

RESPONDING TO GENOCIDE: WOMEN-CENTERED  
ORGANIZING IN POST-CONFLICT RWANDA

by

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Women are uniquely impacted in genocide and in conflict, and Rwanda is no exception. This makes justice for women especially important in the context of post-conflict rebuilding and reconciliation. This paper looks at post-conflict Rwanda and four of the responses that emerged in the aftermath of the genocide to rebuild and provide justice to victims and survivors of the genocide: the International Criminal Court for Rwanda, the Rwandan national courts, the Gacaca community court, and women-led and women-centered organizing. In reviewing these four types of responses, this paper examines how these responses impacted women in Rwanda. It also distinguishes between formal and informal responses compares how these responses addressed the needs of women in Rwanda. Findings suggest that though informal and formal responses cannot be compared to one another, due to their inherent differences in practices and goals, informal organizing is a necessary aspect of post-conflict rebuilding and reconciliation. Women-centered organizing is often excluded from the dominant formal spaces, but in the context of post-conflict and post-genocide spaces and time frames, it is a necessary response to provide the support and community that women need in the aftermath of conflict and genocide.

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## **Introduction**

According to Berry, "... merely ten years after the Rwandan genocide claimed an estimated 800,000 lives, Rwandans elected the world's highest percentage of women to parliament, passed gender-sensitive legislation, and established myriad institutions designed to bring about women's empowerment" (831). Because of the high rates of women within their legislature, Rwanda is considered to be a model for gender progress and development. In large part this is due to the changes that occurred in the aftermath of the Rwandan genocide, particularly when compared to other post-conflict spaces. How then, did Rwanda achieve gender progress, when prior to the genocide the country operated within a deeply traditional and patriarchal society? Much of this progress can be attributed to the various responses that emerged in response to the Rwandan genocide in the early 1990s.

This paper broadly examines the post-genocide period in Rwanda. Although post-genocide refers to a long period of time, this paper will predominantly focus on the period of fifteen to twenty years following the end of the genocide. This is because most of the research and occurrence of the post-genocide responses emerged between August 1994 to around December 2016, which directly coincides with the end of the genocide and the closing of the International Criminal Tribunal for Rwanda by the United Nations Security Council. However, post-genocide work and organizing centered on healing and reconciliation are ongoing processes and thus, are still incredibly prevalent throughout Rwanda today.

Gender and genocide have always been deeply interconnected with one another. Those who are marginalized on the basis of gender are further marginalized and experience higher rates of discrimination during genocide and conflict and as a result, often become key actors in efforts of rebuilding and reconciliation. Gender impacts individuals and communities, particularly in the

context of violence and genocide. This can especially be said for the case of the Rwandan genocide. Throughout the genocide, women experienced significant amounts of violence—they were widowed, experienced physical or sexual violence, and lost members of their family and community. After the genocide, women made up nearly 70% of the population of Rwanda, and thus became important actors in rebuilding the country.

Feminist and women-centered organizing exists across the world throughout many spaces and cultures, yet there is a significant disconnect between smaller, local women-centered organizations and community groups to national or international organizations, especially within organizations and institutions such as the United Nations or national governments. As a result, there needs to be an increase in research on the relation between local women's organizing efforts and the larger-scale formal responses. Women-centered organizations play an integral role in rebuilding and reconciliation for women in post-conflict societies. Providing these organizations with space and support is crucial so that women can participate actively in rebuilding and restoring justice in the aftermath of genocide and conflict.

## Methods

This paper investigates how informal responses to genocide compare to formal responses. To answer this question, I will analyze and critique four responses to the Rwandan Genocide: The International Criminal Tribunal for Rwanda, the Rwandan National Courts, Gacaca community courts, and local women-centered organizations. These four responses all include both informal and formal mechanisms and comparing each will allow for a broader analysis of justice-seeking and peace-building efforts in what is considered to be one of the most well-known genocides since the Holocaust during World War II. These responses all impact justice-seeking mechanisms or intend to find justice and support services for groups of people who were victimized and impacted by the genocide. Specifically, this thesis investigates how these responses handle gendered needs and issues, but particularly the needs of women in post-conflict Rwanda.

Beyond this primary question, the research is also informed by two secondary questions. The first is whether the inclusion of informal organizing, driven by feminist thought and women-centered values and goals in international and formal spaces, such as the United Nations, allowed for formal responses to be more inclusive of individuals who are marginalized and subjugated on the basis of gender. This question seeks to provide context that could be useful beyond the case study of Rwanda. Second, this paper will also ask how women's organizing has influenced the post-conflict reconciliation and justice processes. Through this project, I hope to understand how women were able to mobilize for justice and support through genocide responses and how their ability to secure justice can be improved.

The methodology of this paper involves analyzing secondary source literature and formal legal documents and reports. In addition to looking at academic, peer-reviewed journals, books,

reports, and articles, the research also analyzed websites of specific organizations involved in genocide response efforts to review their individual practices, intended goals, and outcomes. Through these readings, I also conduct an analysis that will allow connections to be drawn and assist me in answering my research questions. My conclusions also rely on my analysis and interpretation of these materials.

Because of the violence and conditions that surrounded the Rwandan genocide, there has been an extensive amount of research and policy changes dedicated to better understanding the context and consequences of action or inaction in Rwanda. Yet much of this research is centered on international responses to the genocide and looks at Rwanda through a Western lens. For this reason, research about the gendered processes of justice-seeking and reconciliation of local women-centered organizations when compared to larger international and national responses has remained relatively minimal and Western-based<sup>1</sup>. By focusing on women's organizing rather than the work of international organizations, processes of justice and peacebuilding in the aftermath of conflicts can be better understood by attending to the efforts of those traditionally marginalized and left out of dominant conversations and responses.

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<sup>1</sup> A large portion of the research on the responses to the Rwandan genocide emerge from a Western legal perspective, that defines justice narrowly and according to a set of Western standards. These standards, however, don't apply across cultures, and as a result, are not necessarily representative of the experiences of people in Rwanda. Focusing on including and creating research that doesn't exclusively take a Western approach and understanding of these response mechanisms is necessary in having an accurate understanding of the impact of the response mechanisms.



## **Definitions**

Certain terms and themes will be referenced and utilized throughout this paper that vary significantly in how they are understood and interpreted. This section provides definitions and contextual information that will inform the way this paper approaches various subjects and terms.

### **Post-Conflict**

Post-conflict is the direct period of rebuilding and justice-seeking that occurs immediately following a significant conflict or period of violence. In the context of this thesis, however, post-conflict is used to refer to a much broader time frame that includes two decades after the conclusion of the period of mass violence in Rwanda. As mentioned, this shift includes responses that were implemented immediately following the genocide, but it also includes responses that continued over an extended period. Processes of rebuilding and reconciliation are ongoing processes that can take generations to conclude, and as such, placing a strict boundary on the 'post-conflict' period is difficult.

### **United Nations Peacekeeping**

Throughout this thesis, I will reference two United Nations (UN) peacekeeping missions that were implemented in response to the conflict and genocide. Both missions of which began before August of 1994. Though this discussion is necessary to provide context for later peacebuilding and justice-seeking efforts, this thesis will keep the discussion of the UN intervention in the region relatively brief. Extensive research has been done on the role of the UN in responding to and intervening in conflicts, especially as it relates to Rwanda (Barnett). However, because this paper is framed in the post-genocide period, it will not include the UN

peacekeeping missions within the broader discussion of forms of response to the conflict and genocide in Rwanda.

