The Background and Causes of the Genocide in Rwanda

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Abstract

This article begins with an account of significant events and socio-political relationships in the history of Rwanda, leading to mass murder and genocide in 1994. An explanation is then offered of these crimes, based on an analysis of certain ecological, economic, cultural and political factors specific to Rwanda, but shared to an important extent by much of East Africa.

1. Introduction

In 1994, Rwanda erupted into one of the most appalling cases of mass murder the world had witnessed since the Second World War. The killings fell into three broad categories: (1) combatants killing combatants; (2) Hutu citizens and military and paramilitary forces killing Hutu citizens because the victims were either moderates willing to live and work with Tutsi or persons whose land and wealth the murderers wanted to appropriate; and (3) Hutu killing Tutsi because they were Tutsi. Of these, the second and third clearly constituted grievous crimes; the third amounted to genocide. Since mass murder and genocide are the most aberrant of human behaviour, they cry out for explanation. In this article, I offer an analysis and explanation that involve the consideration of those ecological, historic, economic, cultural and political factors that I believe contributed significantly to the mass murder of Hutu and the genocide of Tutsi in Rwanda.

2. Rwanda’s Ecology

Rwanda, the landlocked ‘land of a thousand hills’, consists of only 26,340 square kilometres, making it one of Africa’s smallest countries. Its size is comparable to that of Burundi or Belgium. Throughout the twentieth century,
Rwanda’s people have placed tremendous pressure on its land. As early as 1983, when Rwanda’s population reached 5.5 million, expert observers writing for the Economist Intelligence Unit noted that ‘with the population increasing at an average annual rate of 3.7 per cent, in a country with the highest population density in Africa, the authorities are worried that it will be impossible to increase food sufficiently’.1 At the time, an estimated 95 per cent of the gainfully employed population were engaged in agriculture.2 By 1993, one year before the genocide, the population had climbed to 7.7 million without any substantial improvement in agricultural output. On the contrary, food production had been seriously hampered by periodic drought, overgrazing, soil exhaustion, soil erosion, war and the abrupt, often forced, migration of people.

3. Pre-Colonial History and Culture: The Establishment of Tutsi Domination

The history of Rwanda prior to German penetration in the late nineteenth century is not well known. Historians believe the area’s first known inhabitants were a pygmoid people, the hunting–gathering ancestors of the present-day Twa. Around 1,000 AD, Bantu-speaking Hutu horticulturists arrived, probably from the east, and began clearing and settling the hills. Physically, they resembled other Bantu-speakers of central Africa. Their language — Kinyarwanda, a branch of the Niger–Congo subfamily — eventually became the idiom of Rwanda. Hutu became the dominant population, far outnumbering the Twa, with whom they bartered agricultural goods for forest products.

Between the eleventh and fifteenth centuries, the Tutsi — a pastoral people with long-horned cattle — moved into the region, probably from southern Ethiopia, where other pastoralists such as the Oromo resided. Typically of cattle pastoralists, Tutsi men were armed and accustomed to fighting to protect their herds against raiders and to raid for cattle and village goods themselves. More aggressive and better organized for military purposes than the Hutu farmers, the Tutsi eventually conquered much of Rwanda and established their rule there,3 despite the fact that they represented only about 10–14 per cent of a population that was over 80 per cent Hutu.4

3 According to Maquet, “Tutsi came into Ruanda as conquerors…. They wanted to settle in the country and they built a permanent system of economic and political relations with the Hutu whereby they established themselves definitely as masters and exploiters…[A] caste society evolved from their will to stabilize the conquest,” J.J. Maquet, The Premise of Inequality in Ruanda (London: Oxford University Press, 1961), at 170.
The Tutsi dominated the Hutu and Twa militarily, politically and economically. According to their common religion, the Tutsi king was a divine and absolute monarch — theoretically, the king owned all the land and livestock; subjects held usufruct rights. All cattle chiefs and most land chiefs were Tutsi; Hutu and Twa could serve as hill chiefs. In some cases, Tutsi royalty ennobled or elevated politically and economically successful Hutu and Twa to the rank of Tutsi. Mbanda writes:

... a Hutu who gained status through wealth or by becoming a chief could become a Tutsi through a ritual of Kwihutura — literally, a cleansing of one’s Hutuness. ... If a Tutsi lost his cattle and turned to farming for a living and married into a Hutu family, that person could become a Hutu.

No scholar, however, has been able to offer reliable statistics of these kinds of social transformations, but it seems that cases of intercaste mobility were extremely rare.

Modern historians stress that during the pre-colonial period, there were no Tutsi–Hutu conflicts as such. However, during the stringent reign of Tutsi King Rwabugiri (1860–1895), most of the king’s agents were Tutsi and the vast majority of those who suffered were Hutu. Consequently, it is highly probable that many Rwandans believed an effective political cleavage existed between Tutsi and Hutu.

The Tutsi aristocracy ruled by force, and the army was its main instrument of power. Only Tutsi males were specially trained to be warriors. Hutu and Twa fought also or acted as auxiliaries who carried supplies, but they did not receive the special Tutsi warrior education. As part of their training, young Tutsi warriors were indoctrinated with an ideology of Tutsi superiority. Their status, military training and ideology set them apart from non-Tutsi.

Wealthy Tutsi owned large herds of cattle and extensive tracts of land that they had appropriated from the Hutu. By the late nineteenth century, many Hutu were experiencing a crippling land crisis and abject poverty. As their

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5 Maquet, supra note 3, at 124. Lemarchand explains: ‘The king was the incarnation of the deity (Imana), ... [T]he theme of kingship was inextricably tied up with the theme of Tutsi supremacy. To rebel against the established order was no less sacrilegious than to rebel against the Mwami himself’, R. Lemarchand, Rwanda and Burundi (London: Pall Mall, 1970), at 33–34.
6 Maquet, supra note 3, at 89–91.
7 Ibid., at 103–105. ‘The dominance of cattle as a form of disposable wealth meant that cattle chiefs, all of them by definition Tutsi, were able to dominate most of Rwanda. To mobilize an army required capital, which came only in the form of livestock, and the Tutsi controlled the cattle’, See African Rights, Rwanda: Death, Despair, and Defiance (London: African Rights, 1995), at 4.
9 Maquet, supra note 3, at 150.
10 Prunier, supra note 4, at 39.
11 Maquet, supra note 3, at 118.
population grew, increasing numbers of Hutu had insufficient land or none at all. In order to survive, they entered into feudal patron–client relations with Tutsi. *Uburetwa* (corvée labour service and offerings of beer in return for access to land) became a principal means of Hutu subjugation. All poor Hutu were bound by *uburetwa*, but Tutsi were exempt.13 For the Hutu, *uburetwa* became the most hated of feudal contracts.14

