition Paradigm”

The most influential literature on political transitions, also known as the “transition paradigm,” has conceptualised a normative theoretical framework based on the fundamental assumption that any country which shifts away from authoritarianism is a country in transition to democracy. The setting up of the hypothesised new democratic regime is presumed to follow a precise political path (i.e. the transition): the breakdown of the authoritarian regime, the emergence of a democratic opposition, negotiations between the relevant social and political actors, the enactment of a new constitution, followed by elections and the establishment of a new democratic institutional structure.

The transition paradigm takes as its starting point an authoritarian (military, single-party or personality-based) regime (Huntington, 1991-1992: 582-583), which will shift towards democracy. Each type of authoritarian regime presents different prospects for the realisation of democracy: military rulers are not considered to pose significant institutional obstacles to democratisation, but appear able and willing to leave the political scene if there are sufficient personal safeguards from prosecution for the soldiers and institutional safeguards for the resources and autonomy of the army as a whole; single-party regimes present institutional barriers to democratisation, particularly in unravelling the party from the state and tackling the antidemocratic pressures of those party members who have an interest in the *status quo*; and personality-based regimes present a challenge to the establishment of democracy in that personal rulers tend to be more reluctant to retire than military officials and party politicians (Linz and Stepan, 1996; Huntington, 1991: 582-586; Peeler, 1998). The transition paradigm thus focuses on the actors of a transition, namely the incumbent authoritarian rulers, or ruling elites, on the one hand, and their counterparts, namely opposition groups that are typically political parties and that aspire to take power from them, on the other.

The paradigm maintains, further, that transition can occur through any of three modalities of change: reform, compromise, or overthrow. The modalities are themselves contingent on the balance of power between the actors. In the case of reform, the authoritarian ruling elites take the lead in the transition. They retain a significant hold of political power and determine the choices the new democracy will have to make (Shain and Linz, 1995: 53-55), thus assuring a role in the future regime. Compromise arises when the ruling elites and the opposition are equally matched, reach a compromise and together initiate the transition. The level of power retained by the ruling elites will heavily condition the transition (Shain and Linz, 1995: 47-51). Transition through overthrow tends to occur in cases of authoritarian regimes that have opposed reforms, where the opposition groups have grown so strong as to bring down the authoritarian regime. The most important implication of transition by overthrow is that the new ruling forces will have the widest discretion in directing it (Shain and Linz, 1995: 18). Overthrow may in fact occur through military defeat of the incumbent(s) (Rothstein, 1992).

The main emphasis of the transition paradigm is on the choices made by the political actors (Reychler, 1999: 100). It maintains that choices (in general, the actors' preferences concerning the type of government they want to set up and their negotiation strategies), are the defining element of the outcome (the "new democracy") of political transition.

Critical rethinking of the transition paradigm has seen to a second school of thought on political transition that has introduced new elements in the concept of transition. In view of the failure of countries that have experienced transition to achieve democracy, scholars have stressed the need to consider underlying factors that contextualise a transition, particularly structural factors (Carothers, 2002: 8), such as the economic situation, historical legacies, institutional legacies, the ethnic composition and the socio-cultural dimension of a given country (Ottaway, 2003: 13). Structural factors can funnel specific paths and behaviour that actors may then choose to follow and assume. Structural factors influence a transition and even facilitate the rise of a certain type of political regime.

Significantly, scholars of the second school have contended that democracy is not the sole outcome of transition and have coined new types of "hybrid" regimes that lie in a "grey zone", or a political limbo, lying between an authoritarian regime and a democracy. Hybrid regimes present certain features of democratic political life and, simultaneously, authoritarian traits (Case, 1996; Zakaria, 1997; Collier and Levitsky, 1997; Carothers, 2002; Ottaway, 2003).

2.2 Regime Change

A political regime is a system of government determined by procedural (institutional), behavioural and/or ideological attributes. Procedural rules may be formal and informal, explicit or implicit. Significantly, they are largely contingent on the behavioural attributes of the regime— the way in which power is exercised, and on whether the key political "actors accept or comply with [them]" (Munck, 1996: 7). A political transition is defined here as the interval between the demise of one political regime and the instalment of a new (emergent) political regime. It is a process where new rules are being shaped during an interregnum managed by a provisional regime (Shain and Linz, 1995). These new rules amount to the establishment of a new political order; the creation of a new regime (Munck, 1996). Hence, a political transition ultimately entails *regime change*, which in turn entails a procedural, ideological and/or behavioural change.

Taking stock of the literature on regime types, including hybridised regimes, possible outcomes of a transition may be a regime that lies at any point along the spectrum between democracy and authoritarianism. A democratic regime entails “meaningful competition between individuals and organised groups” (Jagers and Gurr, 1995: 471) procedurally and behaviourally through free and fair competitive elections with universal adult suffrage for the legislature and executive (which cede to rulers the right to govern), allows for inclusive citizenship to all, respects civil liberties and political rights and entails civilian governments with real governing power and with oversight of the military (Diamond, 1999: 12-15; Mainwaring, Brinks and Pérez-Liñán, 2001: 38-41). An authoritarian regime practices strict and forceful control over its population, with little concern for public opinion. The regime rules by command and by force if necessary (Robertson, 2004: 33-34). Hence, it is not truly accountable to the population, as there are few institutional (procedural) constraints on the executive, there is “a lack of regulated political competition and a lack of concern for political and civil rights” (Jagers and Gurr, 1995: 471-472) and its rulers can thus remain indefinitely in power, irrespective of the popular will. It may entail limited political pluralism and frequently more extensive social and economic pluralism. The leadership exercises power within ill-defined procedural norms (Linz and Stepan, 1996: 39). Therefore, behaviourally, authoritarian regimes exercise strong and sometimes oppressive measures against their populations and citizens are not in effect included in the decision-making process. At both ends of the regime typology spectrum, ideology can provide justification for the precise type of regime; it can advance the political logic of a regime, thus seeking to legitimise it.

Finally, it is worth noting the notion of regime consolidation. Whereas the transition literature speaks of democratic consolidation (a process) and of consolidated democracy (an end state) (Randall and Svasand, 2001: 3), given that democracy is not the only possible outcome of a political transition, it is pertinent to focus on the resultant regime’s consolidation (as a process) and on the likelihood of a “consolidated regime” (as an end state).

The evaluation of a transition as successful/failed is the very flaw of the “transition paradigm.” It assesses the outcome of a political transition in terms of its proximity to democracy. However, if one is to consider, as this paper argues, that a transition is an uncertain and unpredictable process, which does not invariably aim at or is “capable” of achieving democratisation, rather than referring to success or failure, it focuses on the degree and type of political change. In so doing, attention is warranted to the stated objectives of the actors of a transition and the actual outcomes. In fact, the “choice factor” that is stressed in the transition paradigm entails in part the actors’ *commitment* to democratise. Contextual factors inherently entail the capacity to do so. Hence, it is important to highlight temporally distant (“structural”) and temporally proximate (including “external”) factors, which shape the context of the transition, and which can affect or explain the choices and behaviour of the actors thereof. The ultimate aim is to describe objectively the nature of the different regimes by analyzing their procedural, ideological and/or behavioural attributes.

3. POLITICAL TRANSITION AND REGIME CHANGE IN RWANDA

This section analyses the features of the Rwandan political transition and its outcome, looking at the interaction between underlying structural factors, temporally proximate factors and specific choices of the political actors, which shaped the violent transition. The central points at issue are changing procedural, ideological and/or behavioural attributes that determine the nature of the successive regimes. Rwandan politics at four different periods, seen through the prism of regime change, are centred on.

3.1 A Divided Society

Ethnic bi-polarity and proximate causal factors linked to it must be borne in mind before turning to the four periods in the recent Rwandan political trajectory. According to Horowitz (1993), in deeply divided societies, ethnicity can determine who is politically included or excluded. In Rwanda, ethnicity informs a multitude of aspects of the social, political and economic spheres and, as such, it is at the heart of an array of factors, which affect(ed) the transition and post-transition. Similarly underpinning structural and proximate factors, and often linked with ethnicity, was a legacy of political violence. Violence was regularly used as a political tool in pre-colonial years, entailing localised violence, revolts and repression (Vansina, 2001) and it was linked with exclusion from and the succession of power.