### **Formal and Informal Responses**

This paper identifies a dichotomy of responses between the formal and the informal sectors of organizations. This paper understands formal organizations as follows:

- They operate on a global scale.
- They are recognized as influential actors by international communities and nation-states.
- They are other organizations with robust and strengthened financial and logistical resources.
- They have strong support systems and networks.

Conversely, informal organizational responses emerge out of the failure of these formal organizations to support the needs of groups or individuals who are not part of these networks and institutions. Michael Mescon argues that informal organization exists “[as] a compensatory and sometimes vindictive phenomenon, it provides recognition for and acceptance of the individual when these factors are unattainable through the individual’s formal work role” (35). As a result, informal organizations often emerge and operate at a more local level. The informal institutions that are referenced and discussed in this paper look at the responses that took place at a local community level.

The language of formal and informal organizing or responses inherently creates a hierarchy of formal being superior to the informal. This hierarchy significantly impacts the ways that these responses are thought of and understood within the international community. Though this language has flaws in its ability to think fully about different types of organizations and responses, it is beneficial in understanding the distinction between these varying types of

responses. It is also beneficial in understanding the hierarchy that actively impacts the capabilities and challenges of these responses. In addition, though this hierarchy of formal exists over the informal, I argue that the logic that devalues informal organizing is flawed.

In the context of this project, formal organizations and responses are those that have been administered through an institution. Often formal organizing refers to organizing that takes place on a larger scale and comes from institutions or individuals who have authority and power within the established legal hierarchy. For example, of the many responses that emerged in post-genocide Rwanda, this paper views some of the formal responses as the International Criminal Tribunal for Rwanda, the Rwandan National Courts, and the Gacaca courts<sup>2</sup>.

In contrast, informal organizing generally is often not administered through legal means or authority, and these organizations tend to take a more bottom-up approach. Informal organizations include a wide variety of local, community organization that supported goals of reconciliation, healing, and justice in the aftermath of the Rwandan genocide. This thesis will look at women-centered, community organizing as a form of informal organizing.

Immediately following the end of the genocide, a significant amount of women-centered, informal organizing emerged to encompass and support the needs of women, children, and families that were not being addressed through many of the formal responses in Rwanda, because of the historical exclusion of women from political spaces and positions of authority and power. These patriarchal patterns and practices continued after the conflict and genocide in Rwanda during the early 1990s and led to a need for women's organizing, due to their mass

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<sup>2</sup> Because the Gacaca courts were established by the Rwandan government, I consider them to be a formal response mechanism. Though due to their community-based nature, they could also be viewed as existing in a more hybrid format between informal and formal. For this project, I argue that because they were legitimized through the government and considered to be a nationally administered entity, they function as a formal response in post-conflict Rwanda.

exclusion from the formal spaces as well as the need and demand for more support, resources, and rights.

### **Women-Centered Organizing**

Women-centered organizing is something that will be referred to throughout this paper. For the purposes of this project, it refers to organizations that aim to advance the status of women through their work<sup>3</sup>. These organizations often center women's needs and voices in their operation, both in the leadership of the organization and in the issues that they respond to, as well as the support and resources that they provide. These organizations are rooted in community, collective action, and a shared goal of growth and transformation. For the purposes of this project, women-centered organizations emerge from a shared marginalization that leads women to collective organizing and community (Ryan 61).

### **Justice**

In post-conflict societies, justice is often at the center of efforts of reconciliation and rebuilding. In Rwanda, this is certainly the case. Many mechanisms were introduced in Rwanda to bring perpetrators of genocide to justice and to provide support and justice for the survivors. Because women are particularly impacted by genocide, their quest for justice needs to be centered in judicial processes. For women, justice often looks different and because of this, it is necessary that their voices and needs clearly represented in the development and execution of justice mechanisms.

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<sup>3</sup> The status of women is a term used to describe and identify the position of women in a country or society in relation to that of men. It generally refers to their access to basic needs and services (e.g., education, healthcare, reproductive care, etc.). See the UN Commission on the Status of Women for further information: <https://www.unwomen.org/en/csw>.

For example, rape has historically been used as a weapon of genocide and Rwanda was no exception (Card 5). Effective prosecution of rape cases was something Rwandan women fought for. As Nowrojee observes,

“...punishment and vengeance were astonishingly the least articulated reasons for why Rwandan women wanted and valued ICTR [International Criminal Court for Rwanda] prosecutions of rape. Women in Rwanda, when asked what they want from the tribunal, speak mostly about wanting their experiences acknowledged and the violence against them condemned by the ICTR. They want the ICTR to say loudly and in no uncertain terms that what was done to women was a crime of genocide, and that as rape survivors they did not willingly collaborate with those who committed genocide, who kept them alive to rape...Of all the things that international justice can give to the victim, this is perhaps the most straightforward. If it condemns, prosecutes and convicts offenders of sexual violence crimes, the crime committed against the rape victim is acknowledged and the silence is broken. No punishment can ever adequately redress the injuries of, or restore to their previous state, the victims of genocide. Yet despite this, there remains something important to the victims about the act of acknowledgement” (“Your Justice is Too Slow...” 6-7).

Because post-conflict societies are also frequently patriarchal, the needs of women are also left out of justice processes, or women do not receive justice because their voices aren't part of the processes. Particularly in the context of sexual violence and the shame and stigma many women who survived the genocide experienced, providing language and centering healing processes became essential and primary in their efforts to seek justice. In a report given by the *Human Rights Watch*, they discussed the specific needs of women in achieving justice in the aftermath of the genocide. “Disappointed with the failure to effectively prosecute and punish perpetrators of sexual violence, Rwandan women raped during the genocide urgently seek and require reparations for past abuse in the form of assistance that would enable them to meet their basic survival needs.” (“Struggling to Survive...”). This thesis views justice for women; as not one specific idea or framework, but rather as a series of demands and implemented ideas that support, listen to, and center the needs of women in post-conflict societies.

Transitional justice mechanisms were especially utilized in Rwanda to rebuild the country and establish support and justice systems for the survivors of the genocide. Transitional justice refers to the responses of a country or region in the wake of human rights violations and conflict (Buckley-Zistel & Zolkos 1-2). Transitional justice includes many different forms and mechanisms, such as “...national and international tribunals, truth commissions, memory work, reparations and institutional reforms, which aim at uncovering the truth about past crimes, putting past wrongs right, holding perpetrators accountable, vindicating the dignity of victims-survivors and contributing to reconciliation” (Buckley-Zistel & Zolkos 1).

Though gender itself is not an explicit focus within transitional justice frameworks, transitional justice asks the question “Whose justice – and for whom?” which can be used to understand and frame the ways in which women acquire justice in post-conflict societies (Buckley-Zistel & Zolkos 2). However, in recent years there has been an effort to increase “gender transitional justice”, by applying gendered analysis to the justice mechanisms and understanding how women are represented within these institutions of justice, as well as how the voices of women are listened to and made central in justice efforts (Buckley-Zistel & Zolkos 5-6). This thesis understands the formal responses to the genocide in Rwanda as mechanisms of transitional justice.

## Chapter 1: Rwanda Context and Background

The Rwandan genocide began on April 7th of 1994, after decades of growing ethnic tensions between the Hutu ethnic majority and the Tutsi ethnic minority. Throughout the genocide Hutu extremists targeted Tutsis and Hutu moderates (White 476). Though both Hutu and Tutsis were targeted, most of the violence was carried out against Tutsis because of their ethnic identity. Some Hutu extremists wanted an ethnically Hutu state, which contributed to pervasive physical violence, and sexual violence against women (Corey & Joireman 78-80).