Given the prevalence of a protein-poor diet among the Hutu and the frequent occurrence of drought and famine, they desperately needed access to Tutsi land, milk and the meat from bulls and barren cows. The penalty for stealing cattle was a brutally painful death by impalement. Hence, safe access to cattle was through service contacts with rich and powerful Tutsi, who needed Hutu servants to work their land, since they regarded farm labour as degrading. During the nineteenth century, Tutsi, Hutu and Twa corresponded roughly to occupational categories. The socio-economic and political division appeared so rigid to some Western scholars that they referred to it as a caste system.15

A number of modern scholars and early explorers have commented on the physical differences between these three peoples. For example, Codere writes that ‘although there has been sufficient intermixture to blur racial lines, the majority of each caste is racially distinct. In stature, for example, the differences are striking: the average stature of the Tutsi is 1 m. 75; the Hutu 1 m. 66; and the Twa 1 m. 55.’16 Unfortunately, Codere does not reveal the source, time or sample size of her data. Of the Tutsi, Lemarchand writes that ‘physical features suggest obvious ethnic affinities with the Galla tribes of southern Ethiopia.’17

Despite the caste or rigid class structure, there was some genetic mixing among these people as a result of intermarriage and concubinage. During the pre-colonial and early colonial periods, it was not uncommon for rich Tutsi to

14 *Ibid.*, at 42. ‘It was through *uburetwa* that social relations took on a strong ethnic character before the European colonialists arrived’, *ibid.*, at 13.
15 For example, the American anthropologist Helen Codere writes: ‘Occupational specialization, cultural differences and endogamy justify the use of the term “caste” for each of these three groups. The Hutu agriculturists also did all manner of menial services for the Tutsi; the Tutsi monopolized all administrative positions and were warriors as well as being pastoralists. The Twa were hunters or potters but in addition they performed a number of special services for the Tutsi: royal dancers and choreographers, musicians, torturers and executioners, pimps, commando raiders, messengers and jesters. Marriages between members of each caste were extremely rare’, H. Codere, ‘Power in Rwanda’, 4 *Anthropologica* (1962) 45–85, at 48.
17 Lemarchand, *supra* note 5, at 18. See also A.-F. Mecklenburg-Schwerin, *In the Heart of Africa*, translated by G.E. Maberley-Oppler (London: Cassel, 1910), at 47–48. Adolf-Friedrich, Duke of Mecklenburg-Schwerin travelled through Central Africa in 1907–1908 (offering physical descriptions and measurements of Tutsi and stating that ‘their bronze-brown skin reminds one of the inhabitants of the more hilly parts of northern Africa’).
have Hutu concubines. Maquet’s Hutu informants claimed that marriage between Hutu and Tutsi happened frequently, but his Tutsi informants said they were rare. Both groups regarded the idea of marriage with a Twa as insulting.

Tutsi notions of superior worth were also reflected in the laws they imposed. For example, although cattle theft was generally prohibited, a Tutsi could steal cattle from a Hutu with impunity, so long as the Hutu had no Tutsi lord or patron to protect him. Murder was also generally prohibited, but the penalty for it varied with the classes of the parties. If an ordinary Tutsi murdered a Hutu, the king might authorize the retaliatory killing of one of the murderer’s kinsman; if a Hutu murdered a Tutsi, the king would order the killing of two of the murderer’s kinsmen. Based on his review of the historical evidence, Pottier writes that ‘ethnic divisions [and ‘obvious hatred’ toward the Tutsi overlords, according to Grogan and Sharp] were well entrenched by 1898, the time the Germans began to colonise Rwanda.’

As described above, the social organization of much of pre-colonial Rwanda took the form of a caste or very rigid class structure with limited social mobility. Because Twa, Hutu and Tutsi were all part of this social system and the culture associated with it, at a high level of abstraction, the three peoples shared the same culture. At a lower level of abstraction, however, there were marked inter-caste or inter-class cultural variations. Each of these people possessed their own unique cultural segment of a larger multicultural system.

Their shared religion both socially integrated and culturally differentiated them. For example, their origin myths explain how the Tutsi became the ‘Imana’s [the creator’s] elect, endowed with superior military skill, extraordinary courage, great wealth and commensurate intelligence.’ Many Rwandan folktales depict the Tutsi as intelligent, commanding and courageous; the Hutu as obedient, but not very clever; and the Twa as loyal to their Tutsi masters, but...
lazy and lacking in restraint.\textsuperscript{24} It seems that the Banyarwanda [people of Rwanda] considered the above qualities to be innate, not acquired.\textsuperscript{25}

The customary and preferred diets, or food cultures, of the three peoples also differed. Tutsi consumed beef and agricultural products, but ‘milk [was] the beverage of the high caste’.\textsuperscript{26} Hutu generally had poorer diets; Twa ate game meat and traded for agricultural and dairy products. Leisure-time culture also varied among the three. Maquet writes that ‘[rich Tutsi] do no manual work and have leisure to cultivate eloquence, poetry, refined manners, and the subtle art of being witty. . . . Bahutu [i.e. Hutu] . . . do not enjoy such gracious living. . . . The [Twa] are so low in the social hierarchy, and considered so irresponsible that they have had a greater independence of action’.\textsuperscript{27}

4. German and Belgian Rule

A. German Colonial Domination

From 1894 until the end of the First World War, Rwanda, along with Burundi (similar in population size and ‘ethnic’ composition to Rwanda) and present-day Tanzania, were part of German East Africa. During their colonial tenure, the Germans chose to rule Rwanda indirectly through the existing Tutsi monarch (\textit{mwami}) and his chiefs. This had the effect of continuing the ‘pre-colonial transformation towards more centralisation, annexation of the Hutu principalities and increase in Tutsi chiefly power’.\textsuperscript{28} The principal means by which the Germans maintained authority was the often brutal punitive expedition.\textsuperscript{29}

