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African Universities and Social Reconstruction: What Mission and What Strategies? The Case of the Conflict Management Centre of the National University of Rwanda¹

Abstract

A review of the effects of armed conflicts in the last decades on the continent makes for alarming reading. Though there have been several attempts to explain the causes of violent conflicts we are yet to learn more about the way in which peoples and states manage the results of these conflicts. What do individuals and groups that constitute and/or reconstitute these communities think of the strategies that should enable them to take action? Are the sustainable strategies of conflict control and prevention universal or peculiar to a situation? Finally, how do the groups and individuals contribute to these strategies that are aimed at assisting them regain control of their lives and their communities? What are the implications of policy and practical interventions of higher education institutions (HEIs) in public affairs? It is well known that the African university, which is the extension of the society in which it is situated, is as much affected as the latter by conflicts that invade it. These questions are considered in the context of the work of the Centre for Conflict Management at the National University of Rwanda.

Introduction

Loss of human lives, destruction of infrastructure, and the conflict of identities are just some of the many ills added to decades of various crises in Africa. The African university, a victim of policies of structural adjustment, afflicted by brain drain, muzzled by regimes desirous of eradicating all forms of challenges, remains however a major player on the continent for several reasons. In spite of the loss of its prestige, is it not the appropriate place for the quest of knowledge, development and the gateway of the continent to the rest of the world? The following statements are first and foremost a testimony to the view of a university involved in designing and establishing a Centre for Conflict Management (CCM) within the National University of Rwanda, the first institution of higher education of the country. In bringing into perspective the opportunities and

challenges of political involvement in time of crisis I hope to be able to express the idea that African universities can become valuable and key democratic institutions on condition that they rediscover themselves with constant innovations.

I. Conflicts in Africa and New Dynamics

On the eve of the World Declaration on Higher Education in 1988 that encouraged Higher Education Institutions to embark upon the search for peace as part of their mission to the community, the frequency and nature of conflicts in Africa for more than two decades is disturbing. A report reveals that '... the 80s alone have caused more than three million deaths and 160 million Africans are now living in the throes of civil war'. According to the author of the above mentioned study, 19 civil wars have broken out in Africa since 1960. At the beginning of the 1990s, Africans constituted 43 percent of the population of refugees in the world. Out of the 13 million refugees in the world, 6 million are from Africa.² 850,000 children died between 1980 and 1988 after two wars in Angola and Mozambique.³ Although information abounds on how societies are drawn into conflicts in Africa, the problems regarding the manner in which societies and peoples control these conflicts are still great. How do individuals and groups of people living in conflict societies understand the strategies that are meant to assist them to reshape their lives and their communities? More particularly, how do higher education institutions on the continent contribute to the search for peace and to conflict resolution?

To answer these questions, there is the need to overcome at least two difficulties namely, access to information available on the continent, and, second, the mapping out of a vast thematic area. Such a documentation project requires adequate means and the necessary strictness. Meanwhile, the following sentences review a number of assessments made in this regard which though not thorough, enlighten us about the general characteristics of the 'peace infrastructure in Africa'. Which HEIs are involved in this? What are their experiences? What are the difficulties encountered? With regard to these last questions, this presentation will be based mostly on my Rwandan experience.

Meanwhile, let us note that quantitatively, the information available reflects the growing interest in studies regarding peace and conflict on the continent. We do, however, realise that there is a linguistic and geographical disparity in these initiatives, located essentially in West Africa with Nigeria as one pole, and in southern Africa with South Africa as the other. In some regions like the Great Lakes, it is surprising to find only one university centre dealing with these questions.⁴ It is worth mentioning however that the HEIs that are operating in this field are competing on one hand with specialised centres in the field of aid mobilisation for decision making (policy research) and on the other hand with non-governmental organisations. This disparity is equally visible in respect of quality. Often most of the courses dealing with peace and conflict,

which are improvised by a few benevolent lecturers, do not follow any particular methodology, but depending on the circumstances are incorporated into general or specialised studies. This situation in a way reflects a concern for the development of aptitudes, which is sometimes an attempt to avoid the rigidity of academic facilities, and other times a response to opportunities that arise. This non-conformist attitude gives rise to a fragmentation and duplication of lessons and other peace and conflict related programmes which greatly affect their quality. Moreover, though some programmes contain experiences from the continent, very few of them aim at generating or popularising endogenous know-how and are content with consuming the experience of others. What are the results obtained and the difficulties encountered? It is difficult to be as precise and thorough as is desirable.

On the other hand, conflicts and the search for peace continue to be a major challenge to the continent. The horrifying account at the beginning of this presentation – published in 1997 as observed – did not even take the 1994 genocide in Rwanda and in many other parts of the continent into account. The continent is currently threatened by 18 active conflicts and by the time the wars in the Democratic Republic of Congo and Côte d'Ivoire or elsewhere have ended, these figures will have to be adjusted upwards. At the time of writing this paper, the new case of cannibalism in the Democratic Republic of Congo was on the front covers of newspapers. To this tragic list are added the HIV/AIDS pandemic, illiteracy and natural disasters.

