GACACA IDEOLOGY AND THE RESOLUTION OF THE RWANDAN GENOCIDE: IMPLICATION FOR NIGERIA

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ABSTRACT
Endogenous approaches to conflict resolution are methods that are rooted in the culture, tradition and custom of a community. These mechanisms of conflict resolution emerge from a complex set of knowledge and technologies that were developed around specific conditions affecting particular populations and communities indigenous to a particular geographic area. Africa is heavily endowed with endogenous approaches for resolving peculiar conflict situations. Often, African communities neglect these endogenous approaches with proven capacities in conflict resolution, and adopt foreign methods that are not necessarily compatible with their customs, traditions, values and peculiarities. Consequently, the idea of any meaningful resolution of conflict always comes with limited success or only remains a wish. The bifocal objectives of this paper, therefore, is to examine Gacaca as an endogenous principle of conflict resolution, and its practice in the resolution of the Rwandan genocide on the one hand, and to present the lessons therein, as propositions for Nigeria, on policies, strategies and instruments for post-conflict resolution and capacity-building initiatives, on the other hand. With heavy reliance on published materials, findings reveal that understanding conflict and developing appropriate models for handling it will necessarily be rooted in, and must respect and draw from, the cultural knowledge of a people. Hence, this paper concludes that Nigeria, like Rwanda, should consider rediscovering the endogenous conflict resolution approaches and employ them for specific conflict situations, even if it will be in addition to the already existing modern/western approaches.

KEYWORDS: Rwandan Genocide, Gacaca System, Conflict Resolution, Implications, Nigeria.

Introduction

Contemporary scholars continue to fiercely debate Africa's capacity to manage its crises. This is in view of several constraints confronting the continent since independence. Such crisis include: civil wars, high crime rate, corruption, poverty, illiteracy among others. Some of the opinions on this debate are that post-conflict reconstruction in Africa has been preoccupied with the hardware components such as infrastructure development, rebuilding weakened institutions and facilitating socio-economic aspects of development, to the neglect of psychological (software) aspects of reconstruction. What is not in contestation is the idea that sustainable post-conflict reconstruction should happen at all levels including physical, economic, social and psychological. This is because violent conflict, especially of a virulent ethnic form like the genocide in Rwanda, destroys much more than buildings and roads. The psychological aspect of healing is imperative because those who have experienced the horrors of violent conflict are often scarred emotionally and left traumatized (Tony and Mutsi, 2008). This article will try to show that Africa is rich with endogenous conflict resolution mechanisms that are capable of addressing both the hardware and the software aspects of post-conflict reconstruction.

Gacaca is one example of post-conflict reconstruction mechanism developed in Rwanda to particularly rebuild broken-down relationships among people devastated by violent conflict. It has come to show how effective endogenous conflict resolution mechanisms are to a successful post conflict rebuilding process. The Rwandan genocide is one nasty example of what Robert Burns call "man greatest inhumanity to man". However, the manner in which the reconciliation process was carried out shows how endowed Africa is with endogenous mechanism for resolving peculiar conflicts. Endogenous approaches to conflict resolution are methods that are rooted in the culture and tradition of a community. These mechanisms of conflict resolution emerge from a complex set of knowledge and technologies that were developed around specific conditions affecting particular populations and communities indigenous to a particular geographic area. In looking at Africa, Zartman (2000) asserts that

conflict resolution mechanisms can only be labelled as endogenous if "they have been practiced for an extended period and have evolved within African societies rather than being the product of external importation." Endogenous conflict resolution methods are unique, informal, communal, restorative, spiritual, context-specific and diverse, apart from being integrated into life experiences. Furthermore, the use of endogenous methods of conflict resolution reflects the centrality of the community from which the fundamental needs of members are satisfied (Tony and Mutsi, 2008).