The Europeans who arrived in Central Africa were generally impressed with the ruling Tutsi. Reasoning from the premises of Social Darwinism, many Europeans believed that Tutsi political and economic success evinced their superior fitness in the struggle for survival. Since the Tutsi ruled over the Hutu and Twa, Europeans concluded that they were, indeed, like the colonialists themselves — a people superior to common Africans. European commentators concluded the Tutsi were not really sub-Saharan Africans at all, but rather a Hamitic people, probably descendants of the ancient Egyptians. Hence, the colonialists developed the ‘Hamitic myth’, which held that the

\begin{itemize}
\item Maquet, \textit{supra} note 20, at 185.
\item \textit{Ibid.}, at 178.
\item \textit{Ibid.}, at 175.
\item Prunier, \textit{supra} note 4, at 25.
\item Louis explains that ‘When a chief refused to submit to German rule, . . . a German officer would set out to destroy systematically the villages and agriculture of the “rebel” and would appropriate his cattle. In the most serious cases . . . the main offenders were hanged’. W.R. Louis, \textit{Ruanda–Urundi, 1884–1919} (Oxford: Clarendon Press, 1963), at 203.
\end{itemize}
Tutsi and everything humanly superior in Central Africa came from ancient Egypt or Abyssinia. The Europeans made it known to the people of Ruanda–Urundi (as it was known at the time) that they regarded Hutu and Twa as inferior to Tutsi, and that 60 years of such prejudicial fabrications might have ended by inflating the Tutsi cultural ego inordinately and crushing Hutu feelings until they coalesced into an aggressively resentful inferiority complex.\textsuperscript{30}

B. The Belgian Mandate

In 1924, Belgium became the administering authority of Rwanda and Burundi (then called the Territory of Ruanda–Urundi) under the League of Nations mandate system and ruled the territory as a single administrative trusteeship until 1962.

The Belgians initially favoured the Tutsi over the Hutu even more than the Germans. Belgian administrators replaced Hutu chiefs with Tutsi. The replacement policy was so extensive that by 1959, 43 out of 45 chiefs and 549 of 559 sub-chiefs were Tutsi.\textsuperscript{31} In addition, ‘83 percent of posts in such areas as the judiciary, agriculture and veterinary services’ were held by Tutsi.\textsuperscript{32}

Initially, Christian missionaries spread their religion to the more receptive Hutu, since the Tutsi king and aristocracy rejected the religion. Poor and marginal Hutu regarded European churches as their new, protective patrons. By 1930, however, some of the Tutsi realized that to remain part of the elite in a Rwanda dominated by Christian Belgians, they, too, had to convert.\textsuperscript{33} Thereafter, Christian schools, both Catholic and Protestant, had much larger Tutsi than Hutu enrolments.

In order to profit from their colonial investment, the Belgians instituted a number of agricultural and infrastructural projects (e.g. coffee cultivation, terracing, road building and maintenance, construction of railway lines, etc.) that required a large supply of cheap or free native labour. Hence, they redesigned the traditional corvée system so that every man had to contribute work to government-designated projects. Those who failed to meet government expectations were often brutally beaten by enforcers appointed by local Tutsi chiefs.\textsuperscript{34}

The people grew to hate the forced labour requirement, the brutal punishments and the government functionaries (usually Tutsi) who applied them. ‘Nothing so vividly defined the divide [between Tutsi and Hutu] as the

\textsuperscript{30} Prunier, supra note 4, at 9.
\textsuperscript{32} D. Kamukama, Rwanda Conflict: Its Roots and Regional Implications (Kampala, Uganda: Fountain Press, 1997), at 21.
\textsuperscript{33} Prunier, supra note 4, at 31.
\textsuperscript{34} Lemarchand, supra note 5, at 123–124.
Belgian regime of forced labour, which required armies of Hutus to toil en masse as plantation chattel, on road construction, and in forestry crews, and placed Tutsis over them as taskmasters.\footnote{P. Gourevitch, \textit{We Wish to Inform You That Tomorrow We Will Be Killed with Our Families} (New York: Farrar Straus and Giroux, 1998), at 57.} The Tutsi compradors directed the corvée labourers with whips. If the Tutsi supervisors did not get the job done, their white colonial masters whipped and replaced them. Corvée work demands were so great that they could consume 50–60 per cent of a native’s time.\footnote{Prunier, \textit{supra} note 4, at 35.} Due to the brutal Belgian regime, land shortages and famine, hundreds of thousands of Hutus and impoverished rural Tutsis fled north to Uganda and west to the Congo to seek their fortunes as itinerant agricultural labourers.\footnote{Gourevitch, \textit{supra} note 35.}

During 1933–1934, the Belgians conducted a census and introduced an identity card system that indicated the Tutsi, Hutu or Twa ‘ethnicity’ (\textit{ubwoko} in Kinyarwanda and \textit{ethnie} in French) of each person. According to African Rights, the Belgians used ownership of cows as the key criterion for determining which group an individual belonged to. It seems that those with 10 or more cows were Tutsi — along with all their descendants in the male line — and those with fewer were Hutu. Those recognized as “Twa” at the time of the census were given the status of Twa.\footnote{African Rights, \textit{supra} note 7, at 9.} The criterion used here had pre-colonial precedent.\footnote{Newbury writes that during the time of Rwabugiri’s reign, ‘lineages that were wealthy in cattle and had links to powerful chiefs were regarded as Tutsi; lineages lacking these characteristics were relegated to non-Tutsi status,’ Newbury, \textit{supra} note 4, at 79.} It is contended by some that one cannot blame the Belgians for having created ethnic divisions among Rwandan groups.\footnote{See J. Pottier, \textit{Re-Imagining Rwanda} (Cambridge: Cambridge University Press, 2002), at 15, who argues that ‘it was Rwabugiri, and not the Europeans, who crafted ethnic labels on the basis of cattle ownership’. According to Mamdani, ‘the Belgians took an existing sociopolitical distinction and racialized it;’ see Mamdani, \textit{supra} note 18, at 99.}

The 1933–1934 census determined that 85 per cent of the population was Hutu, 14 per cent Tutsi and 1 per cent Twa. In subsequent generations, all persons were designated as having the ‘ethnicity’ of their fathers, regardless of the ‘ethnicity’ of their mothers. This practice, which was carried on until its abolition by the 1994 post-genocide government, had the unfortunate consequence of firmly attaching a sub-national identity to all Rwandans and thereby rigidly dividing them into categories, which, for many people, carried a negative history of dominance–subordination, superiority–inferiority and exploitation–suffering. In their ‘Hutu Manifesto’ of 1957 (discussed below), Hutu leaders referred to the identity card categories as ‘races,’\footnote{Prunier, \textit{supra} note 4, at 45–46.} thereby evincing how inflexible these labels had become in their minds.
5. The Transformation to Independence

Belgium altered its policy of discrimination in the late 1950s to favour the Hutu, and set 1962 as the target date for the independence of Ruanda–Urundi. Foreseeing the inevitable dominance of the Hutu majority, Belgian colonial administrators sided with them, claiming to promote a democratic revolution.

