



Inside Rwanda's Gacaca Courts: Seeking Justice After Genocide

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BOOK REVIEW

Inside Rwanda's Gacaca Courts: Seeking Justice After Genocide, by Bert Ingelaere, Madison, WI, University of Wisconsin Press, 2016, vii + 234 pp.

Rwanda's unprecedented use of grassroots courts (*inkiko gacaca*) to try suspects of the 1994 genocide has received widespread attention over the past decade, from academics and legal practitioners to activists and filmmakers. Bert Ingelaere's *Inside Rwanda's Gacaca Courts: Seeking Justice after Genocide* stands out from existing analyses for the methodological rigor on which it is based, and his resulting lucid insights into people's quotidian experiences with the gacaca process. Ingelaere's contribution is a welcome corrective to earlier predominantly legalistic interpretations of these courts, showing the complex ways in which people strategically engaged with gacaca while navigating the intricacies of post-genocide life.

The first three chapters focus on the history, methods, and background of gacaca, in which Ingelaere cements his bona fides as a scholar of Rwanda through mastery of existing scholarship interwoven with new firsthand observations. Ingelaere rightfully positions his work as a counterpoint to Phil Clark's 2010 book, which has stood until now as the primary book-length monograph analyzing gacaca based on interviews and observation. Ingelaere's methodological rigor allows him to move "beyond received notions of grassroots justice in general and the gacaca courts in particular" (10). He grounds the work in a data-driven, ethnographic, mixed-methods approach, using participant observation, interviews, life histories, and surveys conducted during 32 months of longitudinal engagement in specific communities. As an anthropologist, I am predisposed to be sympathetic to Ingelaere's "bottom-up perspective that focuses on actual practice and popular experience in a systematic way across time and space" (9). Indeed, I am convinced that sustained engagement and mixed methods are necessary for penetrating layers of state propaganda and people's efforts to cope with the surveillance and sociopolitical tension that characterize contemporary Rwanda. Further, ethnographic methods are crucial for examining the complex relationship between what happens in courts and what happens among individuals both interpersonally and societally. Ingelaere's methods illuminate several core premises in anthropological studies of law in Africa, including that people engage with legal processes in ways quite different from the law's framing intentions, people are strategic and testimony has a complex relationship to truth, and acts of interpersonal reconciliation are not circumscribed within legal frameworks. Those who are less familiar with or receptive to these approaches should take seriously Ingelaere's chapter justifying the importance of "immersion and iteration" (30).

The bulk of Ingelaere's empirical data is presented in the body Chapters (4 through 8), which make a series of interrelated arguments. To counter the focus on gacaca's emphasis on confession, which pervades much early scholarship, in Chapter 4 he emphasizes by contrast the "adversarial logic and the experience of widespread false testimony," arguing that "the interplay of truth, silence, and lies was crucial in the experience of the gacaca process" (97). In Chapter 5 he argues that the state weighs heavily on Rwandans, and that this structures the nature of participation in gacaca. Chapter 6 considers the strategic nature of confessions, demonstrating that "the self-governance Rwandans exercised by practicing gacaca" was one in which "basic survival and the increase of well-being in the short and long run dominated" (133). In Chapter 7, he deftly illustrates

the variations in gacaca across his fieldwork sites, with two in-depth case examples juxtaposed to show how “everyday life dynamics as well as local strategies and histories reshaped gacaca in diverse ways in different localities” (145). Chapter 8 examines notions of Rwandan personhood and cultural understandings of *umutima* (heart) to illustrate the limitations of gacaca’s model of pardon and forgiveness (158). In the epilogue, he examines how gacaca helps reshape principles at the heart of transitional justice.

Those familiar with the region and scholarly debates will recognize that Ingelaere’s work emerges from a deep knowledge of the history, culture, and political dynamics of Rwanda, and will appreciate the fine-grained detail of how “gacaca affected social interactions and social interactions affected gacaca” (145). For those interested in transitional justice in Africa, Ingelaere’s empirical findings on gacaca push back against what has emerged as a global trend towards valorizing local, cultural, grassroots solutions in the face of a critique of international law, as embodied in the United Nations (UN) tribunals. The narratives he includes show how “gacaca went against the grain of Rwandan sociocultural practices” (164), thus prompting harder questions to be asked about how to think about the role of transitional justice more foundationally, including “what is the truth, and for whom?” (161).

If you are to read only one book about Rwanda’s gacaca courts, you would do well to select this one. It is accessible to undergraduates and practitioners, and will be of interest to people focused on Rwanda, Africa, transitional justice, law and society, and post-conflict social recovery. Those with a more sustained interest could read this work alongside several other recent books on gacaca and Rwanda’s state-backed reconciliation agenda to consider how Ingelaere’s empirical data buttresses or challenges others’ theoretical claims, such as whether people could “whisper truth to power” in resisting through gacaca (Thomson 2013), whether gacaca cemented authoritarian rule (Chakravarty 2016), and whether embedding reconciliation agendas in legal forums such as gacaca served as a form of Foucauldian governmentality (Doughty 2016). Overall though, Ingelaere has provided an exhaustively researched, thoroughly analyzed, and beautifully written trove of data on one of the most ambitious and controversial legal experiments of the twenty-first century.

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