These conflicts that are raging all over the continent constitute major conceptual challenges for observers. However, authors differ considerably in their opinions about their nature and dimensions. The explanation of conflicts described as 'ethnic' is generally linked to those who tend to give prominence to the 'essentialist' identity explanation while others tend to present these conflicts as the result of an 'instrumentalised' political manipulation. The essentialist school of thought centres on the ethnic conflict in Africa, an uncompromising and antagonistic dimension of identity. It stresses the often spontaneous and popular character of ethnic confrontation. The 'instrumentalist' school for its part considers ethnic antagonism as the result of a fight between different distinct political groups which manipulate the people using ethnicity or identity as a pretext for mobilising them for their own interests. These conflicts are according to experts invariably caused by the manipulation of the elite in their struggle for the control of economic resources or political power, hatred and by centuries of hatred, predation etc. The sensational side of these conflicts and the grotesque account of political crises especially, enjoy a more than generous press coverage which in turn gives rise to many publications of varying quality. These conflicts characterised by the multiplicity of players and their origin, the warlike crusades under humanitarian semblance, the ever-increasing involvement of civilian populations in the fights including traditionally non-combatant categories like women and children makes us

uneasy as we read about such situations. However, placid experts on African affairs persist in their simplistic and disconcerting explanations. The experts inform us that these conflicts invariably described as post-Cold War are internal civil wars, or in other cases more prudently described as new wars around religious fundamentalism.

Today, we have gone beyond this dichotomous approach, and there is a consensus that recognises a multiplicity of factors as the causes of ethnic conflicts in Africa. Though more and more voices are raised in criticism of simplistic analyses, a lack of methodological rigour characterises some of these explanations, and the generation of knowledge from the continent and more particularly from African universities in this domain is marginal.

The inadequacy of theoretical information regarding peace and conflict raises many more problems than may be perceived to exist elsewhere, the more so when the establishment of a culture of peace in Africa is a priority. It is disturbing that the more the explanation of the causes of conflicts is obvious, the less we understand how to solve them. States of generalised war, armed conflicts and several threats to security considerably affect the quality of life, efforts geared towards economic and social progress and political development. How do societies and people reduce tensions immediately after mass conflicts and continue to co-exist where neighbours, family members and colleagues are torn apart? How do they put in place strategies to prevent the recurrence of the same conflicts?

As the legal and diplomatic framework for conflict resolution has not evolved much since the 1940-1945 interstate wars or the Cold War, the present conflicts constitute both conceptual and practical challenges. The transformation of the Organisation of African Unity (OAU) into the African Union (AU) as well as the New Partnership for Development in Africa (NEPAD) are among the many endogenous efforts geared towards meeting the many challenges of under-development, insecurity and instability. In this context, the Declaration of the Association of African Universities (AAU) in 2001 is a form of appeal. It recommends that the positions of higher education reflect the needs and objectives of our societies and these declarations reintroduce vigorously the issue of the social commitment of universities and of academics on the continent. More recently, the themes of the 10th General Assembly of CODESRIA on Africa in the New Millennium translate the same concerns. However, the debate on the relationship between the university and its environment is neither peculiar to Africa nor dates from today. It is well known that HEIs are places for shaping our future leaders and young professionals throughout the whole world. Through programmes and appropriate courses, these institutions can play a role in the creation of standards and values, especially those of tolerance, mutual respect and peaceful resolution of differences. The research and training in conflict control can have direct implications for the transformation of our societies and the process of political decision-making. The acceptance of these

issues by HEIs as their own appears to be a central step in the reconstruction of the continent.

Also, some recall the hopes raised by academics just after independence. Luc Sindjoun revisits this epoch by recalling that the university from 1960 to 1970 was seen as a university for development studies, and better still as a state mechanism. The words of Mwalimu Nyerere attest to the hopes of that time:

We must, and do demand that this university take an active part in the social revolution we are engineering. I am not telling the University to become a centre of the opposition to the elected Governments. On the contrary, the University belongs the people and must serve their wishes. But if the University is to be of any benefit to the people or their government, then it must be the centre of objective thinking and accept all the responsibilities which go with that position.⁵

However, the post-independence results are mixed. Examples abound throughout the continent where the 'artisans of renaissance' became starvers of the people, undertakers of menial jobs, the moral and intellectual agents of oppression and architects of genocide, to the extent of being the subject of strong criticisms like the following:

(...) The University man who has sallied forth into national politics has a rather dismal record. No one can point to any shining achievement in national politics, which the nation can recognise as a peculiar contribution of university men. Rather, quite a few of them have been splashed in typical accusation of abuse of office and other forms of corruption. Those who have remained in the ivory tower have hardly fared better. Many have cheapened themselves and eroded their prestige by trotting up and down campus and the waiting rooms of the powerful, shamelessly vying for attention and running one another down for the entertainment of the politician. For this and other reasons, the University has deservedly lost its lustre, its mystique and squandered the credibility which it had in such abundance at the time of Nigeria's independence.

It seems to us that technical issues like that of knowing how to impart education for peace through the traditional missions of higher education, teaching, research and service to the community should have been preceded by a clear identification of the vision and mission of these institutions. What is the position of HEIs in relation to the reconstruction of societies in which they are found? How do they project the continent in the world of today? How do HEIs fulfil this commitment as most of them face structural problems like population pressure, the drastic reduction of state contributions, massive brain drain, the loss of cultural excellence, the starvation of libraries and the degeneration of research?