The relative successes recorded by *gacaca*, an endogenous conflict resolution mechanism adopted by Rwanda, should serve as a reference point for African countries that have, or are experiencing violent conflicts. Nigeria, for instance, has been battling so many forms of violent conflicts like terrorism, insurgency, banditry, and kidnapping with very little successes recorded in the resolution. This may probably be due to the neglect of endogenous conflict resolution mechanisms in complete preference for western forms. This work is therefore a call on the Nigerian state to toe the path of Rwanda, and adopt endogenous conflict resolution mechanisms. From a logical point of reasoning, since their conflicts are similar in so many respects, the pathway to their solutions should not be too far apart as well. In an attempt to drive home the foregoing, this paper begins by conceptualizing the key terminologies

Conceptualisation of Terms

Gacaca system

Gacaca, as practised in Rwanda, is a traditional mechanism of conflict resolution that attempts to address trauma and post-conflict reconstruction needs of that country's post-1994 genocide (Tony and Mutsi, 2008). *Gacaca*, derived from the Kinyarwanda word for grass, was a traditional method of conflict resolution in pre-colonial Rwanda (Costello, 2016 citing Clark, 2010). According to PRI, (2013), *gacaca* "Literally, "lawn"; is a traditional conflict resolution system for neighbourhood disputes. By extension, it is the name given to new peoples' courts charged since 2005 with ruling on cases arising from the genocide. Their competence extends

to passing judgement on the perpetrators of genocide crimes and other crimes against humanity in categories 2 and 3. Reforms currently underway are investigating extending their remit to some perpetrators of category 1 crimes". Traditional *gacaca* hearings were community gatherings, held outdoors and led by the male heads of households, meant to address minor conflicts that arose within or between families, such as issues of "land use, livestock, damage to property, marriage or inheritance" (Costello, 2016).

After a series of deliberations, the government then instituted Gacaca (meaning grass) courts for restoring justice. It is a justice system, which evolved from a mix of traditional and modern approaches (Fred, 2018). Officially established in 2002, Gacaca brought together survivors, perpetrators and witnesses before locally-chosen judges to tell the truth about what happened during the genocide and to determine consequences for the perpetrators. In 10 years, over 1.9 million cases were tried in over 120,000 community-based courts (Fred, 2018).

The *Gacaca* system signifies a big step forward in providing victims with a remedy and combating impunity it is not unproblematic. Problem areas include insufficient education and replacement of judges, practical access to justice for all victims, security for victims and witnesses, and reparation for moral damages (Andrea, 2005).

Conflict

Conflict has been seen to refer to the disagreement, struggle or fight that occurs between two or more interdependent parties over unsatisfied needs (Best, 2012). Conflict is the friction arising from actual or perceived differences or incompatibilities. It is a disagreement, a clash of interest and a struggle over resources. Conflict is neutral and could be dangerous (dysfunctional) or it could also present opportunities (functional), the outcome depends on our attitudes or responses.

Conflict is a natural, neutral and inevitable aspect of human experience. As people live together in close proximity, conflict is bound to occur. Just as the tooth, from time to time, and unwillingly, is bound to bite the tongue, because the two live and interact with each other in the same vicinity-the mouth. Conflict "is a critical mechanism by which goals and

aspirations of individuals and groups are articulated; it is a channel for the definition of creative solutions to human problems and a means to the development of a collective identity" (Lamle, 2015).

Conflict resolution

The idea of whether or not conflict can be resolved has been a continuing debate to this very moment. When we look at conflict and its attributes of inevitability and dynamism, it is difficult to think conflict can be resolved. Conflict resolution means a process of ending dispute or disagreement. It mainly aims at reconciling opposing arguments in a manner that promotes and protects the human rights of all parties concerned.

Generally, conflict resolution adopts the following seven methods:

The term, "conflict resolution", is also known as dispute resolution or alternative dispute resolution. Other methods adopted for conflict resolution include negotiation, mediation, and diplomacy. Sometimes arbitration, litigation, and formal complaint processes such as ombudsman, are also referred to as conflict resolution.