In the years of colonial rule, the Hamitic myth (a racial hypothesis that described the Tutsi as quasi-Caucasian Hamites, who were superior to the “Bantu” Hutu, and that became received wisdom in the late-19th and early 20th centuries) was propounded by the colonialists to advantage the Tutsi aristocracy over the Hutu (Sanders, 1969). The Hamitic myth was turned on its head by Hutu ideologues in 1957, who wanted to “emancipate the indigenous Hutu majority”; the Tutsi were represented as foreign Hamite conquerors, and the myth became instrumental in politicising ethnic identities, becoming central to the 1959 “social revolution.”

During the 1959 “social revolution” that ended the Tutsi monarchy, Hutu peasants were mobilised to use violence against the Tutsi “foreign oppressors” (Taylor, 1999: 76-78). Ethnic violence became a potent tool to achieve public support and anti-Tutsi pogroms continued to take place after the revolution, until 1973 when Habyarimana took power. A large number of Tutsi fled the violence, seeking refuge in neighbouring countries. The refugees were claiming their right to return and Tutsi exiles, who came to be known as the *inyenzi* (literally meaning “cockroaches”), raided Rwanda between 1961 and 1967. Although they did not threaten the ruling *Mouvement Démocratique Républicain-Parti du mouvement d’émancipation des Bahutu* (MDR-*Parmehutu*)’s grasp on power, the *inyenzi* raids were used to mobilise Hutu support for the regime. The raids were presented as part of an objective to reinstall the Tutsi monarchy in Rwanda, to enslave the Hutu masses and they were defined as a permanent threat to the Hutu republic (Mamdani, 2001: 135). In a country having the highest population density in Sub-Saharan Africa (alongside neighbouring Burundi), land scarcity was another dimension pertaining to the 1959 (ethnic) revolution. The land of the Tutsi refugees was redistributed to Hutu by leaders who sought to build clientelist power bases, (Des Forges, 2006: 358) and a prospective return of Tutsi refugees did not bode well for the Hutu landowners.

Temporally proximate constraints were significant in tilting the ethno-political mood during the transition: the war itself was one such factor as it permitted the instrumentalisation of ethnicity for political means; external threat tends to have the social and psychological effects of

increasing in-group cohesion (Fearon, 2006) and the RPF's invasion provoked a harsh retaliation against Tutsi. The war also had a psychological effect on the political actors of the transition who were, given the historical mistrust between the two ethnic groups, suspicious of the RPF and feared an installation of a Tutsi hegemony. This fear was aggravated by an offensive in February 1993, in which the RPF captured a large part of northern Rwanda (including Ruhengeri, the stronghold of the incumbents) and advanced towards Kigali, and by the assassination of the first elected Hutu President in neighbouring Burundi, Melchior Ndadaye, by officers of a predominantly Tutsi army in October 1993. The Burundian case, where Tutsi rule had been installed in 1965, had in fact served as a reminder of the need to be vigilant against being bereaved of the revolutionary gains of 1959. Finally, the Arusha negotiations threatened the military monopoly of the Hutu– the predominantly Tutsi RPF would share 40% of the troop composition and 50% of command posts (*Protocol of Agreement between the Government of the Republic of Rwanda and the Rwandese Patriotic Front on the Integration of the Armed Forces of the Two Parties*, 3 August 1993: articles 2 and 85) with the predominantly Hutu Rwandan army–, while disinformation concerning refugee repatriation and the correlated return of land to Tutsi returnees threatened the Hutu landowners and broader Hutu masses, which could also explain for participation in anti-Tutsi violence and genocide.

After genocide, ethnic bi-polarity was swept under the carpet by the RPF's aversion to ethnic references. As genocide was perpetrated along ethnic identity lines, the founders of the new regime consciously sought to do away with those divisive identities as a guarantee of peace (Lemarchand, 2007: 27) and to focus on the construction and reinforcement of the national identity. Yet at the same time ethnicity paradoxically informed genocide and an ideology associated with it (cf. *infra*). Genocide became a fundamental ideological “asset” through which political action was filtered, and on which much of the behavioural nature of the post-genocide period was contingent.

3.2. The Rwandan Transition and post-Transition

3.2.1. The Second Republic

In July 1973, General Juvénal Habyarimana assumed power by a military coup and ruled Rwanda ruled through a military commission until July 1975, when the *Mouvement Revolutionnaire National pour le Développement* (MRND) was created. In 1973, the Second Republic was proclaimed, with the stated aim of safeguarding the *acquis* of the 1959 “social revolution”, by restoring peace and national unity. The “moral revolution” of the 1973 coup set about to allegedly redress the shortcomings of the “social revolution”– which had the principal aim of “emancipating” the majority Hutu from minority Tutsi rule– by “balancing” out previous injustices that resulted from ethnic but also regional (whereby power was unevenly held by an elite coming from central and southern Rwanda) fragmentation and competition (Reyntjens, 1994: 30-31).

The newly installed Second Republic claimed to be built on the principles of the 1959 “social revolution”, in which *rubanda nyamwinshi* (“the great [Hutu] mass”) overthrew the Tutsi monarchy and installed Hutu majority rule. The “social revolution” rested on the fundamental principle that Rwanda must be governed by the Hutu, who had been oppressed by

foreign Hamite Tutsi invaders. As such, majority rule was equated with social justice and was in turn legitimated for conveying the so-called “democratic majority.”

The emancipatory aspect of the “social revolution” also enabled the Second Republic to highlight the significance of the Hutu peasant in the development of the nation. Development was attached to the peasant ideology, and it in fact eclipsed the political (cf. Verwimp, 2003). The single party accordingly shed its political nuance and was not described as a political party but a developmental *movement*. Similarly, the legislature was dubbed a “development council”—the *Conseil National du Développement* (CND). It has been argued that the peasant ideology cloaked class divisions (Uvin, 1998) and, even further, was part of an anti-Tutsi stratagem (Verwimp, 2003).

The ideological foundations of the regime informed its procedural attributes. The institutional cornerstones of the Habyarimana regime were the MRND, which was recognised by the 1978 Constitution as the only legitimate political organisation, thus banning any political activity outside the framework of the ruling party (*préambule*, article 7), and the *Forces Armées Rwandaises* (FAR), which were loyal to Juvénal Habyarimana. In line with the ideology of majority rule, as elsewhere in post-colonial Africa, the single party allegedly conveyed the democratic majority and the unity of the peoples of the (independent) nation. Political pluralism and ethnic diversity in particular were not considered conducive to nation-building and national unity, along the reasoning that abolishing rival political parties would inhibit the politicisation of ethnic cleavages, thus bringing stability (Jackson and Rosberg, 1984: 188-191). The single party was professed to maintain stability. Unity, therefore, followed the lines of ethnic majority rule.

Based on the 1978 Constitution, the regime was founded on a strong Presidency; the President exercised executive power with the cabinet and legislative power with the CND, appointed and revoked magistrates to the judiciary branch, he was head of state, head of government and commander-in-chief of the armed forces (articles 35, 39, 45, 51, 81 and 82). Unsurprisingly, in the single-party regime, the president and CND members emerged from the MRND.

Further, the state structures were assimilated with those of the MRND (Gasana, 2002: 28) and were hierarchically organised and controlled through democratic centralism: at the top was the President— the “Father of the nation”— below were the MRND Central Committee and the CND— the three forming the central government level; below that the state was divided into ten prefectures, 145 communes (headed by burgomasters), subdivided into sectors (headed by elected councillors forming communal councils), which were made up of cells (headed by five-member committees).

Elections were a procedural element of the single-party regime, which conferred to it ostensible legitimacy. Notably, in presidential elections, the MRND president ran unopposed and could run for an unlimited number of terms (1978 Constitution: article 40). To this effect, Juvénal Habyarimana was elected with close to 100% of the vote in national elections in 1978, 1983 and 1988. The legislative elections, on the other hand, offered an opportunity for competition within the single party.¹ Elections (again, from among members of the MRND) were also part of the procedure of manning the local administrative apparatus. The responsible administrators at each level consequently were also MRND representatives.

A policy of ethnic equilibrium commanded that ethnic identification be indicated on people’s identity cards and that Tutsi be allotted 10% of jobs in the public service, places in

¹ Elections were held in 1981, 1983 and 1988.

public schools and universities (*Africa Research Bulletin*, 1992), though this was not the case in practice. Moreover, popular mobilisation was institutionalised through the *umuganda*– weekly compulsory community labour for development– and through weekly MRND propaganda meetings that were organised by the cell committees, known as *animation*. Thus, ideology was used to legitimate the Hutu-led single party regime and to idealise and consolidate the personal rule of Habyarimana.