The following lines are first and foremost the testimony of the view of an academic involved in the design and establishment of the Centre for Conflict Management (CMM) within the National University of Rwanda (UNR), the first institution of higher education in the country. It seems to me that HEIs on the continent are highly prized, but the cumulative effects of preceding crises have weakened their capacities to respond to this call. How do we succeed in doing so? By highlighting the prospects and challenges of political involve-

ment at the time of crisis, through the establishment of this Centre, perhaps I may contribute to transmitting the idea that African universities can become key institutions in a democratic dispensation on condition that we rediscover ourselves and constantly create new ideas.

II. Massive Genocide and Challenges of Reconstruction: The Portrait of a University in search of an Identity

From July 1997, a number of consultations were initiated within the University and at the national level aimed at identifying the characteristics of a 'new university'. This exercise led to major recommendations on the structure of teaching, the review of the curriculum, the introduction of new courses, and the revitalisation of research at UNR.⁶ Since then, the UNR has been trying to leave the Ivory Tower and enter the town.

Those who know UNR would agree that the mission of rendering service to the community is not exactly anything new, as is testified by the University's motto. The creation of a Centre which has the duty to monitor the crises in Rwanda dates back to that time. In August 1998, exactly one year after the consultations mentioned earlier, the process leading to the official launching of the Centre for Conflict Management (CMM) in June 1999 began. But before then let us place into context what looks like a confirmation of the wishes of the UNR.

At least three reasons seem to have motivated the consultation between the different players of the Rwandan society on a new philosophy of higher education in general and the UNR in particular.

- One of them aimed at measuring the major challenges to which Rwanda was confronted after the 1994 genocide. Rwanda is a country of 26,363 km² hemmed in between East and Central Africa, with 7.7 million inhabitants, a population density that ranks among the highest in the world with 322 inhabitants per km² and a population growth of 3.6 percent as against 2.8 percent per year in sub-Saharan Africa. The social and demographic survey of 1996 indicated that 54.7 percent of the population in Rwanda are women out of which 34 percent are heads of households. The average annual per capita income is US\$240 as against US\$490 in sub-Saharan Africa. The economically active population is 91 percent as against 70 percent in sub-Saharan Africa, and is found in the agricultural sector, whereas only 48 percent of available land is arable. The industrial sector has 1.7 percent as against 7.5 percent, and the services sector 7.2 percent as against 22.5 percent.
- Rwanda like most African countries has experienced cyclical political violence, but the magnitude of the 1994 genocide is too awesome to contemplate. For more than 3 months, thousands of Rwandans were massacred. More than 2 million people fled into exile or were forced to move deeper into the country. After its victory over the forces of genocide in July 1994, the

Rwandan Patriotic Front (RPF), comprising mostly Rwandan citizens from the diaspora, put an end to the genocide and initiated the rehabilitation of the state apparatus namely, the formation of a broad-based transitional government of national unity integrating the political forces of the country who did not take part in the Hutu power coalition. The formation of this government adhered to the spirit of the Arusha Peace Agreements. This political transition was to end in 2003. The nature and dimension of the Rwandan conflict pose major challenges to the management of Rwandan society with so much social dislocation. As we will be seeing later on, with the 1994 genocide, the Rwandans have received 'an inheritance without a will'. The university community after the genocide was a mosaic of people of diverse origins and inevitably of varied knowledge. Besides those who survived the genocide or the war were Rwandans who were sent back home from neighbouring countries and from other African countries, North America and Europe. A harmonisation of vision was necessary.

- A third reason for a national debate on the UNR comes from the fact that the University is closely linked with the history of the 1994 genocide. This fact was confirmed by the accounts before the International Criminal Tribunal for Rwanda situated in Arusha in Tanzania, the trials that took place in Brussels in April 2001, the confessions and pleas of the numerous suspects in the country who pleaded guilty. The site of the genocide on the green hills of the beautiful Butare campus is the final refuge of the sons and daughters of this country, who at times, after having been tracked down like animals, perished under the strokes of their colleagues, their teachers or their students.

The UNR, a state university⁷ created in November 1963 in the Butare province, meets Luc Sinjoun's description as belonging to the state's ideological apparatuses, an institution of control and stronghold of intellectual elites associated with the system of domination through diverse means like various premiums and allowances, credit facilities, and promotion to positions of power within the University. Admission into the University and the rules of recruitment were a function of ethnicity and endorsed by public administration through identity cards. This association of Rwandan universities with the genocide had a disastrous effect on the UNR. Based on this state of affairs, the UNR and its other partners, the Rwandan government, the social players, the development and cooperation agencies operating in Rwanda, agreed on the major re-orientation of the university. These plans projected the UNR as one of the main players of reconstruction and development through its triple mission of teaching, research and service to the community.