In 1957, a group of nine Hutu intellectuals had published the so-called Hutu Manifesto, which complained of the political, economic and educational monopoly of the Tutsi ‘race’ and characterized the Tutsi as foreign invaders. The Manifesto called for promoting Hutu in all fields and argued for the maintenance of ‘ethnic’ identity cards so as to monitor the race monopoly.\(^\text{42}\) Tutsi royalty rejected the Manifesto and blamed colonial administrators for interethnic problems.\(^\text{43}\)

At this time, political activists formed a series of pro-Tutsi, pro-Hutu and integrationist parties. In November 1959, the pro-Hutu Parmehutu party started a revolt that resulted in bloody ethnic clashes and the toppling of King Kigri V. Beginning in 1960, the colonial administrators began replacing Tutsi chiefs with Hutu, who immediately led persecution campaigns against the Tutsi living on the hills that the Hutu now controlled. By 1963, these and other Hutu attacks had resulted in thousands of Tutsi deaths and the flight of about 130,000 Tutsi to neighbouring countries, with 50,000 moving to Burundi.\(^\text{44}\) The land and cattle that the fleeing Tutsi left behind were quickly claimed by land-hungry Hutu.

Belgian authorities organized communal elections in mid-1960. The Parmehutu and other pro-Hutu parties won the vast majority of posts. Of 229 mayoral (bourgmestre) positions, only 19 were Tutsi and 160 Parmehutu.\(^\text{45}\) As a result of the national election held under UN supervision in 1961, Gregoire Kayibanda (an author of the Hutu Manifesto) became Rwanda’s president-designate. Kayibanda, the son of Hutu farmers, had studied for the priesthood at a Catholic seminary and had been employed as a secretary by a Belgian bishop. He married a Tutsi and, by 1960, he had become a leader of the Parmehutu.\(^\text{46}\) For him and many other Hutu, neither Christian ethics nor marital ties were deterrents to presiding over or engaging in vicious attacks on Tutsi.

As a result of a referendum, Rwanda was declared independent on 1 July 1962. President Kayibanda soon established a style of rule that resembled that of the traditional Tutsi kings. He became remote, secretive and authoritarian.\(^\text{47}\)

Supported by the Tutsi-dominated government in Burundi, Rwandan Tutsi refugees there began launching unsuccessful attacks into Rwanda.

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\(^\text{42}\) Lemarchand, _supra_ note 5, at 149.
\(^\text{43}\) Ibid., at 153.
\(^\text{44}\) Prunier, _supra_ note 4, at 51 and 55.
\(^\text{45}\) Ibid., at 52.
\(^\text{47}\) Prunier, _supra_ note 4, at 57.
These invasions were usually followed by brutal Hutu reprisals against local Tutsi. The Hutu government used a failed 1963 invasion as the pretext to launch a massive wave of repression in which an estimated 10,000 Tutsi were slaughtered between December 1963 and January 1964.\(^{48}\) Apparently, the scale and methods by which the slaughter was perpetrated suggest that it was as an extreme example of pathological behaviour — a blind reaction of a people traumatized by a deep and lasting sense of inferiority.\(^{49}\)

The Rwandan situation was further exacerbated by events in neighbouring Burundi. In the spring of 1972, when some Burundian Hutu rebelled against the Tutsi military regime, the regime put down the rebellion with force and embarked on a campaign to eliminate educated Burundian Hutu. A genocidal frenzy ensued: about 100,000 Hutu were killed and another 200,000 fled for their lives, many into Rwanda. President Kayibanda capitalized on the situation by eliminating several hundred Rwandan Tutsi in the name of public safety and sending another 100,000 fleeing out of the country as refugees. Consequently, more Tutsi land and cattle were taken over by rural Hutu.\(^{50}\)

Kayibanda’s government had earlier installed an ethnic quota system whereby the proportion of Tutsi in schools, civil service and other employment sectors was officially limited to 9 per cent — their underestimated proportion of the Tutsi in the general population. On occasion, but especially in 1972–1973, Hutu ‘vigilante committees’... scrutinized the schools, the University, the civil service and even private businesses to make sure that the ethnic quota policy was being respected. Those eager to carry out this “purification”...were educated people who could expect to benefit from kicking the Tutsi out of their jobs.\(^{51}\)

6. The Second Republic

In July 1973, Major-General Juvenal Habyarimana, a northern Hutu, overthrew Kayibanda, a southerner, and declared himself president of the Second Republic. Over the next few years, his security forces would eliminate former president Kayibanda and many of his high-ranking supporters as part of a plan to eradicate serious Hutu opposition. Habyarimana’s kin and regional supporters filled high-level positions in the government and security forces. Close relatives of the president and his wife dominated the army, gendarmerie and, especially, the Presidential Guard. Initially, Habyarimana called for an end to Tutsi persecution but, by 1990, with the Rwandan Patriotic Front (RPF) attacks from the north, the economic crisis from within and the advent of multi-party politics, his position hardened and anti-Tutsi policies became more violent.

\(^{48}\) Ibid., at 56.

\(^{49}\) Lemarchand, supra note 5, at 44.

\(^{50}\) Prunier, supra note 4, at 60–62.

\(^{51}\) Ibid., at 60.
Habyarimana’s Rwanda became a single-party dictatorship. His party, the Mouvement Révolutionnaire National pour le Développement (MRND), was enshrined in the constitution. He pushed the Tutsi out of public life. ‘Throughout the Habyarimana years there would not be a single Tutsi bourgmestre or préfet, there was only one Tutsi officer in the whole army, there were two Tutsi members of parliament out of seventy and there was only one Tutsi minister out of a cabinet of between twenty-five and thirty members.’\(^5^2\) Regulations prohibited army members from marrying Tutsi. Habyarimana also maintained the ‘ethnic’ identity card and ‘ethnic’ quota systems of the previous regime.