The significance of procedures is, as mentioned, contingent on the degree to which they are accepted or complied with (Munck, 1996). The behaviour of the central actors of a regime, namely the way they use ideology, accept or comply with the political procedures, ultimately tells a regime. The key actors in the Habyarimana regime were the president himself and an oligarchy of northern Hutu, predominantly composed of Habyarimana's wife Agathe Kanziga's lineage (which later came to be known as the *akazu*, literally meaning the "little house"). Power was concentrated in the hands of this oligarchy. Political power confers control over economic activities. Hence, the concentration of power permitted the concentration of wealth and economic exclusion. The *akazu* oligarchy controlled state banks and major enterprises, which received government loans and almost all government contracts (Reyntjens, 1994: 39). The peasant developmental ideology informed the procedural and behavioural attributes of the regime. In practice, despite lip service to development and a peasant ideology, benefits were skewed in favour of the elite, which also explained an anti-urban practice of the regime that sought to maintain the majority population rural (Verwimp, 2003: 14), while economic benefits were distributed to the small urban elite (Verwimp, 2003: 17; Reyntjens, 1994: 33). Nevertheless, with a Gini of 0.289 in the mid-1980s, Rwanda had been classified as a low-inequality country (Ansoms, 2007: 10-11), comparative to other African countries, in particular.

More specifically, the regime practised ethno-regional favouritism. Hutu from the northern regions, specifically Gisenyi and Ruhengeri, held one-third of the main government positions, almost all senior positions in the FAR and the security apparatus, they directed state enterprises, and overwhelmingly received education scholarships (Reyntjens, 1994: 33-34). Tutsi who fared well in the private sector and international trade were also favoured, in spite of the official Hutu ideology, and certain successful businessmen offered financial contributions to the President and *akazu* (Prunier, 1997: 75) and had close ties with them.

Clientelism was also linked with ethno-regionalism and was a key behavioural feature of the regime. The regime was supported by a network composed of local administrators that permitted control and vigilance over the population (Prunier, 1997: 66-76). The local authorities regulated population registration and movement, monitored births and deaths and mobilised the population into participating in *umuganda* and in *animation*. Burgomasters were appointed by the President and were important in the administrative pyramid as they linked the state and the MRND with the population (Des Forges, 1999: 42-43). Sector councillors were effectively co-opted, rather than elected (Gasana, 1995: 219) and they implemented the burgomasters' decisions. Local administrators were therefore in practice only upwards accountable to the President and the ruling party, rather than downwards to the population; the upward flow of opinion, views and accountability were hindered by the centralist aspect of the regime.

Finally worth noting is the regime's relation with the Catholic Church in aiding the former's hegemonic influence, given a 60% Catholic population. Catholic Church leaders participated in the state and MRND structures, and they emphasised the need for the population

to obey the authority of the state, which gave symbolic legitimacy to the single-party regime, and helped in controlling the population (Longman, 1998: 55).

The ruling elite exercised strict control over the Rwandan population, and it ruled by command and the loyalty of the FAR to the President and his entourage. A lack of procedural constraints on the power of the President and the oligarchy and the absence of political pluralism, in spite of some economic and social pluralism, left the rulers unaccountable to the population. The Habyarimana regime was therefore unambiguously an authoritarian regime. Nevertheless, until 1990, there was little resistance to the regime, indicating that it may have enjoyed popular consent through hegemony, brought about by its ethnic and developmental ideological mechanisms, which can “induce people to internalise the state’s normative and behavioural rules” (Schatzberg, 1998: 5).²

3.2.2. Wither the “transition paradigm”: a tortuous transition, 1990-1994

A mix of factors set off a political transition in Rwanda. An economic crisis in the late 1980s (a drop in export earnings due to a fall in international coffee prices, a low coffee yield, the closing of the tin mining sector following the collapse of global tin prices), and the government’s implementation of a structural adjustment programme, resulted in a social crisis, specifically low income, high unemployment, and the reduction of social services due to budgetary spending cuts. The ruling elite was drawn into an intestinal struggle over contracting resources, while underground political activity was taking place (cf. the letter “Pour le multipartisme et la démocratie”, 1990), coming from disaffected party members, from the ranks of urban civil society and hitherto excluded (regional and ethnic) elites. The broader “democratisation” wave of central and eastern Europe, the National Sovereign Conferences that were debating the advent of plural political systems in francophone Africa, the end of Apartheid in South Africa and pressure by French President François Mitterrand on francophone Africa to democratise in order to continue to enjoy international financial aid, all interplayed to push the regime to embark on liberalisation reforms in July 1990. The invasion of the RPF precipitated the political transition. The transition has been well documented. For lack of space and given the definition of transition as ultimately entailing regime change, the discussion will be limited to ideological, procedural and behavioural elements of the transition.³

Three broad political currents (cloaking political objectives in ideological terms) were at play during the transition: 1) the authoritarian incumbent elites (also known as the “presidential movement”); 2) the democratic movement (the “moderates”), comprising the newly-constituted political parties, following the first liberalisation reforms; and 3) the armed opposition and its supporters (the pro-RPF current). The first current supported limited reforms to the Second Republic. The objective of the incumbents was to lead the transition in order to remain in power in the new regime. The *Coalition pour la Défense de la république* (CDR), a political party created in March 1992, also fell in the first current, specifically in aiming to safeguard the *acquis* of the 1959 revolution and Hutu majority rights against what it characterised as the feudal RPF forces. The democratic current predominantly emerged from those disadvantaged under the Second Republic— elites from the central and southern regions and from the Tutsi ethnic group. It consisted of the reconstituted former ruling party, the

² For an overview of popular perceptions of the Habyarimana regime, but also of the period from 1990 onwards, see Ingelaere, 2007.

³ For a detailed overview of the Rwandan transition between 1990 and 1994, see Reyntjens, 1994; and Guichaoua (ed.), 1995.

Mouvement Démocratique Républicain (MDR), the *Parti social-démocrate* (PSD), the *Parti Libéral* (PL) and the *Parti démocratique chrétien* (PDC) (Reyntjens, 1994: 106-107). The opposition parties joined forces to form alliances against the incumbents and were, for the most part, united vis-à-vis the RPF until the first half of 1993. The latter, the armed opposition, had a distinctive politico-military mind-set⁴ that entails attaining maximum power through war, either by toppling the regime or forcing its leaders into negotiations.

As envisioned by the transition literature, the problem of tackling the anti-democratic pressure coming from the most influential party elites and from the personal ruler whose interests were vested in the *status quo*, explained the reluctance of the *akazu* to cede power and were part of an eventual radicalisation of the political landscape. In the course of the transition, while negotiations were taking place in Arusha (and yet the war carried on), the tri-polar political situation became bi-polar, centred on ethnicity, enhanced by distrust of the RPF. The political forces began to pronounce themselves on the war between the government and the RPF, ultimately assuming a perceptible pro- or anti-RPF stance; this in turn was used to qualify the opposition as being “with” or “against” the enemy. After the RPF’s February 1993 ceasefire violation, many politicians feared that the RPF was indeed aiming at overthrow and at installing a Tutsi regime. A “Hutu power” current, which opposed compromise with the RPF and by extension the Arusha Agreement, emerged cutting across political parties on the one hand, and an ostensibly pro-Arusha current emerged, on the other, composed of the RPF and political parties’ wings that had sided with it, favouring the completion and implementation of the peace treaty.

A fundamental procedural change was made to the Habyarimana regime, which unambiguously indicated the installation of a new political order: the 1978 Constitution was revised in June 1991 to institutionalise multi-party politics, endorsed by a law on political parties (*Loi N° 28/91*). The 1991 Constitution replaced the strong Presidency with a semi-presidential political system, in which a Prime Minister would exercise executive power together with the President (article 35). Furthermore, although the state administrative functions remained the same, the state was officially extricated from the MRND structures (article 11). When a coalition government was installed in April 1992, the opposition parties forced Habyarimana to replace prefects (in September 1992) thus appointing also opposition members (Reyntjens, 1994: 226; Gasana, 2002: 100-101) and the political balance changed further in favour of the opposition when limited local elections were held in March 1993 (Reyntjens, 1994: 226-227; Des Forges, 1999: 112-113). A reformist wing within the MRND and the democratic opposition also partially restructured the FAR, replaced the army Chief of Staff, Gendarmerie and the intelligence services. Shortly after the installation of the transitional coalition government, President Habyarimana retired from the FAR, in line with opposition demands. Thus, the monopoly of the MRND oligarchy, control of the security forces and the exclusion of the southern and central Rwandans ended.