Rwandan genocide

The Rwandan genocide is one of the biggest wartime massacres which occurred in the 20th Century. In April 1994, Rwanda was faced with horrific, massive and brutal violence, where, over a period of three months, an estimated 800, 000 Tutsis and moderate Hutus were killed, and two million fled the country (Tony and Mutsi, 2008). The 1994 Rwanda genocide was the result of an economic crisis, civil war, population growth and a struggle for state power. The president of Rwanda at the time, Juvenal Habyarimana, had decided, after long opposition, to comply with the *Arusha* Accords and put an end to the crisis and civil war. The civil war began when the armed wing of the Rwandan Patriotic Front (RPF) invaded from Uganda in the autumn of 1990.

The RPF was a movement mainly made up of the Tutsi refugee diaspora in Uganda with which Habyarimana´s party, the National Revolutionary Movement for Development (MRND), had been forced to compromise. On 6 April, he flew back from negotiations in the

Tanzanian capital, Dar es Salaam. His aeroplane was shot down as it came into land, and the president and a number of other top officials were killed. After the announcement of the death of the president, all hell broke loose in Rwanda. A group of senior military officials quickly seized power. Almost immediately, organised massacres of Tutsi and moderate Hutu began, initiated by the army and the Interahamwe and Impuzamugambi youth militia. (Maria van Haperen, 2012).

Brief Pre-Colonial and Colonial History of Rwanda

The purpose of this brief section is to present a historical background to developments in Rwanda that culminated in the genocide that began in April 1994. Rwanda is situated in the Central African Great Lakes Region, close to the equator. It is not a large country; it is around 10% smaller than Belgium. Rwanda is a lush country, covered in numerous hills. It is quite fertile by African standards, and there are many swamps, lakes and rivers. Centuries ago, three peoples settled in the area that comprises present-day Rwanda and Burundi: the baTwa in the 6th century, followed by the baHutu in the 7th century, and the baTutsi in the course of the 8th and 9th centuries. The majority of the population made a living out of agriculture: the Hutu were predominantly crop cultivators and came from the North West. The Tutsi were cattle farmers and came from the regions to the south and east of Lake Victoria (Tanzania). The Twa were a pygmy people who made a living from hunting, gathering and pottery-making. The Twa lived in the forest-covered mountains, isolated from the Hutu and Tutsi. Many Tutsi travelled through the area with large herds. As agriculturalists, the Hutu lived in permanent settlements. (Maria van Haperen, 2012)

The 1994 genocide against the Tutsi people of Rwanda did not arise in a vacuum, but was rather the result of centuries of complicated historical processes in the region. Before the advent of colonialism, relative peace existed in Rwanda between the three primary ethnic and social groups: Twa, Hutu, and Tutsi. The Twa people, likely the original inhabitants of Rwanda, are a pygmoid race of hunter-gathers who probably settled in the region in approximately 1000 AD and now make up about one percent of the total Rwandan population

(Clark, 2010). He also opined that the Bantu-speaking Hutu people soon followed the Twa, and, again, in the sixteenth century by the Tutsi, herdsmen who most likely originated in southern Ethiopia.

The Tutsi conquered much of Rwanda, establishing territories and placing Tutsi kings known as *mwami* at the head of Rwandan life. Thus, though these ethnic groups originated from different locations in Africa, over time the distinctions between Hutu and Tutsi came to have more to do with social class than with ethnicity, per se. The meanings of these terms began to shift during the eighteenth century, with "Tutsi" coming to describe "a person rich in cattle…the term that referred to the elite group as a whole" and "Hutu" meaning a "subordinate…the term that came to refer to the mass of ordinary people" (David, 2001).

Despite different origins, Hutu and Tutsi people shared a common language and religion and therefore these categories were highly permeable; Hutu could become Tutsi upon acquiring a certain level of wealth or prestige and intermarriage between the two groups was common (and remained so, even upon the eve of the genocide). Although these socio-economic categories were likely a source of division and resentment in Rwanda, "there is no record of violence between Hutu and Tutsi in the pre-colonial era" (David et al, 2017).