The UNR is nonetheless not the only institution to undertake this exercise. The diagnostics of the Rwandan society are not in anyway limited to the educational system. A similar consultation undertaken by the Rwandan Government, extended to all sectors, led to proposals regarding a national development

project known as 'Vision 2020', which went beyond the formulation of a societal project, and embraced the discussion of a common future in a society that is broken and constitutes a reconciliation process which Rwandans need so much.

The vision and the mission of UNR having been sketched, their implementation posed problems for several reasons including the context of economic crisis. Let us also recall that the economic crisis in the 1980s was also the time to 'redefine priorities, beginning with the serious downgrading of African universities in the order of priorities which has shaken up the modernising messianism of public powers'⁸. This global recession had very serious repercussions on the continent and on Rwanda. However, even in this context, the UNR was considered a key player in reconstruction. The following remarks describe the nature of the crises confronting Rwanda in order to understand in what way the university could be useful.

Every society feeds continually on aspirations, interests and antagonisms, which are breeding grounds for conflicts. Rwanda whose history reveals several types of conflicts is not an exception in this regard. Many of such conflicts will result in different forms of violence which require the implementation of various conflict regulation mechanisms. It is difficult to count these conflicts or to talk about their duration or gravity. The memory of the people of Rwanda does include confrontations between Hutu, Tutsi, and Twa, nor the extermination of one of these groups. Rwanda like most African countries has experienced cyclical political violence. However, in 1994 a United Nations Experts Commission which probed these massacres came to the formal conclusion as to the legal status of these massacres: The issue is one of genocide and crimes against humanity⁹. The 1994 genocide and massacres have left behind many widows and orphans. They have also caused major forced migrations inside the country (roughly one million), and into neighbouring countries (roughly two million)¹⁰, or even further away. About ten years later, improvement in social relations cannot not hide the persistence of an 'ethnic'¹¹ polarisation – which takes the form of fear and mutual mistrust, and the dissemination of a genocide prone-ideology in the Great Lakes region.

But if the need to look for remedies to the types of conflicts confronting us cannot be questioned, it is however important to question the relevance, the effectiveness, the feasibility and efficiency of solutions recommended as to the management and prevention of the conflicts. One of the most formidable but critical tasks is to understand the complexity of the challenges. If we must agree that genocide is indisputably the darkest period in the history of Rwanda, it must not be isolated from the long history of tensions, conflicts, and frustrations experienced by the different social strata of the country even before colonisation. Of course, by institutionalising the ethnic divide, the colonial power froze social mobility which was one of the factors of regulating society in Rwanda during the pre-colonial era. After the country became independent in 1962, the political authorities renewed and stabilised these practices and

sustained discrimination by identity and exclusion as forms of government. October 1990 marked an important stage in the history of Rwanda when the FDR launched an armed attack. After two years of fighting, a peace process signed in Arusha in August 1993 was to mark the end of the war and the start of a political transition. The assassination of the former Head of State while on board a plane in full flight in April 1994 marked the beginning of systematic and selective assassinations during the pogroms of preceding years.

This infused a new character into the acts of antagonism experienced in the Rwandan society for nearly forty years. Rutembesa, a historian and political scientist from Rwanda notes that 'Their peculiar nature does not only emanate from the level of violence experienced but especially in attempts to justify and rationalise them'. He continues, 'From 1950 thereabouts there have been indeed talks about the specific interests of Hutus as against those of Tutsis. Towards the end of 1959, the assertion of these interests went beyond the level of simple polemics. The whole country was in effect catapulted into a logic of violence unknown in the past. Acts of looting, arson and massacre were committed in the name of ethnic identity'.

The need to deepen the understanding of the causes of the genocide in order to resolve the disputes underlying the genocide has been one of the major reasons that led to the establishment of a specialised structure. Genocide and crimes against humanity committed in Rwanda are not, alas, the first in the history of humanity. It is their nature that is upsetting: 'the choice of arms for the crime, the profile of the perpetrators; the process of unleashing the act and the number of victims'¹². The use of sex-related violence as an integral part of the genocide strategy was identified by the ICCR Court decision¹³. Genocide, generally perceived as a crime against the State¹⁴, has in Rwanda in addition to state mechanisms involved the armed paramilitary groups and members of the political class both in power and in opposition; and an extraordinary participation of ordinary citizens with all social strata inclusive and irrespective of gender¹⁵ and age. Following the same logic, Jean-Paul Kimonyo noted in his analysis of the reasons of popular participation in the massacres that:

...what strikes one most is exactly the degree of mobilisation which is the cause of extreme complexity of the issue and the difficulty for those who survived and the members of targeted groups not to be bundled up in a collective condemnation. It is not all the Hutus, far from it, who took part in the genocide.

The author continues that 'In the long run an observation however remains: a significant part of the Hutu population has "moved"'

In the post-genocide situation, the major issue was to understand what value the university could add to the process of national reconstruction. It is in this context that the establishment of a Centre whose mission is to control the Rwandan crisis of this epoch comes up. In August 1998, exactly a year after the above-mentioned consultations, the process began which leading to the formation of the Centre for Conflict Management (CCM). Conceived as a direct

response to the consequences of the 1994 genocide, the CCM was and is considered as the fulfilment of the mission of service to the community. The social dislocation after the genocide was acute. One of the priority thrusts of the UNR is to contribute in controlling the Rwandan crises after redefining its vision. The will of the UNR materialised through the creation on 15th June 1999 of the Centre with the support of the United Nations Development Programme (UNDP).