The Arusha Peace Agreement– which together with the 10 June 1991 Constitution would constitute the Fundamental Law that would govern the country in the course of a new political transition– foresaw more fundamental procedural changes. Namely, it diminished the power of the ruling MRND, bolstering that of its opponents, and it restructured the armed forces, to include the RPF. A Protocol on Power Sharing brought a shift of power from the President–

⁴ Cf. RPF, 1992: article IV.1, during the Arusha negotiations, the RPF proposed a “National Reconciliation Committee” composed of civilians and military officers that would accumulate legislative and executive powers, during a new period of transition.

who was left with ceremonial powers (Reyntjens, 1994: 249-250)– to a broad-based transitional government, in which the RPF and the MRND would be equally represented (article 13). The *akazu* risked a loss of influence as the President had been their source of power (Reyntjens, 1996: 236), the new government would be composed in its majority of elements hostile to them, they were not provided with personal safeguards from prosecution for their past actions (particularly, corruption and, for certain members of the *akazu*, political assassinations) (Nsengiyaremye, 1995: 177) by an independent judiciary provided for in the agreement (Reed, 1996: 495). The Protocol on Power Sharing in fact had “consociational overtones” (Reyntjens, 1996: 235) in having a stab at balancing power and in sharing out competence (what Lijphardt (1977: 40) calls distributing influence) among the political parties and in requiring a (simple) majority in the national assembly (Article 73) or in cases, such as a motion of censure against a government member, a two-thirds majority (article 79) that necessitated the support of at least four political parties (Reyntjens, 1996: 236). The MRND’s dominant position was thus further imperilled by a future alliance between the opposition parties, particularly as it was not in possession of a blocking minority. The counter-elite therefore made significant gains at the expense of the incumbents.

What marked the Rwandan transition was the behaviour of the actors that were involved in it, in view of transformed political dynamics. As predicted by the transition paradigm, the actors’ choices were pivotal to the process of the transition.. The principal behavioural attributes of the transition were violence and dissonance. The opposition parties engaged in political violence, they mobilised the population and they organised militant demonstrations in which their youth wings were violently confrontational. The MDR’s *Inkuba* (“thunder”) and the PSD’s *Abakombozi* (“liberators”) engaged in violence against MRND supporters, while opposition activists forcibly recruited members, in order to show force, which came to be known as *kubohoza*, (“to help liberate” the population from the MRND) (Des Forges, 1999: 54-56). For their part, the incumbent authoritarian elites took recourse to formal and informal repression. In response to the RPF invasion, Tutsi intellectuals and Hutu opponents were rounded up for questioning on accusations of being collaborators of the invaders (FIDH, 1993). Between late-1991 and throughout 1992, formal state repression saw to the arrest, intimidation, harassment and imprisonment of opposition journalists by the military and gendarmerie (Reyntjens, 1995: 267). In 1992, the FAR began to give regular training to the MRND youth wing, the *interahamwe* (“those who work together”), transforming it into a militia and later to that of the CDR, the *impuzamugambi* (“those who have the same goal”), which also became a militia. The incumbents carried out informal violence through third parties (clients of the *akazu* in the local administration and by the militias), directed by an elite death squad composed of the core of the *akazu* and high-level security officers that later came to be known as the “zero network” (Reyntjens, 1995: 270-271). The “zero network” and local authorities directed people to kill Tutsi civilians between 1990 and 1993, distinct from the frontline war, often in apparent retaliation to RPF offensives. As the Arusha negotiations proceeded and gave greater power to the opposition, the incumbents were forced to operate under new constraints (Straus, 2006: 43-45), becoming even more radical and violent. The RPF chose violence as a means to make its political demands known through its invasion in 1990. The RPF made numerous attacks against the Hutu populations in northern Rwanda, killing tens of thousands of civilians, (Desouter and Reyntjens, 1995) and causing others to flee the areas it “liberated” (Gasana, 2002: 80-81). Even when negotiations began in Arusha, it continued its military preparations and campaign, notably violating the ceasefire in February 1993– possibly for a stronger footing in the negotiations

(Jones, 1999: 133) or seeking a military takeover once it had become strong and confident in its ability to do so (cf. Ruzibiza, 2005). The RPF alienated the Hutu populations in the “liberated” areas and its attacks provoked hostility among the moderate political actors, which was one of the causes of the emergence of “Hutu power.”

All sides, particularly the MRND and the RPF, were implicated in a series of assassinations of and attempts against key politicians (Ruzibiza, 2005; Amnesty International, 1994). Disorder contributed to a climate of fear, to insecurity and to impunity. Despite signing the Arusha agreement, there was a political impasse, violence was widespread and the country was in a state of war psychosis. When Habyarimana’s airplane was shot down over Kigali, hard-line Hutu immediately placed the blame on the RPF and they mobilised the Hutu masses to hamper the so-called plan to install Tutsi rule by joining in the extermination of the Tutsi and of those who had sided with the RPF (i.e. moderate politicians). The killings of the opposition and the genocide heralded the collapse of the Arusha agreement and it beheaded the coalition government that was in place. A self-proclaimed “interim government” composed of the anti-Arusha party factions was set up on 9 April and it orchestrated the genocide. As the genocide unfolded, the RPF resumed the war against the government forces.

Corresponding to the three currents in place, the three modalities of transition were at play: reform, compromise and overthrow. Each modality vacillated according to the balance of power between the actors of the transition at particular moments in time. Hence, at first a reformist “caretaker” transitional regime⁵ led by the incumbents directed the transition until April 1992, when the democratic opposition and the incumbents were relatively matched, as predicted by the “transition paradigm,” reached compromise and initiated the transition together through a power-sharing regime. An amalgam of movements scrambling for power thus undercut the transition. The cacophony between these currents became manifest in the mixed and, above all, violent behavioural aspect of the political transition.

Genocide marked an example of a “failed transition” in the paradigmatic sense or, rather, “the end of the transition paradigm” (Carothers, 2002). Further, genocide heralds the exceptionalism of the Rwandan transition, questioning whether it can in fact “fit” into an overall generic pattern of transition. The Rwandan transition ascertains what the second school of thought on political transition aimed to re-evaluate: that a transition does not follow the precise political path sketched by the paradigm— that is, through elections, the enactment of a new constitution, a democratic institutional set-up that would be followed by democratic consolidation— but can be a convoluted process. The stated goals of the Rwandan transition were the creation of a multi-party political system, which would culminate in the holding of national elections, and the attainment of peace. Instead, the transition was marked by political uncertainty and ambiguous objectives to democratise by the actors involved— as seen through violence, ethnic radicalisation and genocide— and it was wound up by military overthrow, as its final modality. On 4 July 1994, the RPF defeated the government forces, proclaimed Rwanda “liberated” and on 17 July, it declared its intent to follow the spirit of the Arusha agreement (RPF, 1994).

⁵ Shain and Linz (1995: 52-59) speak of provisional (or transitional) administrations (referred to here as *regimes*, as they entail a change in at least one of the three regime attributes) that lead a transition up to the emergence of a new regime.

3.2.3 After Overthrow: regime consolidation under the guise of transition, 1994-2003

Having overthrown the “interim government”, the RPF became the central actor of the new regime that was installed in 1994 and had the widest discretion of determining its nature. The trauma of genocide deeply marked the regime, determining the vision and behaviour of the new Rwandan elites and changing political instrumentalities.