The nature of this social relationship changed drastically upon the arrival of German colonists in Rwanda in 1894. The Germans, noticing the existing political structures with Tutsi kings at the head, sought to form alliances with the *mwami* and other Tutsi administrators. Appealing to social Darwinism and the biblical story of Ham (known as the "Hamitic Hypothesis"), the colonial administrators exploited the existing understanding of Tutsi difference to justify their political alliance with the ruling class of Rwanda. Therefore, while socioeconomic and indeed ethnic distinctions existed between the two groups prior to colonialism, "the idea that the Tutsi were superior because they came from elsewhere, and that the difference between them and the local population was a *racial* difference, was an idea of colonial origin" (Mamdani, 2001).

When the Belgians gained control of Rwanda in 1919, they continued to favour the Tutsi leaders and expanded the existing divide between the socio-ethnic groups, while the reinforcement and expansion of "race policy" became a political priority. Beginning in 1925, the annual colonial administrative reports included extensive chapters defining the racial difference between Hutu and Tutsi (David, 2001). The Belgian colonial government "turned Hamitic racial superiority from an ideology to an institutional fact by making it the basis of changes in political, social, and cultural relations" (Mamdani, 2001). Under the Belgian rule, education, taxation, and the Church were reorganized around this concept of difference. Hutu people were forced into a nationwide system of forced labour and the government extracted taxes and crops from the Hutu population at extremely high rates (Mamdani, 2001). In 1933, the colonists solidified the distinction between Hutu and Tutsi by conducting an official census and requiring every Rwandan to carry an ethnic identity card indicating whether he or she was Twa, Hutu, or Tutsi. These identity cards remained a requirement for all Rwandans until they were abolished following the genocide (Costello, 2016).

The *Gacaca* Court System in Rwandese Culture and its Practice in the Resolution of Rwandan Genocide

As Rwanda emerged from the genocide, its new government had to face the task of rebuilding a nation mired in political upheaval, economic stagnation, crippling poverty, and some of the most pronounced physical and mental health epidemics in the world. Prior to the genocide, the population of Rwanda was approximately seven million; by August 1994 as many as a million people had been murdered and nearly two million additional civilians, government officials, and soldiers had fled to neighbouring countries. (Prunier, 1997). The destruction of the nation's administration and infrastructure was "virtually unparalleled in human history" (Wells 2005). Though the International Criminal Tribunal for Rwanda (ICTR) had been established by November 1994, and a Special Chamber of the Rwandan Supreme Court was established in 1996, it quickly became apparent that these two legal institutions alone would not be able to provide the type of justice required for the nation to move forward. What was needed was a holistic approach to justice, "aiming to rebuild individual and

communal lives and to contribute to reconstruction in both the short and the long term" (Clark 2010).

In effect, Rwanda needed a transitional justice system. Transitional justice programmes typically combine a variety of mechanisms such as war crimes tribunals, truth and reconciliation commissions, institutional reforms, and reparations programmes in an attempt to reconstruct societies that have been affected by political violence, civil war, or widespread human rights abuses. Due to the specific needs of such societies, transitional justice programmes are intended to address both the practical needs that any nation faces following armed conflict (that is prosecuting criminals and rebuilding infrastructure) as well as the more subtle socio-cultural goals of promoting truth, healing, and restorative justice. In such circumstances, where killing was widespread, highly physical, and extremely personal, the trauma of survivors and perpetrators alike goes beyond the practical problems caused by other kinds of warfare" (Costello, 2016).

Moreover, because Hutu and Tutsi people were so integrated within society and many people were too poor to leave their communities following the genocide, survivors were forced to continue living alongside their rapists and the people who had killed their family members. In addition to trying criminals, the transitional justice system established after the genocide therefore, needed to address broader, more profound objectives specifically designed to heal the society and help people live together again. Thus, the decision to turn to *Gacaca* as an institution of transitional justice was shaped by Rwanda's need to address a multitude of pragmatic and profound objectives, ranging from reducing prison overcrowding to providing restorative justice to survivors" (Costello, 2016).