After increasing tensions and conflict, the genocide formally began in April of 1994. Within three months, between 500,000 and one million people had been killed<sup>4</sup> (White 472). Additionally, an estimated 250,000-500,000 women were raped and experienced sexual violence during this time as well, though this number is highly contested and varies significantly depending on the time frame used and the hesitancy towards reporting sexual assault and violence<sup>5</sup> (Dégni-Ségui 7). After just over 100 days, the genocide ended on July 15, 1994 when the rebel group, the Rwandan Patriotic Front (RPF), took control of the capital, Kigali (Corey & Joireman 80).

Over one million people were involved in the genocide and eventually prosecuted for crimes they committed (de Brouwer & Ruwebana 938-939). In a small country like Rwanda, this made up a large portion of the population (de Brouwer & Ruwebana 938-939). Survivors, including both perpetrators and victims, had to live alongside one another in the aftermath of the

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<sup>4</sup> The number on total number of deaths is also highly contested and politicized. The Rwandan government asserts that one million people died in the genocide while other reports suggest the number is less.

<sup>5</sup> This number is contested due to the difficult nature of finding accurate statistics on rape and sexual assault. The Rwandan National Ministry reports only identify 15,700 cases of rape that occurred during the genocide. See the Report given by the UN Special Rapporteur of the Commission on Human Rights, René Dégni-Ségui, in 1996 (E/CN.4/1996/68).

genocide, and continue to do so today. This made processes of reconciliation and peacebuilding particularly necessary to rebuild the country and create systems of support and community, as well as to prevent any potential for continued violence and conflict.



## **Chapter 2: Women and Gender-Based Violence in Rwanda**

In spaces of violence and conflict, women become unique targets for a variety of reasons and in a multitude of ways. Rwanda was no exception. Before the genocide, Rwanda was a traditional and patriarchal society. Rwandan women were treated as dependent upon their husbands or male relatives, and their identity and role in society was centered around their position as a wife and mother (“Shattered Lives” 22). This also limited the ability of women to seek opportunities outside of the household and within the public sphere. Meaning that women had no access to property rights and did not have autonomy over their finances (Sharlach 391). Women were viewed as responsible for all domestic labor (e.g., cooking and caring for children)—relegating them to work within the private sphere. In addition to the discrimination they faced in their everyday lives, many women had limited access to healthcare services and education (“Shattered Lives” 24).

### **Gender-Based Violence During the Genocide**

During the conflict, women experienced various forms of physical, emotional, and sexual violence. This was a prevailing effect of years of patriarchal hierarchy and socialization that were significantly exacerbated by the genocide. Understanding the gender-based violence that occurred in Rwanda during the genocide is crucial in contextualizing the impetus for women-centered organizing that resulted from the genocide. Although it is impossible to know the exact number of women who were raped during this period, the United Nations Special Rapporteur estimated between 250,000 and 500,000 women had been raped (Dégni-Ségui 7). The sexual violence in Rwanda stands out due to the immense brutality and the sheer number of people who experienced sexual violence.

Although rape and sexual violence have long been utilized as weapons of war, they were not considered violations of international law until the 1990s. This shift came directly from the conflicts in the former Yugoslavia and in Rwanda during the early 1990s, as international legal institutions (the UN and The International Criminal Court (ICC)) began to consider gender-based violence as a violation of human rights and humanitarian law (Carpenter 631-632). In 1996, the UN Special Rapporteur of the Commission on Human Rights, René Dégni-Ségui, concluded that in Rwanda, “[r]ape was systematic and was used as a ‘weapon’ by the perpetrators of the massacres. This can be estimated from the number and nature of the victims as well as from the forms of rape” (Dégni-Ségui 7).

Before the genocide, there were many propaganda campaigns that primarily targeted Tutsi women. Television, radio, and newspapers all utilized propaganda to heighten tensions and hatred between the ethnic groups in the years leading to the genocide. The propaganda campaigns all “systematically exploited ethnic hatred”, suggesting that Tutsi women were enemies (“Shattered Lives” 19). The *Kangura* magazine, a recipient of government funding, was a primary source of this propaganda. In one publication, they printed the “Hutu Ten Commandments”, which prohibited Hutus from marrying Tutsis, and reinforced a hierarchy wherein Tutsi women were at the bottom (Carpenter 630). The prevalence of anti-Tutsi rhetoric and propaganda against women functioned to lay the groundwork for the sexual violence that took place during the genocide.

Rape and sexual violence in the Rwandan genocide must be understood as tools of war due to the targeted nature of the violence. While rape was incredibly prevalent, it was also employed as a strategy for the extermination of Tutsi women. Soldiers infected with HIV/AIDS participated in mass rapes of Tutsi women, many of whom ultimately died from AIDS or have

had to live with social stigma and shame surrounding sexually transmitted infections (STIs) (Dégni-Ségui 8). In the case of Rwanda, rape and sexual violence became tools used to perpetrate genocide and spread fear.

Though women experienced sexual and physical violence regardless of their ethnic identity, the violence against Hutu women was made largely invisible in the aftermath of the genocide. Additionally, many of the resources offered to survivors of rape and sexual violence were not afforded to Hutu women (Berry 837). This distinction greatly impacted the ability of all survivors to have equal access to resources and support systems.

“Since only Tutsi could be considered “survivors,” and only Tutsi women married to Tutsi men could be considered “genocide widows,” all survivor organizations were essentially for Tutsi. As a director of Avega-Agahozo put it, “[The organization’s] role is not to bring together women whose husbands are in jail or exiled . . . it is specifically for women whose husbands died during the genocide.” The fact that many organizations were set up around particular victim identities allowed them to become ethnically homogenous” (Berry 838).

Due to the various hierarchies imposed on victims of sexual, physical, and emotional violence, access to resources and support systems became hierarchical as well.

### **Lasting Impacts of Gender-Based Violence**

In the post-genocide period, Rwanda had to deal with significant challenges to its patriarchal system since women now made up the majority of the country. It is estimated that over 50,000 women were widowed during the genocide and thus, they comprised around 70% of the country immediately following the genocide (Warner). Under the patriarchal system and legislation, the prevailing gender-based issues became exacerbated due to the limitations women had within society. As a result, Rwanda entered a period in which gender-based issues became particularly visible. Women now needed education, financial rights, property rights, and improved healthcare, among many other services. Due to this shift in gender demographics,

Rwanda's president, Paul Kagame, implemented legislation mandating that 30% of the senate seats be given to women. In 2013 Rwanda's legislature had a majority of women at 64% due to this legislative change (Warner). This made Rwanda quickly become recognized across the international community as a model for gender equality.

Rape and sexual violence, as in most of the world, are heavily stigmatized in Rwanda. This has dramatically impacted the ability of women to seek resources and support or health services, as well as justice for the crimes perpetrated against them. Many women feel ostracized from their families and communities and thus are often reluctant to report sexual violence or rape. These stigmas result in a myriad of lasting consequences for women in Rwanda.

Due to the extremely high rates of sexual violence and rape during the genocide, it is widely assumed that every woman who survived the genocide is a victim of rape ("Shattered Lives" 94). Because of the utilization of sexually transmitted infections (STI) in the patterns of sexual violence, there is an assumption that rape victims have a STI and most often it is assumed that they have HIV/AIDS ("Shattered Lives" 94). Because of this stigmatization, many women in Rwanda believe that they will not be able to find a husband or have a relationship, and because Rwanda is still a heavily patriarchal society, this creates economic stress for women whose main route toward economic security and stability is marriage ("Shattered Lives" 94).

The stigmas additionally impact women's access to reproductive and sexual healthcare services. Many women who had been raped, assaulted, or mutilated have lasting healthcare problems, but the stigma and financial cost of these healthcare services prevent them from getting services they need, including psychiatric care. One doctor in Rwanda says, "You cure the direct illness, but psychologically, they are not healed. They continue to come back complaining of cramps or pain, but there is nothing physically wrong with them" ("Shattered Lives" 95).