Up until 1990, when the armed wing of the Tutsi-dominated RPF, which later became the Rwandan Patriotic Army (RPA), invaded from Uganda, Rwanda’s main internal political issue was the north/south divide. The principal foreign issue concerned refugees. By the mid-1980s, the number of Rwandan refugees in neighbouring countries had surpassed one-and-a-half million. Habyarimana adamantly refused to allow their return, insisting that Rwanda was already too crowded and had too little land, jobs and food for them all.\(^5^3\) However, the surrounding countries were also poor and had insufficient resources to accommodate both their own citizens and large refugee populations.\(^5^4\)

Over 100,000 Tutsi refugees had fled to Uganda between 1964 and 1990.\(^5^5\) Initially, the Ugandan government was receptive, but their continued presence created major humanitarian, economic and political problems. Land resources were limited and Ugandan nationals did not want to share these with refugees. Neither the refugees nor their children were able to acquire Ugandan citizenship. When General Idi Amin overthrew Milton Obote in 1971, some Tutsi refugees joined his army and the dreaded intelligence service, thereby alienating Ugandans opposed to the dictator.\(^5^6\) Following Amin’s exile in 1979, many Tutsi refugees joined Yoweri Kaguta Museveni’s National Resistance Army (NRA) in the bush. During the insurgency, many Ugandans accused the Tutsi members of the NRA of committing atrocities.\(^5^7\)

When Museveni took power in 1986, about 25 per cent of the NRA’s 16,000 members were Banyarwanda and some had attained very high ranks. In 1987, for example, Paul Kagame was acting chief of military intelligence.\(^5^8\) He would lead the RPAs campaign to end the 1994 genocide and, in 2004, became president in Rwanda’s first post-genocide election.

\(^{52}\) Ibid., at 75.
\(^{53}\) Ibid., at 10.
\(^{54}\) Mbanda, supra note 8, at 74.
\(^{55}\) Mamdani, supra note 18, at 164.
\(^{56}\) Ibid., at 167.
\(^{58}\) Mamdani, supra note 18, at 172–173.
During the late 1980s, bitter competition between Ugandan ranchers and refugee squatters confronted Museveni, along with opposition charges that his NRA was a foreign army of refugees. Owing to these and other economic and political problems, Museveni wanted the Rwandan refugees to go back to Rwanda, either through the Arusha negotiations for peace in the region currently taking place or by military means.

In 1987, a group of Tutsi and Hutu refugees in Uganda formed the RPF and committed themselves to returning to Rwanda. In 1990–1992, the RPF’s army (the RPA) conducted a number of assaults into Rwandan territory. The fighting caused the displacement of hundreds of thousands of Hutu farmers. In response, Habyarimana’s security forces indiscriminately interned and persecuted Tutsi solely because of their ethnic identity, claiming they were actual or potential accomplices of the RPF.59 From 1990 to 1992, Hutu ultra-nationalists killed an estimated 2,000 Tutsi and targeted human rights advocates, regardless of their ethnicity.60

In April 1990, President Habyarimana attended a Franco–African summit in France. French President, François Mitterrand, one of Habyarimana’s supporters, advised the Rwandan president to permit multiparty politics. Habyarimana quickly did so, thereby allowing political space for groups, such as the Coalition pour la Défense de la République (CDR), that were even more radically pro-Hutu and ‘racist’ than his own MRND. Colonel Theonesta Bagosora, a senior member of the CDR, would later emerge as a leading coordinator of the 1994 genocide. Hasan Ngeze, a CDR member and Hutu supremacist, became a major preacher of anti-Tutsi hatred. In the sixth issue (December 1990) of his newspaper, Kangura, he vilified the Tutsi in his infamous ‘Ten Commandments of the Hutu’. The most inflammatory and discriminatory of these called any Hutu who married a Tutsi or engaged in business with a Tutsi a traitor. The commandments held that all political, administrative, economic, military and security posts must be given to the Hutu only. They declared that the armed forces must be exclusively Hutu, and that no member of the military should marry a Tutsi. They warned Hutu to be vigilant against their common Tutsi enemy. Finally, they insisted that the ideology contained in the Commandments be taught to every Hutu at all levels.61 The ‘Ten Commandments’ circulated widely and became a major anti-Tutsi indoctrination text. Community leaders across Rwanda regarded them as tantamount to law, and read them aloud at public meetings.62

60 Newbury, supra note 59, at 15.
7. The Arusha Accords

Rwanda’s 1990–1992 war with the RPF occurred while the country was experiencing a financial and economic crisis. At the urging of the Organization of African Unity and some West European governments, Habyarimana agreed to a series of meetings with RPF representatives in Arusha, Tanzania, to negotiate peace and a new governmental plan for Rwanda. Despite strong opposition from the ultra-racist Hutu Power movement in Rwanda, Habyarimana’s government signed a series of agreements with the RPF. These included accords for a ceasefire, power-sharing, return of refugees to Rwanda and integration of the armed forces. In addition to allowing hundreds of thousands of Tutsi to return to Rwanda, the RPF was to constitute 40 per cent of the integrated military forces and 50 per cent of its officer corps. It would also be allotted five ministries (including the important Interior Ministry) in a broad-based government. Habyarimana’s own MRND would be allocated only five ministries and 11 MPs in the new 70-member National Assembly. The extremist CDR was to be excluded completely. The final accord was signed on 3 August 1993.

Hutu Power portrayed the Arusha talks as negotiations between the RPF and its Hutu accomplices. After enjoying exclusive power for 20 years, Hutu Power leaders could never accept these changes. If the Accords were implemented, many Hutu in government and the military would lose their privileged positions. A significant number of northern Hutu related to or allied with the powerful lineage of Habyarimana’s wife were among those who would be adversely affected. Within days of the signing of the accord, Radio Milles Collines, a new, private station devoted to genocidal propaganda, began broadcasting anti-Accord and anti-Tutsi diatribes from Kigali. Kangura warned: ‘We will begin by getting rid of the enemies inside the country. The “Tutsi cockroaches” should know what will happen, they will disappear.’