Reviving the *Gacaca* Courts

Reincarnated after the 1994 genocide, the *Gacaca* courts in present-day Rwanda differ in breadth and depth. As a post-conflict mechanism for justice and reconciliation in Rwanda, the *Gacaca* system complements the International Criminal Tribunal for Rwanda and the national Rwandan court system, trying thousands of people who participated in the 1994 genocide.

Like in pre-colonial Rwanda, "community judges" known as the *inyangamugayo* chair the Gacaca trials in contemporary Rwanda. These are elected household heads from the community who are essentially women and men of integrity. The judges receive no salaries but are entitled to free schooling and medical fees for their families. Approximately, 11 000 *Gacaca* courts are operating in Rwanda and each court has a panel of 19 judges (PRI, 2005: Uvin, 2005). For a *Gacaca* session to be regarded as valid there is a required presence of at least 15 judges and 100 witnesses (Tony and Mutsi, 2008).

Gacaca, derived from the *Kinyarwanda* word for grass, was a traditional method of conflict resolution in pre-colonial Rwanda. Traditional *Gacaca* hearings were community gatherings, held outdoors and led by the male heads of households, meant to address minor conflicts that arose within or between families, such as issues of "land use, livestock, damage to property, marriage or inheritance" (Clark 2010). Community members brought grievances to respected elders, who allowed the defendants to respond to the charges brought against them and pass judgment based on the evidence heard. *Gacaca* hearings usually followed a well-established pattern wherein defendants would "confess their crimes, express remorse and ask for forgiveness from those whom they had injured.

By the twentieth century, *Gacaca* was considered "the main method of ensuring social order in communities across Rwanda" (Clark 2010). Variations of *Gacaca* continued to exist under and after colonialism, shifting several times in form and function, but the system was never enshrined into written law. As early as 1995, the Rwandan government and the UN had begun discussing restructuring *Gacaca* as a potential solution for addressing the complex needs of post-genocide Rwandan society. The Rwandan President established a commission in 1998 "to investigate the possibility of restructuring *Gacaca* into a system appropriate for handling genocide cases" (Costello, 2016), and after years of "protracted and often heated" debates and an extensive survey of the perceptions of the Rwandan population, the government determined that a restructured, institutionalized judicial system based on the customary practice of *Gacaca* was the solution (Costello, 2016). Organic Law 40/2000, referred to

hereafter as the *Gacaca* Law, established the new *Gachaca* system in 2001. After a series of "trial runs," assessments, and modifications, *Gacaca* was extended to a large portion of Rwandan society by 2002, and instituted nationwide by 2005 (Costello, 2016)

In its modern form, *Gacaca* is a system of community-based justice which tries accused perpetrators of genocide within their own neighbourhoods, based on their confessions and the testimony of community members. *Gacaca* trials are judged by *inyangamugayo,* local leaders elected by citizens for their "standing in the community, their dedication to the well-being of their neighbours and for their love of truth and justice" (David, 2001). Under the *Gacaca* system, many suspected génocidaires were provisionally released from prison and sent to educational camps, known as *ingando*, devoted to the rehabilitation of recently released prisoners through sensitivity training, community service, and civic education. *Ingando* participants were taught the logistics of the *Gacaca* process as well as how to "return to their communities and spread the government's message that there was no place in Rwandan society for the ethnic divisions of the past" (Clark 2010). After *ingando*, the prisoners were allowed to return to their communities to await their trials at *Gacaca.* In *Gacaca*, *Inyangamugayo* determine punishments according to a set of regulations based on confession and plea-bargaining, in which suspects can reduce their sentence by at least half by confessing their crimes. Most *Gacaca* sentences combine reduced prison terms with community service in the form of post-genocide reconstruction efforts, ranging from building roads to rebuilding houses for genocide survivors. Because of these lightened sentences and the informal nature of *Gacaca* trials, the government is able to process cases much more rapidly than if all suspected génocidaires were sentenced through the ICTR or the Rwandan national courts.