Additionally, many women and girls experience complications with childbirth and are unable to have a normal sex life in the future (“Shattered Lives” 98). This further contributes to women’s lack of ability to seek marriage or future relationships. Women also became pregnant from rape and an estimated 2,000-5,000 children were born of genocidal rape<sup>6</sup> (“Shattered Lives” 103). Because abortion was (and remains) illegal in Rwanda, they resorted to self-induced abortions—contributing to the potential for lasting health complications (“Shattered Lives” 101). Forcible impregnation is an additional tool of genocide, as it works to undermine family connection and stability, and to make known a woman as a survivor of genocidal rape (Card 7-8). This further contributes to the shame and stigma women experienced in the aftermath of the Rwandan genocide. According to Mwambari, “Under Rwanda’s patriarchal traditions, children are identified by their father’s lineage, which means that women have had to endure the fact that their children will be called names associating them with their father’s identity and crime, such as *enfants non-desirés* (children of hate, unwanted children) and *enfants mauvais souvenir* (children of bad memories)” (73). This further isolates women and pushes them to the margins of society. By marking their existence with shame, women become isolated from their families and communities. Which dramatically impacts women’s treatment within the country, their economic status, and their access to justice mechanisms within formal institutions.

The prevalence of sexual violence against Rwandan women has also had lasting impacts. Rates of intimate partner violence (IPV) in Rwanda are some of the highest in the world, with an estimated 35-39% of women under the age of 50 experiencing IPV (Bahati et al. 2). Despite Rwandan legislation prohibiting violence against women, and multiple ongoing campaigns to prevent gender-based violence (GBV) and IPV, these high rates of GBV demonstrate the

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<sup>6</sup> This number is an estimate due to the challenges of identifying children who were born out of rape. Because rape is stigmatized, many women are resistant to making this information known.

presence of systemic discrimination against women. Though many theories have been offered to suggest reasons for these high rates of violence, it is likely that the socialization and normalization of rape and other forms of gender-based violence during the genocide have contributed to these continued patterns of violence against women (Mwambari 72-73).

### **Chapter 3: The United Nations and Rwanda**

Despite the wide variety of responses that emerged in post-genocide Rwanda, the most notable and widely discussed in spaces of international development and international relations were the formal responses and interventions of the United Nations in the region to assist in demilitarization and prevent additional violence in Rwanda throughout the 1990s.

#### **Peacekeeping Missions in Rwanda**

There were two primary peacekeeping operations deployed by the United Nations during this time: The United Nations Assistance Mission for Rwanda (UNAMIR) and the United Nations Observer Mission Uganda–Rwanda (UNOMUR).

The United Nations Assistance Mission for Rwanda (UNAMIR) was established by the UN Security Council (UNSC) with UNSC Resolution 872 (“Rwanda UNAMIR Mandate”). This mission had the goals of securing the city of Kigali, maintaining a ceasefire, establishing a demilitarized zone, assisting in the final periods of the transitional government, and supporting the elections, and coordinating with humanitarian efforts and organizations in the region (“Rwanda UNAMIR Mandate”). The United Nations Observer Mission Uganda–Rwanda (UNOMUR), was another UN peacekeeping operation that was deployed to the border of Uganda and Rwanda to ensure that there was no movement of military assistance or support into Rwanda (“UNOMUR Background”). This operation began in June of 1993 with UNSC Resolution 846 and ultimately concluded in September of 1994 with UNSC Resolution 928 (UNSC Res. 846; UNSC Res. 928).

Though the UN is largely considered to be one of the most integral and essential organizations responsible for responding to genocide, its peacekeeping missions in Rwanda have been heavily criticized (Barnett 1-2). In speaking about the lack of effective and sufficient

responses by the UN to the genocide in Rwanda, Michael Barnett writes, “The desire by the UN decision-makers in New York to pick winners and to avoid failures meant that the UN was as interested in its own security as it was in human security” (Barnett 48). Barnett further suggests that Rwanda stands out so significantly within the international community as a massive failure, because many international actors (especially the UN) could have intervened sufficiently and effectively before the genocide fully came to fruition (Barnett 1-2).

These criticisms of the UN response or lack of response in Rwanda, as well as in the Balkans during this time, led to significant shifts in legislation and policy of the role of peacekeepers in responding to violence<sup>7</sup>. Specifically, policy changes more directly and clearly outlined the role of peacekeepers in places of conflict and violence and intended to resolve many of the issues that occurred in their responses to violence and conflicts in the early 1990s.

### **International Criminal Tribunal for Rwanda**

The United Nations played a central role in the post-conflict efforts of justice-seeking through the implementation of the International Criminal Tribunal for Rwanda (ICTR) as directed by the United Nations Security Council (UNSC) in November of 1994 (UNSC Res. 955). This court worked to prosecute individuals who had been charged with war crimes or crimes against humanity in Rwanda during the period of conflict in the early 1990s. These courts focused their efforts on the prosecutions of high-ranking officials within the government, or the powerful elite (Holla & Brehm 59). The court was established by the UNSC in November of 1995 in Arusha, Tanzania and prosecuted the most serious of crimes under international law

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<sup>7</sup> This refers to the conflict in the Balkans region in the aftermath of the breakup of the former Yugoslavia. This war occurred from April of 1992 to November of 1995 with the signing of the Dayton Peace Accords (“The Conflicts...”). During this time, more than 200,000 people were killed and more than two million people were forced to flee the region (“The Conflicts...”). For information about the International Criminal Tribunal for the Former Yugoslavia (ICTY) see [icty.org/en/about/](http://icty.org/en/about/).



(e.g., crimes against humanity, crimes of genocide, war crimes, and the crime of aggression).

The ICTR was the first international court to interpret the definition of genocide as presented in the 1948 Geneva Convention and became the first international court to prosecute cases and deliver verdicts on genocide (“The ICTR in Brief”). Throughout the ICTR’s operation, they indicted 93 individuals for these crimes and sentenced 62 people (“The ICTR in Brief”).

During this period in the mid-1990s, the international criminal tribunals stood out as a new form of justice-seeking within the international community. This period was notably marked by the establishment of two international criminal tribunals—the International Criminal Tribunal for Rwanda and the International Criminal Tribunal for the former Yugoslavia (ICTY). These two courts prosecuted war crimes and crimes against humanity in their respective regions. This marks the first time that sexual violence was systematically addressed through international law and legislation (Koomen 255).

Despite the successes and progress made by the ICTR, it has been criticized for its failure to prosecute crimes against humanity committed by the RPF both during and after the genocide (“Rwanda: International Tribunal...”). This was due to a desire to remain cooperative and peaceful with the Rwandan government at the time. “[...] in 2002, when, in response to indications that the ICTR may have been planning to pursue investigations into RPF crimes, the Rwandan government refused to cooperate with the ICTR by facilitating the travel of witnesses from Rwanda and providing access to documents” (“Rwanda: International Tribunal...”). Because the functionality of the ICTR was entirely dependent on Rwandan cooperation, the ICTR in many ways had to conform to the regulations of the government, and their ability to achieve larger scale forms of justice was co-opted.

## *Gender-Based Crimes in the ICTR*

With the establishment of the ICTR and the ICTY in the 1990s, the international sphere began to incorporate a more gendered framework into their prosecution of cases under international law. The conditions surrounding violence in both regions led to shifts in international law to prosecute sexual violence and rape, and the Rwandan tribunal became the first international court to prosecute rape as a crime of genocide (Koomen 255). The ICTR formally closed in December 2015 (“The ICTR in Brief”).