Based on the main guidelines of UNR, the CCM defined its specific vision and mission - To contribute to self surpassing and the establishing of the culture of peace and tolerance through research, training and the dissemination of research results in the society. But how can we move from vision to action? Through the process of creating this Centre, the choice of programmes, activities and partners, the following remarks attempt to analyse strategies in order to redefine a common vision for the future, identify priorities, make up for the short fall in resources be they human and/or financial, and address personal own prejudices and biases heightened by the context of genocide.

By reexamining the stages of institutionalisation of the CCM, the only institution of this nature in the country and in the region, I wish to drive home the issue of the operationalisation of the social commitment of institutions of higher education of the continent at a time when they are the most weakened. The strategies developed to guarantee the relevance of programmes in the society, their existence, sustenance and development stress the need to innovate. By testing facts, we also learn to ponder over subjective aspects of conflict control: how to recognise one's biases and prejudices as well as one's hopes in the fulfilment of this mission in the community in the context of social dislocation. By stressing the specific issues that the establishment of CCM tries to address, I hope to show how urgent it is for HEI's to entrench their work in their environment while opening up to the world.

III. From Vision to Action: Lessons learnt from the Centre for Conflict Management

Since one of the major constraints of the University was the difficulty of rooting its activities in the community, it was decided that its creation should be sanctioned and its working programme based on needs such as those that have been defined by the major social players present in Rwanda. To do this, consultations were held involving other players of the civil society in Rwanda, the political authorities and the military, and including development partners. The aim of these consultations was two fold: to arrive at a consensus on the mission of the Centre, and to identify scientific partners, consumers or donors. A first series of consultations was held with my university colleagues, those of other civil society organisations, some national authorities and officials of the United Nations Development Programme (UNDP) based in Rwanda. The latter showed its interest and invited us to a thematic meeting involving representa-

tives from other African universities in conflict zones in Bamako in November 1998 in collaboration with the African Centre for Development and Strategic Studies (ACDESS). One of the major recommendations of this meeting was the creation of research centres whose mission would be to contribute to clarifying policies for the prevention and control of conflicts on the continent. At this first stage, by trying to 'sell' the project to the different social and political forces and to development partners established in Rwanda, we succeeded in creating a consensus on the rationale for such an institution. Detailed discussions with selected players and a broad consultative meeting helped to identify the four main thrusts of our research programmes, summed up as follows.

- The first thrust was therefore to study the remote and immediate reasons for the crisis and the subsequent genocide. It aimed at summarising all the scientific interpretations of the genocide, initiating new research activities on obscure issues that had been shelved, or those that were subject to controversy. In its commitment to national reconstruction, the Centre was also to give prominence to research activities that would break up myths by adhering to common scientific requirements and standards. Finally, this aspect of the Centre's activities was meant to introduce the scientific debate on conflict and genocide through its opinion leaders to the broader society to ensure a rich and objective national debate.
- While integrating the different levels of conflict existing in Rwanda, at the regional, national and community levels, the second thrust was to give priority to the study of the conflict at the community level by examining its local psycho-social, meso-micro economic and political dimensions. One of the major subjects of the study is constituted by the social, political, communal and national experience of alternatives to courts of justice for the repression of genocide as currently proposed through 'gacaca' and its incidence on the process of national reconciliation. This thrust blends the fine analysis of practices and local challenges with an informed opening to models and practices developed in other contexts.
- The third thrust studies the evolution of the legal process for eliminating genocide in Rwanda and outside Rwanda, that is at the International Criminal Court for Rwanda and in foreign national jurisdictions. It analyses and monitors the Gacaca process in its legal dimensions and global strategy of conflict resolution in order to measure its impact, on one hand, in national reconstruction and to draw attention on the other hand to possible situations of blockage which are potential sources of conflict. First, at the material level, it studies in detail the issues of restitutive justice (possible sources of compensation); false testimonies; measures to protect witnesses in general, and women specifically who were victims of sexual violence. It next examines the minimum forms of coherence between the three pillars of justice described above, as well as the most diligent procedural means and techniques. This thrust analyses the progress and distortions regarding the creation of the

rule of law in Rwanda with the respect for human rights with particular reference to fundamental rights, and the rights of women and children.

- The fourth thrust examines the role of economic factors in the genesis and the outbreak of the conflict as well as in the general reconstruction of the society. It will study in particular the impact of the serious economic crises on the present behaviour of farmers and on the part of the urban population. For example it notes the existence or absence of acts of solidarity. In the light of economic and administrative reform characterised by the diminution of the economic and social role of the state, this thrust studies the behaviour of the population in Rwanda, which is culturally used to close administration, as well as the consequences of this reform on national reconstruction. The fourth thrust is equally interested in the demographic issue and in considering the devastating effects of AIDS on national reconstruction.
- It is also in this way that we were able to identify our three types of sector strategies namely: (a) research, (b) social communication, and (c) training. The inadequacy of human resources capable of achieving the ambition of promoting positive values, strengthening the process of national reconciliation, modernising research and teaching, was by far the most important obstacle to the fulfilment of promises made during consultations. Emile Rwamasirabo, Rector of the National University of Rwanda recalls that 'At the re-opening of the University in March 1995, only 40 of the previous 250 full-time staff of before 1994 were present while the rest had either fled the country or passed away'.