Objectives of Gacaca

When announcing the official launch of the *Gacaca* system in 2002, Rwandan President Paul Kagame stated that the five core objectives of *Gacaca* were to:

-Reveal the truth about what happened;

-Accelerate genocide trials;

-Eradicate the culture of impunity;

- Reconcile Rwandans and reinforce their unity; and

- Prove that Rwanda has the capacity to resolve its own problems. (Haskell 2011). The 2001 Gacaca Law itself promotes similar objectives, aiming to eradicate for ever the culture of impunity in order to achieve justice and reconciliation in Rwanda, and thus to adopt provisions enabling rapid prosecutions and trials of perpetrators and accomplices of genocide, not only with the aim of providing punishment, but also reconstituting the Rwandan Society that had been destroyed by bad leaders who incited the population into exterminating part of the Society. (Republic of Rwanda 2004) Thus, from the outset Gacaca was conscience of a wide variety of objectives.

Challenges of Gacaca

Traditional approaches to conflict resolution have not always been effective in addressing massive cases of trauma. According to Human Rights Watch (2006), Gacaca courts have dealt with more than 761, 000 accused persons. In addition, *Gacaca* courts are confronted with serious crimes of mass murder and other atrocities, committed during the genocide, issues which are beyond the scope of pre-colonial *Gacaca*. The number and nature of cases are quite overwhelming for the *Gacac*a which were traditionally meant to resolve minor, uncomplicated, local level civil disputes, and were aimed not at establishing criminal guilt, but at community reconciliation. Thus, while often touted as endogenous in orientation, contemporary *Gacaca* proceedings have become markedly different from their traditional form (Tony and Mutisi, 2008).

According to Tiemessen (2004), the present day *Gacaca* has been reinvented, and is formally institutionalized and linked to state structures. Although *Gacaca* was conceived as a traditional institution for communal justice, it has been modernized, formalized and extended, through the state, to operate in the realms of retributive or criminal justice. Although it has maintained the traditional outdoor setting, essentially, the *Gacaca* system operates like a court and still employs the prosecution-based approach to justice. According to Article 39 of the

Organic Law, No. 16/2004, *Gacaca* courts have broad competences, "similar to those of ordinary courts, exercising attributes of investigation, prosecution and judgment." Given that the *Gacaca* courtroom is a regulated forum, where discussion is strictly restricted to the genocide related case at hand, not other issues, it is difficult to wholly conceive it as a restorative justice mechanism.

Michael Mann (2005) documents how *Gacaca* courts have been used to intimidate the current Rwandan regime's critics and opponents. Thus, the notion that African jurisprudence systems are naturally restorative rather than retributive is challenged, given the somewhat retributive aspects of the *Gacaca*. Such challenges demonstrate that Rwanda still confronts immense difficulty in dealing with its past. Although *Gacaca* valorizes the concept of "truth-telling," the Gacaca system is confronted by a well-known challenge called "the problem of truth." Truth telling does not always result in peace. There are repercussions to peace, as manifested in the aftermath of most "truth telling ventures." More often, the very act of truth telling involves recounting verbal memories of violence and trauma, a process that may "stimulate" identity-based hatred in the aftermath and subsequently revive identity problems. This is why Minow (1998) describes "truth telling" strategies as falling somewhere in between "vengeance and forgiveness."

In addition, *Gacaca* faces structural challenges. The nature of the crimes presented before the *Gachaca* courts is widely at variance with the statutes of the *Gacaca* courts. Previously, *Gacaca* courts dealt with miniature disputes between community members. In grave crimes such as massacres, the *Gacaca* courts are largely under-equipped. Des Forges (1999) argues that crimes of genocide necessitate more than community healing mechanisms. In addition, the *Gacaca* courts have been overwhelmed with the genocide caseload. It is difficult to envisage the efficacy of the *Gacaca* process given that a large part of the population participated in the genocide. The burgeoning caseload is compounded by the fact that the elected *Gacaca* judges have minimal legal training and limited experience in handling issues as grave as genocide. Observation by Amnesty International led to the conclusion that *Gacaca*

judges received inadequate training that does not meet the demands of the cases before them. Against this background, it is crucial to acknowledge that the cultural aspects of *Gacaca* alone will not meet the practical needs for justice.