The ICTR had a total of 93 indictments, and of those indictments around 30% were rape indictments (Haddad 116). Haddad notes that after appeals, only 25% of rape cases resulted in successful convictions, compared with a 92% in the ICTY (117). To prosecute rape cases, the ICTR established an investigative team for sexual assault and rape cases, as well as establishing witness protection programs and privacy guarantees to facilitate these trials (Haddad 115-116). However, Haddad attributes the lack of successful convictions of rape within the ICTR to the failure of these programs and institutions to be successful in their implementation, by arguing that the investigative team was unstable and was not consistently a working unit<sup>8</sup>. In speaking of the implementation of the investigative team, Nowrojee argues that there was a “lack of consistent attention to this issue by the prosecutor’s investigations division. There has been a lack of consistent and sustained investigative work” (“Your Justice is Too Slow...” 12). This impacted and diminished the ability of the ICTR to effectively prosecute rape cases.

Additionally, the ICTR did not consistently provide protection and support services to the women who were testifying to their rape or sexual assault. One woman had her testimony leaked,

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<sup>8</sup> The sexual assault investigative team for the ICTR was established under Prosecutor Louise Arbour, three years after the establishment of the ICTR (Haddad 117). After Carla Del Ponte took over after Arbour, those changes that had been made to investigate and prosecute more cases of rape in the ICTR were reversed, reverting to the marginalization of sexual violence in the ICTR (Haddad 117).

resulting in her fiancé leaving her when she returned from Arusha (Haddad 116). Additionally, many of the prosecutors and lawyers did not receive any sensitivity training for sexually based crimes, and as such they often asked women offensive questions or an excessive number of questions<sup>9</sup> (Haddad 116). This lack of training and protection for women testifying made it extremely difficult for women to come forward and testify, and ultimately limited the ability of the courts to prosecute rape cases. Additionally, their lack of training, made it difficult for prosecutors to collect adequate evidence and testimonies, which further inhibited the effectiveness of these courts in prosecuting rape cases (“Your Justice is Too Slow...” 13).

Despite being touted as a model of progress on the prosecution of rape under international law on genocide, the ICTR had significant challenges in effectively prosecuting these cases. It is evident that women needed and wanted the court to acknowledge that the crimes committed against them were crimes of genocide and were condemned by the international community. But the failure to effectively provide the information and training needed to make these prosecutions effective brings into question their ability to do so.

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<sup>9</sup> In one trial, a rape victim was asked 1,194 questions, the most of which, pertained to details about the rape (Haddad 116).

## **Chapter 4: Responses of the Rwandan Government**

The Rwandan government played a significant role in the aftermath and processes of rebuilding and development after the genocide. Directly following the conflict, the government implemented a variety of responses aimed at healing and rebuilding. One of these primary responses was the prosecutions of individuals within existing federal court systems. However, the infrastructure for these courts had been decimated by the genocide, which led to mass overcrowding in jails as individuals waited for their hearings. To address this delay in prosecutions, the government established the Gacaca courts. These became widely known for their community-based approach to justice.

### **Rwandan National Courts**

The Rwandan national court system worked in tandem with the ICTR in selecting those who would be prosecuted for criminal cases. They utilized the existing Rwandan court system that had existed prior to the genocide, but because Rwanda did not have the crime of genocide within their criminal codes, courts had to establish a new set of laws that criminalized genocide (Holla & Brehm 62). This criminal code, Organic Law (OL), was enacted in August of 1996 and established a specialized court within the existing domestic court system to prosecute the crime of genocide (Holla & Brehm 62). The national courts functioned at a step lower than the ICTR but still prosecuted the more serious crimes that had occurred during the genocide.

The criminal code established by the Rwandan government created four classifications of offenders for those accused of the perpetration of violence during the genocide. This method of classification was used to determine what courts individuals would be tried in.

“Category 1 suspects included planners and organizers of the genocide, those who committed crimes through a position of state authority, notorious murderers who killed with a particular zeal and cruelty, and perpetrators of sexual violence.

Category 2 encompassed those who participated in killings, while Category 3 included those who committed other forms of physical violence. Finally, Category 4 suspects included those who participated in crimes against property” (Holo & Brehm 62).

Those understood to belong in Category 1 were tried through the national court system, while those in lower categories were typically moved to be tried in the Gacaca courts. Those charged with Category 1 crimes were also heard in the ICTR, though they only heard cases for those who were charged with having leadership roles in the genocide (“Rwanda: Justice...”). Unlike the ICTR, the national courts imposed capital punishment as a sentence until 2007, when the Rwandan parliament abolished the death penalty (“Rwanda: Justice...”).

During the late 1990s and early 2000s, there were estimated to be over 100,000 individuals awaiting sentencing (“Justice Compromised...”). Because the infrastructure had been decimated in the genocide, the jails became overcrowded with people awaiting their trials. As such, Rwanda was criticized by international human rights for the inhumane conditions of people who were being held in the prisons (Holo & Brehm 63). In addition to the lack of physical infrastructure for a functioning court system and jail, Rwanda also lacked personnel (lawyers, judges, police officers, etc.) to maintain the court system (Holo & Brehm 62). This further delayed the trial process for people in Rwanda.

The national court proceedings are not publicly available, so it is difficult to know exactly how many people were prosecuted through the national court system. However, the United Nations estimates that over 10,000 people had been tried in the national courts by 2006 (Holo & Brehm 63). Many of the remaining cases were moved to the Gacaca courts in 2005 and thus, the number of genocide-related cases prosecuted after 2006 was limited (Holo & Brehm 63).

## **Gacaca Community Courts**

The Gacaca community courts were another form of justice-seeking that was implemented in Rwanda. Despite their local and community foundations, these courts were established by the Rwandan government beginning in 2002, though they didn't start hearing cases until 2005. Though the courts were established with the intention of concluding in 2007, they were extended for three years until 2010 to meet the demand of cases ("Justice Compromised..."). These courts were established to deal with the massive backlog in cases of individuals who had been accused as perpetrators or actors in the genocide. At this time, it was estimated that over 100,000 people were still awaiting trials. This led to conditions in prisons that were inhumane and impeding on individuals' right to due process for those who had been convicted (Corey & Joireman 82).

These courts were also established with urgency and an understanding that rape victims with AIDS were dying, and their cases could not wait multiple years to be heard. But also, that without this court system it could take decades for the more traditional court system (Rwandan national courts) to process and prosecute all the cases, inhibiting the overall effort of rebuilding and reconciliation (de Brouwer & Ruvebana 939). Because of this backlog, Rwanda established community courts, which functioned as a community forum to provide hearings for those who had been charged with participation in the genocide. It is estimated that by 2010, the Gacaca community courts had heard approximately 1.2 million cases<sup>10</sup> ("Justice Compromised...").

The Gacaca courts were built off Rwandan indigenous traditions of holding family forums to deal with familial issues and land disputes. 'Gacaca' is derived from a Kinyarwandan

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<sup>10</sup> Other reports suggest that closer to 2 million cases were heard across the country in these courts (de Brouwer & Ruvebana 940).

word meaning ‘justice on the grass’, creating a pre-colonial foundation in the implementation of these courts (Corey & Joireman 81). Originally, the forums that were held in accordance with indigenous traditions elected “respected men” into the positions of judge who oversaw the dispute and proceedings (Holla & Brehm 63). However, the Rwandan government implemented various changes when they utilized this system in their community courts. The focus on the inclusion of the community into the processes of justice was integral for Rwandan leaders in centering processes of reconciliation across Rwanda (“Justice Compromised...”).

