

Conference
Political Forgiveness And Global Justice:
Towards A New Global Politics
Internationales Forschungszentrum Kulturwissenschaften (IFK)
Reichsratsstrasse 17, Vienna, 12-14 June 2003
Friday, 13 June 2003, 14.30H

Justice in Africa After Rwanda

The Illusion of Global Justice and Possible Forgiveness in Africa Today

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Are we moving towards new global politics leading to political forgiveness and global justice, new politics enabling a sustained stability in African countries today? My thesis is that particularly in countries of the so-called “periphery”, we are not moving towards new global politics leading to political forgiveness and global justice worldwide, we witness a new wave of empire politics, of intolerant imperialism and of brutal use of power in internal relations. Within the borders of various African countries, the struggle for power violently opposes factions of the elite who enrolls paramilitary groups, mostly composed of disinherited people fighting for survival. In the aftermath of one faction’s victory, a new political order is established to promote and maintain the victorious team in power, the defeated group is only tolerated if it keeps quiet or does not seriously disturb or frighten the newly elaborated power structure in place. Only when acting leaders consider that they are strong enough and assure that their regime is stable, then a path to political forgiveness could be attempted to. But in most cases, the defeated faction keeps quiet just for a while, elaborating a new strategy to throw down the acting group in power, mostly in a violent process. Because it is obvious that the victory of one group is only temporary, that the defeated of today may become the winners of tomorrow, it makes no sense for leaders to get involved in political forgiveness. The struggle for power, acceding to power or staying in power remains the main political objective. Particularly in African countries, the difficulty of establishing a sustainable political system or a political system leading to global justice and political forgiveness is obvious. Allow me to analyse some of the reasons of this situation.

1 - Inherited colonial structures of political power

To enhance political forgiveness and global justice, a community should share the same or similar values, religious and spiritual beliefs and tolerate diversity, should have obtained a consensus in accepted rules of law and regulations of the political game, have common references in history and somehow a collective memory of lessons learnt from the past. These preconditions allow members of that community to ascertain common ethical values, to distinguish what is good or bad, wrong or right in general and in their specific context. International bodies were able to establish in the last century common references for mankind as a whole, for all nations and states, and universal human rights are one of the most prominent of these new achievements and collective ground. Do political structures in most African countries enable their citizens to share common values?

In the vast majority of African states, the political structure is inherited from the colonial structure established by the former colonial power. The intention of the colonial structure was not to establish and promote the well-being of the indigenous population or the development of the colony, but to satisfy the needs of the colonial metropolis, its companies and its population. The resources of the colony were to be exploited for the benefit of the colonial masters, and the expatriated colonial elite had to make use of the indigenous elite in the colony, joining efforts in order to achieve this goal. The indigenous population therefore had no real say nor any rights in this general politics.

In some colonial structures, local leaders were only allowed to manage strictly indigenous affairs in the framework of an indirect rule. But the management of the country, internal and foreign affairs, economy, military and the global judicial system were monopolised by the elite composed and controlled by the colonial master. There was no system of power sharing between the colonial master and the indigenous elite, the role of associated indigenous elite being limited to the smooth functioning of the machinery of the colonial system.

It was clearly a system of monopoly of power, a system of exclusion of the vast majority of the population from decision making, a system of negation of the colonised citizen's needs. The African ruling elite in fact was not there to defend the interests of their own citizens, but those of the foreign colonial masters. This elite had no need to refer to the citizens and was not accountable towards the peoples, the accountability was uniquely limited to directives from abroad, coming from the colonial metropolis. The ability of the elite to maintain power or to access to it also deeply depended on the political, military and economic constraints of

the foreign colonial power. In other terms, the ruling elite did not depend on the consent or dissent of the population, the elite was set in place to use and misuse the population in order to achieve the policy of foreign powers in the country. To satisfy the needs of the people in the colonies a political system like that was clearly beyond reform, it had to be changed by negotiations or overthrown by violence. This was the goal of the struggle for independence.

Did this political structure fundamentally change in the post-colonial era in Africa? The basic political structures in most independent African states are adapted from European or American political systems without any linkage to the indigenous structures functioning in African societies before European colonial influence. It means that a historical break was operated in the conception and management of politics. Independence did not reconnect African societies with their heritage of political knowledge. Fundamental laws and political structures were simply handed down to the new independent states, in colonial languages not accessible to the vast majority of the population in a kind of “gentlemen agreement” between the old colonial master and the new African elite educated by this master. Fundamental laws and political structures were not the result of a broad consensus taking into account religious belief and indigenous spirituality, historical background and achievements of the African society, of their intellectual and philosophical heritage, common memory and references. Citizens had no ownership of their legal system and political structures, they did not reflect their aspirations and visions. These structures were still imposed from abroad and in order to continue the stable management of mainly foreign interests.