At the opening of the University in April 1995, a year after the genocide, the most pressing challenge to be met was the resumption of work by teachers and for roughly two years all energies were spent in this regard. It was only in 1998 that the University had put in place a research commission with a view to promote research. Before that, research activities were mostly undertaken as part of students' theses and dissertations under the supervision of lecturers. With the creation of the research commission, the university undertook to promote research geared towards meeting the needs of the society while opening up to scientific debate outside the campus. The University had directed its efforts to the building of such capacities.

This strategy was made central by the following activities: First, short-term specialisation sessions in research methodology, in the writing of financial and international partnership reports with major research institutions. Second, there was long-term training through post graduate studies with a preference for 'sandwich' programmes.

But how do we mobilise financial resources in the context of national reconstruction compounded by the extension of the Rwandan conflict in the sub-region, in an international situation described as the 'end of the emergency period', with a public opinion focussed henceforth on the crises in Kosovo, in a

climate where the civil society organisations perceive the new centre as one competing for resources? In this regard, the ownership of the Centre's project by social players and the strategic partnership with the UNDP proved very useful. The first justified the existence of the Centre to donors, while we on our part were moving with the second to organise a round-table to mobilise the funds necessary for the creation of the Centre and for its operation. Concerning funds for running the Centre, we were looking for partnerships that could help us specify research projects or other activities.

Three years after its establishment, the Centre was finishing the pilot phase of its existence and was fully integrated into the structures of the University. It has to its credit a number of positive results. The most remarkable are the following:

- * The publication of six notebooks on the Centre for Conflict Management regarding different problems related to conflict and to strategies of conflict resolution.
- * The establishment of a specialised documentation centre on conflict and peace.
- * The hosting of several seminars on restitution, and workshops and colloquia on themes considered to be of national priority.
- * The organisation of an international residential summer course of two to three months.
- * The conclusion of partnership agreements with institutions of great repute.
- * The organisation of specialisation activities for the staff of the Centre.
- * Involvement in national social activities like the issue of tackling HIV/AIDS.

The Centre has been active in the Gacaca process – the national justice and reconciliation strategy designed by the Rwandan authorities. The very high degree of people's participation in the 1994 genocide is a complicating factor for the control of the Rwandan crises in general but also more closely linked to the settlement of the genocide dispute. In effect, despite the innovative arrangements, especially in the categorisation of accused persons, and the procedure of confessions and pleas of guilty introduced in the law prosecuting genocide and crimes against humanity, the prosecution of the presumed perpetrators of the genocide and of crimes against humanity in Rwanda proved particularly difficult to carry out¹⁶. In 1998, the number of prisoners rose to nearly 124,800 persons imprisoned in already disastrous hygienic conditions. Of all Rwandan institutions, the justice system was one of the most affected because it had completely collapsed. In 1995, Frederic Mutagwera, lawyer and former President of the Bar of the young order of lawyers in Rwanda described the legal system in these words:

....the extermination of several judges and administrative staff, the flight of most of them often compromised in the massacres, the ransacking of archives, the disappearance of

working tools, the collapse of the state machinery, the wiping out of the CID... are not enough to explain the paralysis of the judicial system. We have to add to this the frightening moral damage caused by a whole nation. Hence a type of mental paralysis in the face of very huge crimes, etymologically speaking so unprecedented that reference to past situations, to a Rwandan jurisprudence was impossible.

How do we solve the 1994 genocide dispute while at the same time creating a convenient environment for reconstruction in Rwanda? How do we eradicate the culture of impunity while promoting national reconciliation? Are the sustainable ways and means of conflict resolution and prevention as practised in Africa universal or are they part of the context in which these conflicts occur?

In 1998, when the idea of the creation of the Centre dawned, answers to the many questions regarding this dispute at the national and international levels were being expected. The course of the trials was so slow that the places of detention were over-crowded and the conditions of imprisonment which were already bad degraded rapidly. Meanwhile, victims of atrocities were not compensated. Some of those who survived sex-related violence died after complications. The mobilisation of families for the maintenance of prisoners in a context where 70 percent of Rwandan live on less than one American dollar a day, was a recipe for serious social unrest. The war against forces of genocide in the North-West part of the country seriously spilled over into the national territory and engulfed the region. At the end of the consultations initiated by the Rwandan authorities at the highest level and in the context of the debates regarding the causes and consequences of the Rwandan crises and the relevance of the current court strategy, the recommendation was to explore a recourse to Gacaca, a Rwandan justice system.

The announcement made by the Rwandan authorities to have recourse to Gacaca provoked an unprecedented controversy inside and outside Rwanda. The debate was however limited to a list of arguments in favour or against this option. At best, the upcoming publications on the topic, discussed the relevance and/or the adequacy of the model of the law creating the Gacaca jurisdictions as regards international human rights protection instruments and human rights, in a dispute conventionally managed by the latter. In effect, the importance of this debate is undisputable especially in a political context where there are risks leading to the suspicion that the judicial process that took place in Rwanda was a justice of the winner.