The structure of the Gacaca courts were based on a series of laws that were specific to the Gacaca system to ensure basic and fair trials. Through the late 1990s, trial Gacaca courts were implemented in 12 different regions to test the ability of these courts to prosecute cases. (“Justice Compromised...”). Ultimately, it was concluded that they were successful, and this conclusion led to the subsequent decision to expand these courts across the country (“Justice Compromised...”). Through this process, officials reviewed all cases to determine which would be allocated to the Gacaca courts. With this process, all charges of serious cases (or ‘category one’ cases), including mass murderers, rapists, and leaders who incited killings were kept within the traditional court system<sup>11 12</sup> (“Justice Compromised...”). The courts were closed on the 18<sup>th</sup> of June 2012 after prosecuting more than one million perpetrators of genocide before 11,000 Gacaca courts (de Brouwer & Ruvebana 937-938).

Yet there were significant concerns regarding the fairness of the trials and their ability to adequately function within the complexities of the crimes that people were being charged with

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<sup>11</sup> By 2008, cases of rape and sexual violence were also prosecuted through the Gacaca courts (de Brouwer & Ruvebana 940).

<sup>12</sup> This was around 10,000 cases that ultimately were prosecuted through the Rwandan national courts (2,000 being identified perpetrators or leaders of the genocide and 8,000 being rapists or perpetrators of sexual violence) (de Brouwer & Ruvebana 940).

(“Justice Compromised...”). One of the primary concerns was the lack of formal legal training held by the community leaders who held the role of the judge. Judges were expected to run the courts with a general sentiment of fairness and common sense. As a result, there was a significant variation in the results of sentencing for cases with similar evidence. And, because there was no compensation for the judges, they were vulnerable to corruption and manipulation (“Justice Compromised...”).

Furthermore, despite the right to a fair trial being written into both international and Rwandan law, the *Human Rights Watch* argues that measures were not taken in the case of the Gacaca courts to ensure that this was fully achieved (“Justice Compromised...”). For example, defendants did not have a right to a lawyer in these courts. To create a space of free trials, the Rwandan government argued that the public would ensure accountability and responsibility in the proceedings of the trials, but they found that the role of the public instead took a bystander approach:

“The government argued that traditional fair trial rights were unnecessary because local community members—who witnessed the events of 1994 and knew what really happened—would participate in the trials and would step in to denounce false testimony by other community members or partiality by the judges. Contrary to these expectations, however, Rwandans who witnessed unfair or biased proceedings decided not to speak out because they were afraid of the potential repercussions (ranging from criminal prosecution to social ostracism) and instead passively participated in the *gacaca* process. Without active popular participation, trials were more easily manipulated and did not always reveal the truth about events in local communities” (“Justice Compromised...”).

Because the citizen participation took a passive approach, the ability of the Gacaca courts to effectively prosecute individuals charged with crimes both fairly and with due process was brought into question by some critics (“Justice Compromised...”).

Reflections on these courts reveal a mixed consensus regarding their success. Many Rwandans agree that these courts facilitated processes of truth-seeking that were necessary for



reconciliation and healing for many individuals and communities. They also allowed some families closure in locating the bodies of their family members for burial<sup>13</sup> (“Justice Compromised...”). Yet there is broad consensus (predominantly in the West) that these courts showed significant injustices in the prosecution of these cases, and despite the appeal process the government implemented for decisions in these trials, many cases still have not been reheard (“Justice Compromised...”). However, it is important to note that the criticisms of the Gacaca courts are generally considered to be rooted in Western assumptions and beliefs of criminal justice and the socio-political legitimacy of the courts<sup>14</sup> (Mukwiza Ndahinda & Muleefu 151-152).

#### *Prosecuting Rape and Sexual Violence in the Gacaca Courts*

Additionally, in some cases, it was those who were elected to preside over the Gacaca courts were perpetrators of the genocide or had a vested interest in the outcomes of the trials (Hola & Brehm 66). This is largely due to the lack of formal legal training provided to those presiding over the trials. Though Hola and Brehm were careful to note that their findings did not conclude this to be a pervasive factor that would impact broad analysis of the courts, the potential for corruption and manipulation of the courts, does bring into question the ability of the courts to achieve justice for women through this court system.

Many genocide related rape cases were also transferred to the Gacaca courts from national courts. This movement of cases to the Gacaca courts left many women upset. This was

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<sup>13</sup> This was an integral part of justice and reconciliation processes for survivors, as this allowed family members to bury their relatives with dignity and provided closure for them (“Justice Compromised...”).

<sup>14</sup> Mukwiza Ndahinda & Muleefu specifically call this Westernized criticism of the Gacaca courts out. They write, “The various criticisms of gacaca courts are labelled as Western because, whether expressed by individuals from the global West or from other continents including Africa, they are mostly framed taking as referent norms, institutions or ideals rooted or embedded in Western legal and socio-political thought, even where some of them might have acquired a universal (human rights) stamp” (151).

primarily because the Gacaca courts could not ensure the same degrees of privacy and security that national court proceedings could (“Justice Compromised...”). The Rwandan government defended the decision to move these cases to Gacaca courts because many women had contracted AIDS from genocide related rapes, and as a result, could not wait multiple years for their cases to be heard in the national courts (“Justice Compromised...”). Gacaca court trials for rape cases were held behind “closed doors,” but many victims were still concerned about the community-based nature of these proceedings and their identity becoming known. Some women who’d had their rape cases heard through the Gacaca court process reported that it was less traumatic than they’d expected (“Justice Compromised...”).

One of the most significant successes of PF/TH was increasing women’s contributions to the Gacaca court proceedings. The role of the community leader or judge (Inyangamugayo) who presided over the indigenous and community court proceedings was traditionally chosen from male community leaders (Mwambari 74). However, through advocacy by PF/TH women were trained and able to participate in the Gacaca courts as Inyangamugayo and as Abunzi (mediators who help to resolve community conflicts after the closing of the Gacaca courts) (Mwambari 74). PF/TH trained 318 men and women for these positions within the Gacaca courts and dramatically shifted the role of women’s participation in these proceedings but also in Rwandan public life (Mwambari 74).

The increased presence and participation of women in the Gacaca courts shifted public perception and taboos associated with how women should be seen in public, which traditionally limited women’s ability to speak publicly, especially on subjects deemed as more taboo (Mwambari 74). However, through enabling and creating space for women’s participation in

these courts, women's voices were necessary for justice-seeking processes. This has slowly shifted the way that women can perform publicly within Rwanda<sup>15</sup>.

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<sup>15</sup> Women traditionally were relegated to the private sphere in Rwanda, meaning that their role was placed within homes and not in the public (Sharlach 391). However, due to the majority that women held in the country after the genocide, and because of the efforts of various women-led and centered organizations, women's role within the public sector increased. Women then were more able to take positions within the community as leaders, and at a national level as members of parliament (Warner).

## **Chapter 5: Women-Centered Organizing**

From the post-conflict period through today, there was a significant increase in women-centered organizing to help provide support services and community for women who had been impacted by the genocide. These organizations emerged across Rwanda and took a variety of approaches to help organize women and create systems of mutual support, ranging from community and support groups for women who had been widowed, to activist organizations that fought for equality, labor, and land rights in the law. They also helped establish education-based programming and vocational training to provide tangible resources and skills to women who had not previously had access to these services.