The African ruling elite was entangled in a structural dependency from foreign European, American or Soviet elite ‘s and their business companies and agencies. The question of power in Africa was then mainly resolved through the assistance or involvement of that external elite. This was and is still done through military power, national and international economic links, state owned and private enterprise, and a network of remote- controlled political lobbies. To remain in or access to power, the African elite needs reliable connections, complicity with or involvement and support from foreign powers and foreign companies. This situation produces a system of non-values damaging the society as a whole, lacking any reference to inherited African values of the concerned country. Why wonder that people can not identify themselves with that framework imposed from abroad functioning on the ground of non-values and unfamiliar practices excluding and negating totally their own political history and cultural heritage.

2 - Corruption, Ethnicity and Mismanagement

How can this kind of system function? Mainly through corruption, ethnicity and mismanagement. The political system of colonialism in colonised countries is itself essentially corrupt, it can not work through transparency and accountability in the colony, but essentially through military and police coercion, through the selection of the very few benefiting of special advantages but betraying their own people and serving the master without conscience or moral scruples.

The political system of colonialism could not rely on the support of the indigenous population, it had to be imposed by force and corruption. The imported political system transferred from former imperial powers or from superpowers after independence was not the result of a general consensus within the population and needed therefore to be imposed through coercion mechanisms and corruption.

The so-called neo-colonial state could only function through bribery, exorbitant advantages of the ruling elite having laid their hands on the economic resources of the country in the interests of foreign business, through external military support from foreign states or foreign companies, mostly involved in the exploitation of the natural and energy resources of the new African states.

This system of corruption has a second ally, ethnicity or the misuse of ethnics for the power struggle. By dividing the population in antagonist groups, reviving well controlled micro-nationalisms in the country, the emergence of a national civil society able to counterbalance the political power was nipped in the bud. The combination of corruption and the misuse of ethnicity for power purposes opens the way to a mismanagement system protected by impunity.

Even so called “fair and free” democratic elections in most of the African countries are today biased by a combined system of incumbency, corruption and ethnicity.

Within this kind of political system in place, the repetition of mass murder, genocide and holocaust is rooted in the system itself. Even a goodwill policy of political forgiveness will fail sooner or later if the system itself is not properly changed. Which are then the preconditions for a policy of political forgiveness in African countries?

3 - Preconditions for a policy of political forgiveness in African countries

The Rwandese Experience

Taking the Rwandese Genocide as a case study, it is obvious that the totalitarian regime in Kigali did function on the basis of inherited colonial structures which divided Rwandese on the basis of European fascist ideology and opposed them officially in Hutus and Tutsis since 1933. The Belgian administration favoured the then as Tutsi classified and made use of them as a transmission belt between the colonial power and the Rwandese population in general. Enjoying privileges from the colonial masters, the Tutsi delighted themselves in an invented theory of racial superiority vis à vis the Hutu. But in the wake of independence, the colonial master fearing the leadership of the educated Tutsi changed the alliance and pushed the Hutu to power, paving the way for the expulsion of Tutsi leaders. Action and reaction of Hutu and Tutsi embedded in racist manipulation of ethnicity ended repeatedly in mass killing and finally in genocide.

Because Rwandese identified themselves as Hutu or Tutsi, because the so-called Hutu represented the vast majority of the population, elections could only reaffirm Hutu power for the Hutu elite. There was no way for a Tutsi to challenge a Hutu leader. This system of negation of minority rights and systematic discrimination installed an official apartheid within an all black population, and corruption worked on the basis of ethnicity. International cooperation and complicity allowed through direct and indirect support of the totalitarian Hutu regime to accomplish the genocide, the murder of over 800.000 people, in less than three months without international intervention in the name of human rights.

The Rwandese political elite failed to address the political structure inherited from colonialism, it obviously forgot that Hutu meant peasant and Tutsi cattle breeder, that a peasant could become a cattle breeder and a Tutsi a peasant or Hutu. The Rwandese elite ignored the structure of balance of power in place in the pre-colonial kingdoms, the sometimes fatal power of the elders in face of the king who could be executed if he did not act for the common welfare of the society as a whole.

The post-independence structure of power did not integrate mechanisms to balance the ruling elite's power, as a consequence it visibly favoured power monopoly and dictatorship. It is to be feared that when those calling themselves Hutu will again access to power, their revenge on the so-called Tutsi will be merciless.

The precondition for a sustainable political structure is the exorcism of the deeply integrated Hutu-Tutsi invention and dichotomy, the correction of historical falsification concerning Rwandese ethnicity and social structures and the development of a new consciousness of Rwandese citizens belonging to the same ethnicity, sharing the same language, the same culture and the same political past. This new consciousness should lead to a new vision for Rwanda, the Southern African Region and for the whole of Africa as actually discussed in the African Renaissance framework. This is an essential challenge for the Rwandese political elite. In that process of a new consciousness, inherited common values of the Rwandese people in particular and of Africans in general will emerge again, a synthesis with internationally recognised human values could be operated, new political structures defined and a consensus on global justice obtained within the society. Only then, political forgiveness will be sustainable, only then a process of lasting global justice will deeply influence future generations.