8. Events in Burundi

Events to the south, in neighbouring Burundi, contributed to the call in Rwanda for Hutu power and Tutsi elimination. After nearly 30 years of Tutsi dictatorship in Burundi, the people participated in the country’s first free election in July 1993 and chose Hutu Melchior Ndadaye as their president. Ndadaye headed the Front pour la democratie au Burundi (FRODEBU), a political organization whose roots went back to the 1972 Burundian who had fled into Rwanda. ‘Motivated by a deep hatred for the Tutsi-dominated army

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63 Prunier, supra note 4, at 192–193.
64 Mamdani, supra note 18, at 210.
65 Ibid., at 212.
[in Burundi] and the 1972 massacre [of Burundian Hutu], the Hutu overwhelmingly voted for FRODEBU’ in the 1993 election.67

Many Burundi Tutsi regarded the election as a Hutu victory, rather than as a majority decision. They felt threatened by the new president’s stated policy of proportional ‘ethnic’ representation in schools, the army and government employment, and his intention to retire senior (i.e. Tutsi) military officers. On 21 October 1993, a contingent of the Tutsi-dominated army attacked the presidential palace, killing the president, his family and several of his political associates.68 Some members of his cabinet sought refuge in the Rwandan Embassy.

Leaders of FRODEBU immediately urged Hutu citizens to kill any Tutsi they could get their hands on. Four ministers in Ndadaye’s cabinet used Radio-Kigali in Rwanda for their genocide message.69 ‘Hutu hoodlums took revenge on innocent Tutsi throughout the countryside. Armed with machetes, spears, knives, and clubs, they roamed from village to village and house to house, hacking every Tutsi in sight. Churches and schools were transformed into killing fields.’70 The Tutsi-dominated Burundi army responded by killing Hutu. Altogether, about 50,000 people were murdered and approximately 300,000 Burundian Hutu fled into Rwanda for safety.71

Members of Rwanda’s Hutu Power movement and President Habyarimana, who had been close to President Ndadaye, became alarmed by these events. Consequently, they refused to implement the Arusha Accords and integrate refugee Tutsi back into the country. ‘The 1993 crisis in Burundi, like previous crises such as the genocide [of Burundian Hutu] of 1972, had a catastrophic impact on Hutu-Tutsi relations in Rwanda ... The message conveyed by the assassination [of Ndadaye] was “never trust the Tutsi”’.72

‘Genocide [of Tutsi] came to be seen increasingly by MNRD politicians as the only rational option, and compromise, along the lines of Arusha, as synonymous with political suicide.’73 The MNRD and CDR had begun training and indoctrinating anti-Tutsi youth militias, known respectively as the Interahamwe (‘Those who attack together’) and Impuzamugambi (‘Those with a single purpose’). They would soon become vicious death squads. Hutu extremists drew up death lists containing the names of prominent Tutsi and Hutu political opponents. Attacks on Tutsi and Hutu who supported the Arusha Accords became commonplace.

67 Nyankanz i, supra note 46, at 46.
68 Ibid., at 47–50.
69 Lemarchand, supra note 66, at xv.
70 Nyankanz i, supra note 46, at 46.
71 Prunier, supra note 4, at 199.
9. Assassination and Genocide

Fearing that the reigning instability in Rwanda would threaten the region, the heads of the surrounding states pressured Habyarimana to honour the Arusha Accords. During a regional meeting of heads of state in Dar es Salaam, President Yoweri Museveni of Uganda and President Ali Hassan Mwinyi of Tanzania appeared to have won a commitment from Habyarimana to begin implementing the accords. On 6 April 1994, however, as Habyarimana’s presidential plane neared Kigali Airport on his return from Dar es Salaam, it was struck by a missile and plunged to earth, killing Habyarimana, Burundian President Cyprien Ntaryamira and everyone else on board.

Although the identities of his assassins are not publicly known, the Hutu blamed the RPA, while many foreign observers believe Habyarimana was killed by Hutu extremists in his own military, the Forces Armées Rwandaises (FAR), a Hutu institution that may have had the most to lose from the Arusha agreements. Only a month before, the Hutu Power publication, Kangura, had run the banner headline ‘Habyarimana will die in March’. The same issue carried a ‘cartoon depicting the President as a Tutsi-loving RPF accomplice’.74

Within an hour following the crash, and prior to its official announcement over the radio, Interahamwe militiamen had begun to set up road-blocks in Kigali. During 6 and 7 April, the young men checked the identity cards of passersby, searching for Tutsi, members of opposition parties, and human rights activists. They set upon anyone belonging to these groups with machetes and iron bars. Their victims’ bleeding bodies lined the roads of the city.75

The assassins’ first priority was to eliminate Hutu opposition leaders. . . . After that, the wholesale extermination of Tutsis got underway. . . . With the encouragement of [radio] messages and leaders at every level of society, the slaughter of Tutsis and the assassination of Hutu oppositionists spread from region to region. Following the militias’ example, Hutus young and old rose to the task. Neighbors hacked neighbors to death in their homes, and colleagues hacked colleagues to death in their workplaces. Doctors killed their patients, and schoolteachers killed their pupils. Within days, the Tutsi populations of many villages were all but eliminated. . . . Radio announcers reminded listeners not to take pity on women and children.76

The approximately 1,500-man French-trained and armed Presidential Guard (PG) was responsible for the assassination of hundreds of political opponents. The PG played a key role in organizing, training and arming the Interahamwe militias.77 In turn, the Interahamwe recruited and trained Hutu refugees from Burundi, who earned reputations for their extreme brutality.78

77 African Rights, supra note 7, at 63–64.
The organizers of the massacres wanted to create a new Rwanda — a community of murderers, who shared a collective sense of accomplishment or guilt. The new Rwandans would undergo an initiation rite by killing their former neighbours. In the process, they would take on a new identity and shared responsibility for the killings. What would have been crimes under ordinary circumstances became expected and common behaviour.

'Theft was one of the principal weapons used to bribe people into betraying and killing their neighbours.' Some Hutu leaders urged their followers 'to send the Tutsi back to their country of origin, Ethiopia, by the quickest route, via the Akanyaru river.' Consequently, some north-flowing rivers filled with the dead. People in Uganda recovered about 40,000 bodies from Lake Victoria and buried them.

The murderers were not content with simply killing Tutsi and Hutu rivals; they expended a great deal of time and effort torturing and mutilating their victims. Rape was used extensively, even against wounded women. The psychological need to eliminate the Tutsi was so great that Hutu extremists hunted down and killed the pregnant Hutu wives of Tutsi men, so that their 'Tutsi' foetuses would not survive.