According to Mwambari, “NGOs are often considered non-state actors whose main goal is to advance their members’ interests or some universal values... The proliferation of local and international organizations, including women’s NGOs, in post-conflict countries, is a particularly common phenomenon” (70-71). Rwanda particularly saw a dramatic increase in women-centered organizations after the genocide, with 493 women’s groups in 1986, and around 15,400 by the mid-1990s (Mwambari 71). Because of the high prevalence of women-centered and led organizations in Rwanda, their role in peacebuilding and in development processes post-conflict is integral to understanding the role of women in Rwanda today and their access to justice and support services.

These organizations were expansive in the issues they addressed and the means of accomplishing their goals. Some operated very locally, while others operated on a national, or even international, level. Mwambari discusses the challenges of peacebuilding NGOs who work within or are related to governmental policy in Rwanda. Following the genocide, the RPF implemented legislation that gave governments the ability to control finances and projects for all

international and national nonprofit organizations in Rwanda (Mwambari 76). Though this legislation was temporary, it still exists and is in operation today<sup>16</sup>. As a result, the Rwandan government has limited the functioning and operation of any opposition parties or independent NGOs during the post-conflict period. This meant that the most successful NGOs (particularly ones that focused on gender issues and human rights) resorted to working with the state, rather than in opposition (Mwambari 76).

One example of women-centered organizing after the genocide is Avega Agahozo. Avega Agahozo (Association of Widows of the Genocide - Agahozo) is an organization that was founded in 1994 by 50 women who had been widowed by the genocide. Originally founded as a support group and a space for widows to connect and share their experiences, Avega Agahozo now works on various projects, including health care and reproductive services, women's rights and development, justice and peacebuilding, and child protection and services ("Our Story").

Innocent Rutsibuka found that Avega Agahozo was successful in empowering the women they supported. Through Avega Agahozo, women had access to participation in income-generating projects and activities and better access to health services, among other impacts (Rutsibuka 72-74). Avega Agahozo also helped to establish and support solidarity and community networks (Rutsibuka 72-74). Plancke further discusses the significance of solidarity by emphasizing how these communities and support systems can create spaces of resistance and advocacy against the colonial and oppressive powers that prevent and inhibit women's empowerment (293). Solidarity and community-based organizing is integral to processes of rebuilding and development in post-conflict regions. It particularly is necessary for women who

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<sup>16</sup> This was a part of a two-stage transition process for the Rwandan government to politically transition and rebuild the country. The second stage of this transition period ended in 2003, with a series of elections (Gready 639). Despite the ending of this transition process, the legislation that controls the civil society and informal organizing space still is in operation today (Gready 642).

were targeted in mass violence to have spaces of community through which they can heal and gain access to services and support.

In addition to the need for community support, these organizations and mutual support systems are essential in helping women who were also victims of sexual violence. Before the genocide, gender-based violence was incredibly prevalent in Rwanda. This only increased during the genocide, and it is estimated that hundreds of thousands of women were sexually assaulted or raped (Ryan 64). This statistic highlights the need for community support, in addition to healthcare services and reproductive care. By providing these services, Avega Agahozo attempts to break cycles of genocidal trauma that impact everyone in Rwanda still today (Rutsibuka 71).

Concerning rehabilitation and justice building, the emergence of new women-led organizations and the resurgence of existing organizations became crucial to these processes. One specific organization is Pro-Femmes Twese Hamwe (PF/TH), an organization that came to function as an umbrella organization for smaller organizations working on peacebuilding campaigns across Rwanda. PF/TH implemented campaigns to help facilitate peacebuilding across the country and supported organizations and organized groups across the country behind this effort. They did this by training women to become active players and participants in the government, supporting returning refugees, participating in the Gacaca courts, and increasing and promoting Rwandan women's participation in peace both in Rwanda and internationally (Mwambari 72).

PF/TH played an integral role in expanding the role of women within the Gacaca courts. In addition to training women to take positions as leaders in the Gacaca courts, they were also able to increase women's presence in the public sphere throughout Rwanda (Mwambari 74). PF/TH critically supported women who provided testimonies at the Rwandan national courts

and the ICTR. Because the support to women was relatively minimal from the government and international institutions, the support of NGOs like PF/TH allowed women to safely participate in these processes. PF/TH additionally lobbied the ICTR to prosecute gender-based crimes that occurred during the genocide, campaigned for gender quotas at the legislative levels, and established a Gender Monitoring Office within the Rwandan government (Mwambari 74-75).

Sarah Ryan conducts an analysis of three women-led agronomy NGOs in Rwanda that primarily focus on the needs of women and children in post-conflict Rwanda. Ryan elects to maintain the anonymity of these organizations, renaming them *Muraho*, *Amakuru*, and *Ni Meza* respectively for analysis. Ryan's analysis and descriptions is what will exclusively be used and discussed subsequently, as it functions to highlight the challenges and successes of small-scale, local organizations within the larger world order and in relation to formal organizations and responses. Both *Muraho* and *Amakuru* function in some capacity as micro-credit institutions, providing funding to various agroeconomic projects. These organizations provide individuals and groups with small loans to provide skills related to agriculture that will allow women to support their families and develop economic independence (Ryan 67-68).

All three of these NGOs were established by and for women in Rwanda, with the goal of providing skills and tools so that women could rebuild on a socio-economic level. Because many women were disenfranchised by the lack of financial and vocational literacy, these organizations became essential in creating a space for women to rebuild their lives, their communities, and Rwanda as a whole. These NGOs reflect the development of a new space for women's organizing and leadership that was made possible through the conditions and circumstances created by the genocide.

## **Challenges Experienced for Informal Organizing**

Despite the need for women-focused organizations in the post-conflict space in Rwanda, many have struggled to expand their efforts onto a larger, national scale<sup>17</sup>. In addition to challenges in trying to gain support and expand within the confines of a patriarchal system and culture, they also struggle to gain financial support from national and international institutions like the government or international development agencies. Furthermore, the legacy of colonialism in Rwanda further makes many local communities hesitant to partner with outsiders (Ryan 65). This preference for local organizing (particularly for women in rural communities) makes it challenging for these NGOs to expand and receive larger support—something necessary for their sustained success (Ryan 65).

Because many of these organizations emerged from places of mutual assistance and support, it has become difficult for them to move past local, gender-based organizing (Ryan 61-62). In the direct aftermath of the genocide, this type organizing was necessary for women to understand and heal from the violence that had been committed against them, but also to develop the tools and resources needed for their survival. Women had to learn how to do construction, and work in finances and commerce, among many other new skills (Berry 386). A majority of the immediate post-genocide women-centered organizing was built around teaching useful skills and establishing spaces and resources for healing and reconciliation processes.

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<sup>17</sup> Though this is not the goal of all informal organizations, the ability to be recognized at a national or international level can be incredibly necessary in efforts to get funding and support for their work, as well as increasing overall development assistance and networking ties (Ryan 74).



## Chapter 6: Analysis

For a variety of reasons, women experience violence and conflict in ways that drastically differ from those of men. In the case of Rwanda, women were widowed, experienced sexual violence at extremely high and violent rates, and many of their families and communities were decimated. Because women made up the majority of the population after the genocide ended, they were pushed into a new space and role in Rwandan society. As a result, the position of women within Rwandan society evolved drastically and their role in processes of reconciliation and rebuilding the country were integral. However, some responses were more effective than others in supporting women and in providing justice, rebuilding, and community for women after the genocide.

Women-centered organizing has historically been devalued and under supported through formal institutional mechanisms. As a result, women often are not able to mobilize or receive justice through traditional justice mechanisms, such as international criminal courts and national level courts or justice processes. However, women-centered organizations provide justice and support systems for women within their organizations, but also challenge, lobby, and participate in the formal justice mechanisms in a way that allows for women's voices to be heard and represented. As such, formal institutions must work to be more inclusive and provide support to these women-centered organizations who engage in local and community-based work and organizing that would not otherwise be possible.