After Genocide in Rwanda, Forgiveness by the victims was not imaginable without justice, recognition by the perpetrators and a secure political and military system. But in this kind of mass killing where 800.000 to one million people lost their lives within less than three months in 1994, not only police and the military were involved in the genocide, also the civil society took actively part, 40-60% of the male Hutu-youth was involved, and 2% of the whole Rwandese population was then put in to jail. About 110 000 detainees in overcrowded prisons have been charged of participation in the genocide. It came to extreme situations where husbands killed their own wives and children, neighbours killed neighbours, friends killed friends, educators killed students or students killed their professors, priests killed their flock etc. How can justice be restored? Is political forgiveness imaginable?

Two judicial institutions were constituted to face those criminal cases classified in different categories, the International Criminal Tribunal of Rwanda in Arusha (ICTR) and the national penal courts. By the early 2002, The ICTR had judged only 9 people, the national penal courts of Rwanda 6000 of the 110 000 detainees. That means that the whole procedure could take hundred years. One main question remains: if the perpetrators are judged, put to jail or punished in a different way, would reconciliation be possible? The answer was: not at all. The Rwandese philosophy and political tradition privileges collective healing of the society leading to the restoration of harmony. Justice and the punishment of the individual are only

first steps, the individual is just part of a collective group, and the main objective consists in the reintegration of the individual in the group and in the restoration of harmony within the group. The Rwandese government therefore reactivated since June 2002 by law (January 26, 2001) the traditional judicial form called “Gachacha”, in charge of categories dealing with crimes like grievous bodily harm, manslaughter, murder, robbery, financial delinquency or theft. Gachacha is under the supervision of the Supreme Court of Justice. Every week, 13% of the population is involved in this reformed traditional judicial system with 10 000 gachacha courts installed and 260 000 citizens operating as judges. The new judges replace the old wise men, the Inyangamugayo, the procedure of finding the truth is collective and public, on the hills, and everybody participates in the healing process. Some researchers have estimated that 89% of the Rwandese declared that it is a step to reconciliation when the perpetrators confess their crimes and ask for forgiveness.

The South African Experience

Substantial Lessons for political Forgiveness were learnt from the South African Experience after Apartheid. The racist political system had to be overthrown and replaced by a non racial and democratic system taking into account the different heritages of the South African community, even the different languages of the rainbow nation. The new political system emerged as a consensus that Apartheid should never occur again, and various heritages of modern political systems were integrated in the formulation of the new constitution.

In the judicial system, a global and popular catharsis was staged by the Truth And Reconciliation Commission, and common accepted values on human rights, justice and forgiveness emerged, were emotionally shared and implemented in the judicial and political system. The new political system could be formulated because of the lessons learnt from the structured injustice in Apartheid, through the long political struggle of the ANC since 1912 and other parties, the experience of trade union’s fights and international solidarity. The long way to reconciliation was engaged as a lasting process in a new South Africa. But it remains a process, it is work in progress and not yet an achievement.

It is not surprising that the idea of African Renaissance emerged again in that process of a new emerging South Africa, renaissance from the old enslaved, colonised, apartheid dominated and neo-colonised Africa. This Renaissance discussion opened the way for the necessity of a discourse ownership with a proper African vision, including the whole continent. The South African Government has made the unity of the continent one of its

priorities, pushing with others to the constitution of the African Union and adopting a millennium program like the New Partnership for Africa's Development (NEPAD). This policy is to be seen as an attempt to consolidate the achievements of the struggle against Apartheid, to modify the inherited Apartheid and neo-colonial structure of the economy and to counterbalance international financial domination on African countries. The result of the interaction of all these elements in process could lead in South Africa to a sustainable global justice and as consequence to a political forgiveness.

4 - The vision for sustainable peace, global justice and political forgiveness in Africa

African States are urgently in need of political systems elaborated on the basis of the "Weltanschauung" of African people, their indigenous beliefs, philosophy, culture, mentality, their inherited political and economic systems. This will only be achieved if the African elite sincerely questions the global African heritage and its adequacy to address modern African challenges. Researchers should not ignore any longer the findings on African achievements in past centuries and millennium's in all fields of research and should seriously investigate how these findings could eventually offer useful solutions for actual problems. This constitutes a major challenge for contemporary research on Africa, and the African Renaissance discourse ownership addresses this question in a very adequate and credible way. Political systems in contemporary Africa should take into account the ancient heritage of African political structures often based on multicultural nations living together within a state and conciliate this African heritage with modern administrative mechanisms and with the great political achievements of humanity as a whole. The South African Truth and Reconciliation Commission and the Gachacha in Rwanda are two prominent examples of the possible integration of African political heritage in modern politics.

It is obvious that the imposition of imported political systems is not able to produce stability, peace, fairness, equal opportunities or self-reliance in Africa. The international community and the donors should therefore abandon the exportation of prefabricated political systems to African countries – they did never work! - and support an elaborated synthesis stemming from African political heritage and based on political challenges of the present and the future. This will not only benefit African countries, but the whole international community.