The ostensible ideological keystones of this regime followed those of the RPF: liberation from the colonial mindset, *true* de-colonisation of Rwanda (Cf. RPF, 1991; RPF, 1990)⁶ and a Marxist-leaning ideology of mass organisation and popular mobilisation. It was an ideology in line with the “Second Liberation” guerrilla movements of the 1980s and 1990s, such as Yoweri Museveni’s National Resistance Movement, which maintained that the anti-colonial struggles of the 1960s had failed their people and had sustained (mainly ethnic) divisions. They waged wars against the regimes in their countries with the aim of “liberating” Africans from western domination and of preparing their populations through “indigenous” institutions for a distinct type of (African) democracy. In Rwanda, genocide has been explained as stemming from those divisions allegedly concocted during the colonial era. Having come to power through military overthrow, which also ended genocide, the RPF took upon itself to shield Rwandans against repetition of genocide and added this dimension to its ideology of liberating the enslaved minds of Rwandans. In so doing, combating ethnic divisions became the cornerstone of the regime’s institutions and its main behavioural attribute, as seen through its policies of “unity and national reconciliation” and fighting “sectarianism”, “divisionism” and discrimination (Law N° 47/2001).

Rwandanicity (Rusagara, 2005a; Rusagara, 2005b; Rusagara, 2005c)⁷ (*Ubanyarwanda*) built around historically unifying ties and citizenship but not ethnicity is the notion that defines state-society relations. Unity and “complementarity” (between the political institutions, the social, and political actors) are the essence of Rwandan society (RoR, 1999b). Ethnicity and citizenship are thus treated as antagonistic, rather than coexisting identities (RoR, 2006a: 267-286). Before the advent of colonialism, Rwandans were purportedly cohesive, with each group harmoniously completing the other to achieve a whole.⁸ The colonial tactic of divide and rule destroyed what the regime claims to have been a harmonious society— a position challenged by some researchers as distorting historical fact and that forms part of the RPF’s “monopoly on knowledge construction” (Pottier, 2002: 109-130). Building or (re-)establishing this unity of Rwandans goes together with eradicating the “genocide ideology”, which includes denying or minimising genocide (negationism and revisionism), avoiding responsibility for genocide, “demonising” Tutsi and making public biased political criticism (Republic of Rwanda, 2006a: 17-18). Ethnic reconciliation— an element found in the Arusha agreement but that only entered the new ideological framework after 1998 as a means to (re-)unite Rwandans (as allegedly they had been in pre-colonial years)— and the overall objective of justice for genocide crimes (accountability)— have been cornerstones of the Rwandan regime that was set up in July 1994.

⁶ This was also a recurrent contention that emerged in my interviews with RPF and RPA (Rwanda Patriotic Army)/RDF (Rwanda Defence Forces) members, particularly with founding member and ideologue Tito Rutaremara, Secretary General François Ngarambe, Brigadier General Frank Rusagara and Captain Aimable Mushabe, October 2006, Kigali and Musanze.

⁷ Interviews with Brigadier General Frank Rusagara, October 2006, Musanze; and with Dr. Anastase Shyaka, October 2006, Butare and Kigali.

⁸ Interview with Brigadier General Frank Rusagara October 2006, Musanze.

Further, given the dominance of the military in the RPF in the post-war/post-genocide period, elements of the military branch of the movement, which in fact became the national army (that was only renamed the Rwanda Defence Forces or RDF in 2002 (*Law N°19/2002*), in order to reflect a truly national spirit and to shed any partisanship), were among the regime's ideologues and had a pivotal role in re-defining ethnic/social relations. They sought a central role for the army on the Rwandan social, economic and political scene, describing it the "membrane" that shields the Rwandan "living cell".⁹ This romanticised role of the military and the very role of the RPF in stopping the genocide and winning the war, explain the military tint of the procedural and behavioural attributes of the "provisional" regime. The leading position of former intelligence agents of Museveni's National Resistance Movement/Army (NRM/NRA), also explain the obsession with security and control.

In 1999, development was also spearheaded as a chief goal of the country (RoR, 1999a). "Vision 2020," laid down the regime's development objectives, which it maintains would help overcome poverty and divisions, "by becom[ing] a modern, strong and united nation, without discrimination between its citizens." The document envisaged economic transformation from an agrarian-based to a knowledge-based one by the year 2020. The key objectives were to modernise the agricultural sector in the medium run, and to develop the private sector and create an entrepreneurial middle class in the long run, which would ultimately transform Rwanda into a middle-income country (RoR, 2000).

The (ethnic) violence of the transition not only defined the ideological character of the resultant regime, but also its behavioural and procedural underpinnings. While the Arusha Peace Agreement was, in principle, the keystone of the Fundamental Law governing the post-1994 regime (during the alleged transitional period), the treaty was repeatedly violated, marking a profound rupture between the pre- and post-1994 political settings. Procedurally, the foundations of the provisional regime were the praetorian Rwandan Patriotic Army (RPA) and the RPF. Formally, a multi-party political system was installed. The pro-Arusha wings of the opposition political parties participated in a Government of National Unity (GNU) and a Transitional National Assembly (TNA).¹⁰ The RPA was represented in the TNA and in other government institutions, and despite the minimal role of the Presidency envisioned by the Arusha agreement, the presidential powers were enhanced, while the post of Vice-President was created and given to the RPF.¹¹

Despite formal procedural multi-partyism, "consensual democracy" (that was "participatory" rather than competitive) became the mode of governance. Representative democracy was considered as fostering "'dissension' and confrontation between parties in the public arena," (RoR, 2004) whereas "consensual democracy" was deemed more suited to Rwanda than a Western-style democracy.¹² The RPF explained the political turbulence and violence of the transition and genocide as by-products of unrestrained competition by "immature political leaders" who were divided along regional and ethnic lines (Misser, 1995). Politicians and the population needed to be re-educated and to acquire a political culture that was propitious to democracy (RoR, 1999a: 53; Musoni, 2003: 4-5) before competition could come

⁹ Interview with Brigadier General Frank Rusagara, October 2006, Musanze.

¹⁰ The MRND, the CDR and other political formations, which had joined forces with them were banned, due to their pivotal role in the genocide and the Presidency, ministerial portfolios and TNA seats due to the MRND were assigned to the RPF.

¹¹ For more on the changes made to the Arusha Agreement, see Reyntjens, 1996.

¹² See for example the speech by President Kagame addressing the diplomatic corps in Rwanda in January 2006: *Official Website of the President of Rwanda*, http://www.gov.rw/government/president/speeches/2006/13_01_06_diplomats.html

about. Hence, between 1994 and 2003, political activity outside Kigali was banned, which rendered impossible party recruitment and mobilisation for elections. This was in fact an unambiguous sign of a new regime that came to power through war and not through negotiation.

The lynchpins of consensual democracy were popular participation, decentralisation and national unity and reconciliation. Decentralisation was a major procedural change in the Rwandan political landscape that aimed to transform the institutional set-up, by creating local government structures. Planned in 1999, the country was “re-configured” in December 2000: it was divided into 106 districts and 11 provinces in addition to Kigali. Central to the decentralisation policy was the principle of popular participation and empowerment (RoR, 2000), including of women and youth, who would come to be represented in the territorial administration with a view to representation in the future National Assembly. In line with the policy of decentralising power to bring it closer to the population, cell and sector elections were held in 1999, and district elections were held in 2001.

The extraordinary nature of Rwandan “democracy” was encapsulated in “home-grown” national strategies. This formed part of an experimentation process of reconstruction, through traditions derived from the Rwandan socio-cultural fabric that replaced so-called imported divisive practices.¹³ These were projected as best-suited for Rwanda to deal with justice and social problems that arose in the post-genocide and post-conflict context, and they were in line with “consensual democracy.” Among them, *gacaca*— a traditional conflict resolution mechanism— was “recreated” as a decentralised court dealing with cases of genocide crimes; *ingando*— ancient military encampment or the assembly area where the troops received their final briefing in preparation for a military expedition in which the Rwandan *national* ideal was stressed above any individual¹⁴— was turned into “solidarity” and re-education camps, originally designed for Hutu refugees, who returned en masse in the fall of 1996, in order to eradicate the genocide ideology teaching, instead, the importance of the Rwandan identity, and later extended to political leaders, local officials, students, ex-refugees, ex-combatants, and released prisoners; and *ubudehe*— a tradition of mutual assistance— was adapted to a community development decentralised plan for poverty reduction, allegedly offering local communities the “political space” to determine their needs (Musoni, 2003: 14).