Furthermore, the *Gacaca* system of conflict resolution faces challenges because of gender issues. Traditional African indigenous structures were largely exclusionary on the basis of gender. The majority of indigenous women were not included in the primary structures of decision-making. Currently, sexual offences are not provided for under *Gacaca* law. It is difficult to have witnesses in sexual offences and crimes committed during the genocide. Such a realization leads Conley and O'Barr (2005) to assert that culture is gendered.

In addition, the *Gacaca* judges have received no training on gender-based violence and its relation to justice. The androcentric nature of the *Gacaca* system is one reason why crimes of rape during the genocide are underrepresented in the Rwandese post-genocide healing process. Most women are reluctant to come forward to a male dominated trial system. There has not been adequate preparation for the communities to address issues of rape during conflict. Most often, women who are victims of rape during the genocide are afraid to testify in the *Gachaca* courts because it will be a woman's word against the accused.

Implications for Present-Day Nigeria

1. There is a clarion call to revive and reinvigorate the traditional mechanisms for resolution of conflicts to make them robust and effective. This will contribute to both communal and national reconciliation and social harmony.
2. There is need to check further westernization of traditional values of Africa and Nigeria in particular. We must give high esteem to what work within our context as Africans and Nigerians. For instance, Nigeria should develop and modernize proven mechanisms like the age-grade system that worked very well in the eastern parts of the country.
3. After the Genocide Rwanda, the new government thought of ways to rebuild the country. That involved dealing with the trauma millions of its citizens experienced;

rebuilding their psyche and making all see themselves as first and last Rwandans. Like Rwanda, Nigeria must find a way rebuilding confidence in its citizens.

4. The successes the *Gacaca* system recorded in Rwanda was made possible only because the people (Rwandans) believed and owned the entire process. Regardless of their ethnic divisions (Twa, Hutu or Tutsi), they all embraced the process from the beginning to the end. This attribute should be emulated by Nigerians across the ethnic groups.
5. The Rwandan *Gacaca* provided a framework of disengagement that is based on justice and fairness, which includes transitional justice mechanisms, and 'truth and reconciliation'. This is framework should be replicated in Nigeria.

Conclusion

The *Gacaca* has been a mixed success, although it is definitely cited as a community owned process of transitional justice. Most Rwandans owned the *Gacaca* process from the beginning as they did participate in the election of the judges. One key achievement of the *Gacaca* is that it provided space for the truth to be told about the genocide. *Gacaca* processes are paving the way for healing, reconciliation and forgiveness. Despite its positive score on transitional justice, the *Gacaca* has not been spared of criticism. Although this case study is often used as an example of a successful restorative justice, the *Gacaca*, as a system of conflict resolution and healing, has not significantly altered the victim perpetrator narratives. In lieu of the above the following suggestion are hereby imperative. One prerequisite of the success of *Gacaca* is the improvement in material well-being for all groups.

There should be a comprehensive peace building strategy which should be supported by the government and non-governmental organizations, engaging both Hutu and Tutsi in cooperative micro-credit schemes and other economic empowerment programmes. It is important for the Rwandan government to adopt measures to protect the personal safety of witnesses and victims, without adulterating the process of transitional justice. It is equally important for the *Gacaca* courts to ensure that the accused have the right to a fair trial. The

Rwandan Government should give the *Gacaca* mandate to handle trials of atrocities committed by RPF forces prior to the genocide in 1994. For monitoring purposes, civil society organizations should be given access to *Gacaca* proceedings. This will ensure that the *Gacaca* becomes an effective and transparent system, which promotes justice, healing, and reconciliation. *Gacaca* judges should continually receive training to enhance their capacity in handling cases. For Nigeria and other sister African counties, the successes recorded by Rwanda with gacaca should serve as an eye opener to the fact that, endogenous mechanisms are more effective in resolving African peculiar conflicts. Nigeria in particular, can take advantage of already existing and effective traditional conflict resolution mechanisms like the age-grade system and explore its workability in contemporary times.

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