Having weighed the limitations as conventional answers for the settlement of this dispute and the need to multiply responses in the face of a complex dispute, we opted to reinstate the debate in the following terms: What are the prospects and risks that the new law creating Gacaca jurisdictions presents in order to combat the impunity and promote national reconciliation?

A first initiative of the Centre consisted of organising a Colloquium on Gacaca jurisdictions held in collaboration with the Ministry of Justice and the National Commission for Unity and Reconciliation. This Colloquium consti-

tuted the first forum that proposed the extension of the debate on the Gacaca process by raising the issues of legal as well as psycho-social, economic and political implications. The present study that shares this approach, proposes to be a mid-term assessment specifically to inform the many contributions on the Gacaca Jurisdictions process on the strengths and weaknesses of the new law on one hand and on the other hand to formulate recommendations in view of surmounting some challenges or making up for the shortfalls. By facilitating the broadening of the debate and by inviting the various categories of the Rwandan society in accordance with the interests of the groups that they represented, we aimed at influencing decision making on the challenges and risks of Gacaca. The Centre in its opinion was inspired by this forum to identify the priorities of research and other activities.

A retrospective look at the activities of the centre on Gacaca three years later, showed that one can count interesting achievements. A first study was on the attitudes and perceptions of Rwandans towards Gacaca. The results of this quantitative national research undertaken in partnership with John Hopkins University served as a basis for the sensitisation and information campaign on Gacaca in 2000. A publication in this regard based essentially on primary sources is the subject of one of the six notes published by the Centre to date. More recently, the Centre undertook another qualitative study on the role of justice, including Gacaca, in social reconstruction which served as basis for the development of follow-up indicators of the Gacaca process. Since the beginning of the Gacaca jurisdiction works in June 2002, a team from the Centre has undertaken the follow-up.

The interest of the Centre in relation to this process is equally scientific. And so we organised international courses of two to three months credited by the original universities for foreign students. As part of this programme, we received four students from McGill University in Montreal, two from Columbia University in New York, one from the University of California, Berkeley, one from Stanford University, and recently one from Bologna. We participated in international conferences to discuss this subject. We receive colleagues or other interested persons, and facilitate the work of researchers that work on the field. In the framework of the Centre's specialisation, the first two doctoral studies began in 2003. Our interest and our work on Gacaca led the Rwandan authorities to entrust us with the responsibility of undertaking research, information and documentation in this regard.

Conclusion

I close my discussion with an account of some of the difficulties encountered and some of the lessons learnt. Though these developments are encouraging several obstacles still stand in the way of future progress.

- (a) The mechanisms and sources of funding continue to constitute a problem specifically in a context where institutions like ours are competing for the funding of activities.
- (b) The capacity to respond to the pressing demands as rapidly and professionally as possible remains limited. A critical mass of researchers must be created to improve quality.
- (c) The capacity for the campus to play a role in the city faces at times the rigidity of academic structures.

Even though our short existence as a research centre does not provide enough experience to draw valid conclusions, we can agree that in the current deep crisis, HEIs are viewed by different social players as an important part of reconstruction. This situation may contribute to widening the political scope of universities by allowing them to influence directly decision-making with respect to national issues. It is not however clear in which way HEIs are prepared to break this ground. The clear identification of the vision and mission of HEIs seems to be a precondition for this role to be fully played. It may be convenient to deepen our understanding of the African higher education project and go beyond the inherent ambiguities in an African university with a metropolitan character. Have we achieved the change of attitude required for solidly grounding our universities in the environment in which they are destined to blossom?

HEIs which have been victims of policies of structural adjustment, afflicted by brain drain, and muzzled by derailed regimes, are sought after as they try to reconstruct themselves.

African HEIs continue to form the core of the continent's social players. By choice or by necessity, they are innovating and developing when one considers their relatively tender age.

Called upon to produce or perish, they leave the ghetto to which they had been relegated. They explore new resources like information technologies, open up to market logic and private foundations, and to inter-university partnerships at a price of painful credibility. If this propensity for innovation is to persist, HEIs will have to bear in mind that the main justification for their existence lies in their capacity to respond to the needs of societies and peoples of the continent. With regard to the conflicts with which we are confronted, contributing to their resolution is also the means of regaining control over our lives and our communities.

Notes

1. A draft of this paper was presented at a conference of Rectors of the Association of African universities (AAU), held in Madagascar in 2002.