Under Paul Kagame’s command, the RPA began fighting its way south in early April in an attempt to stop the slaughter. But the RPA’s advance simply could not match the pace at which the militiamen and soldiers were massacring civilians. The RPA took Kigali on 4 July and Butare, the second-largest city, on 5 July. By 18 July, the RPA had reached the Zairian border, having captured the town of Gisenyi the previous day. Having defeated the Hutu FAR and militias that opposed them, the RPA unilaterally declared a ceasefire.

Within a period of only three months, approximately 800,000 Tutsi and between 10,000 and 30,000 Hutu, or 11 per cent of Rwanda’s total population, had been killed. This tragedy may have set a historic record for the largest number of people killed in such a short time. About 2,000,000 people were uprooted within Rwanda, while the same number of Hutu fled from Rwanda into Tanzania, Burundi and Zaire. Many were driven out by remnants of FAR and Hutu militias that planned to rearm and organize the refugees into a fighting force that they hoped would re-enter Rwanda and finish the job.

The RPF and moderate Hutu political parties formed a new government on 18 July 1994, but the country was in chaos. The new government was a coalition of 22 ministers drawn from the RPF (with nine ministers) and four other political parties. Both Tutsi and Hutu were among the top government

79 Ibid., at 1002–1003.
80 Lemarchand, supra note 73, at 62.
81 Prunier, supra note 4, at 255.
82 Judgment, Akayesu (ICTR-96–4-T), Trial Chamber I, 2 September 1998, § 428.
83 Vassal-Adams, supra note 75, at 37.
84 Prunier, supra note 4, at 265.
officials. Pasteur Bizimungu, a Hutu, was named president, while Paul Kagame was appointed vice-president and minister of defence. Faustin Twagiramungu, a Hutu, was prime minister until late August 1995, when he was replaced by Pierre Claver Rwigema, also a Hutu. The government publicly committed itself to building a multiparty democracy and to discontinuing the ethnic classification system utilized by the previous regime. 85

10. Causes of Genocide

Rwanda and the region face a critical food–people–land imbalance. Throughout the first half of the twentieth century, severe food shortages in Rwanda were associated with death and migration to neighbouring lands. The famines of 1928–1929 and 1943 killed about 30,000 people and forced over 100,000 to leave for the Belgian Congo and Uganda. 86 In the years leading to the genocide, there had been a marked decline in the availability of kilocalories per person per day and overall farm production. 87 Famines occurred in the late 1980s and early 1990s in several parts of the country. 88 Emergency sources of food in neighbouring countries also were limited. Seavoy, writing generally about famine in East Africa, notes that ‘hunger is endemic among all peasant societies in East Africa . . . . Malnutrition often affects one-third of a village’s population’. 89

During the two decades prior to the 1994 genocide, land acquisition by military officers and politically connected persons resulted in the creation of a rural aristocracy. Although only 17 per cent of all Rwandan farms exceeded one hectare, they accounted for 43 per cent of Rwanda’s total arable land. 90 ‘In many parts of the country, the average family had scarcely half a hectare of land . . . . Youths faced a situation where many (perhaps most) had no land, no jobs, little education, and no hope for a future.’ 91 Without a house and a source of livelihood, they could not marry.

The previous historical sections have discussed the political foundations of Hutu–Tutsi distinctions and antagonisms. Importantly, while these people may have lived together relatively peacefully prior to the mid-nineteenth century, that was a time when their total population was comparatively low (probably less than 2,000,000 versus over 7,000,000 in 1993) and land supply for both

86 Pottier, supra note 42, at 11.
88 Ibid.
90 Taylor, supra note 24, at 36.
farming and cattle grazing was ample. With rapid population growth in the twentieth century, the situation changed.

Because of their historically different modes of ecological adaptation — Hutu horticulture and Tutsi cattle pastoralism — within the context of a society over 90 per cent agrarian, a rapidly growing rural population, no significant employment alternatives and diminishing food production and consumption per capita, the Hutu and Tutsi became natural competitors. Those Tutsi still engaged in cattle pastoralism wanted open ranges to graze their herds. In direct opposition, landless Hutu wanted those very lands, marginal as they may have been for agriculture, to build homesteads and to farm.

By flight or death of more than half of Rwanda’s Tutsi population from the early 1960s to 1973, vast tracts of land in the eastern region were freed up for Hutu settlement and cultivation.92 The political elites exploited these developments, which appeared to prove that Hutu farmers could have sufficient land if the Tutsi were eliminated. By the mid-1980s, population increases had again outstripped the amount of cultivable land. Farmers’ attempts to increase food production by double- and triple-cropping their dwindling plots resulted in soil exhaustion. While foreign experts looked for means of increasing the country’s food production potential, they usually had to admit that they were impressed by the relative sophistication of the traditional intensive methods of farming.93 ‘Research efforts to-date have not succeeded in developing more than a few varieties of traditional food crops that are more productive and resistant than local varieties.’94 Foreign technical experts could do little to help farmers; the problem was the increasing imbalance of the land to people ratio.

The over 50 per cent drop in the price of export coffee in 1989 adversely affected the 60 per cent of Rwandan farmers who cultivated coffee for cash income. The export market collapse sent many of these poor farmers ‘to unprecedented levels of despair, making them vulnerable to manipulation by politicians in search of extreme solutions to their country’s (and their own) growing insecurity’.95 Des Forges writes that those inciting Hutu civilians to murder Tutsi ‘offered incentives to people who are very poor, giving license to loot and promising them the land and businesses of the victims’.96

The great majority of working Rwandans were subsistence farmers. The country’s major employer was the government. In the late 1980s, the central government was employing 7,000 people and the local governments 43,000.97 By law, only 9 per cent of these employees could be Tutsi. Eliminating the Tutsi

92 André and Platteau, supra note 91, at 4.
93 Economist Intelligence Unit, supra note 1, at 18.
94 André and Platteau, supra note 87, at 4.
95 Pottie, supra note 40, at 21.
97 Vassal-Adams, supra note 75, at 12.
would open up 4,500 more government jobs for Hutu. As the country had no social security programme, the thousands of unemployed young people who entered the job market each year lived on the very margins of survival. Many became easy subjects for recruitment and manipulation.

In Kigali the Interahamwe and the Impuzamugambi tended to recruit mostly among the poor.