By way of further illustration of the procedural nature of the provisional regime installed in 1994, the creation of key commissions warrants attention. An *ad hoc* Consultative Forum for Political Organisations was established in 1994, and in 1999-2000 a National Unity and Reconciliation Commission (NURC), a Legal and Constitutional Commission and a National Electoral Commission (NEC) were established. (The latter three were commissions agreed upon in the Arusha Protocol on Power Sharing.) The Consultative Forum for Political Organisations’ role was to confirm the candidacy of members of the TNA and follow up their performance, streamline political party activity and bring about consensus among the parties. The NURC (*Law N° 03/99*) was established to prepare a debate on national unity and reconciliation, deal with “civic education,” conflict mediation and “community initiatives,” including *Ingando* (<http://www.nurc.gov.rw>). The Legal and Constitutional Commission was established in 1999 (*Law N° 23/99*) to carry out nation-wide public consultations that would be considered in the drafting of the new Constitution, which was expected to set the premises for

¹³ Cf. RoR, 1999b: 79: “We can use culture to re-establish the unity of Rwandans.”

¹⁴ Interview with Brigadier General Frank Rusagara, October 2006, Musanze.

the future regime. The NEC was created in 2000 (*Law N° 39/2000*) to monitor and guarantee the organisation of free and fair elections during the transition.

Behaviourally, the fragile security situation until 1998, caused by incursions from Zaïre/Democratic Republic of Congo (DRC) of anti-regime rebel groups emerging from former military elements and militias (see Rafti, 2006) permitted the subjugation of politics to security concerns. The leading figures of the provisional regime, namely Major General Paul Kagame and his entourage of key RPF members (for the most part Tutsi former refugees, many coming from the RPA), were suspicious of any opposition (particularly that affiliated with the previous regimes), regarding it with hostility. As such, according to many observers and to (former) politicians¹⁵ (cf. Mbanda, 2000; Kimonyo et al. 2002; Human Rights Watch, 2003; Rafti, 2004), the regime was purged of anti-RPF elements or critics in government and civil society between 1994 and 2003 (including a significant turnover of personnel in the GNU and the TNA, the banning of the MDR and refusal of registration of other potential rival parties), leaving real power in the hands of a small group within the RPF (Reyntjens, 2004: 188-190; *Le Tribun du Peuple*, 1997; Kimonyo et al., 2002: 24-25; “Un patriote déçu”, 1998; Human Rights Watch, 2001b; Human Rights Watch, 2003). The only real opposition was found outside the country, at times forming alliances with the Hutu militias present in the DRC (Rafti, 2004).

Despite the rhetoric of unity and reconciliation, in practice ethnic exclusion continued during this period (Tutsi dominated the permanent secretaries of ministries, local administration, the judiciary, universities, the RPA and gendarmerie and the security services). Moreover, the regime's rhetoric of Rwandanacity and its hostility to ethnic references were obfuscated by its ascription of “collective guilt” to the Hutu and in its management of justice, whereby it zealously sought to establish accountability for genocide crimes (but not crimes committed by the RPF during and after the transition against Hutu). Further, in its construction of knowledge, the RPF establishes the roots of the “genocide ideology” in the 1959 (Hutu) revolution and explains the genocide as having begun in 1990 rather than April 1994, when Tutsi began to be targeted by the former regime. Although anti-Tutsi pogroms were in part a state-led response to the RPF (perceptibly Tutsi) invasion that sought to unite the Hutu masses against the RPF and its political allies (cf. *supra*), and although major outbreaks of anti-Tutsi violence proceeded RPF offensives (Des Forges, 1999: 87-88), by accounting for the beginning of genocide in 1990 the RPF is exonerated from (wilful or inadvertent) responsibility of bringing about attacks against Tutsi and it reinforces what Clapham (1998: 5) calls justifiable resistance to state oppression by the RPF. Conflicting versions of history and mention of RPF crimes became non-issues (what Zorbas (2004: 31) calls “silences”) and by extension, non-issues to reconciliation. Thus, despite a normative assumption that knowledge brings truth (in a neutral and objective way), the “truth” in post-genocide Rwanda has been narrowed to that endorsed by the RPF.

The strong Premiership determined in the Arusha agreement was also overlooked in behavioural terms; the Presidency was in fact stronger. Further, commissions such as the NURC, the NEC and the Consultative Forum on Political Parties behaviourally functioned as ideological vectors or disciplinary organs of the RPF (and were headed by leading RPF figures). The NURC's *ingando* have been criticised for promoting (or indoctrinating) the RPF ideological discourse to political leaders, local officials, students, ex-refugees, ex-combatants, and released prisoners (Mgabko, 2005). Among those said to be trained in *ingando* were new RPF leaders, particularly in women and youth structures, in preparation for positions in the local elections.

¹⁵ Interviews with a former member of the PL and a former member of the MDR, October 2006, Kigali.

Unity and fighting the “genocide ideology” became a cloak for achieving conformity with the RPF’s policies (Kimonyo et al., 2002: 6). Further, although the NEC’s role was to monitor elections, in the 2001 elections it screened the candidates and according to observers, vetoed those who did not allegedly endorse the regime’s policy of “national unity and reconciliation”, leaving RPF supporters to run in many cases uncontested and effectively pre-empting the popular will (ICG, 2001; Human Rights Watch, 2001a; LDGL, 2001). The Consultative Forum brought “consensus” on policies decided by the ruling elites among political parties. In 1999, the Forum played a decisive role in the nature of the elections, as it judged that Rwandans were not ready for competitive party elections, because they were still wanting in democratic values (CCM, 2003: 32. The elections were subsequently held without candidates from political parties. Yet while the ban on grassroots political activity was enforced, from 1998 onwards the RPF reportedly revived its process of “encadrement” for organisation and mass mobilisation of social resources (ICG, 2001: 7), (in line with the RPF’s affinity for a Marxist ideology¹⁶) and its provincial representatives recruited at the cell level¹⁷, even though the province was the lowest level of permitted political organisation. In practice, therefore, the non-partisan nature of the local elections was rendered null by the RPF’s “encadrement” process (particularly of its women and youth structures) and decentralisation enabled the RPF to entrench its power and control over the local administration (cf. ICG, 2001; Longman, 2005: 218-220, 228).

The provisional regime thus exercised (military, authoritarian) behaviour, the RPF ruled by force, it controlled the population through its strong security apparatus and an omnipresent army and despite the formal existence of the TNA to hold accountable the executive, in practice the RPF-dominated government was unaccountable and unconstrained in its rule, using institutions and legal tools, such as laws fighting “sectarianism” and a sweeping “genocide ideology.” Fighting genocide through the law became a tool to crush dissent and it served to exclude otherwise valid interlocutors from the internal political scene. In view of this and of the lingering presence of ethnically-based rebels in neighbouring DRC, it appears that societal (ethnic) divisions were inadequately contended with through the policies of national unity. Unity could be described as what Norval (1999) calls “coercive,” disallowing for difference, despite the deep societal divisions. Thus, the regime appears to have stumbled in the management of diversity: instead of dealing with it through dialogue, which enables the emergence of genuine consensus, it opted for enforced consensus and *de facto* elimination of diversity. Behaviourally, “coercive unity” was used to enforce reconciliation.

3.2.4. A consolidated electoral authoritarian regime

Much like the provisional regime, the post-2003 regime’s proclaimed ideological pillars were national unity, reconciliation, repressing genocide and providing security. Consensus-based democracy guides the regime. The new Constitution in fact confirms the criminalisation of revisionism, negationism and the trivialisation of the genocide (article 13) and ethnic divisions have been brushed aside (they have effectively been proscribed), providing no consociational provisions or minority guarantees (cf. International IDEA, 2005). The ideology that guided the provisional regime thus continues to inform the procedures and behaviour of the post-2003 regime.

¹⁶ As mentioned above, but not in economic terms, where the RPF-led regime has been following a neo-liberal agenda.

¹⁷ Interview with RPF Secretary General Francois Ngarambe, October 2006, Kigali.

Procedurally, the new Constitution was approved with 93% of the popular vote in a referendum in May 2003, replacing the 1995 Fundamental Law that guided the provisional regime and allegedly establishing new institutions. Moreover, the first partisan presidential and legislative elections in 2003 heralded the formal end of the provisional regime and of a so-called transition.

The 2003 Constitution endorsed the provisional institutions in place since 1994, transforming merely the TNA into a bi-cameral National Assembly. The President's broad powers were endorsed: despite an alleged "semi-presidential" system, the President can appoint the Prime Minister (article 116), whose main function is to "coordinate" the cabinet within guidelines set by the President (article 118); he has the authority to dissolve the Chamber of Deputies (article 133); and he appoints eight of the 26 members of the Senate (article 82).