2. Edward Kwakwa, 'The Response of African Universities to Social Instability and Crises', paper presented at the 9th General Conference of the AAU, Lusaka, Zambia, January 13-17, 1997.
3. Sam G. Amoa, 'Les Defis de l'ethnicité et des conflits en Afrique: Nécessité d'un nouveau modele', Division des interventions d'urgence du Programme des Nations Unies pour le Developpement, New York, Janvier 1997, p.37.
4. Julius K. Nyerere, 'An address by the President of Tanganyika at the inauguration of the University of East Africa', in *Education and Nation Building in Africa*, L.Gray Cowan et.al. (eds.), (New York, Frederick A. Praeger, (1965).pp. 309-13.
5. Ibidem.
6. Emile Rwamasirabo, 'The African University in the Context of Major Conflicts: The case of the National University of Rwanda (NUR)', Paper presented at The African University of the 21st Century, International Symposium, University of Illinois, April 25-27, unpublished.
7. Ibid, for more details.
8. In Rwanda, since 1990, the war has led to the reduction of resources and this has aggravated economic constraints. More generally, read especially Adebayo Olukoshi and Laakso (eds.), *The Challenges to the Nation-State in Africa*, Uppsala, Scandinavian Institute of African Studies, 1995; Merilee S. Grindle, 'Challenging the State, Crisis and Innovation in Latin America and Africa', *Cambridge Studies in Comparative Politics*, 1996: 'An Economic crisis, often rooted in development policies adopted prior decades and greatly increased prices for oil in the 1970s, was precipitated in the early 1980s by a series of external shocks, principal among which were a sharp rise in real interest rates, a rapid decline in the availability of international credit, and a sharp fall in international commodity prices. As a consequence, external terms of trade became highly unfavourable for many developing countries, budget deficits escalated, and foreign debt burdens became unmanageable (...) The impact of such conditions on developing countries economies was extensive and often extreme (...) For sub-Saharan Africa, it was 2.2 per cent'.
9. Final Report of the Commission of Experts established pursuant to Security Council Resolution 935 (1994), U.N. SCOR, 49th Sess., Annex, at 3, U.N. Doc. S/1994/1405 (1994), Security Council, 1994, Official Record of the Council, Forty-ninth Year, Supplement for July, October, November and December, documents 1994/1125.
10. See Emile Rwamasirabo, presentation to the German delegation led by the Minister of Foreign Affairs, Kigali 23rd November, 2002 unpublished.
11. The ethnic issue is one of the fascinating and among the most controversial in Rwandan studies. In August, 2002 a Colloquium was dedicated to Identity and Citizenship. The proceedings of this Colloquium will be published soon.
12. For more details read, A.K. Urusaro, Gacaca Jurisdictions, 'Lutte centre l'impunité et Promotion de la Reconciliation Nationale', in *Cahiers du Centre de Gestion des Conflits* N° 3, 2001.

13. The 2nd of September, 1998, in the first judgement that interpreted the definition of the United Nations Convention on genocide of 9 December 1948, the first chamber of the TPIR adjudged that rape is a form of genocide in the context of Rwanda: '...the important aspect is not so much the number as the principle and the types of rape', '...rape was the rule and its absence the exception...', 'United Nations, Report on the Situation of Human Rights in Rwanda', submitted by Mr. Rene Degni-Segui, Special Rapporteur of the Commission on Human Rights, para 20, Res S-3/1 of 25th May 1994, E/CN.4/5-3/1 of 25th May 1994, E/CN.4/1996/68, 29th January, 1996, p. 7 Procureur C. Akayesu (n° ICTR-96-4-T) Judgement of 2nd September 1998, <http://www.un.org/ictf/french/judgements/akayesu>. On this issue a number of reports have been issued, notably, Rene Degni-Segui, Special Rapporteur on Rwanda, 'Report on the situation in Rwanda', under para. 20 E.CN.4/5-3/1 of 25th May 1994, U.N. ESCOR, 51st Sess. Agenda Item 12, para 28, UN DOC.ENG 4/19957. 'Final Report of the Commission of Experts established pursuant to Security Council Resolution 935' (1994), UNSCOR, 49th Sess., Annex, at 3, UN Doc S/1994/1405 (1994); 'African Rights, Death, Defiance, Despair', September 1994; Kalliope Migirou, European Union Field Officer/UN Human Rights Field Operation in Rwanda, presented at an International Conference on Violence, Abuse and Women's Citizenship, Brighton, UK, November 1996; Human Rights Watch/Africa, Women's Rights Project et al. 'Shattered lives', September 1996; Rhadika Coomaswarami, Special Rapporteur on violence against women, its causes and consequences, 'Report on the Situation in Rwanda', UN Commission on Human Rights, Economic and Social Council, February 1998. The present author participated in this mission. Eleonor Ritcher-Lyotte, 'In the Aftermath of Rape, Women's Rights, War Crimes and Genocide' 1996, Avega-Agahozo, 'Étude sur les violences faites aux femmes au Rwanda', (Kigali: Avega Agahozo, 1999).
14. Regarding the organisational genocide plan involving the highest state authorities, the local relays, the security forces, the army and the police force as well as the Interahamwe and Impuzamugambi, see Human Rights Watch, op.cit.
15. The importance of women's participation in the Commission against crimes and in all the stages of the chain of command was the focus of an important report of African Rights, 'Not so Innocent', London 1997.
16. In this context, read M.C.Bassiouni, 'Searching for Peace Achieving Justice: The Need for Accountability', *Nouvelles Études Penale* n° 14, 'Reining in Impunity for International Crimes and Serious Violations of Fundamental Human Rights', Christopher C. Joyner, Special Editor, Association Internationale de Droit Penal, 1998, pp.45-70.

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