Still, concerns remain. To provide support and recognition to these organizations, it is entirely possible that they will be required meet the regulations and expectations of formal organizations and institutions. This may lead to reduced autonomy for these organizations, and instead a demand that they fit within the goals of the formal institutions and response

mechanisms. This could reduce the ability of the women-centered organizations to be able to accomplish their goals and meet the needs of the community members that they seek to represent.

### **Formal and Informal Responses**

This project originated with the intention of distinguishing between the effectiveness of formal and informal responses to the genocide, particularly in finding justice and support for women who were impacted by the conflict. It became clear throughout this project that these are two responses that cannot be compared to one another. Framing both types of responses within the same field, it is necessary to understand the differences and the ways in which they function in post-conflict societies. But they also operate on different levels and scales and can have different goals from one another. It is still important to put these types of responses in conversation with one another. Informal organizing has long been removed from and devalued within formal organizations and responses to genocide. As such, it is necessary to frame them as valued responses simultaneously working in post-conflict spaces together.

Additionally, the language of formal and informal organizing, further separates and creates a hierarchy of power and authority that inhibits and undermines the capabilities of informal organizing. Because of this, the language and framework of formal and informal through which these responses are understood, does not perfectly work to distinguish the different types of responses that emerged after the Rwandan genocide. Though this language is necessary to understand the prevailing hierarchy that shapes and frames these organizations and responses, it should be challenged as a comprehensive framework through which we can understand responses.

Traditional, formal responses to genocide and violence function at a legislative, and governmental level—one that is often removed from the lived experiences of citizens, and particularly those lived experiences of women through the genocide. Additionally, these formal responses are often the ones that are most valued and supported through funding. As a result, informal and local organizing that operates within the lives and experiences of citizens often gets excluded and under supported. However, because of the specific and nuanced impacts of genocide and conflict on women, creating spaces of organizing and justice-seeking that are geared towards women is integral for the survival and development of a post-conflict region.

Formal responses to genocide are unequivocally necessary for justice-seeking processes after conflict in a country or region. Gender, however, as an already marginalized category, is often continually marginalized through these formal systems of responding to genocide. Because of this, consideration of women's experiences and positions within conflict is necessary to incorporate into these systems. Yet because of the limitations of these formal types of responses, other responses become necessary to address the experiences and needs of women during and post-conflict both adequately and appropriately.

Both the ICTR and Rwandan National Courts struggled to respond to the specific experiences of women during the genocide. Because the nature of these courts is to prosecute high-level cases (which generally do not consider rape and sexual violence as high-level crimes) they often did not prosecute cases of rape and sexual violence. These cases were instead transferred to the Gacaca courts, making these local courts responsible and essential for the prosecution of sexual violence cases and for providing justice to women in Rwanda. Though the Gacaca courts prosecuted a high number of cases of rape and sexual violence, they also experienced multiple challenges in providing support systems and resources for women. In some

cases, they failed to guarantee protection for women and ensure that they would be free from repercussions after testifying. This limited the ability of these courts to address and provide justice to Rwandan women who experienced sexual violence during the genocide.

While it could be argued that women's centered groups need to be included within these formal institutions, I challenge that notion. The nature of women's groups and collectives is their localized, community-based nature, which allows them to establish themselves within communities and as support networks for women in post-conflict societies. Should these organizations be incorporated at a national or international level, they could lose their ability to center localized needs and efficiently respond to the needs of women. Certainly, formal responses can benefit from the inclusion and support of these small-scale women's groups. Their ability to respond effectively and efficiently to genocide is tied directly to the ways in which they can listen to these needs. Women's organizing does necessary work that allows for the needs of local communities to be addressed. Their local, grassroots nature creates networks and community that works efficiently to address these needs<sup>18</sup>.

### **Translation to a Global Scale**

Rwanda has been utilized as a model for gender progress and post-conflict reconciliation and development. The implementation of the ICTR and subsequent changes to genocide law that emerged out of both Rwanda and the former Yugoslavia have shaped the way that crimes of genocide and crimes against humanity are understood. The influence and impact of women-

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<sup>18</sup> Grassroots organizations refers to the organizations that emerge through a bottom-up approach and do not have the support or administration of larger institutions (like the government). These organizations differ from others through their collective nature, meaning that they are made up of civilians and center the needs and values of those citizens. They also typically work to enact change on local, regional, and national levels through this collective action form.

centered organizing on both formal justice mechanisms, as well as the overall development of Rwanda as a post-conflict society is evident. Without this form of organizing, it is likely that Rwanda would not have achieved gender quotas within its legislature. They also dramatically evolved the ways in which sexual violence is prosecuted in the legal justice mechanisms.

Within international spheres and contexts of intervention and international law, the Rwandan genocide has been widely studied and reviewed. Additionally, responses to the genocide have been researched at significant levels. What has been left out from these dominant conversations, has been the integration of women's organizing as a necessary response to the genocide and the new post-conflict space. Understanding the integral role that women's organizing plays in responding to genocide and in creating networks and support systems in the aftermath of genocides is necessary in understanding the ways that women can be supported in post-conflict spaces. By understanding the value that this type of response has, the formal national and international responses can better learn from and support the voices and needs of women in the aftermath of conflicts and violence.

### **Women Centered Values Internationally**

Women have been systematically marginalized and devalued in efforts to find justice in post-conflict periods. This is particularly true for Western-based legal and justice systems. Responses to genocide have often excluded the overall needs of women as a collective, instead placing value on approaches that center patriarchal and Western values of justice and resolution. Women-centered organizing attempts to address the exclusion of women and through this type of organizing, women can be centered in the justice and the support they receive.

The challenges of women-centered, feminist organizing, that come from international and national spaces, lead to critiques of the existing responses of these organizations. The community

and localized nature of these organizations results in a disconnect between their work and the work of larger responsive organizations (e.g., the United Nations and the Rwandan National Government). This is a pattern that can be understood at a global level due to the patriarchal nature and resistance that international and formal organizations and responses have toward incorporating local and small-scale values and efforts within their responses. As such, women-centered organizing is often pushed to the side, and the needs of women tend to be pushed to the margins internationally. Because of these patterns of marginalization, women struggle on a global level to receive and benefit from justice-seeking mechanisms and responses to genocide. Yet, the work of women-centered organizations can seek to address this disparity and can lead to the inclusion of the needs of women within these responses. By recentering and understanding women-centered organizing as a necessary aspect of post-conflict processes of justice and reconciliation, women can better be heard and represented in justice mechanisms and in development and rebuilding efforts.

## Conclusions

Women-centered organizing significantly impacted the ways that the formal justice mechanisms were completed and implemented in post-conflict Rwanda. Because women had been targeted and experienced violence during the genocide in ways that often differed significantly from men, they experienced post-conflict challenges that were not the same to those of men. This made their inclusion and participation in justice mechanisms necessary to achieve justice for the broader population. Formal mechanisms of justice in Rwanda are largely believed to have been successful and progressive in accurately responding to genocide. However, as seen in the above chapters, the impact of these formal institutions was extremely limited in their responses to women's needs for justice and rebuilding. Without the influence of women-centered organizations, these formal institutions would have struggled to include and incorporate women's needs within justice mechanisms.

This separation of formal and informal responses has created significant barriers for local, women-centered organizing to take place and be effective in their results. While these responses should remain separate from one another, the formal institutions can benefit from responding and working more directly to support and learn from the work of these local, women-led organizations. This cooperation and support can lead to genocide responses that center women from the beginning, rather than asking that they fight for their own representation and justice.

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