The constitution subtly "modified" the institutions to tie them in closer with the provisional regime's behavioural ascription, thereby entrenching tight RPF control. Posts in the executive are in proportion to the National Assembly, which renders consensus and "complementarity" the mode of governance (in the name of unity)¹⁸, rather than oversight exercised by the legislature. Furthermore, the appointment of the judiciary permits a high degree of influence by the ruling party. This and the absence of effective oversight of the executive, has rendered horizontal accountability between officeholders unfeasible. Further, the upper house of the National Assembly reinforced the dominance of the RPF, as it was indirectly elected (effectively appointed), while the members indirectly elected to the Chamber of Deputies by women's, youth and disabled groups were RPF cadres or sympathisers elected in 2001.

Decentralisation has continued as part of state reconstruction. In January 2006, the administrative map of Rwanda changed again, leaving four provinces and Kigali City (*Law N° 29/2005*). The stated objective of the latest implementation of the decentralisation policy was to create fewer districts (down to 30 from 106) sectors (from 1,536 there are now 416) and cells (from 9,135 down to 2,148), to further popular participation and democratisation, for greater efficiency thus to better coordinate with the central government sectors, to deliver services and contribute to local development (RoR, 2006b).¹⁹ The roles and responsibility of each administrative level were re-defined, the pre-existing administrative entities ceased to exist and technical staff from Kigali was transferred to the new districts, appointed as interim administrators. The administrative reform was centrally-driven, decided and implemented by the central government, and it is controlled by the government through quarterly meetings with the local governments (including bi-annual meetings with the President), in spite of the supposed autonomy of local governments, and monthly reports to the Ministry of Local Government, Good Governance, Community Development and Social Affairs (MINALOC) known as *imihigo* (competition) "district performance contracts".²⁰ No-party local elections took place in February and March 2006, in view of the reform and with a view to apply the gender quota (of 30% representation of women) determined by the 2003 Constitution at the local government level (LDGL, 2006: 10). Despite the formal non-partisan nature of the elections, political parties agreed on the nomination of candidates with the RPF.²¹ The elections were technically successful, but the leaders were effectively appointed by the RPF (including many of the interim

¹⁸ Interview with a founding RPF member, October 2006, Kigali.

¹⁹ Interview with Apollinaire Mushinzimana, Coordinator of the National Decentralisation Implementation Secretariat (NDIS), MINALOC, October 2006 Kigali.

²⁰ Interview with Apollinaire Mushinzimana, Coordinator of the NDIS, October 2006, Kigali.

²¹ Interview with PL members, October 2006, Kigali.

administrators appointed by the government in January),²² hence they were “oriented,” much like the previous local elections.

After 2003, the RPF became more secure in its new position and continued to control political life through ideological mechanisms. Grassroots political activity was still banned (*Law N° 16/2003*) and the role of political parties diminished further, particularly as the Consultative Forum was institutionalised (2003 Constitution: article 56) and continued to scrutinise parties in its aim to achieve consensus. In fact, the mission of the European Union observing the 2003 elections concluded that the elections reduced political pluralism even further than during the 1994-2003 period (MOE-UE, 2003: 12). In its final report of the African Peer Review Mechanism, NEPAD concedes to this: *absolute consensus* is expected of political parties and not voluntary participation (APRM, 2005: 18). “Political parties may be *de jure* formalised but *de facto* impossible to realise and operate freely” (APRM, 2005: 41). As a result, access to power is blocked and decided by a small group (of predominantly ex-RPA) within the RPF and the alternation of power has become virtually impossible: the RPF is unambiguously the dominant party and the other political parties are not in a position to contest it seriously in the near future, as all arenas of contestation have been blocked by intimidation, co-option or accusations of involvement with the genocide or harbouring a sectarian ideology. Moreover, reserved spheres of influence are held by unelected (thus unaccountable) officials, predominantly from the RDF officers corps, which is matted with the ruling party.

The ruling elites within the RPF continue to discipline party members through democratic centralism,²³ whereby decisions and policies must be unquestioningly accepted and carried out by all RPF members, and extend this discipline to other political and social entities. As such, though political violence has decreased after the 2003 elections, and though the army has ostensibly withdrawn from the political realm (but not from the civilian sphere, engaging in civilian awareness raising (*sensibilisation*),²⁴ development (2003 Constitution: article 173, 3) and reconstruction activities), the threat of use of force lingers, intolerance of criticism of the RPF continues and has in fact been associated with “genocide ideology” (RoR, 2006a: 17-18). This has effected self-censorship among politicians, civil society actors and journalists,²⁵ while the continued absence of meaningful civilian oversight of the RDF has been cited as cause of alarm among civilians, who remain apprehensive of the military, thereby ostensibly conforming to the public discourse.²⁶ Practiced through the RPF “encadrement” process, *gacaca*, *ingando*, all surrounded by a military presence, bias towards the RPF discourse is thus mobilised in daily life. A mix of overt exercise of power by the regime (through the RPF’s control of the state’s coercive institutions), covert power (through fear brought about by the actions of the coercive institutions) and hegemony (by the Party-State’s top-down flow and formation of opinion facilitated by the centralist control of the decentralisation process), has given rise to a dual situation of a small circle of powerful elites and large popular segment of “powerless.”

It is worth outlining a pertinent category of hybrid regime, by way of identifying the typology of the new (post-transition) Rwandan regime: electoral authoritarianism (Schedler, 2006). Electoral authoritarianism is a modern form of non-democratic regime that uses a pivotal tool of liberal democracy— regular elections— to maintain its authoritarian power, in other words, to reproduce itself. Elections act as a legitimising tool to sustain authoritarian governance

²² Interviews with USAID official; and with PL members, October 2006, Kigali.

²³ Interviews with two founding RPF members, one an ex-RPA rebel, October 2006, Kigali.

²⁴ Interview with Brigadier General Jack Nziza, October 2006, Kigali.

²⁵ Interviews with civil society activists and a number of non-RPF politicians, October 2006, Kigali.

²⁶ Interview with a human rights activist, October 2006, Kigali.

(Lindberg, 2006: 248). Electoral authoritarianism is non-democratic in its exercise of power, thus regimes are authoritarian with democratic procedural attributes. Elections may be “broadly inclusive (they are held under universal suffrage) as well as minimally pluralistic (opposition parties are allowed to run), minimally competitive (opposition parties, while denied victory, are allowed to win votes and seats), and minimally open (opposition parties are not always subject to massive repression, although they may experience repressive treatment in selective and intermittent ways)” (Schedler, 2006: 3).

Electoral authoritarian regimes allow a degree of pluralism in civil and political society, within a delineated socio-political space. Institutionally, they resemble democratic regimes: they have constitutions, hold elections, and have parliaments, courts, local governments and agencies of accountability. Political violence (the assassination of opponents, voter intimidation, physical and material attacks against adversaries, riots, ethnic cleansing) is a “core symptom” of electoral authoritarianism. In permitting legitimate opposition parties to exist ostensibly, the regime bolsters its own legitimacy. In being able to manipulate the opposition into losing elections, electoral authoritarian regimes can demonstrate their apparent power and popularity against the weakness of their opponents.

The RPF-led regime has attained legitimacy inasmuch as it has represented itself as an electoral regime. Yet, by 2003, although elections in Rwanda were inclusive, they were minimally pluralistic, presenting the population with limited political choice (thus rendering meaningless vertical accountability), and the political playing field was such that it advantaged the RPF: political parties had atrophied because they could only organise at the provincial level and were hitherto unable to establish their constituencies, whereas the RPF had positioned its loyalists in the local administration in the 1999 and 2001 local elections (ICG, 2001: 7; Human Rights Watch, 2001a; LDGL, 2001); political parties subsequently had a brief period at their disposition, in which to organise and mobilise popular support for the elections; and irregularities were noted by international observers in the electoral campaign and the elections *per se* (NDI, 2003; MOE-UE, 2003). Members of political parties won seats in the legislature but the RPF coalition dominated with 74%. Paul Kagame and the RPF were consequently able to use the new Constitution and elections to reproduce the provisional regime.