Before the [1994] war a statistically significant relationship was found between regional variations in the incidence of juvenile delinquency on the one hand, and regional variations in per capita availability of calories on the other. As a matter of fact, together with population density, the latter variable explained as much as 58 percent of the regional variations in offences committed by persons between 21 and 15 years old.

It is not frivolous to conclude that economic desperation, blighting individuals’ presents and their perceived futures, was a major contributor to the willingness of many thousands of poor farmers and urban dwellers (a) to fear the possibility of a Tutsi land- and jobs-grab under a victorious RPF regime, (b) to be tempted by more specific hopes for land and jobs, or, more crudely still, to participate in order to grab a share of the victims’ property.

There can be no doubt that the strained situation engendered by economic scarcities goes a long way towards explaining why violence spread so quickly and so devastatingly throughout the countryside.

In this poor country, regional Hutu elites vied with each other to acquire the economic resources, especially tax revenue and foreign aid, that the reins of political power controlled. Their common plan involved marginalizing the educated Tutsi to eliminate any domestic competition and demonizing all Tutsi so as to dupe poor Hutu — the vast majority of the population — into believing that the elites protected them and represented their interests. With the Tutsi sidelined, Hutu regional elites competed with each other.

The governing elite could extract only limited surplus value directly from the peasant masses. In addition to taxes, the governing elite had two other potential sources of enrichment: skimming export revenues and foreign aid. During the late 1980s and early 1990s, the world demand for Rwanda’s three export products — coffee, tea and tin — dropped sharply. Consequently, export revenues declined, government budgets were cut and the only remaining source of enrichment was foreign aid. Those who could benefit from it had to

98 Ibid.
99 Prunier, supra note 4, at 232.
102 André and Platteau, supra note 87, at 38.
be in positions of political power. Consequently, elite Hutu engaged in fierce competition for control of the rapidly shrinking economy.

The 1990–1992 war with the RPF contributed further to the devastation of Rwanda’s economy. It displaced thousands of farmers in the north, thereby causing reductions in food and coffee production. It closed Rwanda's main land route to Mombasa and the outside world. It destroyed Rwanda's small tourism industry, which had become the third major foreign exchange earner. But rather than negotiate in earnest with the RPF, Habyarimana chose to increase the size of his armed forces (from 5,000 in 1990 to 30,000 in 1992), thereby diverting scarce resources from much-needed food imports, health care and education.

The rule of dominant persons does not depend on political or economic power alone, but on persuading the ruled to accept an ideology that justifies the rulers’ privileged positions and convinces the ruled that their best interests are being protected. From the 1960s until 1994, the ideology promoted by the Hutu ruling elite was as follows: Tutsi were foreign invaders, who ‘could not really be considered as citizens. . . . The Hutu had been the “native peasants,” enslaved by the aristocratic invaders: they were now the only legitimate inhabitants of the country. . . . A Hutu-controlled government was now not only automatically legitimate but also ontologically democratic.' This political ideology validated both the persecution of Tutsi and the autocratic rule by some elite Hutu.

As for its economic ideology, the government promoted the idea that the Hutu 'holy way of life' was farming. It strictly limited rural migration to the city. People could not change their residences without government permission, and that was rarely given. 'The myth reigned supreme that Rwanda had its own way to go and this way was largely inspired by agrarian and paternalistic values based on the continuation of tradition, food self-sufficiency and the simplicity of rural life (immune from the corruption of modern cities).'

Consequently, the government made no attempt to significantly diversify the economy so as to create a viable non-agricultural sector or to limit population growth (except by killing and expelling Tutsi). Religious ideology also contributed to the country's deepening demographic problems. The majority of Rwanda's population was Catholic. Despite Rwanda's evident overpopulation, those in the church and government hierarchy not only refused to promote birth-control programmes; they actively opposed them. 'Radical Catholic pro-life commandos raided pharmacies to destroy condoms with the approval of the Ministry of the Interior.' Evaluating Rwanda's pro-natal

103 Vassal-Adams, supra note 75, at 13 and 23.
104 Prunier, supra note 4, at 80.
105 Ibid., at 77.
106 André and Platteau, supra note 87, at 5.
107 Prunier, supra note 4, at 89.
policy and almost exclusive agro-economic strategy, the economists, André and Platteau, write: ‘The fact that so few people understood that the path followed by Rwanda was a blind alley still remains something of a mystery.’

11. Conclusion

In short, the ultimate cause of Rwandan genocide was the increasing imbalance in land, food and people that led to malnutrition, hunger, periodic famine and fierce competition for land to farm. Too many people were relying on rapidly diminishing amounts of arable land per capita for their subsistence level existences. This situation extended beyond Rwanda’s borders to Burundi, Uganda and Eastern Zaire. Hunger and malnutrition are endemic among all peasant societies in East Africa. Because of rapid population growth throughout the region, emigration or flight of people from one country to another — the traditional means of alleviating internecine violence over land — only moves the problem from one place to another. Many of those Hutu who periodically fled into Rwanda to avoid death at the hands of Tutsi in Burundi enthusiastically participated in the slaughter of Rwandan Tutsi when the opportunity came. And those Rwandan Tutsi refugees who fled north sometimes clashed violently with Ugandans over land for pasturage, farms and settlements.

Among the more proximate causes of the mass murders in Rwanda were: (1) the Museveni government’s perceived need, for political and economic reasons, to evacuate Rwandan refugees from Uganda; (2) Hutu Power ideology in Rwanda, which fanned the flames of Tutsi hatred by recalling and rewriting the history of Tutsi domination and Hutu subservience (and the characterization of Tutsi as foreign exploiters, belonging to a different race); (3) the practices of a small, corrupt Hutu elite who consolidated the limited wealth available and blamed the Tutsi for the deprivations of the masses; and (4) the failure or refusal of the Rwandan government to employ the kinds of demographic and economic policies that would have addressed the ultimate causes in a peaceful and more effective way. These policies could have included birth control, economic diversification into non-agrarian sectors, requests for

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108 André and Platteau, supra note 87, at 5.
significant foreign food aid, sincere negotiation with the RPF and attempts at a regional solution to the refugee problem. Rwanda’s leaders chose instead to respond to these conditions by eliminating the Tutsi portion of the population. They employed the weapons of indoctrination to convince the Hutu masses that this strategy was right.