Procedurally, the post-2003 regime had formal democratic attributes (a constitution, elections, a parliament, courts and local government). However, in its exercise of power, the regime has confined the political space. In the social sphere, the regime has made significant strides in service delivery, particularly in providing primary education for all Rwandans. A degree of expansion in the social space is also seen in the promotion of gender equality in law and in permitting some civil society organisations (among them, women’s organisations that have not been confrontational, like *Pro-femme* and *Hageruka* that are advocating for policy changes to address gender-based discrimination stand out) to lobby on issues that are not controversial. Yet while poverty has been reduced, the regime has failed to address economic inequalities (RoR, 2006c: 6), having a Gini coefficient of 0.51 in 2006, making Rwanda one of the most unequal countries in the world (UNDP, 2007: 5, 17), with a particularly blatant inequality between the rural areas and Kigali (RoR, 2006c: 6), this despite the regime’s developmental and modernisation vision.

What has been projected as the “post-transition” regime, following the 2003 Constitution and elections, seen in retrospect is akin to the 1994-2003 provisional regime. In other words, empirically, the declared transition was not in fact a political transition, but a process of consolidation of the authoritarian regime installed following RPF overthrow in 1994.

To this effect, the RPF simulated the precise political path that the “transition paradigm” has drawn up, drafting a new constitution put to a popular referendum for approval, holding elections and setting up ostensible democratic institutions (Ottaway, 2003: 14) (though not liberalisation that entails the enhancement of civil and political rights, the return of political exiles and release of prisoners (O'Donnell and Schmitter, 1986: 7; Huntington, 1991: 9), which is the paradigm's first step in a transition to democracy). The fundamental ideology, procedures and practices of the 1994-2003 provisional regime did not change in the post-2003 regime; hence, there was no regime change. Rather, the provisional regime was *consolidated* by 2003 under the guise of transition.

4. CONCLUSION

The failure of the Rwandan “democratisation” process is made plain when seen through the prism of “normative v. instrumental” objectives to democratise, as well as through the web of structural, proximate and contingent choice factors. The democratisation process was externally induced by the donor community, as a result of the newfound trend of conditioning aid on democratisation, by the RPF rebellion, and internally by an ostensibly democratic current. The incumbent authoritarian elites embarked on political liberalisation reforms with the instrumental objective of continuing to receive aid and to appease domestic unrest. While paying lip-service to democratisation, they engaged in repression and violence with the aim of derailing the transition to democracy. They also instrumentalised ethnicity, taking recourse to Hutu solidarity that aimed to unite the opposition around President Habyarimana against the RPF, the Tutsi (who became associated with the rebels as “accomplices” by virtue of their predominantly common ethnicity) and political factions that supported the rebels. Would-be democratisers were drawn into the violence, shedding doubts on their normative objective to democratise and many ultimately propped the anti-democratic forces as ethnic solidarity, mistrust and the perceived connection between democracy, the 1959 revolution and majority rule prevailed. It also appeared that democratisation was instrumental to the RPF in its objective to achieve power, as indicated by its policy of talking and fighting and, even, through a document that it presented during the discussions on the Protocol on Power Sharing in Arusha, which proposed the participation of the military in the political realm through a committee that would accumulate legislative and executive powers (cf. footnote 4)— much like the procedural nature of the post-1994 regime.

With this in view, while the RPF proclaimed to embark on a transition in 1994, allegedly through the modality of compromise, there was a disparity between its stated objective of applying the Arusha Peace Agreement and its observed practice of acting as a military victor. And while it declared adherence to democracy, as predicted by Ottaway (2003: 4), the RPF elites *consciously* established a non-democratic regime and not an “imperfect democracy”. The RPF used ideological mechanisms and its military might to control politics, constrict the public discourse within the bounds determined by a small group of its elites and assured its dominance by consolidating the regime it set up in 1994. Once it achieved security and controlled pockets of civil-military opposition, in which it invested much of its effort between 1994 and 1999, it proceeded to extend its power throughout Rwanda by investing in building a support base and a

“reliable electoral machinery” (ICG, 2001: 6) and organised elections on its own terms and time framework.

Democratic rhetoric in Rwanda from 1994 to date, mixed with international guilt of inaction during the genocide, and owing to the leadership of Paul Kagame, who was branded one of Africa’s “new breed” of leaders (who have been perceived as having aimed to democratise their countries, to have brought stability and who embarked on economic reforms), have given a significant degree of external legitimacy to the regime, ensuring its survival through economic aid and moral support. Internal legitimacy has been projected through the appearance of ruling by consent, sanctioned by the 2003 electoral results. The “transition paradigm” intuitively maintains that democracy will in time be installed in a country coming out of a political transition (Carothers, 2002). However, the hegemony of the RPF in the consolidated electoral authoritarian regime marks a clear disjunction between the paradigm and Rwandan reality, as democracy has never been farther away.

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ANNEX I: PERIODS IN THE RWANDAN POLITICAL TRAJECTORY, 1973-PRESENT; REGIME ATTRIBUTES

Table 1: The Second Republic, 1973-1990

Ideology	<ul style="list-style-type: none"> • Ethnic, based on the (Hutu) 1959 revolution; majority rule as democratic rule • Developmental>political • Peasant
Procedures	<ul style="list-style-type: none"> • Single-party system; elections within the MRND • Personality-based; strong presidency • Party-state: state structures=MRND structures; centralised hierarchic structure. • Ethnic quotas
Behaviour	<ul style="list-style-type: none"> • Concentration of political power and wealth by an oligarchy; anti-urban • Ethno-regional favouritism • Clientelism; vigilance and strict control
Regime Type	'Banal authoritarian' regime, typical of post-colonial Africa: practiced strict control over the population; ruled by command; unrestrained presidential power; rulers were unaccountable to the population

Table 2: The Political Transition, 1990-1994

Political currents	<ul style="list-style-type: none"> • Tri-polarity (1990-1993): Authoritarian incumbency in favour of limited reforms; Pro-democratisation (bi-ethnic) moderate domestic opposition; Military (attaining power through war) • Bi-polarity (1993-1994): Pro-Arusha (pro-RPF); Anti-Arusha/"Hutu power"
Procedures	<ul style="list-style-type: none"> • Multi-party, semi-presidential system • Extrication of MRND from state structures • Limited multi-party local elections • Re-structuring of the security services • Arusha negotiations
Behaviour	<ul style="list-style-type: none"> • Violence (war; political violence; formal and informal state repression) • Political mobilisation • Negotiations
Facets of the Transition	Three modalities of transition at play, changing over time: reform (Habyarimana/Nsanzimana government); compromise (coalition government, Arusha talks); overthrow (through war).

Table 3: The “Provisional” Regime, 1994-2003

Ideology	<ul style="list-style-type: none"> • Marxist-leaning guerrilla ideology of the RPF: liberation from colonial mindset; anti-ethnic; “Rwandanacity”; Unity and Reconciliation; Fighting genocide • Development; Vision 2020
Procedures	<p>Guided by Fundamental law (dominated by RPF victory declaration):</p> <ul style="list-style-type: none"> • Multi-party (but no grassroots political activity) “semi-presidential” system; RPA/RDF represented in the institutions. • “Consensus-based” democracy; “home-grown” national strategies • Non-partisan local elections
Behaviour	<ul style="list-style-type: none"> • Strong executive; ineffective horizontal accountability • Military might; clamp-down on civil and political rights • Small RPF group decides policy • Tutsisation
Regime Type	Hybrid authoritarian: some democratic procedures (formal separation of powers); rules by command and by force, decision-making reserved to the military; unconstrained rule; limited political and civil rights; unaccountable

Table 4: The post-2003 RPF-led Regime

Ideology	<ul style="list-style-type: none"> • Marxist-leaning guerrilla ideology of the RPF: liberation from colonial mindset; anti-ethnic; “Rwandanacity”; Unity and Reconciliation; Fighting genocide • Development; Vision 2020
Procedures	<p>Guided by 2003 Constitution:</p> <ul style="list-style-type: none"> • Multi-party (without grassroots political activity), electoral “semi-presidential” system; bi-cameral National Assembly (with appointed and elected members) • “Consensus-based” democracy; “home-grown” national strategies • Strong RDF; not represented in the legislature, involved in development and social activities
Behaviour	<ul style="list-style-type: none"> • Strong executive; similar composition of executive and legislature (“complementarity”)- ineffective horizontal accountability • Military might • Constriction of discourse and policy-making by small RPF group
Regime Type	Electoral authoritarian: democratic procedures; non-democratic exercise of power; uneven “playing field”; restriction on political and civil rights



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